## AC

### Framing

#### The subject does not exist a priori and is ontologically constructed through social interactions. In acting one is necessarily influencing and being influenced by the external world and the other -otherwise action would be without content. The “I” can not exist in a vacuum, for it is only through the processes of recognition and socialization that the “I” comes to know of its existence in the first place. I only know I am a debater because I have language to express this concept and because others view me as one. And, morality is necessarily relational and dependent on the subject because ethics prescribe normative obligations to the other. This means all ethical theories must begin with an account of the subject.

Butler 05 [Judith Butler, Giving an Account of Oneself New York: Fordham UP, 2005. Print.] WWEY

Adorno seems nearly Kierkegaardian in insisting upon the place and meaning of the existing individual and the necessary task of appropriating morality as well as opposing forms of ethical violence. But of course he cautions against the error to be found in the opposite position, when the ‘‘I’’ becomes understood apart from its social conditions, when it is espoused as a pure immediacy, arbitrary or accidental, detached from its social and historical conditions— which, after all, constitute the general conditions of its own emergence. He is clear that there is no morality without an ‘‘I,’’ but pressing questions remain: In what does that ‘‘I’’ consist? And in what terms can it appropriate morality or, indeed, give an account of itself? He writes, for instance, ‘‘it will be obvious to you that all ideas of morality or ethical behavior must relate to an ‘I’ that acts’’ (PMP, 28). Yet there is no ‘‘I’’ that can fully stand apart from the social conditions of its emergence, no ‘‘I’’ that is not implicated in a set of conditioning moral norms, which, being norms, have a social character that exceeds a purely personal or idiosyncratic meaning. The ‘‘I’’ does not stand apart from the prevailing matrix of ethical norms and conflicting moral frameworks. In an important sense, this matrix is also the condition for the emergence of the ‘‘I,’’ even though the ‘‘I’’ is not causally induced by those norms. We cannot conclude that the ‘‘I’’ is simply the effect or the instrument of some prior ethos or some field of conflicting or discontinuous norms. When the ‘‘I’’ seeks to give an account of itself, it can start with itself, but it will find that this self is already implicated in a social temporality that exceeds its own capacities for narration; indeed, when the ‘‘I’’ seeks to give an account of itself, an account that must include the conditions of its own emergence, it must, as a matter of necessity, become a social theorist. The reason for this is that the ‘‘I’’ has no story of its own that is not also the story of a relation—or set of relations—to a set of norms. Although many contemporary critics worry that this means there is no concept of the subject that can serve as the ground for moral agency and moral accountability, that conclusion does not follow. The ‘‘I’’ is always to some extent dispossessed by the social conditions of its emergence.3 This dispossession does not mean that we have lost the subjective ground for ethics. On the contrary, it may well be the condition for moral inquiry, the condition under which morality itself emerges. If the ‘‘I’’ is not at one with moral norms, this means only that the subject must deliberate upon these norms, and that part of deliberation will entail a critical understanding of their social genesis and meaning. In this sense, ethical deliberation is bound up with the operation of critique. And critique finds that it cannot go forward without a consideration of how the deliberating subject comes into being and how a deliberating subject might actually live or appropriate a set of norms. Not only does ethics find itself embroiled in the task of social theory, but social theory, if it is to yield nonviolent results, must find a living place for this ‘‘I.’’

They continue –

In Foucault’s view, this opening calls into question the limits of established regimes of truth, and there a certain risking of the self becomes, he claims, the sign of virtue.11 What he does not say is that sometimes calling into question the regime of truth by which my own truth is established is motivated by the desire to recognize another or be recognized by one. The impossibility of doing so within the norms available to me compels me to adopt a critical relation to those norms. For Foucault, the regime of truth comes into question because ‘‘I’’ cannot recognize myself, or will not recognize myself, within the terms that are made available to me. In an effort to escape or overcome the terms by which subjectivation takes place, my struggle with norms is my own. His question effectively remains ‘‘Who can I be, given the regime of truth that determines ontology for me?’’ He does not ask the question ‘‘Who are you?’’ nor does he trace the way in which a critical perspective on norms might be elaborated starting out from either of those questions. Before we consider the consequences of this occlusion, let me suggest one final point about Foucault, although I will return to him later. In asking the ethical question ‘‘How ought I to treat another?’’ I am immediately caught up in a realm of social normativity, since the other only appears to me, only functions as an other for me, if there is a frame within which I can see and apprehend the other in her separateness and exteriority. So, though I might think of the ethical relation as dyadic or, indeed, as presocial, I am caught up not only in the sphere of normativity but in the problematic of power when I pose the ethical question in its directness and simplicity: ‘‘How ought I to treat you?’’ If the ‘‘I’’ and the ‘‘you’’ must first come into being, and if a normative frame is necessary for this emergence and encounter, then norms work not only to direct my conduct but to condition the possible emergence of an encounter between myself and the other.

#### Thus the metaethic is constructivism, or that moral truths are socially determined. Prefer additionally:

#### [1] Rule-following paradox—rules are infinitely regressive because they rely on more rules to explain them that are based in social understanding.

#### [2] Epistemology—the way we interpret the natural world is necessarily framed by social constructs—we don’t call trees trees because of some natural fact about trees.

#### [3] Externalism fails—even if a priori normative facts exist, they’re epistemically inaccessible because the human mind only understands reality through language - knowing 2+2=4 is contingent on socialization because there is nothing intrinsic to the symbols themselves that would tell us their truth value.

#### [4] Bindingness – language and social norms are inescapable, because the only way you can pursue ends is through others. Even if one refuses to engage in a particular enterprise, they could not escape the social context that enterprise is situated in. One could choose not to play chess, but this necessitates a social understanding of what chess is in the first place.

#### [5] Actor specificity – The resolution calls for the recognition between two entities, a government and the workers, which necessitates an ethical account that addresses obligations to the other.

#### [6] Subject formation – The subject is necessarily formed through interactions with the other. This makes the AC framing undeniable—to deny the framework and be a skeptic requires that one be recognized as a skeptic by the other, which concedes the authority of the framework.

#### This makes subjecthood inherently precarious—because we are reliant upon the Other for our identity, there is always the possibility of being harmed by the Other. A necessary condition to recognize the precariousness of life is grievability—i.e. who matters. Maintaining structures of grievability is necessary to actualize oneself as an agent since it allows engagement in one’s own identity. Also controls the root cause of violence – absent grievability, infinite violence can be inflicted upon the other as there is no loss to be mourned and no death to register.

Butler 3 [Judith Butler, Giving an Account of Oneself New York: Fordham UP, 2005. Print.] WHS-RS recut WWBW slightly retagged by WWEY

**To say that a life is injurable**, for instance, or that it can be lost, destroyed, or systematically neglected to the point of death, **is to underscore** not only the finitude of a life (that death is certain) but also **its precariousness** (that life requires various social and economic conditions to be met in order to be sustained as a life). **Precariousness implies living socially, that is, the fact that one's life is always in some sense in the hands of the other. It implies** exposure both to those we know and to those we do not know; a **dependency** on people we know, or barely know, or know not at all. **Reciprocally, it implies being impinged upon by the exposure and dependency of others**, most of whom remain anonymous. These are not necessarily relations of love or even of care, but constitute obligations toward others, most of whom we cannot name and do not know, and who may or may not bear traits of familiarity to an established sense of who "we" are. In the interest of speaking in common parlance, we could say that "we" have such obligations to "others" and presume that we know who "we" are in such an instance. The social implication of this view, however, is precisely that the "we" does not, and cannot, recognize itself, that it is riven from the start, interrupted by alterity, as Levinas has said, and the obligations "we" have are precisely those that disrupt any established notion of the "we." Over and against an existential concept of finitude that singularizes our relation to death and to life, **precariousness underscores our radical substitutability and anonymity in relation both to certain socially facilitated modes of dying and death and to other socially conditioned modes of persisting and flourishing.** It is not that we are born and then later become precarious, but rather that **precariousness is coextensive with birth itself** (birth is, by definition, precarious), **which means that it matters whether or not this infant being survives, and that its survival is dependent on what we might call a social network of hands.** Precisely **because a living being may die, it is necessary to care for that being so that it may live. Only under conditions in which the loss would matter does the value of the life appear. Thus, grievability is a presupposition for the life that matters.** For the most part, we imagine that an infant comes into the world, is sustained in and by that world through to adulthood and old age, and finally dies. We imagine that when the child is wanted, there is celebration at the beginning of life. But **there can be no celebration without an implicit understanding that the life is grievable, that it would be grieved if it were lost**, and that this future anterior is installed as the condition of its life. In ordinary language, **grief attends the life that has already been lived, and presupposes that life as having ended.** But, according to the future anterior (which is also part of ordinary language), **grievability is a condition of a life's emergence and sustenance**.7 The future anterior, "a life has been lived," is presupposed at the beginning of a life that has only begun to be lived. In other words, "this will be a life that will have been lived" is the presupposition of a grievable life, which means that this will be a life that can be regarded as a life, and be sustained by that regard. **Without grievability, there is no life, or, rather, there is something living that is other than life. Instead, "there is a life that will never have been lived," sustained by no regard, no testimony, and ungrieved when lost. The apprehension of grievability precedes and makes possible the apprehension of precarious life. Grievability precedes and makes possible the apprehension of the living being as living, exposed to non-life from the start.**

#### Thus the standard and the rotb is *promoting social norms that render life grievable*.

#### Impact calc –

#### 1] The framework generates political obligations – the state renders certain lives grievable through the regulation of social norms which means it ought to foster norms that render all lives grievable.

#### 2] Reject threat construction – DAs do not start at 100% risk and the marginal risk of extinction is not sufficient to overcome clearly defined ethical harm. Arguing that we should preserve the squo because of marginal risk is a colonial move to institutionalize current social norms and prevent effective resistance.

#### 3] Recognizing the other is inherently intent based as recognition involves proactively choosing whether to see the other as another agent. This means the value of social norms and actions is determined by their intrinsic features as opposed to consequences, which are contingent and fail to recognize the other as an agent as they are viewed as merely instrumental and substitutable.

#### Prefer additionally –

#### [1] All of your arguments presuppose the judge will recognize you as a valid individual whose words hold value

#### [2] You can only generate obligations if you understand yourself and others as a subject so we should accept the harms of recognition because without recognition, there is no way to take actions because obligations take the form of agent x out to do y

#### [3] Pre-req to other ethics: Lives that aren’t seen as grievable face various burdens at disproportionate rates and we become inclined to feel indifference to their pain, so they are excluded from our calculus. Butler 4 Judith. “Frames of War.” Verso Press. 2009

#### Such frames are operative in imprisonment and torture, but also in the politics of immigration, according to which certain lives are perceived as lives while others, though apparently living, fail to assume perceptual form as such. Forms of racism instituted and active at the level of perception tend to produce iconic versions of populations who are eminently grievable, and others whose loss is no loss, and who remain ungrievable. The differential distribution of grievability across populations has implications for why and when we feel politically consequential affective dispositions such as horror, guilt, righteous sadism, loss, and indifference. Why, in particular, has there been within the US a righteous response to certain forms of violence inflicted at the same time that violence suffered by the US is either loudly mourned (the iconography of the dead from 9/11) or considered inassimilable (the assertion of masculine impermeability within state rhetoric)? If we take the precariousness of life as a point of departure, then there is no life without the need for shelter and food, no life without dependency on wider networks of sociality and labor, no life that transcends injurability and mortality. We might then analyze some of the cultural tributaries of military power during these times as attempting to maximize precariousness for others while minimizing precariousness for the power in question. This differential distribution of precarity is at once a material and a perceptual issue, since those whose lives are not "regarded" as potentially grievable, and hence valuable, are made to bear the burden of starvation, underemployment, legal disenfranchisement, and differential exposure to violence and death. It would be difficult, if not impossible, to decide whether the "regard"-or the failure of "regard"-leads to the "material reality" or whether the material reality leads to the failure of regard, since it would seem that both happen at once and that such perceptual categories are essential to the crafting of material reality (which does not mean that all materiality is reducible to perception, but only that perception carries its material effects).

#### [4] Compatibility – different subjects have different understandings of normativity, and they appropriate normativity in different ways to justify their actions. Reasons for acting are relative, not absolute

**Enoch 11** Enoch, David. "Giving Practical Reasons." Philosophers Imprint. The Hebrew University, Mar. 2011. Web. <https://quod.lib.umich.edu/cgi/p/pod/dod-idx/giving-practical-reasons.pdf?c=phimp;idno=3521354.0011.004>.

I should also note something it does not take for the role played by the given reason in the receiver’s practical reasoning to be appropriate. It is not required that the role be, as it were, ultimate. In other words, it is perfectly consistent with robust reason-giving thus understood that there be a further, fuller, perhaps more basic story of why it is that B does and should take A’s relevant intentions as reason-giving. Perhaps, for instance, B is a simple utilitarian, and let’s further assume that simple utilitarianism is indeed the true fundamental story about all reasons for action. If so, B will take A’s request as a reason to [act] if and only if, and because, doing so will maximize utility. But this does not mean that she doesn’t take, in those cases, A’s request to be a (nonultimate) reason. The crucial question is whether the ultimate (or perhaps just more basic) story here is one that goes through the reasongiver’s special intentions identified above (and the receiver’s recognition thereof), as in the case of the utilitarian request-receiver, in which case we may have a case of robust reason-giving; or whether the more basic story here works directly, leaving no role for the specific intentions that make reason-giving robust (as is the case in the dictator’s child example). Cases of this latter type are not, on the account I’m suggesting here, cases of robust reason-giving. And this seems to me the independently plausible result here. Notice that the intentions mentioned above do not include something like the intention that B actually Φs. This is so because A can give B a reason to [act] Φ knowing well that other reasons may be relevant, including possibly stronger reasons not to [act] Φ.52 Indeed, it seems to me A can make a genuine request that B Φs, all the time acknowledging that if certain other considerations bear on the case, B should not (all things considered) Φ. We do not want to restrict robust reason-giving to just the cases in which the reason-giver intends the given reason to outweigh all others. For similar reasons, A need not intend that the given reason be the only reason for which B Φs.

#### [5] The lack of a clear consensus of what constitutes life and death implies the necessity for a frame to make these decisions. Butler 6 Judith. “Frames of War.” Verso Press. 2009

Those norms draw upon shifting schemes of intelligibility, so that we can and do have, for example, histories of life and histories of death. Indeed, **we have ongoing debates about whether the fetus should count as life**, or a life, or a human life; we have further debates about conception and what constitutes the first moments of a living organism**; we have debates also about what constitutes death, whether it is the death of the brain, or of the heart, whether it is the effect of a legal declaration** or a set of medical and legal certificates. **All of these debates involve contested notions of personhood and, implicitly, questions regarding the "human animal" and how that conjunctive (and chiasmic) existence is to be understood. The fact that these debates exist, and continue to exist,** does not imply that life and death are direct consequences of discourse (an absurd conclusion, if taken literally). **Rather, it implies that there is no life and no death without a relation to some frame.** Even when life and death take place between, outside, or across the frames by which they are for the most part organized, they still take place, though in ways that call into question the necessity of the mechanisms through which ontological fields are constituted. If a life is produced according to the norms by which life is recognized, this implies neither that everything about a life is produced according to such norms nor that we must reject the idea that there is a remainder of "life"-suspended and spectral-that limns and haunts every normative instance of life. **Production is partial and is, indeed, perpetually haunted by its ontologically uncertain double. Indeed, every normative instance is shadowed by its own failure, and very often that failure assumes a figural form. The figure lays claim to no certain ontological status, and though it can be apprehended as "living," it is not always recognized as a life. In fact, a living figure outside the norms of life not only becomes the problem to be managed by normativity, but seems to be that which normativity is bound to reproduce: it is living, but not a life. It falls outside the frame furnished by the norm, but only as a relentless double whose ontology cannot be secured, but whose living status is open to apprehension.**

### Advocacy

#### Thus I affirm the resolution: A just government ought to recognize an unconditional right of workers to strike. I defend the resolution as a general principle and implement through normal means. I’m willing clarify or specify whatever you want me to in CX if it doesn’t force me to abandon my maxim. Check all interps in CX – I could’ve met them before the NC and abuse would’ve been solved. PICs don’t negate: General principles don’t defend an absolute action, so they tolerate exceptions

### Offence

#### Labor strikes are a form of nonviolence that are key to breaking free from exploitation and for grievable workers to persist by asserting their own worth. Butler 20 Judith Butler; Judith Butler on Rethinking Vulnerability, Violence, Resistance; Vesro Books; 06 March 2020; https://www.versobooks.com/blogs/4583-judith-butler-on-rethinking-vulnerability-violence-resistance

**The ties that potentially bind us across zones of geopolitical violence can be unknowing and frail, freighted with paternalism and power, but they can be strengthened through transversal forms of solidarity that dispute the primacy and necessity of violence.** The sentiments of solidarity that persist are those that accept the transversal character of our alliances, the perpetual demand for translation as well as the epistemic limits that mark its failures, including its appropriations and effacements. **To avow vulnerability not as an attribute of the subject, but as a feature of social relations, does not imply vulnerability as an identity, a category, or a ground for political action. Rather, persistence in a condition of vulnerability proves to be its own kind of strength, distinguished from one that champions strength as the achievement of invulnerability**. That condition of mastery replicates the forms of domination to be opposed, devaluing those forms of susceptibility and contagion that yield solidarity and transformational alliances. Similarly, the prejudice against nonviolence as passive and useless implicitly depends upon a gendered division of attributes by which masculinity stands for activity, and femininity for passivity. No transvaluation of those values will defeat the falsehood of that binary opposition. Indeed, the power of nonviolence, its force, is found in the modes of resistance to a form of violence that regularly hides its true name. **Nonviolence exposes the ruse by which state violence defends itself against black and brown people, queer people, the migrant, the homeless, the dissenters—as if they were, taken together, so many vessels of destruction who must, for “security reasons,” be detained, incarcerated, or expelled**. The “soul force” that Gandhi had in mind was never fully separable from an embodied stance, a way of living in the body and of persisting, precisely under conditions that attack the very conditions of persistence. Sometimes continuing to exist in the vexation of social relations is the ultimate defeat of violent power. **To link a practice of nonviolence with a force or strength that is distinguished from destructive violence, one that is manifest in solidarity alliances of resistance and persistence, is to refute the characterization of nonviolence as a weak and useless passivity**. Refusal is not the same as doing nothing. The hunger striker refuses to reproduce the prisoner’s body, indicting the carceral powers that are already attacking the existence of the incarcerated**. The strike may not seem like an “action,” but it asserts its power by withdrawing labor that is essential to the continuation of a capitalist form of exploitation.** Civil disobedience may seem like a simple “opting out,” but it makes public a judgment that a legal system is not just. It requires the exercise of an extra-legal judgment**. To breach the fence or the wall that is designed to keep people out is precisely to exercise an extra-legal claim to freedom, one that the existing legal regime is failing to provide for within its own terms. To boycott a regime that continues colonial rule, intensifying dispossession, displacement, and disenfranchisement for an entire population, is to assert the injustice of the regime, to refuse to reproduce its criminality as normal**. For nonviolence to escape the war logics that distinguish between lives worth preserving and lives considered dispensable, it must become part of a politics of equality. Thus, **an intervention in the sphere of appearance**—the media and all the contemporary permutations of the public sphere—**is required to make every life grievable, that is, worthy of its own living, deserving of its own life. To demand that every life be grievable is another way of saying that all lives ought to be able to persist in their living without being subject to violence, systemic abandonment, or military obliteration**.

#### The right to strike turns the law against itself, and the right being unconditional prevents the state from controlling and limiting the right to strike. Crepon 19 MARC CRÉPON; The Right to Strike and Legal War in Walter Benjamin’s “Toward the Critique of Violence”; CRITICAL TIMES 2:2; AUGUST 2019

First, **is it legitimate to present the strike as a form of violence**? Who has a vested interest in such a representation? In other words, how can we trace a clear and unequivocal demarcation between violence and nonviolence? Are we not always bound to find residues of violence, even in those actions that we would be tempted to consider nonviolent? The second line of questioning is just as important and is rooted in the distinction established by Georges Sorel, in his Reflections on Violence, between the “political strike” and the “proletarian general strike,” to which Benja­ min dedicates a set of complementary analyses in §13 of his essay. Here, again, we are faced with a question of limits**. What is at stake is the possibility for a certain type of strike (the proletarian general strike) to exceed the limits of the right to strike— turning**, in other words**, the right to strike against the law itself**. **The phenomenon is that of an autoimmune process, in which the right to strike that is meant to protect the law against the possible violence of class strugles is transformed into a means for the destruction of the law**. The diference between the two types of strikes is nevertheless introduced with a condition: “**The validity of this statement, however, is not unrestricted because it is not unconditional**,” notes Benjamin in §7. We would be mistaken in believing that the right to strike is granted and guaranteed uncondi­ tionally. Rather, it is structurally subjected to a conflict of interpretations, those of the workers, on the one hand, and of the state on the other**.**

### Underview

#### [1] Independently, each life improved solves an existential catastrophe.

Kaczmarek 17 – Patrick Kaczmarek, PhD at the University of Glasgow, a Senior Researcher at Effective Giving, Visiting Researcher at the Future of Humanity Institute at the University of Oxford and a Visiting Scholar at the Department of Philosophy at the University of Pittsburgh. [How Much is Rule-Consequentialism Really Willing to Give Up to Save the Future of Humanity? Utilitas, 29(2), https://www.cambridge.org/core/journals/utilitas/article/how-much-is-ruleconsequentialism-really-willing-to-give-up-to-save-the-future-of-humanity/F867301151A79F7DA566A14DF71749B3]//BPS

Notice, the problem can be cast two different ways. First, the loss associated with humanity's premature extinction is so great that even if the probability of a catastrophic event is very low, an expected value calculation suggests that we should strive to prevent its possible occurrence**. And yet, there is something deeply puzzling about ruining the lives of all actual persons for the sake of humanity eking out a longer stay in the universe. Second, you may have realized that the above implication bears close resemblance to the dreaded Repugnant Conclusion.** The Repugnant Conclusion states that for any population**, all with a very high quality of life, there must be some larger imaginable population whose existence, all else being equal, would be better despite their lives being barely worth living**.19The mistake, as countless critics have noted, is that quantity (that is, size of population) should not be able to compensate for a stark reduction to their average quality of life. I'm inclined to agree that this looks worrisome**. For some, if this were the end of the story, it would surely act as a reductio ad absurdum of the view. But this is not the full story. In setting out our earlier comparison of the two populations it was assumed that only costs go up, never benefits. That is to say, A was fixed and the total sum of goods went up merely because the size of the population grew, despite internalization costs reducing average quality of life.** Colouring in the picture, this corresponds to the scenario where, all else being equal, existential threats are directly targeted. To illustrate, this could amount to putting a lot of resources towards asteroid deflection programmes.**20 I now wish to argue that we could instead reduce existential risk by indirect means, and in so doing make the world in two ways go better. As noted earlier, we would prolong humanity's place in the cosmos. Furthermore, an indirect approach improves the average welfare of persons, particularly the worse-off in our population**. Certainly, it would be a mistake to concentrate exclusively on indirectly lowering the probability of doomsday. Returning to our earlier example, reducing global poverty cannot prevent an Earth-bound asteroid the size of Texas from making impact. **Nevertheless, if we were also to adopt an indirect approach, then this would contribute to existential risk reduction by curbing the negative ripple effects of readily preventable illnesses, global hunger, and so forth**. Ripple effects are a class of phenomena that affect the far future in significant ways, shaping how our history unfolds over time.21A ripple effect is initiated by a particular event that has some causal influence on the course of events that follow it. These events, in turn, may have their own impact on how further events play out**. And so on it goes, reaching wider and wider as time passes. Consider the following example. A doctor is in a position to cure some infant's blindness.** Sure, the infant will probably have a better life after the operation. Most of us are quick to hone-in on this feature of the situation. And many other goods go unacknowledged by us as a result**. Just a few of the proximate advantages we might reasonably expect to find after curing the infant's blindness include: her parents will be less worried about her, subsequently finding more free time to develop their own personal projects; the government will spend fewer resources on providing her education; this child will grow up with more opportunities, as well as perhaps being inspired to start a grassroots initiative or develop an anti-malarial drug**. All of these consequences will have some role in shaping our future due to their own ripple effects. **This network of ripple effects might go so far as causing '[her] country's economy to develop very slightly more quickly, or make certain technological or cultural innovations arrive more quickly'**.22

#### [2] Presumption and permissibility affirm – a) We always default to assuming something true until proven false, or it would be almost impossible to make any claim at all b) If agents had to reflect on every action they take and justify why it was a good one we would never be able to take an action because we would have to justify actions that are morally neutral. If I had to justify my action every time I decided upon a course of action I would never be able to make decisions which lead to action freeze, it’s a practical requirement of action c) Negating an obligation means proving a prohibition of that act, means permissibility affirms because negating is prohibiting the aff action. d) The Law of Excluded Middles - if something is not false, it must be true, which means that if something is not prohibited, it must be obligatory, and permissibility is the same as obligatory

#### [3] Affirming is harder – all theory arguments have an implicit aff flex standard because of huge side bias – outweighs neg fairness arguments unless they prove how it uniquely outweighs the disparity since it’s structural. Put away your evidence ethics claims, this is from 2021 and the author does endorse substantive compensation for the aff

Sachin Shah 21 (Former debater and statistician) “A Statistical Study of Side Bias on the 2021 January-February Lincoln-Douglas Debate Topic by Sachin Shah” NSD Update, 2021, http://nsdupdate.com/2021/a-statistical-study-of-side-bias-on-the-2021-january-february-lincoln-douglas-debate-topic-by-sachin-shah/?fbclid=IwAR0xUs8IfbaV31bR1Vv66o6yxa8m0buAGnWNoSrTdtphVinz3YI-UtXmQ1Q. Accessed 10-15-2021, WWEY

It is also interesting to look at the trend over multiple topics. Of the 243 bid distributing tournaments from August 2015 to present, the negative won 52.30% of rounds (p-value < 10^-34, 99% confidence interval [51.82%, 52.78%]). Of elimination rounds, the negative won 55.85% of rounds (p-value < 10^-18, 99% confidence interval [54.16%, 57.54%]). Additionally, after fitting logistical regression to the entire dataset, the offset was found to be 12.57. That translates to 9% of rounds for the negative where the debater predicted to win changed as a result of the bias. This continues to suggest the negative side bias might be structural and not topic specific as this analysis now includes 18 topics. Although debaters commonly use theoretical arguments that negating is harder in rounds i.e., judge psychology, affirmatives speak first and last, etc., these arguments are superseded by the empirical evidence. Even if these arguments correctly point out an advantage for the affirmative, the data shows that after accounting for all advantages and disadvantages (for both sides), negating is still easier. Given a structural advantage for the negative, the affirmative may be justified in being granted a substantive advantage to compensate for the structural skew. This could take various forms such as granting the affirmative presumption ground, tiny plans, or framework choice. Whatever form chosen should be tested to ensure the skew is not unintentionally reversed.

#### [4] The neg may not read utilitarianism or any consequentialist ethical theory as a standard – a) resolvability: 1] Induction fails—induction assumes that things will always happen the same way in the future as they have in the past which begs the question of how we know what happened in the past will happen in the future. 2] Moral cluelessness—consequences are wholly unknowable and any action can lead to a domino effect which means it can’t guide action 3] Infinite consequences—any harm stretches on into the infinite future and makes it impossible to compare harms—results in calculative regress 4] Aggregation fails— other people’s happiness is epistemically inaccessible, so you can’t compare across people—also can’t compare 10 headaches to a migraine to the value of friendship b) psychological violence: util and other consequentialist theories justify atrocities such as slavery if it benefits a marginal majority or for hypothetical benefits that might not even materialize

#### [5] Theory is incoherent: [a] The ballot is always determined off abuse and inequalities, otherwise it would be impossible to evaluate the round. [b] You can’t evaluate theory because it’s evaluating off the flow rather than making the decision of which is actually a better norm, so you can’t actually be consistent with the voters. [c] Theory doesn’t produce the best rule since it allows the better theory debater to produce rules that will benefit them. [d] Things get proven true in debate rounds all the time that aren’t true in the real world, so theory doesn't actually achieve its purpose because it doesn’t prove better norms. [e] It’s a contradiction because you say your voter is either constitutive of or beneficial for a competitive activity, but no competitive activity would establish rules in the middle of a competition. [f] Theory sets bad norms because we vote for interps that are marginally better than other interps, rather the best version of the interp, so it doesn’t achieve the voter. [g] Theory is paradoxical because it attempts to limit arguments but uses arguments to do that, which concedes the validity of arguments in the first place. [h] Not jurisdictional because the judge can only vote for someone proving their side of the resolution. The resolution doesn’t care about whether we can debate, it just says prove your side, so theory isn’t a voter.

#### 6] No education voter - It speaks to a debate value, but not the constitutive nature of the judge—in general it’s true we ought to promote educational debate, but that value isn’t intrinsically connected to the ballot, so the judge doesn’t have jurisdiction to vote on it [2] School solves—we’ll be educated enough. Most super smart people didn’t do debate anyway—means debate doesn’t provide any unique education [3] Subjective—different things are educational for different people—there’s no way to say some norm is objectively better for education. [4] The only useful education is critical thinking which you get from any debate – learning different areas of lit never matters in the real world. [5] Education voters are self-defeating—if it’s true debate is good because it’s educational, overlooking the structure of the activity to vote on education means we’d destroy debate and thus its capacity for education. [6] Education voters are a perfcon—it’s always more educational to just have a substance debate so that means the most educational thing to do is to refuse to vote on theory.

#### 7] No fairness voter - [1] Equal speech times means debate is always fair since we both have the same amount of time to make arguments—if I was unfair its only because you weren’t strategic enough. [2] Debate is always unfair—skill and coaching disparities mean that one debater will always have an advantage going into a round—no brightline for what the judge should evaluate. [3] Self-correcting—the more arguments skew the round, the more likely they are to be bad since the topic committee chooses topics with equal ground—if I read 10 grammar nibs you should be able to answer them because they’re dumb.