# JF-ILaw AC

## Part 1 is Framing

#### Following any rule requires another rule to determine how to follow the original rule. However, this is infinitely regressive because we will also need a rule to determine which rule define rules and so on. Grounding morality in inviolable contracts is the only way to avoid skepticism since it spells out the exact permissible and prohibited aspects of a moral rule and removes the abstractness that the rule could have. Thus, the standard is consistency with International law- 5 warrants

#### [1] All ethical theories can be divided into internalism, externalism, and constitiuvism.

#### But, internalism fails because we all have different moral calculi, meaning it is non-binding

Katsafanas 1 Katsafanas, Paul. (2011), “Deriving Ethics from Action: A Nietzschean Version of Constitutivism.” Philosophy and Phenomenological Research, 83: 620–660.

Internalism provides a straightforward and relatively uncontroversial way of justifying normative claims.9 But it faces a potential problem, which can be brought out by asking what happens when an internalist attempts to explain a moral claim, such as "you should not murder." Moral claims have an important feature: they purport to be non optional or categorical. That is, they purport to apply to all agents, independently of the agent's motives. For example, consider an agent who has a strong desire to murder, and has few or no motives that would be promoted by not murdering. Despite the fact that murdering would fulfill the agent's desire, I think most of us would hold that the agent should not murder. But internalism has difficulty generating that conclusion; after all, by hypothesis the agent has no motives that would be promoted by not murdering, and has strong motives that would be promoted by murdering. Of course, it is unlikely that very many people have motives in favor of murdering. But the example brings out a highly counterintuitive feature of internalism: if internalism is true, then it will only be an accident that most of us have reason not to murder. For the truth of the claim "you should not murder" will be dependent upon a contingent feature of our psychologies. If we had different motives, we would have reason to murder. And that conclusion will strike most of us as implausible.

#### And, externalism fails because it cannot motivate action

Katsafanas 2, Paul. (2011), “Deriving Ethics from Action: A Nietzschean Version of Constitutivism.” Philosophy and Phenomenological Research, 83: 620–660.[bracketed for gendered language]

While externalism captures the non-optional status of moral claims, it faces several challenges. I will just mention two of them. First, there is the much-discussed problem of practicality. Moral claims are supposed to be capable of moving us. Recognizing that X-ing is wrong is supposed to be capable of motivating the agent not to X. But how could a claim that bears no relation to any of our motives possibly move us? As Williams puts it, "the whole point of external reasons statements is that they can be true independently of an agent's motiva tions. But nothing can explain an agent's (intentional) actions except something that motivates [them] so to act" (1981, 107). Williams' point is this: if the fact that murder is wrong is to play a role in the explanation of a person's decision not to murder, then the fact that murder is wrong must somehow figure in the etiology of the agent's action. But this suggests that, if the fact that murder is wrong is to exert a motiva tional influence upon the person's action, then the agent must have some motive that is suitably connected to not murdering. And this pushes us back in the direction of internalism. Second, externalism seems susceptible to a version of Mackie's argu ment from queerness. Desires and aims are familiar things, so it seems easy enough to imagine that claims about reasons are claims about relations between actions and desires or aims. But what would the relata in an external reasons statement be? Are we to imagine that a claim about reasons is a claim about a relation between an action and some independently existing value? This would be odd: as Mackie puts it, "if there were objective values then they would be entities or relations of a very strange sort, utterly different than anything else in the universe" (1977, 38). For if such values existed, then it would be possible for a certain state of affairs to have "a demand for such-and-such an action somehow built into it" (1977, 40). And this, Mackie concludes, would be a decidedly odd property.

#### Only constitutivism avoids both of these dilemmas

Katsafanas 3, Paul. (2011), “Deriving Ethics from Action: A Nietzschean Version of Constitutivism.” Philosophy and Phenomenological Research, 83: 620–660.

Now, I won't say much about these problems – there is a vast literature devoted to that task, and externalists have attempted to answer these challenges. The point I wish to make here is simple: both externalism and internalism have attractive features, yet incur substantial costs. Internalism grounds normative claims infamiliar features of our psychologies, yet for that very reason seems incapable of generating non-optional normative claims. Externalism generates non-optional normative claims, yet encounters the problems of practicality and queerness. It would be nice if we could preserve the attractions of these theories, while avoiding their difficulties. Enter a third theory, which attempts to do just that: constitutivism. According to constitutivism, there is an element of truth in both the internalist and the externalist positions. For the constitutivist agrees with the internalist that the truth of a normative claim depends on the agent's aims, in the sense that the agent must possess a certain aim in order for the normative claim to be true. But the constitutivist traces the authority of norms to an aim that has a special status, an aim that is constitutive of being an agent. This constitutive aim is not optional; if you lack the aim, you are not an agent at all. So the constitutivist agrees with the internalist that practical reasons derive from the agent's aims; but the constitutivist holds that the relevant aim is one that is intrinsic to being an agent. Accordingly, the constitutivist gets the conclusion that the externalist wanted: there are non-optional reasons for acting. Put differently, there are reasons for action that arise merely from the fact that one is an agent.

**Constitutive aims are important in that they are non-optional**

**Katsafanas 4** [Paul. (2011), “Deriving Ethics from Action: A Nietzschean Version of Constitutivism.” Philosophy and Phenomenological Research, 83: 620–660.]

So what’s special about constitutive aims? The constitutive aim’s standard of success differs from these other standards in that it is [are] intrinsic to the activity in question. You can play a chess game without aiming to enjoy it, and a chess game is not necessarily defective if not enjoyed. But you can’t play a chess game without aiming to achieve checkmate, so a chess game is necessarily defective if it does not achieve checkmate. Thus, the interesting feature of constitutive aims is that they generate intrinsic standards of success. Put differently, they generate non-optional standards of success. So the important point about constitutive aims is just this: if action has a constitutive aim, then that aim will be present in every instance of action. Thus, it will give us a non- optional standard of assessment for action, a standard that applies merely in virtue of the fact that something is an action.15

#### And a constitutive feature of governments is adherence to international law since the rules of international law are the rules that define what it means to be a government in the international arena, even if states have different domestic ends.

Nardin 92 [Terry Nardin , “International Ethics and International Law”. Review of International Studies, Vol. 18, No. 1 (Jan., 1992), pp. 19-30, published by Cambridge University Press . JStor, Stable URL: http://www.jstor.org/stable/20097279.]

Any description of the international system as an association of states that share certain ends is necessarily incomplete. Such an association would not constitute a rule-governed moral or legal order. What transforms a number of powers, contingently related in terms of shared interests, into a society proper is not their agreement to participate in a common enterprise for as long as they desire to participate, but their participation in and implicit recognition of the practices, procedures, and other rules of international law that compose international society. The rules of international law, in other words, are not merely regulatory but constitutive: they not only create a normative order among separate political communities but define the status, rights, and duties of these communities within this normative order. In international society 'states' are constituted as such within the practice of international law; 'statehood' is a position or role that is defined by international law, not independent of it. International law includes rules that are the outcome of cooperation to further shared goals as well as rules that make such cooperation possible and that exist even where shared goals are lacking. But it is rules of the latter sort that are fundamental.

#### [2] It is impossible to see from a viewpoint outside of our own; even if an objective truth existed it would be tainted by our subjectivity because we can never experience the world from a viewpoint of another. Thus the only epistemological theory that can reconcile this is omni-perspectivism.

Fincke 12 explains, [Daniel Fincke, “Truth Requires Telling More Stories From More Perspectives”, 2012.][Bracketed for clarity]

This is very Nietzschean advice. Nietzsche’s perspectivism is the idea that [S]ince we cannot ever see things from outside of [our] perspectives, we must multiply them rather than convince ourselves that we can ever be detached. Rather than attempting to see things from an impossible “view from nowhere”, we must attempt to see things from as many [perspectives] “somewheres” as possible. This is often confused for relativism. “Everyone has their own perspective so there is no true one, so everyone is right.” But that’s not what Nietzsche is saying. What he is saying is that there are facets of a subject, which can only be grasped and understood from within different relationships to it. The table looks different standing across from it than how it looks from underneath. To really understand the table is to investigate it from numerous angles and then to constantly be able to incorporate into one’s thinking the important details learned from each angle. Nietzsche thinks that part of the epistemic challenge of [is] getting the truth is to feel differently towards subjects because in different feeling states different important aspects of the things will come to light.

#### Epistemology outweighs in the framework debate since it determines how we know what is true. AND only iLaw can fulfill omni-perspectivism since it is definitionally constituted of the wills of all who are governed by it, which is everyone.

#### AND, iLaw sets a norm as an obligation that ought to be fulfilled, and as such, prescribes action onto all individuals under iLaw-- a breach of iLaw breaks the obligation to everyone that is under iLaw.

Quirico 07, [Ottavio, “A Formal Prescriptive Approach to General Principles of (International) Law”, European University Institute, 2007]

From the analytical viewpoint a norm **can** formally **be regarded as a right-duty** (or claim-obligation) relation (1) **that** regulates behaviour **(action/inaction)** (2) among subjects(3) **in definite space** (4) **and time** (5). In normative terms, general principles **(the ‘basis’) of** (international) law can be conceived of as general obligations, **i.e. obligations** erga omnes (**towards everyone**). Obligations erga omnes, indivisible or divisible because of their content, link a subject to every other subject of international law, endowed with a correlative claim, so that the whole obligationserga omnes are matched by the whole claims erga omnes of all the subjects of international law**.** Indivisible obligations erga omnes are unavailable from the viewpoint of the power, so cogentes, breaches violatenecessarily all the correlative claims, possibly enabling every subject to invoke the responsibility and impose sanctions. Correspondingly, sanctions should be regarded as indivisible obligations erga omnes, the violation of which allows universal enforcement. Nevertheless, specifically by reason of the gravity of the breach, it is possible to split primary and secondary norms, conceiving of the sanction as a bilateral relation allowing solely reciprocal enforcement in the case of an infringement. Divisible obligations erga omnes are available from the viewpoint of the power, so dispositivae, **breaches must be seen as relative, enabling only the subject(s) injured to invoke the responsibility** and impose sanctions. Correspondingly, sanctions should be regarded as bilateral obligations, the infringement of which gives rise to reciprocal enforcement. Nevertheless, it is possible to figure out that specifically the gravity of the breach ‘unifies’ the primary divisible obligation, allowing universal invocation of the responsibility, so that the secondary obligation could be either bilateral or a general indivisible one, respectively permitting relative or absolute enforcement in the case of a breach.SK

#### [3] Other frameworks aren’t competitive – legal obligations exist independent of moral obligations.

George E. Glos, The Normative Theory of Law, 11 Wm. & Mary L. Rev. 151 (1969), <http://scholarship.law.wm.edu/wmlr/vol11/iss1/6>. SM

The mutual relation of law and ethics can profitably be investigated only if ethics is understood as a normative science.31 If we compare legal norms with ethical norms, it appears that the contents of **ethical norms are in agreement with a given** concept or **principle, whereas legal norms originate from a certain lawgiver regardless of contents.** It follows that legal and ethical norms may be likened to two circles which cover the same area: legal and ethical norms may coincide, and the same **norm may at the same time be both a legal and an ethical norm; but there are legal norms the contents of which have no relevance in ethics** (norms regulating highway traffic), and there are legal norms which may contradict ethical norms (norms according to which a soldier is bound to fight and kill).

#### [4] Legal education at the international level is key in the context of a globally evolving world – our education praxis is most desirable.

Barrett 97 International Legal Education in U.S. Law Schools: Plenty of Offerings, But Too Few Students Author(s): John A. Barrett, Jr. Source: The International Lawyer, Vol. 31, No. 3 (FALL 1997), pp. 845-867 Published by: American Bar Association Stable URL: http://www.jstor.org/stable/40707359

**Advancements in the modern world** have significantly **changed** **the value** and usefulness **of** the skills and knowledge gained from **i**nternational **law study**. These world changes make the need to study international law **more pressing than ever** before **and** the **consequences** of failing to study it more **dire**. What has changed in the world that increases the value of having the knowledge and skills provided by studying international law? Clearly, the most significant change is that **the world has become international** on many different levels.6 Who would have guessed twentyears ago that a major U.S. television advertising campaign in 1996 would not be in English nor even in Spanish?7 We have gone from a world full of largely independent societies to a **multicultural**, interdependent, interconnected c**ollective**. Many feel this trend will continue making the world even more international. For example, worldwide communication and transportation are convenient, commonplace, and affordable, and every day more people communicate efficiently with people outside their country, whether by phone, fax, e-mail, overnight courier, or the Internet. On a **business**level, things **have never been so international**. The rate of growth has been exponential.8 The number of multinational corporations has grown from a handful in the 1960s to the point where guides to multinational corporations frequently limit themselves to only the largest five hundred companies.9 These multinational companies not only sell abroad, but also manufacture and incorpo- rate subsidiaries abroad. Furthermore, this multinational trend is multidirectional: Japanese **manufacturers have plants in the United States, Europe**, and lesser- developed nations; U.S. companies have factories in Asia, Europe, **and** **Latin** **America**; and European companies are similarly expanded. Truly, it can be said that the sun never sets on IBM, Mitsubishi, Ford, or Phillips, to name but a few. Equally significant are small companies throughout the United States who look abroad for new markets, as well as face competition from abroad. Furthermore, in 1995, U.S. international trade amounted to $753 billion in exports and $641 billion in imports.10 Capital also moves globally, with Japanese companies devel- oping ski resorts in Colorado and U.S. retirement plans investing in the Japanese stock market. In 1990, the United States had over $43 billion invested in the finance and service sector in underdeveloped countries alone.11 **as clients move abroad, so do** their **lawyers**. Also, the number of foreign legal consultants practic- ing abroad continues to grow.12 With all this globalization, not only business but also **disputes**, **both business and personal, become international.** On a governmental level, international issues have always been present. However, several recent changes are making governments even more con- cerned with international issues. First, the growth in **international trade, travel and communication** **forces governments to be concerned with protecting** their **citizens abroad**, both bodily and financially.13 Consequently, an increase in the scope and nature of domestic regulation on international interaction with others has occurred. **Second**, **problems of the** **modern** industrial **world** **are** **increasingly** seen as **transboundary** in nature, **especially** **pollution**, which stub- bornly refuses to stay within national boundaries. The result has been an explosion in the number of international conventions and treaties.14 In 1995, the number of treaties to which the United States was a party required 145 pages to list.15 Additionally, international organizations, both governmental and nongovernmental, have grown.16 By 1995, there were over fifty major intergovernmental organizations17 and in 1992, the Organization for Economic Cooperation and Development listed over 600 international nongovernmental organizations in its member states.18 Such **an international world** increasingly **requires international legal knowledge** and skills.19 For a few, the practice of law has been international for a long time. Immigration lawyers always had to consider international legal issues. For them, only particular rules and the number of clients have changed. Similarly, a few businesses and their lawyers in major urban centers have, for centuries, had to deal with international business transactions. Additionally, a handful of government employees have always had careers directed toward the international arena. How- ever, this small group has grown into the bulk of the bar II. The Benefits of Studying International Law There are numerous benefits to studying international law. By studying the laws of other societies, one will be better prepared to assist one's clients in international transactions. Additionally, by learning something about the culture and business practices of another country, one can negotiate and structure agreements more easily and effectively. Most legal systems fit into a family of legal systems. If you have studied one legal system, you have a basic familiarity with the structure and approach of other legal systems in that family. One may not know all the particular rules of a given country, but those rules can be readily learned and will be understood in the context of how that legal system is likely to work. Therefore, **studying comparative law gives a context** in which **to understand the** particular **rules of**  a given **government**.22 **this** understanding **is crucial** not only **to** give competent advice to clients, but also to properly interact with local counsel. ]understanding public international law provides a useful grounding in both **the nature and source of** one's **government**'s **power** **as well as the limits on that power**. 23 A better understanding of the limits imposed on U . S . law by international law, for example, in the area of human rights, helps courts uphold the basic rights of its nation's citizens.24 Traditionally, litigators have not looked to interna- tionalaw when framing legal arguments before U.S. courts and courts confronted with international law have often misapplied or misconstrued it, due to ignorance as to its sources and the relative weight to accord those sources.25 However, a better understanding of international law will give the courts the tools necessary to apply properly that law, thereby encouraging litigators to argue relevant inter- national law issues before the courts.26 Additionally, the proliferation of multilat- eral treaties and conventions makes knowledge of them increasingly important for the typical practitioner.27 Human rights and international environmental law, as well as the numerous treaties and conventions that regulate individual's actions within a state, will increasingly be subjects before domestic courts.28 This **penetration of international law into domestic law continues to grow**, not only **through international agreements** but also through the creation **and** growth of **supranational organizations**.29 These organizations increasingly **create domestic law.**

#### Interrogating the world requires understanding it, so we control the internal link to other critical ROB because we can never conceptualize of the world in which other pedagogies exist, i.e. if the role of the judge is to vote for the best policy-maker in order to evaluate the round under that we must first have an understanding of the world in which the policies will be implemented.

#### [5] Rejection of the framework is impossible because universally rejecting Ilaw would create a new international-law that all states should reject Ilaw which concedes the validity of Ilaw in the first place.

## Part 2 is Offense

#### Thus I defend the resolution as a general principle “States ought to eliminate their nuclear arsenals”. I’ll spec to whatever you want in cx as long as I don’t have to abandon my maxim. We’ll defend implementation of the resolution

We will Defend this if you don’t ask

States- All Countries that possess nuclear arsenals- this means we are whole rez and defend every country

Eliminate- that includes destroying or disarming of nukes, as long as the country has 0 nukes it’s an elimination

Nuclear Arsenals- all nuclear weapons/capabilities that a country has

#### International Law affirms- There exists an international obligation to disarm all countries of their nukes

Geneva 14[https://www.geneva-academy.ch/joomlatools-files/docman-files/Nuclear%20Weapons%20Under%20International%20Law.pdf] “Nuclear Weapons under International Law: an Overview” October 2014\\GHAS [bracketed for expanding acronyms]

The centrepiece of the disarmament regime relating to nuclear weapons is the 1968 Nuclear Non-Proliferation Treaty (NPT), which entered into force in 1970, and which has since gained near universal adherence. 29 The Treaty has been termed a ‘grand bargain’ in which the non-nuclear weapon states (NNWS) forsake the nuclear option in exchange for a legal obligation on the part of the nuclear weapon states (NWS) 30 to refrain from transferring the weapons to any other states, and to disarm and eventually eliminate their arsenals. In addition to the non-proliferation elements in Article I 31 and Article II, 32 the Treaty guarantees all parties the ‘inalienable right’ to peaceful uses of nuclear technology in Article IV, and, in Article VI, also requires the [Nuclear Weapon States] NWS to ‘pursue negotiations in good faith’ towards the reduction and eventual elimination of nuclear arsenals.…The NPT has, though, come under increasing pressure mainly due to a lack of implementation of the disarmament elements of the treaty. Indeed, Article VI remains a constant source of debate (and tension) between NWS and NNWS that are states parties to the Treaty. In all its jurisprudence the ICJ has commented on the interpretation of Article VI only once, in the Nuclear Weapons Advisory Opinion, in which it adopted an expansive interpretation of the legal obligation:The legal import of that obligation goes beyond that of a mere obligation of conduct; the obligation involved here is an obligation to achieve a precise result – nuclear disarmament in all its aspects – by adopting a particular course of conduct, namely, the pursuit of negotiations on the matter in good faith. 34Furthermore, in dispositive F in the Advisory Opinion, the judges of the ICJ stated, unanimously, that ‘there exists an obligation to pursue in good faith and bring to a conclusion negotiation leading to nuclear disarmament in all its aspects under strict and effective international control.’ Thus, while disagreement persists regarding the precise nature and scope of the obligation in this provision, Article VI is a binding legal obligation, not merely a goal.

## Part 3 is the Ballot

#### The Roll of the Ballot is to test the truth or falsity of the resolution-3 warrants Aff Fairness is a meta-constraint on truth

#### [1] Textuality- 5 Dictionaries define to affirm as to prove true and negate as to deny the truth of. This has a few implications [A] Grammar- Grammar outweighs since it’s literally what structures our language and argumentation. Double bind- either they reject all grammatical arguments and thus reject communication and the debate itself or they accept grammatical arguments and accept truth testing. [B] Jurisdiction—Truth testing is a constitutive feature of debate, meaning that the judge only has the jurisdiction to arguments that assert the truth or falsity of the resolution

#### [2] Necessity- All statements assert implicit truth value i.e. if I say “I smell violets” that is the same as saying “It is true that I smell violets.” This has a few implications. [A] Double bind—either my you assert the truth value of your indicts to truth testing meaning you implicitly accept truth testing as a paradigm or you don’t assert the truth value of your indicts which means that they are false and truth testing is true anyways [B] Even if we’re losing on the framework debate, their ROTB is going to collapse to truth testing anyways

#### [3] Inclusion: [A] other ROBs open the door for personal lives of debaters to factor into decisions and compare who is more oppressed which causes violence in a space where some people go to escape. [B] Anything can function under truth testing insofar as it proves the resolution either true or false. Specific role of the ballots exclude all offense besides those that follow from their framework which shuts out people without the technical skill or resources to prep for it.

## Part 4 is the Underview [1:40]

#### [1] Aff gets 1AR theory—they can be infinitely abusive in the NC because I will have no ability to call them out on it. This outweighs any other arguments because there is literally no way for me to win the round without 1ar theory. Also, 1AR theory is a reason to drop the debater because the speech is too short to be able to win substance and theory. Also, no neg RVI or new 2nr paradigm issues because it would be impossible to check NC abuse since the 6 min 2N could go all in on theory, disincentivizing 1AR theory. Reject theory and indicts on the aff underview since it would be a contradiction since they indict each other, but prefer mine since they are lexically prior. This means all contradiction flow aff since I spoke first which makes any contradictions their fault. Also no 1NC theory because of the 13-7 skew on theory and they can sandbag in the 1 and 2n. AFF fairness issues come prior to NC arguments [A] The 1ar can’t engage on multiple layers if there is a skew since the speech is already time-crunched [B] Sets up an invincible 2n since there are a million of unfair things you can collapse to to win every round. Also all k links must explicitly quote lines from the 1AC doc in the 1NC because there are an infinite amount of things the 1AC can implicitly justify this irreciprocally explodes neg ground. Drop the arg.

#### [2] use ethical confidence [A] Modesty is inconsistent with the moral theories. If we are 60 percent confident in Deont and 40 Percent confident in Util then we are 0 percent true because you can’t split ethical theories [B] Modesty is self-defeating- you use confidence to determine whether or not modesty should be used which concedes the validity of confidence. [C]Modesty invites judge intervention- judges become calculators for determining how much you are winning the framework debate by and how strong your offense links to the framework.

#### [3] To say something is obligated is to say it is obligated under one locus of duty: [A] Textuality: being obligated to do something can refer to any number of obligations, but proving any one obligation would logically prove that an obligation exists. [B] Reciprocity: otherwise I would have to prove that every moral theory affirms, which places an impossible burden on the aff. This also means that turns and nc offense logically affirm since they prove the aff is consistent with a standard of doing the opposite of our or their framework, which affirms.

#### [4] The NEG must only gain offense from one piece of unconditional offense on a single layer—they may not read multiple positions or conditional positions. Three warrants. [A] strat skew—the NEG being able to kick multiple positions and collapse to the layer the 1AR inevitably undercovers. [B] Allowing the NEG to read multiple positions spreads my time even thinner worsening time skew. [C] Reciprocity- we only get 1 case position, you should too- links to fairness, b/c it’s the very definition of fairness “Drop the debater” on this interp

#### [5] Permissibility affirms: [A] All obligatory acts are permissible, but no prohibited acts are permissible, so it’s more likely to affirm than negate. [B] 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. [C] Negating an obligation requires a prohibition so neg has to have offense.

Timmons 02 [Mark Timmons. “Moral Theory: An Introduction.” Pg. 8. 2002.] Samuel Azbel

When the term is used broadly, **right action is the opposite of wrong action: an action is right**, in the broad sense of the term, **when it is not wrong. For instance, to say of someone that what she did was right conveys the idea that her act was morally in the clear---that it was alright for her to do,** that what she did was not wrong**. Since actions that are not wrong include the categories of both the obligatory and the optional, talk of right action** (in the broad sense) **covers both of these categories.**

#### [6] To prove a statement false means all possibilities of the statement must be proven false – absent reasons to vote negative, you affirm, because the statement becomes contextually apriori.

Ebbs [Ebbs, Gary. "Putnam and the Contextually A Priori."]

When is it reasonable for us to accept a statement without evidence and hold it immune from disconfirmation? This question lies at the heart of Hilary Putnam's philosophy. He emphasizes that **our beliefs and theories sometimes prevent us from being able to specify how a statement may actually be false, in a sense of “specify” that goes beyond merely negating the statement.** (To save words, from here on I will assume that to specify how a statement may actually be false, one must do more than just negate it.) In the 18th century, for instance, scientists did not have the theoretical understanding necessary to specify how the statement that physical space is Euclidean could be false. Today, however, after Lobachevsky and Riemann discovered non-Euclidean geometries, and Einstein developed his general theory of relativity, scientists believe that physical space is non-Euclidean, and they can specify in rich detail why the statement that physical space is Euclidean is false. This shows that our current inability to specify how a statement may actually be false does not guarantee that we will never be able to **do so.** Nevertheless, when we cannot **specify how a statement may actually be false** it has a special methodological status for us, according to Putnam—it is contextually a priori. **In these circumstances,** he suggests, it is epistemically reasonable for us to accept the statement without evidence and hold it immune from disconfirmation

# 1AR- Normal

## Overview [:10]

#### I-Law affirms, the ICJ, which is an international body, unanimously agrees there exists an obligation towards the disarming of nukes. Furthermore, Article 6 of the Nuclear Non-Proliferation Treaty requires states to eliminate nuclear arsenals- that’s the Geneva 14 evidence. That means all I have to do is win framework and it’s an easy aff ballot

## Epistemic Confidence [:10]

#### Extend the 2nd point in the Underview- use epistemic confidence when evaluating the round. Modesty is illogical because you can’t mix and match conflicting frameworks. And choosing Modesty cedes the validity of confidence in the first place which means modesty is self-defeating. That means if I win framework it’s an aff ballot, since we have offense.

## Framing-Constituvism [:28]

#### The standard is consistency with international law. Going for the 1st Constituvism warrant. All ethics can be divided into internalism, externalism, and constituvism. But internalism fails because we all have differing moral calculi meaning it’s not categorically binding. Externalism fails because moral claims that bear no relation to a motive cannot motivate action. But Constituvism solves this because reason derives from the agent’s aim, but those aims are only true when they are intrinsic to being an agent. And constitutive aims are important in that they are non-optional. I.E if X is necessary for the possibility of Y, and Y is the case, then the constitutive aim X must be the case. And a constituitive aim of states is adherence to international law because it determines what it means to be a state in the world. The participation of practices in the global world necessitate states to follow ILaw, that’s the Nardin 92 evidence- That means only the AC standard is able to access ethics

## Framing-OPerspectivism [:28]

#### The standard is consistency with international law. Going for the 2nd framing warrant. This is the omniperspectivism argument. First extend Fincke 12, which says that the only way to ascertain truth is by compiling as many perspectives as possible i.e omniperspectivism. We have to look at one thing from multiple perspectives and angles to avoid bias of singular views. Only the 1AC ILaw framing fulfills this since it includes the wills of all who are governed by it. This means our epistemology is true and that outweighs in the framework debate because epistemology is how we know what is true. Epistemology comes lexically prior and operates at the highest layer in the debate. This takes you fw out- even if your fw sounds good, the epistemology undergirding your framework is false and therefore your entire fw is false since you don’t combine multiple perspectives.

## Framing- Glos [:20]

#### You conceded Glos, the 3rd warrant. It says that legal obligations exist independent of moral obligations which means the 1AC framing is binding even if it’s morally bad. Which means there is an obligation to affirm. Our FW exists independent of yours, and comes lexically prior because it’s legal. It’s actor specific meaning states follow their legal obligations first before considering moral obligations- which means we outweigh and preclude the NC framing. So even if they win their offense as to why ILaw is morally bad, you still affirm because our fw exists independent ethics.

## Framing-Praxxis/Barret [:17]

#### Going for the Barret evidence. International Law is valuable to learn in the real world because the world has been evolving to become global and interconnected. Conflicts, treaties, disputes have become global so an understanding of ILaw is critical to function in the real world. We need ILaw to understand the world. You’ve conceced the analytic under the Barret that says that we are the internal link to your ROTB. There is no interrogating the world w/o understanding it which means we preclude the K- you need the AC otherwise your K is dysfunctional.

## Framing Inescapable [:10]

#### Extend the 5th Ilaw warrant- rejection of Ilaw is impossible because universally having states reject Ilaw would create a new ilaw that all states should reject Ilaw- this concedes the validity of ilaw in the first place. Impact is that it takes out your offense on the AC framework, and proves the AC framework is inevitable and true.

## Contradictions [:18]

#### Extend the 1st spike that says reject all indicts and theory on the aff underview because it creates a contradiction. You indict the spikes, but this interp indicts those indictments so it’s contradiction. And, contradiction flows aff because I spoke first which makes the contradiction their fault. Now extend the fact that you prefer my interp because it comes lexically prior- which takes out all their indicts on the Underview. Extend drop the arg. Also, no new 2NR responses, [1] time crunches my 2ar, causes time skew [2] it’s your duty to answer arguments in the 1st speech [3] the implication was clear in the 1AC so nothing was unclear [4] contradictions would take out those new responses.

## Aff Fairness First [:10]

#### Extend the 1st spike, this is a layering argument that says Aff fairness issues come prior to NC arguments because [1] the 1ar can’t engage on multiple layers because of time skew and [2] sets up an invincible 2n where they can sand bag for 6 minutes. This outweighs all NC fairness and education claims which means you evaluate our interps at a higher layer.

## Indexicals [:25]

#### You’ve conceded Indexicals, the 3rd spike. It says that even if you win your framing negates you can still vote aff independently on our framing mechanism because they operate logically separate. For example, if I am a Kantian and you are a Utilitarian I can still act under my belief a particular thing is true under Kant even if you claim util is true and it negates because I use a different ethical theory. This means that even if you prove the aff is bad under your framing. We can still have an obligation to do it under ILaw which makes the rez true and affirms independently. Also extend that turns and NC offense logically affirm because they are consistent with a standard of the opposite of our or their framework. The opposite of a standard is still a standard and affirms because it proves there exists an obligation under a standard.

## Condo [:25]

#### Now, extend the 4th spike that says the neg can only read one unconditional layer. Since this is an Aff fairness issue it comes at the highest layer of the debate. Extend the violation:You read multiple offs, case turns count too since they are another layer of offense you can win on. Extend the 3 standards- [A] they can kick and collapse to one layer that I undercover because of the time crunched 1ar-causes strat skew which links to fairness [B] spreads my time even thinner worsening time skew- which o/w everything because we can’t make arguments without time and [C]one uncondo off is reciprocal because we both get 1 case position- which is the very definition of fairness, proves our interp is net better. Extend drop the debater on this interp. Drop the arg makes no sense, b/c we drop the entire NC which means you still lose. No 2nr responses b/c it violates the contradictions spike which means it’ll be drop the arg on those indicts.

## Permissibility [:09]

#### Extend the 5th spike that says permissibility flows aff. We are going for the Timmons evidence that says negating an obligation requires a prohibition which means all we need to be able to take an action is for it to be is obligated or optional thus actions are right if they are permissible, which means permissibility affirms- that’s the Timmons evidence.

## Presumption [:12]

#### Extend the 6th spike that says presumption flows aff, that’s the ebbs evidence which states that when a statement cannot be fully negated it’s in a state of being contextually apriori which means it can be true in the future which means if you should presume aff- comes lexically prior to any other presumption arguments because it’s a question of epistemology of knowledge- epistemology comes first because it determines how we know what we know.

## A2 Epistemic Modesty [:25]

#### Even if they win modesty, we win every scenario under modesty. Violations under ILaw are infinitely bad and should never be committed as we have to uphold laws through all instances of time. C/A the Quirico evidence which says a breach of international law means that every subject under ILaw invokes responsibility which means under the fw every violation is infinitely and equally bad. That means the impact of the 1AC offense is literally infinite. Which means even if we prove a risk of our fw being true, we win under modesty because infinity times any non-zero probability that the framework is true is infinity which means we outweigh in every scenario. And since you are using modesty you can’t assign 0 probability to any framework otherwise that isn’t being epistemically modest- which means it’s game over it’s an easy aff ballot.

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## K-Link [:10]

#### Extend the 1st spike that says all K links must quote explicit lines from the 1AC in the 1NC b/c the 1AC implicitly justifies a bajillion things. Making voodoo links of possible implications of aff explodes neg ground and destroys fairness. It’s drop the K on this spike. No 2NR responses or extrapolations of even the link story b/c it [1] time crunches my 2AR worsening time skew and [2] still doesn’t meet the interp b/c you didn’t do it in the 1NC. It’s game over.

# 1AR- Skep

## Contradictions [:18]

#### Extend the 1st spike that says reject all indicts and theory on the aff underview because it creates a contradiction. You indict the spikes, but this interp indicts those indictments so it’s contradiction. And, contradiction flows aff because I spoke first which makes the contradiction their fault. Now extend the fact that you prefer my interp because it comes lexically prior- which takes out all their indicts on the Underview. Extend drop the arg. Also, no new 2NR responses, [1] time crunches my 2ar, causes time skew [2] it’s your duty to answer arguments in the 1st speech [3] the implication was clear in the 1AC so nothing was unclear [4] contradictions would take out those new responses.

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## Skep Triggers [:40]

#### [1] You’ve conceded a skep trigger in the standard text, following a rule requires another rule to determine how to follow the original rule, but that’s infinitely regressive. That means we have to ground morality in inviolable contracts as that is the only way to avoid skepticism since it spells out the exact permissible and prohibited aspects of a moral rule and removes the abstractness that the rule could have- that means if the AC framework is false, skep is true. Skep triggers permissibility because every action is ok and skep doesn’t obligate or prohibit actions. And since permissibility affirms you affirm on skep.

#### [2] You’ve conceded a skep trigger in the first Ilaw framing warrant. Even if you win that Constituvism fails or is false, that triggers skep. If all ethical theories are split between internalism, externalism, and Constituvism. And all 3 fail, that means skep must be true. Skep triggers permissibility because every action is ok and skep doesn’t obligate or prohibit actions. And since permissibility affirms you affirm on skep. So that generates a double bind- either affirm on Ilaw framing and offense or affirm on the skep trigger.

# Frontlines

## Kritik Script

#### Let me weigh the aff against the K – anything else moots 6 minutes of offense causing a 13-7 skew, and shifts the goalposts, preventing me from rearticulating offense in the round.

#### [1] No link- Cross Apply the 1st spike. All K links must quote explicit lines from the 1AC in the 1NC b/c the 1AC implicitly justifies a bajillion things. It’s drop the K on this spike. No 2NR responses or extrapolations of even the link story b/c it [1] time crunches my 2AR worsening time skew and that outweighs because we can’t make arguments without time and [2] still doesn’t meet the interp b/c you didn’t do it in the 1NC.

#### [2] They haven’t explained how the Kritik’s ethical basis operates under Constituvism. Crossapply the first Ilaw Framing warrant. This means that the Kritik fails because it either can’t create categorically binding obligation and/or can’t motivate action. Takes out the K, and flow this as a turn to the alternative.

#### [3] Their Kritik doesn’t fulfill omniperspectivism- -Your theory of power is totalizing and doesn’t combine the wills and perspectves of many- instead it takes one narrow view of the world and tries to broadly apply itself to everything. Takes out the K because your epistemology is flawed, prefer AC framing because our epistemology is better. Comes lexically prior because epistemology determines how we know what we know.

#### [4] You’ve conceced the analytic under Barret that says that we are the internal link to your ROTB. There is no interrogating the world w/o understanding it which means we preclude the K- The AC is key to the K.

#### [5] Perm do the AC and the alt in all other instances. Double bind. Either [A] the alt is strong enough to overcome one more residual link to the plan or [B] it’s definitely not strong enough to overcome the squo which proves how bad the alternative is. Net benefit to the perm is reducing a violation of international law. Also, all perms shield the link b/c they combine the necessary parts of the aff with the preferable parts of the alt to produce the best solution- All perms supercharge the finke evidence about omniperspectivism because we are combining even more viewpoints which means we are epistemologically legit. Means the Perm has a better basis of epistemology than the K and epistemology comes first because it determines how we know what we know, which means it’s lexically prior.

#### [6] Perm do the Aff and the Alt at the same time, they can’t make severance claims b/c they already conceded no 2nr paradigm issues which means you can vote on the perm even if we cause severance.

#### [7] Perm do the Aff and non-competitive parts of the alt- this creates the best world where we can use the K to inform the AC framing to create better Ilaw.

#### [8] We don’t say the AC is good, we say it’s true. It’s descriptively true- means you have no offense under the K

## PIC Script

#### [1] PICs prove the general rule is good which means they affirm

#### [2] PICs don’t negate under truth testing b/c they don’t deny the truth value of the aff.

#### [3] We took out your fw- so PICs don’t win under the AC framework since our offense is more consistent with the standard.

## A2 ILaw non-binding

#### [1] This is a normative argument, it doesn’t prove why ILaw is descriptively false. Insofar as Truth Testing is the ROTB, you can still affirm because ILaw is still descriptively true

#### [2] States that violate ILaw don’t disprove my argument of rule-following being a constitutive feature of states; they’re merely defective Nardin:[[1]](#footnote-1)society. Frost is therefore right to argue that the idea of authority is crucial to the practice-purpose distinction. For, as he suggests, the rules of practical association are constitutive not only of the states system but of states. Statehood is itself a status constituted by international law. And international society is not an aggregate of separate communities but itself a community: a community of communities tied together by its constitutive practices, including those defining the attributes of statehood. States that deny the authority of international law 'are not simply opting out of an instrumental association which no longer suits their purposes. Rather they are undercutting their claim to be a state properly so called at all'.14 To put the point bluntly, states that repudiate the authority of international law remove themselves from international society, which is the closest that the international system can approach to a civil order, and withdraw into barbarism.

## A2 States existed before ILaw

#### [1] doesn’t disprove the aff because what it means to be a state has changed. Currently, it requires adherence to ILaw which is what the Aff descriptively proves, means affirming still is true.

#### [2] Identity of the State has changed over time- B4 the state was seen as one that purely holds negative rights but now states provide healthcare etc.- The UN existing means all states’ identity is tied to them following ILaw

## A2 Schmagency

#### [1] This argument is nonsense- To be a schmagent requires one to think and reflect upon what a schmagent would do but that thinking and reflection still requires agency- in other words you’re still an agent regardless of what you call yourself.

## A2 Util

#### [1] Cross apply Katsafanas 2. Util is externally motivating because it tries to assign pleasure and pain to actions independent of actors. But here is the problem we can always ask “why should I care about the greatest good” or “Why is this the most pleasurable action”. This means Util doesn’t motivate action because it bears no relation to the actor’s motives. This means Util is non-binding. Double-Bind- Either [A] Use Ilaw framing and affirm because we have offense or [B] Util triggers permissibility because it’s inert, in which case you affirm because the 1AC has established that permissibility affirms ,that’s the 3rd spike. – and even if you don’t buy that the 1nc didn’t explain how util is a constitutive feature of states which means you should presume aff on framework since we explained how Ilaw is constitutive of states.

#### [2] Cross-apply the Second Omni-perspectivism warrant. Util doesn’t combine different value judgements from different agents and combine them into one. It uses one static agent’s perception of pleasure which means Util’s epistemology is skewed. Literally proven by static agents like Hitler killing jews because it created “net pleasure” – that means Util gets taken out because it’s epistemology is flawed, Epistemology first because it determines how we know what we know.

# Truth Testing

## Overview

#### The Roll of the Ballot is to test the truth or falsity of the resolution. First is a weighing argument. Descriptive arguments precede and outweigh normative arguments because the normative claim doesn’t matter if its descriptive nature is false. It’s epistemologically useless. That means if I win any descriptive reasons as to why truth testing is true it takes out normative indicts on truth testing.

### Grammar

#### Extend the 1st grammar warrant which says that we are textually bound to truth testing because that’s what we are definitionally entailed to do. Thus, rejecting truth testing is rejecting grammar which is the basis for language and argumentation-the impact is not being able to communicate and thus you extricate yourself from the debate because communication is a prerequisite. That’s an independent voter and you should automatically affirm because they aren’t truth testing the rez. Grammar Outweighs everything b/c we can’t have debate without it- implication is that you don’t evaluate the 1nc and 2nr because they extricated themselves from the round. Also extend the jurisdiction argument- we are textually bound to truth test because it’s what we are jurisdictionally tied to- outweighs on predictability since we know what our roles are before the round starts- anything is else is arbitrary and self serving.

### Necessity

#### Extend the necessity warrant which says that all statements collapse to truth or falsity. A couple massive implications. When you assert indicts against truth testing you implicitly assert a truth value. This means your indicts to truth testing cede the validity of truth testing, hijacks your ROTB and indicts. OR you don’t assert the truth value of your indicts which mean your indicts are false. This takes out ALL offense on truth testing.

### Inclusion

#### Extend the Inclusion warrant- TT doesn’t require debaters to speak from personal identity or positions they don’t know or understand or have an outside perspective on since any offense can function under it and thus you can do what your good at and I can do what I can---inclusion turns your ROB since if I can’t engage in the debate there’s no value to your ROB

## Frontlines

### A2 Judge vote on Non-T aff

#### [1] literally proves nothing. This argument just shows that it’s possible to break jurisdiction. Jurisdiction is not something that is impossible to break. Police Officers break jurisdiction but at that point they aren't acting like officers. When an officer relentlessly kills someone unprovoked, they aren't being a police officer according to their constitutive duties- which means we are still bound to truth testing insofar as we are doing LD debate.

#### [2] that means you weren’t even debating LD, that round was defective. You haven’t met the constitutive aim of LD. It’s intrinsic to the activity.

### A2 Allows for NIBS

#### [1] Non-Uq. Debate already has a bunch of Nibs. Speaking, being topical, being present.

#### [3] Appeals to education/fairness don’t outweigh the rules of the game as they are absolute. Just because you think being able to move a pawn 3 spaces forward is better for education/fairness and makes the game more fair doesn’t mean anything, the rules are absolute.

### A2 Reciprocity

#### [1] Maximizes ground for both sides – aff just has to prove one instance of moral obligation neg just has to prove this instance false.

#### [2] No sidestepping of offense – we are literally just proving the rez true

### A2 Clash

#### [1] Nonunique: Clash is still present in TT: we just debate on the truth or falsity of the resolution doesn’t incentivize less clash we still have to clash on the framework debate

#### [2] Turn Clash: Comparative Worlds kills any clash that we have because you just weigh risk of offense off some impossible extinction scenario which avoids real discussion- empircally proven by debaters reading a crapload of disads.

#### [3] Turn education: TT is key to education it allows us to have discussions about moral obligations which enforces strong phil debates by proving the truth or falsity of the rez, phil debates outweighs – it’s the only constitutive feature of debate i.e. the ought in the res

### A2 N-Word

#### [1] Non-Uq, Comparative worlds is only post-fiat which means it can’t indict in round actions

#### [2] Fairness is a meta-constraint on truth, so that solves for the rhetoric argument.

#### [3] Non-Uq- you win in basketball by scoring more points, but if someone commits an egregious violation they are taken out of the game, same thing for debate. Means we can still use truth testing, and if someone decides to be an ass we take them out of the round which means they logically auto-drop- solves all their offense on truth testing, so defacto-default to truth testing.

### CW Bad

#### [1] Education- excludes all but consequentialist positions, means you exclude a bunch of educational phil their- Truth Testing allows for any argument, means we are more inclusive and educational. Also- they are more inaccessible- ew debate phil analytically whereas with larp big schools can afford to bypass firewalls and have a crap ton more evidence- means we are key to inclusion which means we are normatively better.

1. [Terry Nardin , “International Ethics and International Law”. Review of International Studies, Vol. 18, No. 1 (Jan., 1992), pp. 19-30.] [↑](#footnote-ref-1)