# Aff—HistoCat v2—LARP

### Todo

#### Better politics blocks

#### Better CP blocks

#### Better case blocks

## AC LARP

### FW

#### *Framework—*

#### The standard is maximizing life.

#### Actor Specificity— It is impossible for the government to do nothing—it must minimize the harm caused by its choices.

Sunstein 5 (Sunstein, “Is Capital Punishment Morally Required? The Relevance of Life-Life Tradeoffs”, 2005)//Miro

In our view, any effort to distinguish between acts and omissions goes wrong by overlooking the distinctive features of government as a moral agent. If correct, this point has broad implications for criminal and civil law. Whatever the general status of the act/omission distinction as a matter of moral philosophy, the distinction is least impressive when applied to government, because the most plausible underlying considerations do not apply to official actors. The most fundamental point is that unlike individuals, governments always and necessarily face a choice between or among possible policies for regulating third parties. The distinction between acts and omissions may not be intelligible in this context, and even if it is, the distinction does not make a morally relevant difference. Most generally, government is in the business of creating permissions and prohibitions. When it explicitly or implicitly authorizes private action, it is not omitting to do anything or refusing to act. Moreover, the distinction between authorized and unauthorized private action – for example, private killing – becomes obscure when government formally forbids private action but chooses a set of policy instruments that do not adequately or fully discourage it. If there is no act-omission distinction, then government is fully complicit with any harm it allows, so decisions are moral if they minimize harm. All means based and side constraint theories collapse because two violations require aggregation.

#### Scope insensitivity proves revisionary intuitionism—bias research has proven that people will pay the same amount to save 5,000 lives as 50,000. Normalizing our intuitions to account for scope insensitivity means that we have to aggregate.

#### The indeterminacy of personal identity means we must rely on util—deontic theories don’t have a coherent subject

**Shoemaker 99**[[1]](#footnote-1)

Extreme reductionism might lend support to utilitarianism in the following way. Many people claim that we are justified in maximizing the good in our own lives, but not justified in maximizing the good across sets of lives, simply because each of us is a single, deeply unified person, unified by the further fact of identity, whereas there is no such corresponding unity across sets of lives. But if the only justification for the different treatment of individual lives and sets of lives is the further fact, and this fact is undermined by the truth of reductionism, then nothing justifies this different treatment. **There are no deeply unified subjects of experience. What remains are merely the experiences themselves, and so any ethical theory distinguishing between individual lives** and sets of lives **is mistaken.** If the deep, further fact is missing, then there are no unities. **The morally significant units should then be the states people are in at particular times, and an ethical theory that focused on them** and attempted to improve their quality, whatever their location, **would be the most plausible. Util**itarianism **is just such a theory.**

#### Plan: The United States federal government should ban the private ownership of handguns using the historical-categorical approach.

Blocher 13 (Joseph Blocher, Professor of Law at Duke University, “Firearm Localism”, 2013)//Miro

This Article argues that future Second Amendment cases can and should incorporate the longstanding and sensible differences regarding guns and gun control in rural and urban areas, giving more protection to gun rights in rural areas and more leeway to gun regulation in cities. Part I describes the significant differences between urban and rural areas with regard to the prevalence, regulation, perceived importance, use, and misuse of guns. Violent gun crime and support for gun control are [is] heavily concentrated in cities, while opposition to gun control is strongest in rural areas, where the costs of gun crime are lowest. Rural residents are far more likely to own firearms than people living in cities, and have more opportunities to use them for lawful activities like hunting and recreational shooting. These differences, while certainly not universal—not every city has stringent gun control,11 nor do all rural residents oppose it—are so stable and well-recognized that they have calcified into what are often referred to as different gun “cultures.”12 But while this cultural divide is well-established and long-standing, it rarely figures prominently in discussions of constitutional doctrine, and rarer still is it seen as an opportunity rather than an obstacle. This is unfortunate and unnecessary, because Second Amendment doctrine already contains the tools with which to achieve geographic tailoring. Heller and McDonald left the contours of Second Amendment doctrine fuzzy, aside from approving a set of “presumptively lawful” gun control measures.13 The opinions did, however, suggest two major jurisprudential alternatives: one rooted in historical analysis, the other in interest balancing.14 Part II shows how either road can lead to a locally tailored Second Amendment.15 First, the majorities in cHeller and McDonald endorsed a historical-categorical approach that evaluates contemporary gun control measures based on whether they have “longstanding” historical analogues.16 This approach is categorical in that it eschews interest-balancing, focusing on line-drawing rather than cost-benefit analysis.17 Lower courts applying it have looked not just to Founding-era regulations, but to the broad sweep of gun control throughout American history.18 Under this historical-categorical approach, the fact that the United States has a deeply rooted tradition of comparatively stringent urban gun control is an argument for treating contemporary urban gun control as, if not “presumptively lawful,”19 at least meriting special deference. As noted above and described in more detail below, 20 cities have traditionally enacted the country’s strictest gun control measures, including handgun bans, safe storage requirements, limits on public carrying, and prohibitions on shooting guns within city limits. To be sure, the historical record is neither complete nor uniform. But it appears to be at least as persuasive as the evidence supporting other Second Amendment rules specifically approved by the Court in Heller—the ban on felons in possession, for example.21

### 1

#### Advantage [1] is Treaties—

#### Lack of gun control *crushes* US influence globally. The longer we wait the worse it gets—even if gun control doesn’t work, it’s the *perception* that counts.

Freedland 13 (Jonathan Freedland, Guardian's executive editor, “Washington DC shootings: America's gun disease diminishes its soft power”, 2013)//Miro

But that would be to miss the wider point. America's gun sickness – which has turned massacres of this kind into a fairly regular, rather than exceptionally rare occurrence – endangers the US not solely because it can lead military personnel to lose their lives, nor even because it can lead to the murder of schoolchildren, as it did at Sandy Hook elementary school last year, or the death of young movie-goers, as it did in Aurora, Colorado, also last year – dreadful though those losses are. The foreign policy experts who gather in the thinktanks and congressional offices not far from the navy yard often define national security to encompass anything that touches on America's standing in the world. That ranges from its ability to project military force across the globe to its attractiveness, its "soft power". For decades, this latter quality has been seen as one of the US's primary assets, central to its ability to lead and persuade other nations. But America's gun disease diminishes its soft power. It makes the country seem less like a model and more like a basket case, afflicted by a pathology other nations strive to avoid. When similar gun massacres have struck elsewhere – including in Britain – lawmakers have acted swiftly to tighten controls, watching as the gun crime statistics then fell. In the decade after the rules were toughened in Australia in 1996, for example, firearm-related homicides fell by 59%, while suicides involving guns fell by 65%. But the US stays stubbornly where it is, refusing to act. When President Obama last tried, following the deaths of 20 children and six staff at Sandy Hook at the end of 2012, his bill fell at the first senate hurdle. He had not proposed banning a single weapon or bullet – merely expanding the background checks required of someone wanting to buy a gun. But even that was too much. The national security pundits who worry how a US president is perceived when he is incapable of protecting the lives of innocent Syrians abroad should think how it looks when he is incapable of protecting the lives of innocent Americans at home. On guns, the US – so often the world leader in innovation and endeavour – is the laggard, stuck at the bottom of the global class. Bill Clinton perfectly distilled the essence of soft power when he said in 2008, "People the world over have always been more impressed by the power of our example than by the example of our power." He was right. But every time a disturbed or angry individual is able to vent his rage with an assault weapon, killing innocents with ease, the power of America's example fades a little more.

#### Scenario 1 is International Coop—

#### Leveraging effective US soft power is key to prevent a laundry list of existential scenarios, including *terrorism*, *disease*, *proliferation*, *alliances* and *genocide*

Lagon 11 (Mark P. Lagon, International Relations and Security Chair at Georgetown University's Master of Science in Foreign Service Program and adjunct senior fellow at the Council on Foreign Relations. He is the former US Ambassador-at-Large to Combat Trafficking in Persons at the US Department of State, Sept/Oct 2011, "The Value of Values: Soft Power Under Obama", World Affairs Journal, http://www.worldaffairsjournal.org/article/value-values-soft-power-under-obama#ER, DA: 7-7-2015)

Despite large economic challenges, two protracted military expeditions, and the rise of China, India, Brazil, and other new players on the international scene, the United States still has an unrivaled ability to confront terrorism, nuclear proliferation, financial instability, pandemic disease, mass atrocity, or tyranny. Although far from omnipotent, the United States is still, as former Secretary of State Madeleine Albright called it, “the indispensible nation.” Soft power is crucial to sustaining and best leveraging this role as catalyst. That President Obama should have excluded it from his vision of America’s foreign policy assets—particularly in the key cases of Iran, Russia, and Egypt—suggests that he feels the country has so declined, not only in real power but in the power of example, that it lacks the moral authority to project soft power. In the 1970s, many also considered the US in decline as it grappled with counterinsurgency in faraway lands, a crisis due to economic stagnation, and reliance on foreign oil. Like Obama, Henry Kissinger tried to manage decline in what he saw as a multipolar world, dressing up prescriptions for policy as descriptions of immutable reality. In the 1980s, however, soft power played a crucial part in a turnaround for US foreign policy. Applying it, President Reagan sought to transcend a nuclear balance of terror with defensive technologies, pushed allies in the Cold War (e.g., El Salvador, Chile, Taiwan, South Korea, and the Philippines) to liberalize for their own good, backed labor movements opposed to Communists in Poland and Central America, and called for the Berlin Wall to be torn down—over Foggy Bottom objections. This symbolism not only boosted the perception and the reality of US influence, but also hastened the demise of the USSR and the Warsaw Pact. For Barack Obama, this was the path not taken. Even the Arab Spring has not cured his acute allergy to soft power. His May 20, 2011, speech on the Middle East and Northern Africa came four months after the Jasmine Revolution emerged. His emphasis on 1967 borders as the basis for Israeli-Palestinian peace managed to eclipse even his broad words (vice deeds) on democracy in the Middle East. Further, those words failed to explain his deeds in continuing to support some Arab autocracies (e.g., Bahrain’s, backed by Saudi forces) even as he gives tardy rhetorical support for popular forces casting aside other ones. To use soft power without hard power is to be Sweden. To use hard power without soft power is to be China. Even France, with its long commitment to realpolitik, has overtaken the United States as proponent and implementer of humanitarian intervention in Libya and Ivory Coast. When the American president has no problem with France combining hard and soft power better than the United States, something is seriously amiss.

#### Scenario two is OAS—

#### Specifically, in Latin America, lack of gun control is fracturing security agreements—spilling over into collapse of the OAS and US credibility. Regulation of handguns would signal renewed commitment.

Sweig 13 (Julia E. Sweig, Nelson and David Rockefeller, Senior Fellow for Latin America Studies and Director for Latin America Studies at CFR, “A Strategy to Reduce Gun Trafficking and Violence in the Americas”, 2013)//Miro

With the launch of the Merida Initiative in 2007, the U.S. and Mexican governments agreed to a regional security framework guided by the principle of shared responsibility. Among its domestic obligations, the United States committed to intensify its efforts to combat the illegal trafficking of weapons and ammunition to Mexico and elsewhere in the Americas. Six years later, little has changed: the U.S. civilian firearms market continues to supply the region's transnational criminal networks with high-powered weaponry that is purchased with limited oversight, especially from unlicensed individuals at gun shows, flea markets, pawn shops, and on the Internet. Lax U.S. gun laws enable straw purchasers, including those under investigation in Operation Fast and Furious, to legally procure thousands of AK-47 and AR-15 variants every year and traffic them across the border to sell them illegally to criminal factions. U.S. government data highlights the problem. The Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) Web-based firearm trace request and analysis system, eTrace, enables law enforcement officials to collaborate with ATF to track the path of recovered weapons from the manufacturer or importer though the distribution chain to the first retail purchase. Over 70 percent of the ninety-nine thousand weapons recovered by Mexican law enforcement since 2007 were traced to U.S. manufacturers and importers. Likewise, 2011 eTrace data for the Caribbean indicates that over 90 percent of the weapons recovered and traced in the Bahamas and over 80 percent of those in Jamaica came from the United States. The ATF has not released data for Central America, but the numbers are likely similar. The UN Office on Drugs and Crime reports that easy access to firearms is a major factor influencing homicide trends in Latin America and the Caribbean; the gun-related homicide rate in Latin America exceeded the global average in 2010 by more than 30 percent. The World Bank estimates that crime and violence cost Central America nearly 8 percent of its GDP when accounting for the costs of law enforcement, security, and health care. The U.S. government has empowered law enforcement in the region to recover and investigate the source of weapons used by criminal factions. In December 2009, the ATF introduced the Spanish version of eTrace. Since 2012, the State Department has funded the Organization of American States' (OAS) program to provide firearm-marking equipment and training to law enforcement in twenty-five countries. Yet, these efforts notwithstanding, Mexican authorities intercepted only 12.7 percent of the roughly 250,000 guns smuggled into Mexico between 2010 and 2012, while the ATF intercepted no more than 2 percent. In effect, the United States undermines its own efforts at preventing arms trafficking with its unwillingness to strengthen oversight of the firearms industry and lukewarm support for multilateral agreements. The United States is one of three countries that have not ratified the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA). In addition to requiring parties to criminalize the illegal manufacture, import, or export of high-powered weapons, the treaty encourages information exchange and cooperation on initiatives including the marking and tracing of weapons and the identification of criminal transit routes. President Bill Clinton signed CIFTA in 1997 and submitted it for ratification to the Senate, where it has lingered for over a decade. Likewise, although the United States voted in favor of the United Nations' Arms Trade Treaty in April 2013, it has yet to sign or ratify the treaty. Given the political complexity of legislative action to reduce arms trafficking, Latin American governments have moved to disarm criminal networks by tightening their own gun codes: Mexico prohibits the sale of handguns with calibers greater than .38 and Colombia bans civilians from carrying firearms in Medellin and Bogota. Brazil, Mexico, and El Salvador have implemented gun buyback programs. At the 2012 Summit of the Americas, heads of state demanded a new approach to the failed war on drugs, including greater efforts to disarm criminal networks. U.S. allies have repeatedly urged the United States to reinstate the federal assault-weapons ban and take action against weapons trafficking. Their patience—and the United States' credibility as a responsible partner—is waning. U.S. action will strengthen those regional heads of state who want to work with the United States and who also regard lax U.S. gun laws as fueling violence and anti-Americanism among their own publics. Across the board, Latin American governments are turning toward the Community of Latin American and Caribbean States and the Union of South American Nations, which pointedly exclude the United States, to handle regional political and security dilemmas. Stronger action to regulate the southward flow of weapons represents an opportunity for the Obama administration to enhance U.S. relevance in the region, especially at the early stages of new regional institutions and security protocols. Recommendations In the absence of major legislative action, the Obama administration should pursue the following executive and diplomatic actions—consistent with the Second Amendment—to reduce the trafficking of firearms that contribute to crime and violence across the Americas: Expand nationwide the state-level multiple-sale reporting requirement for assault weapons. In 2011, the Obama administration adopted a federal rule that requires gun dealers in California, Texas, Arizona, and New Mexico to report sales of more than two semiautomatic rifles to the same person within a five-day period. Unintentionally, the rule shifted gun sales to states not covered by the requirement, prompting the need for improved oversight of all suspicious semiautomatic firearm sales. Incorporate strategies to reduce existing stocks of illegal firearms into U.S.-Brazil dialogue on defense and security. As home to the two largest firearms industries in the hemisphere, the United States and Brazil have a mutual interest in incorporating this topic into their ongoing bilateral policy dialogues. For example, sharing best practices regarding gun buyback programs in border regions on the U.S.-Mexican and Brazilian-Bolivian borders will build mutual confidence between the two largest Hemispheric powers. Exclude firearms and ammunition products from the Export Control Reform Initiative. As currently crafted, President Barack Obama's reform initiative may make it easier for U.S. manufacturers to export military-style weapons to allies. Liberalizing export restrictions on firearms poses a serious security risk to the Americas; potential reexport of firearms without U.S. oversight could jeopardize local law enforcement efforts to keep weapons from criminal groups and rogue security forces in the region. Apply the "sporting test" standards of the 1968 Gun Control Act. This provision prohibits the import of weapons not "suitable or readily adaptable for sporting purposes," including but not limited to military-style firearms. Throughout the 1990s, under Presidents George H.W. Bush and Bill Clinton, the ATF adhered to the sporting test guidelines, preventing thousands of assault weapons from entering the U.S. firearms market. Enforcement of the test lapsed under President George W. Bush and has not been reestablished under President Obama. Continue to support federal, state, and local initiatives to improve regulation of the U.S. civilian firearms market. As grassroots organizations prepare their long-term legislative strategies, the White House should back state and local legislation, based on reforms in Maryland and Connecticut, which bans the sale of assault rifles and high-capacity magazines, broadens existing background check requirements for firearm purchases, and modernizes gun-owner registries by requiring, among others, that buyers submit their fingerprints when applying for a gun license. While piecemeal regulation of the U.S. civilian firearms market does not represent a comprehensive solution, passage of state and local measures, including gun buyback programs, will reduce the number of weapons in circulation and available for smuggling and generate momentum for a broader federal approach over the long run. Conclusion Strengthening U.S. gun laws will not eliminate gun violence in Latin America, where weak judiciaries and police forces, the proliferation of gangs and black markets, and deep inequality exacerbate violent conflict. Nonetheless, lax U.S. gun regulations do enable international trafficking. While the effects of tighter regulation will not be felt overnight, such steps will offset widespread regional views that the United States remains indifferent to its own role in exacerbating one of Latin America's most significant challenges. Although recent federal gun control measures have run aground on congressional opposition, the Obama administration retains considerable leeway in the foreign policy arena, where concerted action can help U.S. allies in Latin America make the case to their constituents and to other skeptical governments that the United States can be a legitimate partner in combating transnational crime. At a juncture in U.S.-Latin American relations that again features both tension and opportunity, these actions will demonstrate that the United States is prepared, if imperfectly, to fulfill its shared responsibility for regional security and enhance American standing and positive influence in Latin America.

#### OAS security agreements key to prevent prolif

Herz 8 (Monica Herz , Director @ Institute of International Relations, Rio “DOES THE ORGANISATION OF AMERICAN STATES MATTER?”, 2008)//Miro

The idea of arms control is not explicitly present in the Charter, but slowly entered the interAmerican security environment in the late 1960s and early 1970s. In 1974, eight Latin American governments issued the Ayacuchu Declaration,19 affirming their support for the idea of arms control, and the Hemispheric Security Committee has taken on this subject. The Inter-American Convention against the Illicit Production and Traffic of Arms, Ammunition, Explosives and related Materials of 1997 expresses the link between the arms control agenda and the new prominence of the concept of cooperative security. On June 7, 1999, the OAS General Assembly in Guatemala adopted a landmark Inter-American Convention on Transparency in Conventional Weapons Acquisitions. By June 2003, the Convention was signed by twenty OAS member states – all major hemispheric conventional weapons importers and exporters. The Contadora group mentioned earlier, the Ayacucho Declaration, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, and the treaties that ended the nuclear dispute between Argentina and Brazil introduced the CSBM agenda, launched at the 1975 Helsinki Conference, to Latin America (Rodrigues 1999; Rojas 1996). The 1995 war between Peru and Ecuador reminded Latin American leaders that the pending territorial disputes in the region, a legacy of the nineteenth century demarcation process, could be ignited into an actual exchange of fire. The US government, moving in the 1990s towards a more multilateral approach in the region, and the democratisation of Latin American countries permitted the introduction of the confidence-building agenda. In addition, the concern with the nature of civil-military relations in Latin America, given the region’s history of military intervention in public administration, and the search for new roles and identities for the military led local elites to acquire greater interest in the subject. In the 1990s the states in the hemisphere turned to the OAS as a catalyst for confidence building. The OAS has organised and sponsored conferences on confidence- and security building measures, designed to strengthen[ed] military-to-military relations, deal with historic rivalries and tensions and create[d] an environment that permits the governments of the region to modernise their defence forces without triggering suspicions from neighbours or leading to an arms race.

#### Arm control treaty collapse leads to extinction

Muller 2K (Dr. Harold Muller is the Director of the Peace Research Institute-Frankfurt and Professor of International Relations at Goethe University Compliance Politics: A Critical Analysis of Multilateral Arms Control Treaty Enforcement <http://cns.miis.edu/npr/pdfs/72muell.pdf>)

In this author's view,3 at least four distinct missions continue to make arms control, disarmament, and non-proliferation agreements useful, even indispensable parts of a stable and reliable world security structure: • As long as the risk of great power rivalry and competition exists—and it exists today—constructing barriers against a degeneration of this competition into major violence remains a pivotal task of global security policy. Things may be more complicated than during the bipolar age since asymmetries loom larger and more than one pair of competing major powers may exist. With overlapping rivalries among these powers, arms races are likely to be interconnected, and the stability of any one pair of rivals might be affected negatively by developments in other dyads. Because of this greater risk of instability, the increased political complexity of the post-bipolar world calls for more rather than less arms control. For these competitive relationships, stability or stabilization remains a key goal, and effectively verified agreements can contribute much to establish such stability. • Arms control also has a role to play in securing regional stability. At the regional level, arms control agreements can create balances of forces that reassure regional powers that their basic security is certain, and help build confidence in the basically non-aggressive policies of neighbors. Over time, a web of interlocking agreements may even create enough of a sense of security and confidence to overcome past confrontations and enable transitions towards more cooperative relationships. At the global level, arms limitation or prohibition agreements, notably in the field of weapons of mass destruction, are needed to ban existential dangers for global stability, ecological safety, and maybe the very survival of human life on earth. In an age of increasing interdependence and ensuing complex networks that support the satisfaction of basic needs, international cooperation is needed to secure the smooth working of these networks. Arms control can create underlying conditions of security and stability that reduce distrust and enable countries to commit them-selves to far-reaching cooperation in other sectors without perceiving undesirable risks to their national security. Global agreements also affect regional balances and help, if successful, to reduce the chances that regional conflicts will escalate. Under opportune circumstances, the normative frameworks that they enshrine may engender a feeling of community and shared security interests that help reduce the general level of conflict and assist in ushering in new relations of global cooperation. • Finally, one aspect that is rarely discussed in the arms control context is arms control among friends and partners. It takes the innocent form of military cooperation; joint staffs, commands, and units; common procurement planning; and broad and far-reaching transparency. While these relations serve at the surface to enhance a country's military capability by linking it with others, they are conducive as well to creating a sense of irreversibility in current friendly relations, by making unthinkable a return to previous, possibly more conflictual times. European defense cooperation is a case in point.1 Whatever the particular mission of a specific agreement, it will serve these worthwhile purposes only if it is implemented appropriately and, if not, means are available to ensure compliance. In other words, the enduring value of arms control rests very much on the ability to assure compliance.5 Despite the reasons given above for the continuing utility of arms control, the skeptics may still have the last word if agreements are made empty shells by repeated breaches and a lack of effective enforcement.

#### Moral uncertainty means that we must avoid existential risk—even with low probability of util, we still have to concede high leverage issues.

Bostrom 9 (Nick Bostrom , Professor, Faculty of Philosophy & Oxford Martin School, “Moral uncertainty – towards a solution?”, January 1 2009)//Miro

It seems people are overconfident about their moral beliefs. But how should one reason and act if one acknowledges that one is uncertain about morality – not just applied ethics but fundamental moral issues? if you don't know which moral theory is correct? It doesn't seem you can simply plug your uncertainty into expected utility decision theory and crank the wheel; because many moral theories state that you should not always maximize expected utility. Even if we limit consideration to consequentialist theories, it still is hard to see how to combine them in the standard decision theoretic framework. For example, suppose you give X% probability to total utilitarianism and (100-X)% to average utilitarianism. Now an action might add 5 utils to total happiness and decrease average happiness by 2 utils. (This could happen, e.g. if you create a new happy person that is less happy than the people who already existed.) Now what do you do, for different values of X? The problem gets even more complicated if we consider not only consequentialist theories but also deontological theories, contractarian theories, virtue ethics, etc. We might even throw various meta-ethical theories into the stew: error theory, relativism, etc. I'm working on a paper on this together with my colleague Toby Ord. We have some arguments against a few possible "solutions" that we think don't work. On the positive side we have some tricks that work for a few special cases. But beyond that, the best we have managed so far is a kind of metaphor, which we don't think is literally and exactly correct, and it is a bit under-determined, but it seems to get things roughly right and it might point in the right direction: The Parliamentary Model. Suppose that you have a set of mutually exclusive moral theories, and that you assign each of these some probability. Now imagine that each of these theories gets to send some number of delegates to The Parliament. The number of delegates each theory gets to send is proportional to the probability of the theory. Then the delegates bargain with one another for support on various issues; and the Parliament reaches a decision by the delegates voting. What you should do is act according to the decisions of this imaginary Parliament. (Actually, we use an extra trick here: we imagine that the delegates act as if the Parliament's decision were a stochastic variable such that the probability of the Parliament taking action A is proportional to the fraction of votes for A. This has the effect of eliminating the artificial 50% threshold that otherwise gives a majority bloc absolute power. Yet – unbeknownst to the delegates – the Parliament always takes whatever action got the most votes: this way we avoid paying the cost of the randomization!) The idea here is that moral theories get more influence the more probable they are; yet even a relatively weak theory can still get its way on some issues that the theory think are extremely important by sacrificing its influence on other issues that other theories deem more important. For example, suppose you assign 10% probability to total utilitarianism and 90% to moral egoism (just to illustrate the principle). Then the Parliament would mostly take actions that maximize egoistic satisfaction; however it would make some concessions to utilitarianism on issues that utilitarianism thinks is especially important. In this example, the person might donate some portion of their income to existential risks research and otherwise live completely selfishly. I think there might be wisdom in this model. It avoids the dangerous and unstable extremism that would result from letting one’s current favorite moral theory completely dictate action, while still allowing the aggressive pursuit of some non-commonsensical high-leverage strategies so long as they don’t infringe too much on what other major moral theories deem centrally important.

### 2

#### Advantage [2] is Localism—

#### The brink is now—federal government strength is growing and undermining scientific innovation—only a return to dual federalism solves.

Noah Smith 14, Bloomberg, “A Better Future Needs a Bit of a Push”, 9/17, <http://www.bloombergview.com/articles/2014-09-17/a-better-future-needs-a-bit-of-a-push>

In early 2013, Thiel debated fellow Silicon Valley titan Marc Andreessen, a famous tech optimist. Andreessen made some great points, basically arguing that technology makes qualitative, not quantitative, changes in our lives, and that we’re on the cusp of great things. Of course I agree. Andreessen also had the macroeconomics right. But, as blogger Dan Wang notes, Thiel made some important points too, and if we want to speed up technological innovation, there are gems of insight to be found in his pessimistic take. Thiel identifies one big problem as stagnation in energy. For centuries, we kept getting better energy sources -- first coal, then oil. That powered faster transportation, cheaper construction, bigger appliances and better materials. But now that energy quality has started to backslide, we’ve had to switch from creating new physical technologies (“atoms”) to creating new information technologies (“bits”). The basic question is: What comes after oil? Nuclear power has been a bust so far, with its huge fixed costs and high-profile disasters. Natural gas is good, but is really just a somewhat cleaner replacement for coal. The only real bright spot (apologies for the pun) is solar, whose costs have plummeted dramatically for decades, and which is now almost as cheap as coal. But even if solar eventually gives us ultra-cheap electricity during the day, the lack of good storage technology means that gas or coal or nuclear plants will still have to be built for the nighttime, and we will still need some way to power our cars, planes, trains and ships. So solar can’t be the whole solution. We need better energy storage technology, and better energy tech in general. And how are we going to get it? In a 2011 article in National Review, the libertarian Thiel declared that government -- yes, government -- is going to have to be a big part of the solution: The state can successfully push science; there is no sense denying it. The Manhattan Project and the Apollo program remind us of this possibility. Free markets may not fund as much basic research as needed. In other words, even libertarians are realizing that it’s no longer good enough to boldly declare, as Ronald Reagan did, that “government is the problem.” Another important Thiel point is that our public infrastructure is decaying. This is partly a result of stagnant spending, but we’re also getting less bang for our buck. Infrastructure costs in the U.S. are absurdly high compared with Europe or East Asia. As Thiel lamented in 2012: There are ways that the government is working far less well than it used to. Just outside my office is the Golden Gate Bridge. It was built under FDR’s Administration in the 1930s in about three and a half years. They’re currently building an access highway on one of the tunnels that feeds into the bridge, and it will take at least six years to complete...There’s an overall sense that in many different domains the government is working incredibly inefficiently and poorly. Bringing down high infrastructure costs will involve taking on a lot of entrenched interests -- government contractors, property owners and unions. Conservatives and libertarians can be the ones to take on this job, but only if they realize how important government-provided infrastructure is to economic efficiency and technological progress. A third good point by Thiel is that regulation may already be slowing progress dramatically in the field of biosciences. This is a drum that Alex Tabarrok and Joseph Gulfo have also been beating. We would like to think, to paraphrase Princess Leia, that the more the government tightens its grip, the more that clever innovators will slip through its fingers -- but in the biomedical field, this may not be happening. So although I share Andreessen’s overall optimism, I think we would be foolish to ignore Thiel’s warnings. In the areas where we have slowed down -- energy, infrastructure, and biomed -- we need a more efficient government to push things along where necessary, and to get out of the way where necessary. Progress isn't always automatic -- it could use a helping hand.

#### The plan solves—urban gun control rebalances the constitutional order and allows for local experimentation—this answers your discrimination turns

Blocher 13 (Joseph Blocher, Professor of Law at Duke University, “Firearm Localism”, 2013)//Miro

There are, of course, problems with constitutional localism in general, and with firearm localism in particular. Section III.C will address the latter. As to the former, any kind of localism carries with it the political risks familiar to students of federalism. As James Madison noted, “[a]mong the numerous advantages promised by a well constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction.”251 Heather Gerken explains: The nationalists’ objection to conventional federalism typically takes one of two forms. The first is a worry that local power is a threat to minority rights. The second is a related concern about what we might loosely analogize to the principal-agent problem—the fear that state decisions that fly in the face of deeply held national norms will be insulated from reversal. Both find their strongest examples in the tragic history of slavery and Jim Crow.252 That tragic history includes efforts to render African-Americans defenseless by denying them the right to keep and bear arms.253 How, in light of that risk, can there be any allure in firearm localism? Part of the answer lies in the comparative ease with which local decisions that “fly in the face” of national or state norms can be reversed. From the perspective of the Federal Constitution, cities are creatures of state law, and their decisions can generally be overturned at the state level.254 Indeed, state preemption laws do exactly this (though, as I argue below,255 they go too far in doing so). Moreover, as David Barron notes, “there is little risk that a city will remain a scofflaw for long. The fact that cities are not fully sovereign means that municipal taxpayers enjoy relaxed standing requirements in suits against their cities for disobeying the law.”256 Even holding aside the ability of states or litigants to check localized tyranny, “[s]ome have argued, in fact, that local political processes are less susceptible to capture by special interests” than larger governmental units since it is easier for people to exit local governments.257 As Robert Cooter notes, “[t]he ‘exit principle’ implies the ‘federalism of individual rights,’ by which I mean that courts should tolerate more interference with individual liberty when the effects are localized.”258 Judge J. Harvie Wilkinson III pointed out in his criticism of Heller that citizens who oppose gun control “remain free to move to other localities more protective of gun rights.”259 And even if such local variation cannot totally be erased by state governments, its persistence might not necessarily be a bad thing. As Gerken and others have shown, local governments and political minorities who resist broader norms can protect minority voices while facilitating broader democratic engagement.260 Local experimentation with gun control has sometimes been motivated by those very goals. The city council members who enacted Washington’s handgun ban “thought the D.C. law would spark a nationwide trend to ban all handguns in America—if not all guns period.”261 Similarly, one of the trustees who voted for Morton Grove’s handgun ban told a reporter, “We felt gun control would have to be a grass-roots effort, as with child labor and pollution laws, and wanted to send a message to other villages and towns that they could enact such ordinances.”262 There is some reason to think that this signaling was effective,263 even though it eventually served as a greater inspiration to opponents of gun control than to its supporters.264

#### Pragmatic environmental policy is effective and key to prevent extinction

Simpson 10 (Francis, College of Engineering, Vanderbilt University, “Environmental Pragmatism and its Application to Climate Change The Moral Obligations of Developed and Developing Nations to Avert Climate Change as viewed through Technological Pragmatism”, Spring 2010 | Volume 6 | Number 1)

Pragmatism and Footprinting

Environmental pragmatism is a relatively new field of environmental ethics that seeks to move beyond the strictly theoretical exercises normal in philosophy and allows the environmental movement to formulate substantial new policies (Light, 1). Environmental Pragmatism was initially posited by Bryan Norton and evolved to not take a stance over the dispute between non-anthropocentric and anthropocentric ethics. Distancing himself from this dispute, he preferred to distinguish between strong and weak anthropocentricism (Light, 290-291, 298). The main philosophers involved in advancing the debate in environmental pragmatism include Eric Katz, Andrew Light, and Bryan Norton. This particular discipline advocates moral pluralism, implying that the environmental problems being faced have multiple correct solutions. Light argues that the urgency of ecological crises requires that action is necessary through negotiation and compromise. While theorists serve to further the field of environmental ethics and to debate the metaethical basis of various environmental philosophies, some answers to questions are best left to private discussion rather than taking time to argue about them publically (introduction of pragmatism). Pragmatism believes that if two theories are equally able to provide solutions to a given problem, then debate on which is more is argued that: “the commitment to solving environmental problems is the only precondition for any workable and democratic political theory” (Light, 11). While the science behind a footprint is well understood, what can the synthesis of environmental pragmatism and footprinting tell us about the moral obligation to avert climate change? How does grounding the practice of sustainability footprinting in environmental pragmatism generate moral prescriptions for averting climate change? Environmental Pragmatism necessitates the need for tools in engineering to be developed and applied to avert the climate change problem, since pragmatism inherently calls for bridging the gap between theory and policy/ practices. With the theory of pragmatism in mind, further research and development of tools such as life-cycle analysis and footprinting are potential policy tools that are necessary under a pragmatist viewpoint so that informed decisions can be made by policy makers. Since the role of life-cycle analysis and footprinting attempt to improve the efficiency and decrease the overall environmental impact of a given process, good, or service, environmental pragmatism would call for the further development and usage of these tools so that we can continue to develop sustainably and fulfill our moral obligation to future generations. By utilizing footprinting and life-cycle analysis, it becomes possible to make environmentally conscious decisions not only based upon a gut instinct but additionally based on sound science. Finally, in regards to averting climate change, footprinting and life-cycle analysis offer another dimension to traditional cost-benefit analysis and can allow for our moral obligation to future generations to weigh into final decisions which will eventually result in policies and/ or a production of a good or service. Since traditional cost benefit analysis does not account for the environment explicitly, pragmatism would call for the application of these tools to ensure that the environment is adequately protected for future generations. Climate change modeling inherently contains many unknowns in terms of future outcomes and applied simplifications, but these factors should not be enough to hold us back from an environmental pragmatism stand point. Rather than hiding behind a veil of uncertainty with the science, the uncertainty of the possible catastrophic outcomes demands action on the part of every human individual. Environmental pragmatism could also adopt a view point like the precautionary principle where a given action has great uncertainty, but also great consequence (Haller). Since we are attempting to protect human lives and prevent unnecessary suffering, environmental pragmatism would dictate that we should take action now and stop debating the theoretical aspects of this problem. A moral obligation exists to protect human life, and it becomes our obligation to avert climate change. Despite the relatively high economic costs of averting climate change, it is worth noting that the creation of green jobs and new sectors will help to stimulate the economy rather than completely hindering it. People inherently fear change, and it is my opinion that averting climate change requires a drastic change in our consumption patterns, an important reason why people are resisting averting climate change. From an environmental pragmatism viewpoint, it is humanities responsibility to avert climate change before it is too late since we have a moral obligation to protect the future of humanity and the biosphere.

#### Existential risk precludes the instantiation of any other ethical theory since individuals cannot reflect upon it, which is a logical prior. In the face of moral uncertainty, the most important thing is preserving our ability to continue deliberating.

### UV

#### Underview—

#### Aff gets RVIs on I meet and counter-interps because (a) 1AR timeskew means I can’t cover theory and substance, (b) no risk theory lets the neg moot the AC

#### Neg gets one unconditional advocacy—condo makes the neg a moving target which kills 1AR strategy, <<they>>’ll kick it if I cover it. It’s unreciprocal because I can’t kick the aff

#### Default to competing worlds—Neg burden is to win offense to a post-fiat advocacy. Offense-defense is key to fairness and real world education.

Nelson 8 (Adam F. Nelson, J.D.1. Towards a Comprehensive Theory of Lincoln-Douglas Debate. 2008)

And the truth-statement model of the resolution imposes an absolute burden of proof on the affirmative: if the resolution is a truth-claim, and the afﬁrmative has the burden of proving that claim, in so far as intuitively we tend to disbelieve truthclaims until we are persuaded otherwise, the afﬁrmative has the burden to prove that statement absolutely true. Indeed, one of the most common theory arguments in LD is conditionality, which argues it is inappropriate for the afﬁrmative to claim only proving the truth of part of the resolution is sufﬁcient to earn the ballot. Such a model of the resolution also gives the negative access to a range of strategies that many students, coaches, and judges ﬁnd ridiculous or even irrelevant to evaluation of the resolution. If the negative need only prevent the affirmative from proving the truth of the resolution, it is logically sufficient to negate to deny our ability to make truth-statements or to prove normative morality does not exist or to deny the reliability of human senses or reason. Yet, even though most coaches appear to endorse the truth-statement model of the resolution, they complain about the use of such negative strategies, even though they are a necessary consequence of that model. And, moreover, such strategies seem fundamentally unfair, as they provide the negative with **functionally inﬁnite ground**, as there are a nearly inﬁnite variety of such skeptical objections to normative claims, while continuing to bind the afﬁrmative to a much smaller range of options: advocacy of the resolution as a whole. Instead, it seems much more reasonable to treat the resolution as a way to equitably divide ground: the affirmative advocating the desirability of a world in which people adhere to the value judgment implied by the resolution and the negative advocating the desirability of a world in which people adhere to a value judgment mutually exclusive to that implied by the resolution. By making the issue one of desirability of competing world-views rather than of truth, the affirmative gains access to increased flexibility regarding how he or she chooses to defend that world, while the negative retains equal flexibility while being denied access to those skeptical arguments indicted above. Our ability to make normative claims is irrelevant to a discussion of the desirability of making two such claims. Unless there is some significant harm in making such statements, some offensive reason to reject making them that can be avoided by an advocacy mutually exclusive with that of the affirmative such objections are not a reason the negative world is more desirable, and therefore not a reason to negate. Note this is precisely how things have been done in policy debate for some time: a team that runs a kritik is expected to offer some impact of the mindset they are indicting and some alternative that would solve for that impact. A team that simply argued some universal, unavoidable, problem was bad and therefore a reason to negate would not be very successful. It is about time LD started treating such arguments the same way. Such a model of the resolution has additional benefits as well. First, it forces both debaters to offer offensive reasons to prefer their worldview, thereby further enforcing **a parallel burden structure.** This means debaters can no longer get away with arguing the resolution is by definition true of false. The “truth” of the particular vocabulary of the resolution is irrelevant to its desirability. Second, it is intuitive. When people evaluate the truth of ethical claims, they consider their implications in the real world. They ask themselves whether a world in which people live by that ethical rule is better than one in which they don’t. Such debates don’t happen solely in the abstract. We want to know how the various options affect us and the world we live in.

#### Reasonability— Voting for theory encourages theory prolif—any aff abuse must be weighed against this DA which sets a non-arbitrary voting threshold.

#### Alternatives to bans fail

**LaFollette 2k** Hugh (USF St. Petersburg Philosophy Professor) “Gun Control” Ethics 110 (January 2000): 263–281

But this does not resolve the issue, for it does not establish what gun control advocates claim it shows, namely, that **gun control is an effective way of substantially lessening the murder rate**. First, a statistical correlation shows that two things are linked, but it does not tell us if the first caused the second, the second caused the first, or if there is some third factor which caused both. Second, even if the items are causally related, we do not know that changing the cause will automatically and straightforwardly change the effect since another factor might intervene to sustain the effect. **Gun advocates proffer their own armchair explanation for the correlations**: These correlations reflect the character of the respective social and political systems. **The European countries where murder rates are lower have more social solidarity and are more heterogeneous than the United States**. Whether these social factors explain all the correlation is debatable, but I am confident they explain some of it. **Were the United States to regulate guns as tightly as most European countries, our murder rates would arguably fall**, but they would not immediately plummet to their levels. **We might settle the issue if we conducted controlled experiments,** randomly dividing our population in half, giving half of them guns, removing all the guns from the other half, and then monitoring the murder rate. **Of course, that** **would be** morally unacceptable, **politically unrealistic**, and probably even scientifically unachievable. Before we had enough time to exclude all possible intervening causes, sufficient time might have elapsed so that new intervening causes could have emerged. But we are not in the dark. We have empirical evidence that helps adjudicate between competing explanations of the correlation. First, we have empirical evidence, bolstered by armchair arguments, that **guns are more lethal than other weapons**. Some claim the ratio is 5:1; no estimates are lower than 2:1 (Reiss, A. J., Jr. and Roth, J. A. 1993: 260). **This partly explains the strong correlation between guns and homicides**. If people get angry the same number of times, those using the most lethal weapons are more likely to kill their victims. Second, the nature of secondary gun markets helps explain how the widespread availability of guns increases crime in general, and homicides in specific. **Various opponents of gun control claim that "If we outlaw guns, only outlaws will have guns."** Armchair arguments suggest why this is a silly claim. Where, one might ask, do criminals get their guns? **They often steal them or buy them from those who purchased them legally. Even guns obtained from other criminals are usually traceable to people who purchased them legally.** Empirical evidence supports this armchair supposition. Most criminals report having stolen their guns, received them from a friend or family member, or purchased them from someone who had stolen it. At least half a million guns are stolen each year (Cook, P. J. et al. 1995: 81), and these swell the numbers of guns available illegally. **Not only does the primary (legal) market effect the availability of guns on secondary markets, it also affects the price of guns on those markets, much "like the analogous markets for motor vehicles or prescription drugs"** (Cook, P. J. et al. 1995: 71). As we restrict availability of guns in the primary market, the supply of guns in the secondary markets decreases and their cost increases (Cook, P. J. et al. 1995: 73). This increase in cost will diminish teenagers' ability to obtain guns, since they are least able to afford hefty prices. **Since teenagers commit most deadly crimes, decreasing the availability of legal guns will thereby decrease the number of homicides.** Conversely, having huge numbers of legally available guns increases the number of guns on secondary markets and typically lowers their price. This makes it easier for prospective criminals, including teenagers, to obtain guns. Third, having a gun around the house (or on the person) - even for self-protection - apparently increases the chance that someone in the family will kill themselves with the gun, or will be the victim of a homicide or an accident. One study found that "for every time a gun in the home was involved in a self-protection homicide, they noted 1.3 unintentional deaths, 4.5 criminal homicides, and 37 firearm suicides" (Reiss, A. J., Jr. and Roth, J. A. 1993: 267). This implies that for every case where someone in a gun-owning household kills an intruder to thwart a life-threatening attack, nearly 43 people in similar households will die from a gunshot. Taken together the evidence does not prove that widespread availability of guns increases the number of homicides. However, that empirical evidence, bolstered by earlier armchair arguments, makes the claim highly plausible. (ii) The use of guns to prevent crime The biggest "gun" in the anti-gun control lobby is the claim that having (and perhaps carrying) a gun prevents crime. As I noted earlier, this is a sensible armchair claim. Someone contemplating a robbery is more likely to proceed if they think they can succeed with little risk to themselves. So if a prospective robber believes the tenants are at home and have a gun they know how to use, then he will likely seek another target. Two surveys support this belief. According to one survey, 4 of all Americans have used a handgun in the past five years to avert a crime.

# Aff—Contention

### 1AR—AT: Substitution

#### Substitution claims are false.

Dixon 93 (NICHOLAS DIXON, Associate Professor of Philosophy, Alma College, Alma, Michigan, WHY WE SHOULD BAN HANDGUNS IN THE UNITED STATES, 1993)//Miro

One has to doubt the reliability of the statements of prisoners as to what firearms they would carry in certain circumstances. Macho bragging and outright lying are very likely in such situations, and relegate Kleck's projections to the status of unsupported conjecture. In view of the fact that such a small percentage of the actual murders in the United States in 1990 were committed with long guns,' the burden on Kleck to prove his hypothetical speculation is even heavier. As for Kates and Benenson, their projections are based on the unsupported assertion that the 70% of handgun killers who do not turn to long guns would instead use knives, the most lethal weapon other than firearms. It is more probable that at least some potential murderers would turn to less lethal weapons or their bare hands, and that some would be deterred from assaults altogether. Since Kates and Benenson ignore these probable scenarios, and since their substitution predictions are in any case purely speculative, it is safe to conclude that their estimate of the increase in the homicide rate in the event of a handgun-only ban is inflated. The conjectures offered in support of the substitution hypothesis are inadequate and fail to meet the burden of proof encumbent on opponents of my proposal. Another reason to doubt that long guns would be used in great numbers to replace handguns in robberies, assaults, and homicides is that long guns are obviously much more difficult to conceal. A potential mugger roaming the streets wielding a long gun will cause everyone in sight to flee, and is likely to be quickly arrested when alarmed people call the police. Similarly, a bank robber carrying a long gun will be immediately detected by security guards, alarm systems will be triggered, and the chances of a successful robbery greatly diminished. Handguns are obviously much more convenient for the commission of such crimes. Kates and Benenson point out that most homicides occur in the home, where concealability is "irrelevant." 95 However, concealability would seem to be an important factor even in the home. Since the victim may well be unaware that the killer is carrying a concealed weapon, the "surprise factor" which is peculiar to handguns can still apply even in the home. In contrast, people can hardly be unaware that the person they are with is carrying a shotgun or rifle. Moreover, in any argument or domestic quarrel, regardless of whether the potential victim knows that the assaulter is carrying a handgun, the ease of pulling out the gun and shooting makes such arguments more likely to spill over into murder. In contrast, by the time the assaulter has gone into another room to retrieve their long gun and loaded it, the potential victim has crucial seconds in which to escape.

### 1AR—AT: Black Market

#### It’s irrelevant to the aff—my advantages are based off of the *perception* that the government is combating handguns and adhering to its security frameworks, not actual efficacy of the measures—that’s Freedland.

#### I control the internal-link to black markets—security arrangements between the US and Mexico are key to clamping down on illegal arms trade<<—that’s Sweig and Herz/or say Mehalko 12>>

Mehalko 12 (Laura Mehalko, Executive Comments Editor for the Boston College International & Comparative Law Review, “The International Implications of U.S. Gun Control Policy”, 2012)//Miro

Arms trafficking is unlikely to decrease without increased cooperation between the United States and Mexico.13 Although regulations restricting trafficking are likely constitutional, cultural factors in the southwestern states make domestic reform, tightening restrictions on firearms sales, unlikely.14 One commentator suggested that lax regulations in Texas and Arizona “reflect both the libertarian traditions of the West and the anxious vigilance of firearms enthusiasts toward their Second Amendment rights.”15 State gun control laws impose few restrictions on firearms sales, making prosecution of those accused of transacting with Mexican cartels more difficult.16 Further, state laws creating an individual right to bear arms now find support in the federal Second Amendment policy that was incorporated to the states in McDonald v. City of Chicago

#### <<opt>>

#### Aff outweighs—proliferation and soft power loss outweigh any risk of added violence—we can’t fight against crime if we’re all dead—that’s Muller

#### LaFollete indicates most illegally obtained guns are stolen from legal owners—proves that legal ownership is the root cause of the illegal trade which I solve for.

#### US is source of illegal weapons.

Mehalko 12 (Laura Mehalko, Executive Comments Editor for the Boston College International & Comparative Law Review, “The International Implications of U.S. Gun Control Policy”, 2012)//Miro

Mexican drug trafficking organizations are the largest providers of illicit drugs to the United States. They have also grown to rely on advanced, high-power weaponry and to use their nearly military-grade armament to maintain control over smuggling corridors, and local drug production areas. Cartels are also linked to nearly 40,000 deaths over the last five years, many of which were committed with guns originating in the United States. The United States is likely the most prevalent source of weapons for the increasingly violent cartels. The U.S. government estimates that nearly ninety percent of all weapons used in the drug war originate in the United States. An analysis of current gun control policy in the United States and Mexico suggests this is likely the case; Mexico has particularly strict gun control laws in contrast to the relatively lenient gun control regulation in the United States. Both countries have implemented domestic policies aimed at reducing the southward flow of arms into Mexico, yet so far have had little success. This Note argues that arms trafficking has been facilitated by current U.S. gun control policy, and it will likely continue without a foundational shift in either U.S. or international policy.

### 1AR—Heg Impact

#### Effective federalism is key to heg---prevents retrenchment due to second-tier agenda

Pietro Nivola 10, The American Interest, “Rebalancing American Federalism”, March/April, http://www.the-american-interest.com/article-bd.cfm?piece=787

Thinking along those lines warrants renewed emphasis today. America’s national government has had its hands full coping with a deep and lingering economic crisis and onerous security challenges around the world. It cannot, or at any rate ought not, keep piling on top of those daunting tasks a second-tier agenda that injudiciously dabbles in too many decisions and duties best consigned to local entities. Turning every imaginable issue into a Federal case, so to speak, diverts and polarizes political leaders at the national level, and erodes recognition of local responsibilities. A kind of attention deficit disorder besets anybody who attempts to do a little of everything rather than a few important things well. Although not a root cause of catastrophes like the submersion of a historic American city by a hurricane in 2005, the terrorist attacks of September 11, 2001, the great financial bust of 2008 or the successful resurgence of the Taliban in Central Asia, an overstretched and distracted government stands less chance of mitigating such tragedies.

# Aff—CPs

## Gen CPs

### 1AR—CP (Gen. F/L)

#### Only the Aff solves—two reasons:

#### Federalism— historical-categorical approach requires gun bans, that’s Blocher—specifically, many cities have historically enacted a ban on handguns—means any alternative collapses local enforcement and turns the CP.

#### OAS— it’s a question of perception—even if the counterplan is effective at reducing most of the violence, States in the OAS demand a handgun ban—that’s Sweig. Specifically, both Mexico and Columbia have enacted bans on handguns and they expect the United States to do the same in order to fulfill its security framework obligations. Continued drug war makes it impossible to solve gun violence, turning case.

#### Perm: Do both—this solves for the net benefits: <<explain why>>

#### Counterplan links to net benefits— <<explain why>>

#### LaFollette *slays* the CP— empirics show that gun control reduces crime—this is not just correlation. While some criminals may still get their hands on guns, there would be a substantive reduction in violence that can’t be achieved any other way.

## State CP

### 1AR—State CP

#### Perm: Do the counterplan—this is not severance, the Aff plan is specifically is about local delegation like the counterplan—that’s Blocher. They have no reason why the counterplan is textually competitive with the resolution or functionally competitive with the aff.

#### Counterplan links just as much to the net benefits—<<explain why>>

#### Only the Aff solves—two reasons:

#### Federalism— historical-categorical approach requires gun bans, that’s Blocher—specifically, many cities have historically enacted a ban on handguns—means any alternative collapses local enforcement and turns the CP.

#### OAS— it’s a question of perception—even if the counterplan is effective at reducing most of the violence, States in the OAS demand a handgun ban—that’s Sweig. Specifically, both Mexico and Columbia have enacted bans on handguns and they expect the United States to do the same in order to fulfill its security framework obligations. Continued drug war makes it impossible to solve gun violence, turning case.

## BGC

### 1AR—BGC CP

#### Only the Aff solves—two reasons:

#### Federalism— historical-categorical approach requires gun bans, that’s Blocher—specifically, many cities have historically enacted a ban on handguns—means any alternative collapses local enforcement and turns the CP.

#### OAS— it’s a question of perception—even if the counterplan is effective at reducing most of the violence, States in the OAS demand a handgun ban—that’s Sweig. Specifically, both Mexico and Columbia have enacted bans on handguns and they expect the United States to do the same in order to fulfill its security framework obligations. Continued drug war makes it impossible to solve gun violence, turning case.

#### LaFollette *slays* the CP— empirics show that gun violence is often committed using guns stolen from legitimate owners—the counterplan can’t solve for stolen guns.

#### Perm: Do both—this solves for the net benefits: <<explain why>>

#### Counterplan links to net benefits— <<explain why>>

# Aff—DA

## Politics

### 1AR—ptx (Gen. scenario)

#### No link—two reasons:

#### Recent XOs on gun control should have triggered the link—double bind.

#### Devolution of implementation to local authorities shields the federal government from political backlash—that’s Blocher.

#### Historical-categorical approach allows for a truce on gun control

Blocher 13 (Joseph Blocher, Professor of Law at Duke University, “Firearm Localism”, 2013)//Miro

Fortunately, these ideological differences are geographically concentrated, which opens an unexplored possibility for a truce: firearm localism, which would give urban areas more leeway to regulate firearms within city limits while preserving the ability of rural areas to maintain their strong gun culture. Thus even if it is impossible to bridge gun culture and gun control culture,118 it is also unnecessary. This should be a welcome result for both camps. Rural residents should not have to weigh their desire to own hunting rifles against the possibility that urban youth will use handguns to shoot each other. And advocates of urban gun control should not have to denigrate the cultural salience of hunting in Montana when their goal is to limit cheap pistols in Manhattan. As New York Mayor Michael Bloomberg and Boston Mayor Thomas Menino, co-chairs of Mayors Against Illegal Guns, recently put it: “[W]e know that a policy that is appropriate for a small town in one region of the country is not necessarily appropriate for a big city in another region of the country.”119 The possibility of such accommodation is all the more important in the wake of Heller and McDonald. By finding the existence of an individual right to keep and bear arms independent of militia service, and then incorporating that right against state and local governments, the Supreme Court raised the possibility of a nationalized approach to gun control—one that would hold cities, states, and the federal government to identical rules. The response to Heller reveals the fault line implicated by that approach: “The reaction broke less along party lines than along the divide between cities wracked with gun violence and rural areas where gun ownership is embedded in daily life.”120 A rigid national standard would flatten these deep differences, potentially to the detriment of bothgun cultures. For members of the rural gun culture who oppose gun control and would prefer stringent review of gun control measures, the threat—as in prior incorporation debates—is that their rights will be watered down.121 Michael O’Shea argues persuasively that the courts are far more likely to protect Southerners, Westerners, and Midwesterners in their right to acquire modern self-loading rifles if the courts can do so without thereby discarding the “assault weapons” laws of the secondary gun culture states, and thereby (as the judges might see it) bringing AR-15s to high-rise apartments in Manhattan.122 Urban residents will likely have the opposite concern: that if the Second Amendment is calibrated so as to give rural residents access to firearms for hunting and other recreational uses, it will thereby prevent city-dwellers from protecting themselves against firearms that are being used for murder. This would effectively force urban residents who might care little about hunting in rural areas to subsidize that activity with their own safety. But the more serious problem with achieving political compromise is that the debate is not simply one about policy analysis. Rather, the underlying conflict is largely about values, and there is no way to resolve such a conflict by appealing to empirics.123 As David Kairys puts it, “[s]omething else is going on, and at its core is a personal, cultural, and political identification of guns with personal self-worth and with our highest ideals.”124 Dan Kahan, who along with Donald Braman has thoroughly investigated the cultural salience of gun control,125 concludes that progress can still be made if voices of moderation, “in the spirit of genuine democratic deliberation, appeal to one another for understanding and seek policies that accommodate their respective world views.”

#### Intrinsicness: The DA isn’t intrinsic. A logical policymaker can do the plan and solve the DA. The DA isn’t an opportunity cost to doing the plan.

# Aff—Theory

### 1AR—T (Gen)

#### I meet— I defend the resolution on-balance: 80% of Americans live in urban areas, so I defend bans for the majority of Americans.

#### Counter-interp: The Affirmative can specify a policy based in Supreme Court case law.

#### I meet my counter-interpretation, 1AC Blocher evidence says the historical-categorical approach is rooted in Heller, a recent Supreme Court decision.

#### This is predictable—1AC blocher evidence says that my aff is at the core of the topic about handgun bans.

#### <<My standards>>

#### Resolvability— It’s impossible to have a debate about the effectiveness of handgun banning in the abstract because there are many different interpretations—not specifying kills resolvability and education because our evidence would be talking past each other. <<opt>> Answers back your textuality claims because there is no one true interpretation of the rez.

#### Legal Education— My interpretation best provides legal education, including debate about supreme court case law allows debaters to engage with the nuances of the legal system which is a key portable skill. Education comes first because the only way you can evaluate whether debate is a good activity is based on the external impact it has.

#### Advocacy Shift— If I don’t defend a stable policy advocacy then there’s no way to prevent 2AR shift which is inevitable without specification because there’s a strategic incentive to avoid their arguments—this controls the internal link to clash.

#### Reciprocity— Neg can run counter-plans which garner offense from specific cases, so aff plans are key to equal ground.

#### Reasonability— good is good enough. Voting for theory encourages theory prolif, which crowds out substantive engagement. Even if his interpretation is a little better than mine, theory proliferation sets a non-arbitrary threshold for voting for him.

#### Pragmatic justifications first— jurisdictional questions beg the question of what the role of the judge is—if I win that his interpretation of the resolution is bad for debate than you should default to my interpretation.

### 1AR—AT: limits/ground

#### Group the limits and ground debate—

#### Counter-interp limits Affs to only those at the core of the topic lit, so I solve back for limit questions.

#### No abuse. He still gets stock ground. No reason generic NCs and disads wouldn’t link.

#### Turn—Less lit on whole rez: policy makers never implement sweeping generalizations, only plans.

### 1AR—Predictability Bad

#### Predictability standards are bad because

#### 1. They put the aff in the double bind of either running the most stock case on the topic or having the 1AR skewed by theory.

#### 2. They’re anti-educational because they discourage exploration of new areas of topic lit.

#### 3. If the AC must be predictable, the neg can just prep out the most stock case on the topic, so they’ll always win from the dual time and ground skew.

#### 4. It’s unreciprocal. The neg gets any kritik or disad because they’re not constrained by falling within a predictable limit of the topic.

#### These are offensive reasons why holding debaters to predictability standards is bad, so it’s a reason to reject the debater.

### 1AR—AT: textuality

#### Textuality is only an internal link to fairness—jurisdictional questions beg the question of what the role of the judge is—if I win that his interpretation of the resolution is unfair than you should default to my interpretation of the rez.

#### Topic lit contextualizes what the rez is about—1AC Blocher evidence says that my aff is at the core of the rez, it’s based in the topic literature.

### 2AR—Resolvability 1st Weighing

#### The biggest theoretical impact is resolvability because

#### Fairness voters only matter in terms of the judge being able to evaluate the round but this means resolvability is the strongest link to a fairness voter and also an independent voter that outweighs fairness—even if it’s constitutive of competitive activities to be fair, a prerequisite to determine what constitutes fairness is the judge’s ability to resolve arguments

#### Resolvability outweighs education because the RFD crystallizes the education we’re able to get—the type of education we receive is dependent on how we view the round and its contents, so I control the internal link to the quality and usefulness of the education we receive, even if he’s winning his education standard.

#### Resolvability outweighs everything because the judge’s ability to determine which arguments to vote on is their constitutive purpose—means education/fairness is something that coincides with debate, not its guiding purpose.

#### Resolvability controls the judge’s ability to exercise their jurisdiction so my theory args control the internal link to accessing the benefits of any other interp—means his offense is nonunique and mine is net-beneficial

# Aff—NCs

## Util Extensions

### NR—RevInt

#### Revisionary intuitionism comes before meta-level moral questions about the nature of moral truth—all moral truths fundamentally must be derived from intuition, so if I win that those are flawed you default to util.

#### Specifically, scope insensitivity studies show that people will pay the same amount to save 5,000 lives as 50,000 which means that we should revise our intuition to include aggregation—this means util.

### NR—Sunstein

#### Morality is a question of what an actor must do in a given situation—to be a just state is to maximize life and minimize violations of side-constraints. The unique nature of a state renders the act-omission distinction incoherent because the state always and necessarily faces a choice between two actions.

### NR—Epistemic Modesty

#### You should adopt the parliamentary model for evaluating the framework debate—it’s the only way to resolve moral uncertainty and moral absolutism. Rather than simply affording to 100% risk to one moral theory or another, you should allow theories high leverage on issues important to them—that’s Bostrom. That means that even if I only win 1% risk util is true you should default to preventing existential risk.

### NR—Shoemaker

#### Brain studies prove the personal identity is incoherent—a person can be split into two separate entities which undermines the concept of unified personhood underlying <<x moral theory>>. Instead, the only thing that matters is end-states—means you default to util.

1. Shoemaker, David (Dept of Philosophy, U Memphis). “Utilitarianism and Personal Identity.” *The Journal of Value Inquiry* 33: 183–199, 1999. <http://www.csun.edu/~ds56723/jvipaper.pdf> [↑](#footnote-ref-1)