## Ted Roark NC

First, all moral theories must account for an individual’s ability to reason, since the idea of being motivated by anything is by our ability to reason to that conclusion. Humans choose to reflect on actions based on after they have happened in order to determine whether they have acted morally or not and use that experience to guide their other actions. Thus, all ethical theories assume that one is the master of one’s own actions. The only liable way to properly respect one’s ability to make decisions is by respecting their independence, because in the state of nature anyone’s rights may be violated.

And, an individual’s independence, or “rightful honor” is inescapable. Ripstein explains

Ripstein, Arthur. Force and Freedom: Kant’s Legal and Political Philosophy. Cambridge: Harvard UP, 2009. PDF. PH

Kant never explicitly argues that the Universal Principle of Right **[Rightful honor] is the unique moral principle for rational beings** who occupy space, but an argument can be provided by analogy with the argument for the postulate of practical reason with regard to rights. That argument showed that the terms on which persons are entitled to use things other than their bodies must be formal rather than material, because otherwise the usability of usable objects would depend on the matter of other persons’ choices. // The same point applies here: **if you were prohibited from using your body in any way,** or, what comes to the same thing, you were conditionally prohibited, so that your entitlement to do anything with your own body was subject to the choice of others, as a material principle would demand (perhaps everyone, or even someone, had to approve any action you chose to perform), **your capacity to set and pursue your own purposes would be subject to** their **choice.** No material principle of that sort could be a universal law under the criteria set out in the *Groundwork,* because **as a rational being you could not will a** universal **law under which you could never set a purpose for yourself**, or one under which you could only do so with the leave of another. So once spatial forms of incompatibility are introduced, only the formal principle of outer freedom – the Universal Principle of Right – could govern the exercise of free but spatially individuated persons. Such an argument is not a derivation of the Universal Principle of Right from the Categorical Imperative; it only shows the former to be the legitimate extension of the latter. // **If moral persons are individuated spatially, then** the only way to have freedom under universal law is for **each embodied rational being** to have **[has], in virtue of its humanity, a right to its own person** – that is, to its own body. **Such a right must be innate, because nothing could count as an affirmative act establishing it** – the right applies to any rational being that occupies space, because its right is nothing more than the right that it has to the space that it happens to occupy. // As we saw in Chapter 2, what legal systems identify as “wrongs against the person” are, unsurprisingly, wrongs against the body, because your body just is your person. You do not occupy your body; your person occupies space. Your body enables you to set and pursue purposes in space and time, but you must do so in a way that is consistent with the ability of other embodied rational beings to set and pursue their purposes in space and time. As Kant notes, this compatibility can only be achieved in abstraction from the “*matter* of choice, that is, of the end each has in mind with the object he wants.” Instead, “all that is in question is the *form* of the relation of choice on the part of both, insofar as choice is regarded merely as *free*.” That is, the rational purposiveness of each is only consistent with the rational purposiveness of others if each person’s body is subject to his or her exclusive choice. Each person is prohibited from injuring or using the body of another. Injury and use in turn can be identified without reference to the maxim on which the wrongdoer acts. Personal injury is just injury to another’s person, that is, bodily damage; the familiar legal wrong of battery – an unauthorized touching of another’s person – is the simplest case of using a person for a purpose he or she has not authorized. Injuring a person interferes with his purposiveness, either by depriving him of some of the powers he has to set purposes, or by using his powers – his person – for purposes he has not set.

Thus, we couldn’t will a principle of dependence, because willing such a principle would require us to be independent, so our obligation to our rightful honor is inescapable—**this** **precludes** other framework justifications because it is impossible to deny an obligation to our rightful honor, denying our rightful honor requires respecting it.

Next, the state exists in order to maintain a system of rightful honor; otherwise it would allow other people to violate your rights constantly. **Ripstein** continues:

Ripstein, Arthur. Force and Freedom: Kant’s Legal and Political Philosophy. Cambridge: Harvard UP, 2009. PDF. PH

**Public acts are omnilateral because they are not any particular person’s** unilateral **choice, but instead are exercised on behalf of the citizens** considered **as a collective body**. They are also omnilateral in a further sense: a unilateral will always has some particular end, some matter of choice. The omnilateral will is different, because all that it provides is a form of choice, by providing procedures through which laws can be made, applied, and enforced. To return to Kant’s initial example, when the state authorizes the acquisition of private property, it does not make the having of property, or the accumulation of wealth, its purpose. Its purpose is to enable individual human beings to have things as their own as against each other, in accordance with the postulate of private right. **When the state acts to sustain a rightful condition**, in the ways to be discussed in Chapters 8 and 9, **it does not have the happiness of its citizens or the gross national product as its end; it only acts to preserve the formal conditions through which people can rule themselves. And when the state punishes criminals**, the topic of Chapter 10, **it does not do so to prevent harm or to see to it that wrongdoers get what they deserve. It simply upholds the supremacy of its own law.**

Thus the standard is non-interference with the right to independence. Impact Calc:

A. An agent is dependent if their unable to set and pursue their own ends regardless of the benefits that arise from the violation of independence. Ripstein 2

Ripstein, Arthur. "Force and freedom." Kant’s Legal and Political Philosophy(2009). **PH**

It may seem misleading to conceive of your own bodily powers as a means that you have, if this suggests that they are somehow external to your ability to set and pursue purposes, or that they only matter insofar as you are actively using them. Kant makes the different claim that you are independent if your body is subject to your choice rather than anyone else’s, so that you, alone or in voluntary cooperation with others, are enti- tled to decide what purposes you will [to] pursue. You are dependent on an- other person’s choice if that person gets to decide[s] what purposes you will pursue. The person who uses your body or a part of it for a purpose you have not authorized makes you dependent on his or her choice; your per- son, in the form of your body, is used to accomplish somebody else’s pur- pose, and so your independence is violated. This is true even if that per- son does not harm you, and indeed, even if he benefits you.

This means beneficence argument don’t link to the NC b/c it creates dependency on welfare to have the power to exercise the ends.

B. Independence is relation so absence of persons nullifies your right to independence. Ripstein 3

Ripstein, Arthur. "Force and freedom." Kant’s Legal and Political Philosophy(2009). PH

Interference with another person’s freedom creates a form of dependence; independence requires that one person not be subject to another person’s choice. Kant’s account of independence contrasts with the more robust conceptions of autonomy prominent in contemporary political philosophy, which usually focus on some mix of the ability to identify with your own choices, and having an ade- quate range of choices so as to make that identification meaningful. Autonomy is usually represented as a feature of a particular agent. On this conception, if there were only one person in the world, it would make sense to ask whether and to what extent that person was autonomous.4 Kantian independence is not a feature of the individual person considered in isolation, but of relations between persons. Personal autonomy contrasts with dependence on circumstance. Independence contrasts with dependence on another person, being subject to that person’s choice. Independence is relational, and so cannot be predicated of a particular person considered in isolation. The difference is important: in principle a slave with a benevolent master and favourable circumstances could be autonomous in the contemporary technical sense. A slave could never be independent, because what he is permitted to do is always dependent on his master’s choice or grace. Independence is an entitlement that provides the normative measure of legitimate institutions.

I contend that affirming violates a right to independence by undermining my both the employee and employers ability to negotiate terms of agreement. Armstrong

**Armstrong, Ari. "Minimum Wage Laws: Economically Harmful Because Immoral." *The Objective Standard*. N.p., 2013. Web. 5 July 2014. GC**

As significant and as clear as the economic problems caused by minimum wage laws are, however, the economic problems are not the fundamental issue. The economic harms are a consequence of the immorality of the minimum wage laws: **The laws violate individuals’ rights to property and contract. Employers have a moral right to run their businesses as they see fit, free from government interference, so long as they do not violate the rights of others by force or fraud. Both employers and prospective employees have a moral right to negotiate their terms of employment, free from government interference. Minimum wage laws violate the rights of both parties.**

Our inner freedom, or our ability to set ends for ourselves, justifies our right to do whatever we want, including, working for whatever wages we want. Ripstein

Ripstein, Arthur. "Force and freedom." Kant’s Legal and Political Philosophy(2009). PH

In order to set an end for yourself, that is, to take it up as an end that you pursue, you must take yourself to have the power to achieve it. Your entitlement to set and pursue your own purposes parallels your abil- ity to do so: you must be entitled to use the means that you suppose will enable you to achieve it. There are two ways in which you can be entitled to such powers. First, as we have seen, you have your own personal pow- ers, which you have innately; that is, your right to them does not depend upon any act that you, or anyone else, have performed. The development of those powers may be the result of previous acts of yours or of others— you might have your exercise routine or your personal trainer to thank for your strength, for example. But your right to these powers, as against any- one else who might wish to use them, does not depend upon how you came to have them. Second, you might have powers that are external to you, as means at your disposal. Whether you can adopt a particular end will depend upon the powers and means you have at your disposal. For Kant, property in an external thing—something other than your own person—is simply the right to have that thing at your disposal with which to set and pursue your own ends. Secure title in things is prerequi- site to the capacity to use an object to set and pursue ends.14 Secure title has two parts to it, possession and use. You have rightful possession of a thing provided that you are entitled to control the thing and exclude oth- ers from it. Thus you are wronged if someone else damages your prop- erty, or trespasses against it.15 If your property is damaged, you are de- prived of means you could have used to set and pursue ends. If your property is trespassed against, it is used in pursuit of ends that you have not set for yourself. Moreover, trespass or damage to it limits your free- dom even if, as a matter of fact, you had no inclination (or even empirical ability at that moment) to pursue those particular ends, and even if you can think of no use to which you might put it. You are wronged because you are deprived of your ability to be the one who determines how the thing will be used. You have the right to use a thing if you are free to ex- ploit it to pursue such ends as you might set, and do not require the con- sent of anyone else in order to do so. Because of the connection between having things at your disposal and setting ends for yourself, Kant develops his conception of property as an account of its metaphysics, rather than as an account of its place in spe- cifically human societies. In particular, Kant makes no reference to scar- city or need in developing his account. Although, for reasons that will become clear, the specific ways in which human societies protect prop- erty rights will depend in part on the particular circumstances, needs, and vulnerabilities of humans, the basic structure of property is a reflection of the connection between having means and setting ends.

He continues:

Property is a kind of rightful relation. It is also definitive of a distinctive type of wrong, the wrong of interference. If you damage my property, you do not merely set back my interests. You wrongfully limit my external freedom because you limit the means I have with which to set and pursue my own ends. You thereby violate my entitlement to use my means as I see fit. If you trespass on my property—use it without my permission— you limit my ability to set the ends for which it will be used. You thereby violate my entitlement to possession, that is, to have the thing subject to my exclusive choice. Because rights to person and property protect persons from others with whom they interact independently, the law of both persons and property consists in negative prohibitions: I am not allowed to injure or trespass against you or your goods. By contrast, contract and status create affirmative obligations, because they are cases in which sepa- rate persons interact interdependently.

This means you negate since the aff has to prove an obligation by this denies that obligation.

### Frontlines

### 1NR Actor-Specificity Framing

I control the strongest internal link to actor specificity- Extend Ripstein 2 which indicates the fundamental purpose and reason why we formulate a state is to ensure conditions where agents can set and pursue their own ends individually or cooperatively, free from interference.

A. States have distinct obligations from people- 2 warrants. Ripstein 3

Ripstein, Arthur. "Force and freedom." Kant’s Legal and Political Philosophy(2009). PH

Relations between states differ from relations between persons in two fundamental respects, each of which enters into Kant’s unwillingness to generalize his argument for entering a state to an argument for a single world government. First, as a condition of public right, a state is only enti- tled to act for public purposes, rather than for the private purposes of its rulers or officials. Second, states do not have acquired rights to things outside their boundaries. Based on these contrasts, an association to guarantee peace requires neither a sovereign legislature nor the power of enforcement. States need only to agree to accept the decisions of a body like the court so as to settle their differences peacefully. This means that you prefer framework b/c the rez ask what a states should do about the conflict not individuals. This doesn’t mean we deny individual’s accounts when determine ethics it just means we need to draw a conclusion on how the state should act.

B. Probability: It’s constitutive of a just government.

Madison, James. "Property: James Madison, Property." Property: James Madison, Property. University of Chicago, n.d. Web. 05 July 2014. GC

**Government is instituted to protect property of every sort; as well that which lies in the various rights of individuals**, as that which the term particularly expresses. This being the end of government, **that alone is a *just* government, which *impartially* secures to every man**, whatever is his *own*.

I outweigh on probability because my evidence indicates that just government currently protect the property rights of their citizens to maintain their legitimacy.

### A2 NIBs Bad

1. Extend the implication under the burden- I structurally advantage you by giving you two ways to win offense under the NC. This offense for me under the NC

2. I meet-The NC isn’t a NIB- they just have to prove that either the aff allows you to have you right to freedom individually or cooperatively, free from the constraint of others OR that if the aff does violate the right to the freedom it has to be to rectify an arbitrary violation of the standard.

### A2 TJFs Bad

I meet- It’s not a theoretical justification it’s just a reason why the aff is most consistent with what it means to be a just government. Literally just an actor specificity argument

### A2 Univr allows hyper-specific maixms

1. This isn’t consistent with our faculty of reason- agents would will specific maxims because it’s definitionally inconsistent with rationality
2. This assumes that we care about contingent factors and state of affairs but universalizability is based in apriori reason that isn’t concerned with that.
3. This just means that the hyper-specific maxim would be a hypothetical imperative rather than a categorical imperative making it permissible rather than obligatory
4. This still violates intention, a maxim isn't universal if it has a malicious intent, i.e. I can’t universalize the maxim to slap someone to hurt them, but I can universalize the maxim of slapping someone to prevent them from dying
5. When I universalize a maxim, I have to universalize the means to an end, so it still violates the intent behind a maxim.

### A2 Don’t acknowledge other’s agency

1. The rational will is the source of all unconditional value. Herman

Barbara Herman, Leaving Deontology Behind. Print pp. 211.

Two things follow from locating unconditioned goodness in the good will: (1) the goodness of the good will is in its willing, not in the effects it brings about, and (2) the goodness in willing derives from the relation of the will (through its principle) to practical reason. I take these claims to single the introduction of a set of distinctive assumptions about the nature of value. The domain of “the good” is rational activity and agency: that is, willing. Objects and events are not possible bearers of [do not have] value. They can be thought of as good only insofar as they are possible ends of rational willing. They are judged good just in case the determination to act for them (here and in this way and for this purpose) is good. Actions as events (as effects of willing) cannot be the object of moral or practical assessment. Actions are called good because of the manner in which they are willed. Faculties and states of character are said to be good just in case they are conducive to action or choice judged to be good (as willed). Reflection on pretheoretical intuitions about standard examples is to confirm this. The two claims thus mark out a metaphysics of value. The activity of rational willing brings value into a world that, absent rational beings, could have none. Each agent, insofar as she is rational, acts in ways she takes to be (in some sense) good. She acts with and from the belief that her choices and reasons for choosing are good. Choices and reasons for choosing are good if and only if they are justified. The analytic task of the metaphysics of value (and by inclusion the metaphysics of morals) is to provide the principles and standards of justification for willings. This is the program of the second chapter of the Groundwork, worked out in the apparatus of imperatives and principles of practical rationality.

-It directly solves back as we all have the same exact rational nature.

1. We don’t need to be someone to know they are capable of practical reason. It’s a priori knowledge that other people have the same rational nature.
2. If I don’t value other people’s agency, they wouldn’t value mine either, so it creates a contradiction of conception, as my agency has to have value to devalue another’s agency, but my agency wouldn’t have that value in the first place.