I affirm.

Resolved is defined as[[1]](#footnote-1) **firm in** purpose or **intent; determined.**

To negate[[2]](#footnote-2) means **to deny the truth of.**

**The role of the ballot is to endorse the debater who proves the descriptive truth or falsity of the resolution.**

**Prefer:**

**First,** It’s definitionally the purpose of debate

**a)** Debate is a competitive game- just like any other, the better competitor wins, even if there are different ways to play the game, you would not determine who wins based on those factors, for instance you wouldn’t decide who won a basketball game based on who shot three’s the best, even if that is important, you ultimately evaluate who had the most points. If you disagree that debate is a game, it at least means I consider it one which means you should concede because I care about winning.

**b)** Fiat is illusory. Nothing leaves this round other than the results on the ballot- this means even if we hypothetically breakdown oppression, it ultimately makes no real world difference other than on the ballot which means it makes no sense to be the actual ***role*** of the ballot- at the very best you can write whatever you think is important on the ballot but still evaluate based on the better debater, also better for your position since more people will talk about your position if it loses.

**c)** The ballot is a constitutive feature of debate- it tells you how the game functions and it necessitates truth testing.. **Nardin**, 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. The first thing to observe in considering this objection is that the purposes of a practice are not necessarily the same as the purposes either of those who designed or of those who participate in it. **From the standpoint of an umpire** supervising a particular game of chess, **the paramount consideration governing** the **play is** that it should be in **conformity with the rules of chess**. If a player makes **an illegal move, arguing that it will result in a more intellectually challenging game, the proper response is to ignore the argument and prohibit the move**. In other words, the kinds of reasons that are valid within the game are different from those that might be considered by chess federation officials contemplating changes in the rules of the game. From the internal perspective of the player or the umpire, **the authority of the rules is absolute** Players or umpires may disagree about the interpretation or proper application of the rules, but they may not take the position that a valid, authoritative rule should be set aside. It is also important to distinguish between the intentions that may be embedded in a rule or system of rules and the consequences of observing that rule or participating in the system.

**Second,** Every statement devolves to truth-value. **Frege,** Frege, Gottlob. “The Thought: A Logical Inquiry” in Logicism and the Philosophy of Language: Selections from Frege and Russell. Broadview Press. March 2003. Pg. 204. It may nevertheless be thought that **we cannot recognize a property of a thing without** at the same time **realizing** the thought that **this thing has the property to be true**. So **with every property of a thing is joined a property** of thought, namely, that **of truth**. It is also worthy of notice that **the sentence “I smell the scent of violets” has** just **the same content as** the sentence **“it is true that I smell the scent of violets”**. So, it seems, then, that nothing is added to the thought by my ascribing it the property of truth.

The negative must concede the affirmative contention level offense. Prefer it:

B: It’s preemptive, you violate by reading turns under the aff fwk

1. Phil education – I allow for both topical debate and framework debate. Thinking about DIFFERENT phil is real-life applicable because we have to make personal choices and choose a way to live our lives. AND, LD is the only debate forum where we CAN debate so much philosophy this education is 100% unique to LD. Phil debate best promotes critical thinking. When confronted with a philosophical position, a debater must think or they will lose and analyze deep warrants. AND, in-round phil education is uniquely key since we get to explicitly compare phil authors may not interact in the lit. Even if we can’t decide anything, we can gain critical thinking about the ways warrants interact. Even if topic education o/w – a) strength of link, even if topic education is better than philosophy I allow for both whereas you only allow for *bad* phil ed because we never actually engage in the fwk debate and b) I increase the breadth of topic education since I allow for real world arguments that apply under different ethical paradigms.
2. Debatability- every framework offers easier structural access to the ballot for one side – like polls might flow a certain way on a certain topic – means that access to a framework debate is always 1:1 since it’s not as if some framework is inherently more true than another one – it’s a question of how good you are, not empirics. Key to fairness since we both need equal offensive access to the ballot
3. Strat Skew- It’s impossible for the 1AR to win framework and contention level offense when you can read a fwk that excludes my offense and read a bunch of turns to the aff making the round impossible in 4min- also prevents us from having unnecessary theory debates since my only strategic option in that position is to uplayer with frivolous shells which devolves to every round being a theory round which means we get no education or I always lose on substance which o/w since its infinite abuse

Aff theory is a reason to drop the debater, it’s impossible for me to compensate for abuse, empirically proven by the 8 percent[[3]](#footnote-3) side bias. Also impact turns neg theory since I’m just compensating for the side bias.

**I value Morality.** **The standard is consistency with intuitions.**

**First,** Intuitions are the only thing capable of motivating moral action, ethical frameworks are useless without motivation which makes deriving obligations impossible. **Jindal,** Jindal, Bobby. Louisiana Law Review, 1999. Web. <http://digitalcommons.law.lsu.edu/cgi/viewcontent.cgi?article=5780&context=lalrev>.Modem political philosophers ranging from Robert Nozick to John Rawls have attempted to discern the principles of justice that should guide societal arrangements. This project is of vital importance since it informs society of its obligations to its weakest and most vulnerable members. Yet, the question of **why one should be just is** an **intelligible** one to ask and deserves some response. This paper argues that the political-legal **obligation to be just is derivative from** man's more general duty to be moral, a commitment grounded in **intuitions** which are themselves based on transcendental values, i.e., values that exist apart from a particular society. Those **political theories** that lack a transcendental notion of morality **lack binding force; the theorist who persuades without asserting truth is helpless** to convince or judge those committed to different principles. Modem liberalism, with its explicit commitment to neutrality, has nothing to say to individuals who do not share its values; similarly, communitarianism, with its cultural relativism, cannot critique an unjust society from the outside. Many liberals and communitarians underpin principles of justice, which require an individual to sacrifice his interests to secure the welfare of others, with that justification available to convince one that his preference for vanilla ice cream is mistaken; yet, justice, unlike ice cream, is not merely a matter of taste. **Principles of justice not based on objective moral principles are arbitrary at best and prejudicial at worst, without binding** authority or persuasive **moral force**. Though Rawls claims the "conception of justice is a practical social task rather than an epistemological or metaphysical problem,"1 **there must be some a priori, non-subjective commitment** to justice, as well as positive laws, **that compels individuals to sacrifice their self-interest**. Transcendental morality alone provides a substantial answer to those-anarchists, narcissists, libertarians, individualists, racists, isolationists, and others-who question the obligation to serve the common good, i.e., sacrifice one's interests for others. Merely discerning the claims of justice is not enough; these claims must be legitimized. **The gap** between "is" and "ought" **reflects the distance between** factual claims and moral ones, between truth and motivation, between **description and obligation. Even if rationality informs** man **of** political **obligations** to his fellow citizens, **only moral intuitions can motivate** him **to act** accordingly.

Absent any clear reason to prefer another fwk, default to the aff being true because defaults are definitionally intuitions.

**Second,** Actor Specificity- courts rely on intuitions. **Strauss,** Strauss, Jeffrey. "Dangerous Thoughts." Washington University Journal of Law, Jan. 2004. Web. <http://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1290&context=law\_journal\_law\_policy>.**The Court has taken different approaches to** determine whether an employee’s **speech** or actions related to a matter of public concern. **Sometimes**, the Court focuses on the **intent** of the actor. **Other times**, the Court looks directly to the statement’s **content**.77 Fortunately, the Court has expressly renounced the position that the actor’s specific viewpoint affects the degree of his First Amendment protection. **Despite these various** factors and **approaches, however, the Court’s conclusions often indicate a reliance on** common sense and **intuition**.

**Third,** All frameworks collapse to intuitions- the only reason we adopt a moral framework is when it draws a conclusion consistent with our intuitions, for instance if Util tells us to kill our mom to save 2 strangers we would not act under util.

**Fourth,** Intuitions are epistemologically justified- every chain of reasoning has to start somewhere to avoid infinite regress. **Huemer,** chapter 5 (pp. 99-127) of Ethical Intuitionism. © 2005 Michael Huemer. Not to be reproduced without permission of the publisher. --mh] http://www.owl232.net/5.htm**Reasoning sometimes changes** how things seem to us. **But there is also a way things seem** to us **prior to reasoning; otherwise, reasoning could not get started**. The way things seem prior to reasoning we may call an 'initial appearance'. **An initial, intellectual appearance is an 'intuition'. That is**, an intuition that **p is a state of its seeming to one that p that is not dependent on inference from other beliefs and that results from thinking about p**, as opposed to perceiving, remembering, or introspecting.(4) An ethical intuition is an intuition whose content is an evaluative proposition.

**Fifth,** Neuroscience proves rational reflection fails. **Doctorow,** Doctorow, Cory. "HOW WE DECIDE: Mind-blowing Neuroscience of Decision-making." Boing Boing. N.p., 07 Sept. 2009. Web. 26 Dec. 2016. <http://boingboing.net/2009/09/08/how-we-decide-mind-b.html>. Jonah Lehrer's How We Decide is the latest in a series of popular neuroscience books (Brain Rules, Stumbling on Happiness, Mind Wide Open, The Brain that Changes Itself) to (literally) blow my mind. Lehrer, author of the **celebrated** Proust Was a **Neuroscientist, lays out the current state of the neuroscientific research into decision-making** with a series of gripping anaecdotes **followed by reviews of the literature** and interviews with the researchers responsible for it. Lehrer is interested in the historic dichotomy between "emotional" decision-making and "rational" decision-making and what modern neuroscience can tell us about these two modes of thinking. One surprising and compelling **conclusion is that people who experience damage to the parts of their brain responsible for** emotional **reactions are unable to decide,** because their rational mind dithers endlesslyover the possible rational reasons for each course of action. **The** Platonic **ideal of a rational being making decisions without recourse to** the wordless **gut-instinct is revealed as a helpless schmuck who can't answer questions** as basic as "White or brown toast?"

**Sixth,** intuitions are sufficient for decision making. **Enoch 2,** Enoch, David. "Giving Practical Reasons." Philosophers Imprint. The Hebrew University, Mar. 2011. Web. <https://quod.lib.umich.edu/cgi/p/pod/dod-idx/giving-practical-reasons.pdf?c=phimp;idno=3521354.0011.004>. I should also note something it does not take for the role played by the given reason in the receiver’s practical reasoning to be appropriate. **It is not required that the role be**, as it were, **ultimate**. In other words, it is perfectly consistent with robust reason-giving thus understood that there be a further, fuller, perhaps more basic story of why it is that B does and should take A’s relevant intentions as reason-giving. **Perhaps**, for instance, **B is a simple utilitarian**, and let’s further assume that simple utilitarianism is indeed the true fundamental story about all reasons for action. **If so, B will take A’s request as a reason to [act] if** and only if, and because, **doing so will maximize utility**. But this does not mean that she doesn’t take, in those cases, A’s request to be a (nonultimate) reason. The crucial question is whether the ultimate (or perhaps just more basic) story here is one that goes through the reasongiver’s special intentions identified above (and the receiver’s recognition thereof), as in the case of the utilitarian request-receiver, in which case we may have a case of robust reason-giving; or whether the more basic story here works directly, leaving no role for the specific intentions that make reason-giving robust (as is the case in the dictator’s child example). Cases of this latter type are not, on the account I’m suggesting here, cases of robust reason-giving. And **this seems to me the independently plausible result** here. Notice that the intentions mentioned above do not include something like the intention that B actually Φs. This is so because **A can give B a reason to [act] Φ knowing well that other reasons may be relevant, including possibly stronger reasons not to [act] Φ**.52 Indeed, it seems to me A can make a genuine request that B Φs, all the time acknowledging that if certain other considerations bear on the case, B should not (all things considered) Φ. We do not want to restrict robust reason-giving to just the cases in which the reason-giver intends the given reason to outweigh all others. For similar reasons, **A need not intend that the given reason be the only reason** for which B Φs.

**I contend protecting free speech is a priori intuitive.**

**First,** The government is invested in public education and influences their policies. **Armstrong,** RECALIBRATING REGULATION OF COLLEGES AND UNIVERSITIES Report of the Task Force on Federal Regulation of Higher Education - 2015 FINAL - Bipartisan group of U.S. Senators—Lamar Alexander (R-TN), Barbara Mikulski (D-MD), Richard Burr (R-NC), and Michael Bennet (D-CO) created the Task Force on Federal Regulation of Higher Education in the fall of 2013 and directed it to consider these issues in depth. **The federal government’s** substantial fiscal **investment in higher education recognizes that postsecondary education is a linchpin in the nation**’s social and economic strength. Through that support, the government helps ensure that colleges and universities continue to contribute broadly to the fabric of American society. To ensure prudent stewardship of federal support for higher education, **the D**epartment **o**f **E**ducation **is charged with developing procedures to carry out laws passed by Congress in regard to higher education and** with **overseeing institutional compliance**. Institutions of higher learning recognize the important role regulations play in the oversight of federal investments.

**Second,** Even if it is state governments with ultimate authority, they are just an extension of the federal government, and they are still bound by the same rules, which makes it governmental.

**Offense:**

**First,** The state following its own constitution is intuitive. **State Department,** The Constitution of the United States of America." Almanac of Policy Issues. June 2004. Web. <http://www.policyalmanac.org/government/archive/constitution.shtml>.It **[The constitution] establishes** the **form of the** national **government and defines the rights and liberties of the American people. It also lists the aims of the national government and the methods of achieving them**. Previously, the nation's leaders had established an alliance among the states under the Articles of Confederation. But the Congress created by the Articles lacked the authority to make the states work together to solve national problems After the states won independence in the Revolutionary War (1775-1783), they faced all the problems of peacetime government. The states had to enforce law and order, collect taxes, pay a large public debt, and regulate trade among themselves. They also had to deal with Indian tribes and negotiate with other governments. Leading statesmen, such as George Washington and Alexander Hamilton, began to discuss the need to create a strong national government under a new constitution. Hamilton helped bring about a constitutional convention that met in Philadelphia, Pennsylvania, in 1787 to revise the Articles of Confederation. But a majority of the delegates at the convention decided instead to write a new plan of government -- the Constitution of the United States. **The Constitution established** not merely a league of states, but **a government that exercised its authority directly over all citizens. The Constitution defines the powers delegated to the national government**. In addition, **[and] it protects the powers reserved to the states and the rights of every individual**.

**Second,** College students find it intuitive. **Wilson,** [3,072 student ages 18-22] Wilson, John. "A New Survey about Supporting Free Speech on Campus." ACADEME BLOG. N.p., 04 Apr. 2016. Web. 26 Dec. 2016. <https://academeblog.org/2016/04/04/a-new-survey-about-supporting-free-speech-on-campus/>. **A new Gallup survey** released today, sponsored by the John S. and James L. Knight Foundation and the Newseum Institute, **shows that college students support free speech and open debate** more than other adults in America, but they often make exceptions to their support for 1st Amendment rights. **In the survey’s key finding, 78% of students favor having colleges** “create an open learning environment where students **are exposed to all types of speech** and viewpoints, **even if it means allowing speech that is offensive or biased against certain groups of people”** (including 72% of Democrats and 84% of Republicans. Among adults, only 66% favor an open learning environment (equal numbers of Democrats and Republicans).

**Third,** Free speech is intuitive on universities- it’s where free speech originates making restrictions paradoxical. **Patten,** Patten, Chris. "The Closing of the Academic Mind." Project Syndicate. N.p., 22 Feb. 2016. Web. 04 Dec. 2016. <https://www.project-syndicate.org/commentary/academic-freedom-under-threat-by-chris-patten-2016-02>.**The role of a university is to promote the clash of ideas**, to test the results of research with other scholars, **and** to **impart new knowledge** to students. **Freedom of speech is** thus **fundamental to what universities are**, enabling them to sustain a sense of common humanity and uphold the mutual tolerance and understanding that underpin any free society. That, of course, makes universities dangerous to authoritarian governments, which seek to stifle the ability to raise and attempt to answer difficult questions. But if **any denial of academic liberty is a blow** struck **against the meaning of a university**, the irony today is that some of the most worrying attacks on these values have been coming from inside universities. In the United States and the United Kingdom, some students and teachers now seek to constrain argument and debate. They contend that people should not be exposed to ideas with which they strongly disagree. Moreover, they argue that history should be rewritten to expunge the names (though not the endowments) of those who fail to pass today’s tests of political correctness. Thomas Jefferson and Cecil Rhodes, among others, have been targeted. And how would Churchill and Washington fare if the same tests were applied to them? Some people are being denied the chance to speak as well – so-called “no platforming”, in the awful jargon of some clearly not very literate campuses. There are calls for “safe spaces” where students can be protected from anything that assaults their sense of what is moral and appropriate. This reflects and inevitably nurtures a harmful politics of victimization – defining one’s own identity (and thus one’s interests) in opposition to others. When I was a student 50 years ago, my principal teacher was a leading Marxist historian and former member of the Communist Party. The British security services were deeply suspicious of him. He was a great historian and teacher, but these days I might be encouraged to think that he had threatened my “safe space.” In fact, he made me a great deal better informed, more open to discussion of ideas that challenged my own, more capable of distinguishing between an argument and a quarrel, and more prepared to think for myself. Of course, some ideas – incitement of racial hatred, gender hostility, or political violence – are anathema in every free society. Liberty requires some limits (decided freely by democratic argument under the rule of law) in order to exist. Universities should be trusted to exercise that degree of control themselves. But intolerance of debate, of discussion, and of particular branches of scholarship should never be tolerated.

**Fourth,** Free speech is generally intuitive- without it we wouldn’t be having this round nor would we be able to express what our intuitions are which makes having them meaningless in the first place. This means only through constitutionally protected speech can we even have the ability to have an open debate round.

**Underview**

1. Neg must concede that aff gets drop the debater, no RVI, competing interps 1AR theory a) solves infinite abuse, I don’t have time to check abuse and win substance- you could just kick the arg for the time trade off so I need the ability to go all in on theory b) You can collapse in the 2n on theory and get away with abuse because you can go all in for the RVI which means I lose every round c) Neg already has an 8 percent[[4]](#footnote-4) side bias meaning I am already at a structural disadvantage which means even if I’m abusive, it is justified- also turns theory not weighed against it because I am just correcting for the side bias. And, neg can only contest offensive theory spikes a) there’s no reason framing issues are abusive, I cannot extend them for reasons I win but rather just help me check abuse b) Otherwise its infinite abuse because neg can load up on theory and prevent me from engaging on the highest layer.

2. All K’s must have a concrete policy alternative that is competitive with the AC. Prefer: a) Reciprocity: rejection and reps alternatives function as NIBs for me because I have to beat back the link and win AC offense, which skews the structural burden in your favor b) Critical ed: Policy alts are better for your kritik, it allows us the ability to engage in productive discussions rather than endless critic of each other’s reps without solutions c) Engagement: There are a million different reps or things I can do that someone disagrees with- a concrete alt solves because I can at least debate about your solution, controls the internal link to your RoB because it necessarily relies on engagement to solve

3. The neg may not read theory against arguments in the AC since a) this moots AC offense because they can read theory on my theory arguments in the aff which ensures that I won’t be able to leverage any theory offense in the 1AR from the AC, giving them a huge time advantage, b) it leads to contradictions since the neg can just read theory against this arg, but this indicts those shells, so there’s no way to determine which comes first. But, prefer this shell because the neg has the ability to adapt in the NC.

4. The neg may not read necessary but insufficient burdens a) Strat Skew- You can uplayer with 7 minutes of NIBs I have to beat back before I can access offense which is terrible for a 4 min 1ar, it is impossible for aff to overwhelm the neg because you always have longer times and reactive speeches to overcome any unfairness b) Norms- It would justify infinite neg abuse because neg would just read 7 min of autonegate arguments which is the biggest impact to fairness because its impossible to correct

5. Neg may not deny aff the RVI on theory or T a) Reciprocity. You can win off theory or substance whereas I have to win both. This means that reading theory but denying me the RVI makes theory a NIB for me, creating a structural skew that changes the burden structure of the round- also denying them is specifically bad even if I don’t get one because it is another layer I have to beat back b) Timeskew- you could load up on 7 min of theory to moot the 1AC and go for no RVIs making the round literally impossible to win in the 4 min 1ar

6. All negative positions must be unconditional a) strat skew- you can read a bunch of 10 second advocacies and I’ll never know what to respond to that you will extend in the 2N which makes every round impossible. b) Reciprocity- I am held to my position, the 1AC, which means you must be held to your positions.

7. If the neg reads theory; they may not read an alternative framework: because A) the 1AR is too short to win both theory and substance. Multiple layers incentivize the neg to frontload RVIs and read preclusive frameworks that make the four-minute speech impossible. B) Clash: this interp forces the neg to engage in the AC rather than just reading several preclusive layers.

8. The neg must gain offense from at most route to the ballot and that route must be unconditional. To clarify, a route to the ballot consists of an independent layer of the debate that articulates a distinct judge obligation that justifies negation. A) this is key to aff strat since otherwise the neg can just layer the debate round and collapse to whatever layer the aff inevitably undercovers in the 1ar, B) clash- this interp forces the neg to engage in the AC rather than just reading several preclusive layers

**Frontlines**

**AT No Check on Intuitions**

You will say it’s impossible to check intuitions- intuitions themselves are the only way to avoid this skepticism. **Huemer,** chapter 5 (pp. 99-127) of Ethical Intuitionism. © 2005 Michael Huemer. Not to be reproduced without permission of the publisher. --mh] What happens **if we apply the principle generally: 'We need positive reasons for trusting appearances'? Then we need positive reasons for trusting sense perception, memory,** introspection, **even reason itself. The result is** global **skepticism. Nothing can be accepted until we first give a positive reason** for trusting that kind of belief. **But we cannot give such a reason without relying on** sense perception, memory, introspection, reason--or in general, on **some source. Hence, we shall never be able to trust anything.**

**Government Extension**

**Second,** The federal government plays a large role in higher education with major influence. **EESU,** <a href="http://education.stateuniversity.com/pages/2448/State-Educational-Systems.html">State Educational Systems - The Legal Basis for State Control of Education, School Organization Models, The School District Consolidation Movement</a>. In the post–World War II period, particularly during the 1960s, **Congress enacted many education acts**, the most important of which were the Elementary and Secondary Education Act (ESEA) of 1967 and the Higher Education Acts of 1965 and 1972. In the ESEA, **the national government assumed added responsibility** for providing local districts with monies for economically disadvantaged students, disabled students, and for student financial aid **for higher education**. While the federal government does not have a large operational presence in education, **there are still many national influences on** American **education. For example, there are** literally **hundreds of national education organizations**, representing diverse groups and points of view (e.g., teachers, parents, textbook publishers, test manufacturers), all of **which have a national presence and** nationwide **influence.**

1. http://www.dictionary.com/browse/resolved [↑](#footnote-ref-1)
2. "Negate." Def. 1. *Merriam Webser*. Web. <http://www.merriam-webster.com/dictionary/negate>. [↑](#footnote-ref-2)
3. Vbriefly. “LD Side Bias.” [Includes every round from an octas or quarters bid during the 2014-2015 season.] 3177 aff wins, 3737 neg wins. [↑](#footnote-ref-3)
4. Vbriefly. “LD Side Bias.” [Includes every round from an octas or quarters bid during the 2014-2015 season.] 3177 aff wins, 3737 neg wins. [↑](#footnote-ref-4)