# 1AC

#### Resolved: Wealthy nations have an obligation to provide development assistance to other nations.

## Part- 1 is Framing

### Definitions

#### “Development assistance” is defined by the Organisation for Economic Co-operation and Development in 2017 as:

OECD (2017), Net ODA (indicator). doi: 10.1787/33346549-en (Accessed on 27 October 2017)

Official development assistance (ODA) is defined as government aid designed to promote the economic development and welfare of developing countries. Loans and credits for military purposes are excluded. Aid may be provided bilaterally, from donor to recipient, or channelled through a multilateral development agency such as the United Nations or the World Bank. Aid includes grants, "soft" loans (where the grant element is at least 25% of the total) and the provision of technical assistance. The OECD maintains a list of developing countries and territories; only aid to these countries counts as ODA. The list is periodically updated and currently contains over 150 countries or territories with per capita incomes below USD 12 276 in 2010. A long-standing United Nations target is that developed countries should devote 0.7% of their gross national income to ODA. This indicator is measured as a percentage of gross national income and million USD constant prices, using 2014 as the base year.

#### “Obligation” explained by Kavka in 86:

Kavka, Gregory S. (1986). \_Hobbesian Moral and Political Theory\_. Princeton University Press.

To summarize all this, we may say that an obligation is created by the voluntary act of laying down a right, which may take the form of a free gift or a contract, some of the latter of which are covenants. A person has due to [them] him what another is under an obligation to provide him, [them] and injustice is done when an obligation is not fulfilled, and never otherwise. The main idea that filters through this set of definitions is that the moral relations among people described by such terms as “obligation,” “due,” “free gift,” “contract,” “covenant,” “justice,” and “injustice” are created by those people’s actions. As Hobbes puts it, “There is no obligation on any man, which ariseth not from some act of his own.” Thus Hobbes adopts a purely voluntarist account of moral obligation and justice- one’s moral obligations and duties of justice are limited to those things to which one has, in some sense, agreed or consented. This idea will seem less outrageous when we come to see that the relevant sort of agreement may be purely hypothetical and that duties of justice and moral obligations are not the only kinds of moral requirements that constrain our behavior.

### Resolutional Framing

#### 5 dictionary sources define negate as “to deny the truth of”, which means the sole burden of the negative is to prove the resolution’s falsity. Thus, the Role of the Ballot is to vote for the debater who best proves the truth or falsity of the resolution. The resolution doesn’t prescribe an action to change the status quo in any way so generating a comparative world for evaluation is logically impossible.

[<http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate>]

### Standard

#### The standard is consistency with current International Law. 3 warrants:

#### 1. Legal systems make moral norms determinate. Green 08:

Leslie Green, Professor of the Philosophy of Law and Fellow of Balliol College, University of Oxford; Professor, Osgoode Hall Law School of York University, Toronto. Positivism And The Inseparability Of Law And Morals, New York University Law Review [Vol. 83:1035 October 2008.]

**Legal systems** make moral norms determinate; they **supply both information and motivation that** help **make** those **norms effective**; they support valuable forms of social cooperation. Human nature being what it is, it is overwhelmingly likely that *some* good will come of all this, if only as a matter of natural necessity. Hart is both alert to and suspicious of these arguments. He concedes that there are at least “two reasons (or excuses) for talking of a certain overlap between legal and moral standards as necessary and natural.”42 The first is his “minimum content” thesis: Legal systems cannot be identified by their structure alone; law also has a necessary content. It must contain rules that regulate things like violence, property, and agreements in a way that promotes the survival of (at least some of) its subjects. The second is the thesis that [also] every existing legal system does some administrative—or, as he also calls it, “formal”—justice. Hart holds that every legal system necessarily contains general rules, that general rules cannot exist unless they are applied with some constancy, and that such constancy is a kind of justice: “[T]hough the most odious laws may be justly applied, we have, in the bare notion of applying a general rule of law, the germ at least of justice.” Hart holds that every legal system necessarily contains general rules, that general rules cannot exist unless they are applied with some constancy, and that such constancy is a kind of justice: “[T]hough the most odious laws may be justly applied, we have, in the bare notion of applying a general rule of law, the germ at least of justice.”45 Hart sympathetically develops both the minimum content thesis and the germ-of-justice thesis and then stops just short—in any case, I think he means to stop short—of concluding that these theses prove there to be necessary connections between law and morals. His grounds for hesitation seem to be that neither argument establishes a moral duty to obey the law and that each is consistent with the most stringent moral criticism of a legal system that realizes them: Such legal systems may even be “hideously oppressive,” denying to “rightless slave[s]” the minimum benefits that law necessarily provides to some.46 All of this is so, but it does not prove the separability thesis. At most, it shows that the values that the minimum content and germ-ofjustice theses necessarily contribute to law may well be accompanied by serious immoralities. Still, if every legal system necessarily gives rise to A and B, then it necessarily gives rise to A, even if B counts on the demerit side. The derivative connections just discussed rely on the supposition that a legal system is effective amongst people with natures much like our own, living in circumstances much like our own. They are therefore among the contextually necessary connections between law and morality. But there are necessary connections between law and morality that are more direct. Here are four of the more interesting ones:Morality has objects, and some of those objects are necessarily law’s objects. **Wherever there is law, there is morality**, and **they regulate the same subject matter**—**and do so by analogous techniques**. As Kelsen noted, “[j]ust as natural and positive law govern the same subject-matter, and relate, therefore, to the same norm-*object*, namely the mutual relationships of men . . . so **both also have in common the universal form of this governance, namely obligation**.”47 This is broader than the minimum-content thesis. Some think Hart is too timid in limiting the necessary content of law to survival promoting rules.48 Actually, unless “survival” is understood in a vacuously broad way, Hart’s claim is too bold: There are lots of suicide pacts around these days. But **even legal systems that hinder individual or collective survival** for the sake of things like unrestrained consumption, national glory, or religious purity nonetheless share a common content: They **regulate things that the society** (or its elites) **takes to be** high-stakes **matters of social morality. If** we encounter **a normative system** that **regulates only low-stakes matters** (such as games or courtesies), **then we have not found a legal system. It is** in **the nature of law to have a large normative reach**, one that extends to the most important concerns of the social morality of the society in which it exists. Exactly how law regulates these matters (whether by enforcing them, protecting them, or repressing them) varies, as does its success and the merit in doing so. Unlike the derivative arguments, therefore, *N1* does not show that every legal system necessarily has some moral merit; it shows that there is a necessary relation between the scope of law and morality. This is one of the things that make law so important; it also explains why normative debates about law’s legitimacy and authority have the significance that they do.

#### 2. Only legality is binding. Habermas 86:

Jurgen Habermas, Law and Morality, The Tanner Lectures On Human Values, October 1, 1986.

An **autonomous morality provides only** fallibilistic **procedures for** the justification of **norms** and actions. The high degree of **cognitive uncertainty is heightened by the contingencies** connected with the context-sensitive application **of highly abstract rules to complex situations** that are to be described as appropriately and completely, in all relevant aspects, as possible.36 Furthermore, **there is a motivational weakness corresponding to this cognitive one.** Every post-traditional morality demands a distantiation from the unproblematical background of established and taken-for- granted forms of life. **Moral judgments, decoupled from concrete ethical life** (Sittlichkeit), **no longer** immediately **carry** the **motivational power** that converts judgments into actions. The more that morality is internalized and made autonomous, the more it retreats into the private sphere. **In all spheres of action** where conflicts and pressures for regulation call for unambiguous, timely, and binding decisions, **legal norms** must **absorb the contingencies that would emerge if matters were left to strictly moral guidance**. The **complementing of morality by coercive law can itself be morally justified**. In this connection K. O. Apel speaks of the problem of the warranted expectation of an exacting universalistic morality. 37 That is, even morally well-justified norms may be warrantedly expected only of those who can expect that all others will also behave in the same way. For only under the condition of a general observance of norms do reasons that can be adduced for their justification count. Now, if a practically effective bindingness cannot be generally expected from moral insights, adherence to corresponding norms is reasonable, from the perspective of an ethic of responsibility, only if they are enforced, that is, if they acquire legally binding force. Important characteristics of positive law become intelligible if we conceive of **law** from this angle of **compensate[es]**ing for **the weaknesses of an autonomous morality. Legal norms borrow their binding force from the government’s potential for sanctions**. They apply to what Kant calls the external aspect of action, not to motives and convictions, which cannot be controlled. Moreover, the professional administration of written, public, and systematically elaborated law relieves legal subjects of the effort that is demanded from moral persons when they have to resolve their conflicts on their own. And finally, positive law owes its conventional features to the fact that it can be enacted and altered at will by the decisions of a political legislature. This dependence on politics also explains the instrumental aspect of law. Whereas moral norms are always ends in them- selves, **legal norms** are also means for realizing political goals. That is, they **serve not only the impartial settlement of conflicts of action but also the realization of political program**s. Collective goal-attainment and the implementation of policies owe their binding force to the form of law. In this respect, law stands between politics and morality. This is why, as Dworkin has shown, in judicial discourse, arguments about the application and interpretation of law are intrinsically connected with policy arguments as well as with moral arguments.

#### And, I-Law comes first in terms of legality for two reasons under Habermas:

##### **(a) the legal backing behind I-Law is net stronger and more numerous than the legal backing for domestic laws AND**

##### **(b) domestic law binds the people, but not the government. That’s what I-Law is for.**

#### 3. Institutions can only qualify as a *government* in the context of international law. Rules of ilaw define what it means to be a country in the international arena, even if states have different domestic ends. Nardin 92:

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

Any description of the international system as an association of states that share certain ends is necessarily incomplete. Such an association would not constitute a rule-governed moral or legal order. **What transforms a number of powers**, contingently related in terms of shared interests, **into a society proper is** not their agreement to participate in a common enterprise for as long as they desire to participate, but **their** participation in and implicit **recognition of** the practices, procedures, and other **rules of i**nternational **law that compose international society**. The **rules of [I-Law]** international law, in other words, **are** not merely regulatory but **constitutive**: **they** not only **create a normative order** among separate politica**l** communities but **define the status, rights, and duties of these communities** within this normative order. In international society **'states' are constituted** as such **within the practice of [I-Law]:**international law**; 'statehood' is a position or role** that is **defined by [I-Law]** international law, not independent of it. [I-Law] International law **includes** **rules** that are the outcome of cooperation to further shared goals as well as rules that make such cooperation possible and that exist even where shared goals are lacking. But it is rules of the latter sort **that are fundamental. First**, **the** particular **arrangements through which states** cooperate to **promote shared** **goals** themselves **depend on** having available authoritative **procedures for negotiating such arrangements**. These procedures, **embodied in** customary [I-Law] international law, are prior to the treaties, alliances, and international organizations through which states cooperate. Customary association. international law is thus the foundation of all international **Second**ly, it is the **rules** **of** customary [I-Law] international law that delimit the jurisdiction of states, prohibit aggression and unlawful intervention, and **regulate** the **activities** of treaty-making, diplomacy, and war. **Because** **they govern** the **relations of enemies as well as of friends**, **these rules provide a basis** for international order even **in the absence of shared** beliefs, values, or **ends**. By requiring restraint in the pursuit of national aims and toleration of national diversity, customary [I-Law] international law **reflects** **the** inevitably **plural character of international society and** may be said to **constitute[s]** a morality of states, one that is a morality of **coexistence**.

##### **Moreover, that would make violating I-Law a performative contradiction which makes violating it unjustifiable for states.**

### Observations

#### The UK is legally bound to development assistance both domestically and internationally. House of Commons 16:

Lorna Booth; Jon Lunn, 6-20-2016, "The 0.7% aid target," House of Commons Library, http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN03714

1.2 2015: the target is enshrined in UK law In 2015 a Private Members’ Bill sponsored by former Liberal Democrat MP Michael Moore passed into law with the support of the then Coalition Government. The International Development (Official Development Assistance Target) Act put the 0.7% aid target into legislation – in other words, it became legally binding for governments to meet it each year. The 0.7% target was first accepted in principle by the newly-elected UK Labour government in February 1974. Subsequent Conservative governments also did so. But it was only from the mid-2000’s onwards that levels of aid spending began to rise significantly. Following pledges in the 2010 Conservative and Liberal Democrat manifestos, the Coalition Government committed to meet the 0.7% target by 2013 and to enshrine it in law. After two failed attempts through Private Members’ Bills, Michael Moore’s Bill was successful. In each year from 2013 to 2015, the UK’s total aid expenditure was at or around 0.7 % of national income. In 2015, it reached 0.71%. The 2015 figure is not yet a final figure – it is possible that it could be revised either upwards or downwards. 3. Recent UK performance against the target In 2015, provisional estimates suggest that the UK spent £12.24 billion in aid (ODA) – 0.71% of GNI, hitting the aid target for the third year. It is worth noting that: • These figures are provisional – figures for aid and GNI for 2015 may both be revised • To produce the 0.71% figure, GNI is estimated using older methods (ESA95) that were in force when the government was planning its aid spending for 2015. Newer methods (ESA2010) are now being used, and these put aid as at 0.67% of GNI for 2015 (again provisionally).4 • About 1.6% of UK public spending is dedicated to aid.5 • The UK is one of a relatively small group of countries that spend more than 0.7% of their GNI on aid – in 2015, the others were the Netherlands, Denmark, Luxembourg, Norway, Sweden and the United Arab Emirates (all of these countries spent more as a % of GNI than the UK). • In absolute terms, the UK’s aid spending was the second largest in the world in 2015, second only to the United States. 6

#### Wealthy nations have agreed with the UN’s development assistance targets. OECD 17:

OECD, 2017, "Official development assistance – definition and coverage," OECD, <http://www.oecd.org/dac/stats/officialdevelopmentassistancedefinitionandcoverage.htm>

In 1958, discussions of official aid targets were based on total flow of both official and private resources going to developing countries. A target of 1% was first suggested by the World Council of Churches and during the 1960s all DAC members subscribed to it. But it had a major flaw: governments cannot control or predict private capital flows, nor can they adjust official flows to compensate for fluctuations in private flows. Efforts to correct this concentrated on elaborating a sub-target for official flows. A target of official flows of 0.75% of gross national product was proposed to be reached by 1972, based on work by Nobel-Prize winning Jan Tinbergen, who estimated the inflows required for developing economies to achieve desirable growth rates. In 1969, the Pearson Commission – in its report Partners in Development – proposed a target of 0.7% of donor GNP to be reached “by 1975 and in no case later than 1980.” This suggestion was taken up in a UN resolution on 24 October 1970. The target built on the DAC’s 1969 definition of ODA. DAC members generally accepted the 0.7% target for ODA, at least as a long-term objective, with some notable exceptions: Switzerland – not a member of the United Nations until 2002 – did not adopt the target, and the United States stated that it did not subscribe to specific targets or timetables, although it supported the more general aims of the Resolution. With the revised System of National Accounts in 1993, gross national product was replaced by gross national income (GNI), an equivalent concept. DAC members’ performance against the 0.7% target is therefore now shown in terms of ODA/GNI ratios.

#### Also, prefer consistency with prior agreements as a moral norm as well - that’s key to freedom and trust. Markovits 06:

Markovits, Daniel. "Making and Keeping Contracts." Yale Law School Legal Scholarship Repository. Yale Law School, 1 Jan. 2006. Web. 4 Aug. 2013. <http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1419&context=fss\_papers>.

The most prominent contemporary elaboration of the will theory, Charles Fried’s “Contract as Promise,” pursues a little of each strategy and so presents an excellent illustration of the difficulty that both involve. To be sure, Fried insists that through **agreements** “persons **may impose** on themselves **obligations where none existed before**,” and that **these obligations arise,** moreover, “**just because they have promised”** **and entirely apart from more general obligations not to cause harm**. But Fried develops this will-based account of agreement-keeping in connection not with the self-sufficient will, but rather with the will as it is embedded in rich and institutionalized conventions of agreement-making. In particular, Fried identifies **two features of agreement-making** that **explain the value of these conventions**. First (and instrumentally), **they promote freedom** - as Fried says, “**[i]n order that I be free as possible, that my will have the greatest possible range consistent with the similar will of others, it is necessary that there be a way in which I may commit myself**.” And second, **our conventions concerning agreements constitute “a general regime of trust and confidence” that is intrinsically valuable**, which is to say has a value that is “**deeper than and independent of the social utility it permits**.” Insofar as these values are served by practices of agreement making and undermined, and indeed betrayed, by breaking agreements, Fried’s version of the will theory no longer depends on a philosophically extravagant notion of the normative potency of the will.

## Part 2 is Case

### Contention 1: International Cooperation

#### The only alternative to I-Law is genocide and nuclear war. Shaw 01:

Shaw, Martin [Professor of International Relations and Politics at the University of Sussex]. “The unfinished global revolution: intellectuals and the new politics of international relations.” October 3, 2001. <http://www.martinshaw.org/unfinished.pdf>

The new politics of international relations require us, therefore, to go beyond the anti-imperialism of the intellectual left as well as of the semi-anarchist traditions of the academic discipline. We need to recognize three fundamental truths. First, in the twenty-first century people struggling for democratic liberties across the non- Western world are likely to make constant demands on our solidarity. Courageous academics, students and other intellectuals will be in the forefront of these movements. They deserve the unstinting support of intellectuals in the West.Second,the old international thinking in which democratic movements are seen as purely internal to states no longer carries conviction—despite the lingering nostalgia for it on both the American right and the anti-American left. **The idea that global principles can and should be enforced worldwide** is firmly established in the minds of hundreds of millions of people. This consciousness **will become a powerful force in the coming decades**. Third, **global state-formation is a fact. International institutions are being extended, and** (like it or not) **they have a symbiotic relation with** the major centre of **state power**, the increasingly internationalized Western conglomerate. **The success of the global-democratic revolutionary wave depends** first on how well it is consolidated in each national context—but second, **on** how thoroughly it is embedded in **international networks of power**, at the centre of which, inescapably, is the West. From these political fundamentals, strategic propositions can be derived. First, democratic movements cannot regard non-governmental organizations and civil society as ends in themselves. They must aim to civilize local states, rendering them open, accountable and pluralistic, and curtail the arbitrary and violent exercise of power. Second, democratizing local states is not a separate task from integrating them into global and often Western-centred networks. Reproducing isolated local centres of power carries with it classic dangers of states as centres of war. **Embedding global norms and integrating new state centres with global institutional frameworks are essential to the control of violence**. (To put this another way: the proliferation of purely national democracies is not a recipe for peace.)  Third, while the global revolution cannot do without the West and the UN, neither can it rely on them unconditionally. We need these power networks, but we need to tame them too, to make their messy bureaucracies enormously more accountable and sensitive to the needs of society worldwide. This will involve the kind of ‘cosmopolitan democracy’ argued for by David Held. It will also require us to advance a global social-democratic agenda, to address the literally catastrophic scale of world social inequalities. This is not a separate problem: social and economic reform is an essential ingredient of alternatives towarlike and genocidal power; these feed off and reinforce corrupt and criminal political economies. Fourth, if we need the global-Western state, if we want to democratize it and make its institutions friendlier to global peace and justice, we cannot be indifferent to its strategic debates. **It matters to develop international** political interventions, **legal institutions** and robust peacekeeping as strategic alternatives to bombing our way through zones of crisis. It matters that international intervention supports pluralist structures, rather than ratifying Bosnia-style apartheid. As political intellectuals in the West, we need to have our eyes on the ball at our feet, but we also need to raise them to the horizon. We need to grasp the historic drama that is transforming worldwide relationships between people and state, as well as between state and state. We need to think about how the turbulence of the global revolution can be consolidated in democratic, pluralist, international networks of both social relations and state authority. We cannot be simply optimistic about this prospect. Sadly, it will require repeated violent political crises to push Western and other governments towards the required restructuring of world institutions. What I have outlined is a huge challenge; but **the alternative is to see the global revolution** splutter into partial defeat, or **degenerate into** new **genocidal wars**—perhaps **even nuclear conflicts**. The practical challenge for all concerned citizens, and the theoretical and analytical challenges for studvents of international relations and politics, are intertwined.

#### I-Law solves multiple scenarios for extinction but long-term commitment is key. IEER 02:

Institute for Energy and Environmental Research and the Lawyers Committee on Nuclear Policy. Rule of Power or Rule of Law? An Assessment of U.S. Policies and Actions Regarding Security-Related Treaties. May 2002. <<http://www.ieer.org/reports/treaties/execsumm.pdf>>

The evolution of international law since World War II is largely a response to the demands of states and individuals living with**in a global society with a deeply integrated world economy.** In this global society, the repercussions of the **actions** of states, non-state actors, and individuals **are not confined within borders, whether we look to greenhouse gas** accumulations, **nuclear testing,** the danger of **accidental nuclear war, or** the vast **massacre**s of civilians that have taken place over the course of the last hundred years and still continue. **Multilateral agreements** increasingly have been a primary instrument employed by states to meet extremely serious challenges of this kind, for several reasons. They clearly and publicly embody a set of universally applicable expectations, including prohibited and required practices and policies. In other words, they **articulate global norms, such as** the protection of human rights and **the prohibitions of genocide and use of** **w**eapons of **m**ass **d**estruction. **They establish predictability and accountability** in addressing a given issue. States are able to accumulate expertise and confidence by participating in the structured system offered by a treaty. However, influential U.S. policymakers are resistant to the idea of a treaty-based international legal system because they fear infringement on U.S. sovereignty and they claim to lack confidence in compliance and enforcement mechanisms. This approach has dangerous practical27 implications for international cooperation and compliance with norms. U.S. treaty partners do not enter into treaties expecting that they are only political commitments by the United States that can be overridden based on U.S. interests. **When a powerful** and influential **state** like the United States is seen to **treat[s] its legal obligations as a matter of convenience** or of national interest alone, **other states will see this as** a **justification to** relax or **withdraw from their** own **commitments.** If the United States wants to require another state to live up to its treaty obligations, it may find that the state has followed the U.S. example and opted out of compliance.

#### International organizations may not resolve every problem between nations, but they have empirically been vital to nuclear deterrence and disarmament. And, extinction precludes all value as existence is prerequisite to deriving or experiencing value. Seeley 86:

Robert A., Central Committee for Conscientious Objectors, The Handbook of Non-Violence, p. 269-70

In moral reasoning prediction of consequences is nearly always impossible. One balances the risks of an action against its benefits; one also considers what known damage the action would do. Thus a surgeon in deciding whether to perform an operation weighs the known effects (the loss of some nerve function, for example) and risks (death) against the benefits, and weighs also the risks and benefits of not performing surgery. Morally, however, **human extinction is unlike any other risk. No conceivable human good could be worth** the **extinction** of the race, **for** in order **to be a human good it must be experienced by human beings**. Thus extinction is one result we dare not-may not-risk. Though not conclusively established, **the risk of extinction is real enough to make nuclear war** utterly **impermissible under any** sane **moral code**.

### Contention 2:

#### Development targets have empirically benefitted developing nations in the status quo. EU Minister of State for International Development 16:

Sir Desmond Swayne (Minister of State for International Development), 6-20-2016, "The 0.7% aid target," House of Commons Library, http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN03714

We have to tackle the causes of poverty and injustice, because if we do not deal with those problems at source, we know where they are going: to our doorsteps and our shores. Aid is undoubtedly in our national interest. Overseas aid is also undoubtedly controversial; it has to be. If I am spending British taxpayers’ money on helping the people of Bangladesh who live on the chars to deal with climate change and flooding, it is clearly not available to deal with flood defences in Durham, York or elsewhere. However, I put it this way: we have pledged to spend 0.7% of our national income on international development, which means that we have 99.3% to spend on ourselves. I do not know anyone who spends 99.3% of their income on themselves; I am not sure I want to know such a person, and I am not so sure that they would have any friends. That is equally true of a nation. What influence would we have in the world, and how could we carry our heads high, if that were the case, and we were to abandon this important pledge? It is important to focus what we spend, rigorously demanding value for money, and ensuring that we have the systems to secure that and to drive down costs, so that we get proper value. […] The reality is that over the past five years, we have delivered education for 11 million schoolchildren; 69 million people have received financial assistance and services to trade their way out of poverty; 29 million people have benefited from our nutrition programmes; 5 million people, as my hon. Friend the Member for St Austell and Newquay (Steve Double) said, have benefited from having healthcare professionals attend at birth; 63 million people have had access to clean water; 15 million people have been able to cope with climate change; 44 million children have been immunised; and we have delivered emergency care to 13 million people in the wake of 33 disasters. That is a measure of the importance of what we are doing.

# 1AR

## Framework EXT

### Moral Bind

#### I-Law is the only binding source of ethics for states as it ensures the party states are bound to follow through with their agreements. Rules between the government and its citizens are not truly binding because citizens can’t hold the government as accountable as other states can, since they lack the funds and force necessary to do so. That implies that conflicting rules make debates irresolvable, since there’s no way to weigh between rules that say the same things. Without I-Law morality loses its normative force to guide action.

### Moral Paradox

##### **Even if ilaw should be constrained by morality, or written to be moral, that does not justify rejecting a piece of international law to which you previously agreed. If that were justified, then even international law written in accordance with whatever moral theory is objectively true could be rejected.**

### Internal Link Control

##### **Even if their framework is correct, the only way for it to guide the actions of states is through ilaw. This means that only my framework can evaluate the resolution and is most actor-specific. Their framework dictates the obligations of *people,* not the obligations of state actors. Ilaw is morality for states. Actor specificity as a meta-standard on framework controls whether their framework should guide the actions of the government.**

## Case Extension

#### Laws have pyschological deterrent effects, giving the Aff some solvency no matter what. DeFilippis 13:

Evan DeFilippis (graduated from the University of Oklahoma with a triple degree in Economics, Political Science, and Psychology. He was the University of Oklahoma's valedictorian in 2012, he is one of the nation's few Harry S. Truman Scholars based on his commitment to public service, and is a David L. Boren Critical Languages scholar)AUGUST 2, 2013 REBUTTING THE ‘CRIMINALS DON’T FOLLOW LAWS’ AND ‘GUN CONTROL ONLY HURTS LAW-ABIDING CITIZENS’ ARGUMENT AGAINST GUN CONTROL D.R.

**The punishment associated with breaking said laws forces criminals to internalize a cost to their actions. This cost will not deter the most hardened of criminals, but it will, unequivocally, deter a reasonable subset of potential criminals who resolve that the costs of jail time are not worth the benefit of their crime-to-be. The existence of laws influence social norms governing appropriate behavior.  Evidence from social psychology and evolutionary psychology, show that one’s evaluation of ‘right’ and ‘wrong’ are significantly determined by the views of authority figures** (see Milgram Experiment and the Stanford Prison Experiment).  **Not only can morality be legislated, but it seems easier to get humans to do immoral behavior given a government imprimatur.**[Research shows](http://object.cato.org/sites/cato.org/files/serials/files/cato-journal/2009/11/cj29n3-4.pdf) that private racist views intensify or diminish with respect to laws that epitomize those views. In the same sense, then, America’s gun laws contribute to a culture in which guns are valued as power symbols, totems of masculinity that[prime aggressive, violent behavior](http://pss.sagepub.com/content/9/4/308.full.pdf). As[Alec Wilkinson](http://www.newyorker.com/online/blogs/newsdesk/2012/12/the-dark-presence-of-guns.html) writes in The New Yorker, “It’s about having possession of a tool that makes a person feel powerful nearly to the point of exaltation… To people who support owning guns, the issue is treated as a right and a matter of democracy, not a complicated subject also involving elements of personal mental health. I am not saying that people who love guns inordinately are unstable; I am saying that a gun is the most powerful device there is to accessorize the ego.”

## Blocks

### “Ilaw doesn’t work”

#### Ilaw may not work for all issues, but it does for high magnitude issues such as nuclear war and implications of the Geneva convention. Extend Sealy 86, magnitude outweighs on the extinction impact. You can also vote on irreversibility that extends my impact calc to future generations making it try or forever die for the affirmative.

### Truth Testing General

#### The structure of debate itself necessitates truth testing due to jurisdiction. Branse 15:

Branse 15 [, 9-4-2015, (Universtiy Debater, TOC Finalist) "The Role of the Judge By David Branse (Part One)," NSD Update, <http://nsdupdate.com/2015/09/04/the-role-of-the-judge-by-david-branse-part-one/>] NB

Second, the delineation of an “affirmative” and a “negative” establishes a compelling case for a truth testing model. These titles establish unique rules for the debaters receiving them. The roles of these debaters are not to be abstract “debaters” or “advocates”, but to be an aff and a neg. Their obligations are contextualized by their roles.

“affirm”[2] is defined as “to prove true”

“negate”[3] is defined as “to deny the truth of”

Thus, the burden of the debaters in the round are contextualized clearly within the scheme of truth testing. They are not educator[s] one and educator two, or advocate[s] one and advocate two, but two debaters constrained by the rules of their assignment – to uphold or deny the truth of the resolution. Thus, the “better debater” can only be defined in terms of the duty of the debaters. As I established before, the standard of assessment is contextualized by the role. A trumpet player would not be the better trumpet player for playing the flute and a soccer player would not be better at soccer for scoring a touchdown. Thus, judging the quality of the debaters requires a reference to their roles. The better aff is the debater who is better at proving the resolution true. The better neg is the debater who is better at denying the truth of the resolution. The ballot requests an answer to “who did a comparatively better job fulfilling their role”, and s[S]ince debaters’ roles dictate a truth-testing model, the judge ought to adjudicate the round under a truth testing model of debate. The judge does not have the jurisdiction to vote on education rather than truth testing.

#### My interp is key to common usage- moral judgements are objective statements capable of being only true or false. Tannsio 10:

Tannsjo [, Torbjörn [Department of Philosophy, University of Stockholm]. From Reasons to Norms: On the Basic Question in Ethics. Springer. 2010. pg. 41. Tännsjö ]

Now, the semantic aspect of this question seems to me simple. It is obvious, that when we pass moral judgements to the effect that certain actions are right, other actions wrong, and so forth, then we intend to make objective judgements capable of being true or false. It is also clear, I think, that we make judgements that are not merely descriptive of empirical realities. For example, moral judgements are not elliptical, saying things like, according to the norms existing in my society, this action is right or wrong or, this action is liked, or disliked, by me. It is noteworthy that even a philosopher like John Mackie, who thought that there are no objective moral facts, thought that, in issuing moral judgements, we imply (wrongly) that such facts exist. Why should we draw the conclusion that our moral judgements are objective (in intent)? Well, it is sufficient to observe carefully how we make these judgements, and how we react to moral phenomena such as moral disagreement, and (putative) moral mistakes. When we run upon conflicting moral judgements we believe that both parties cannot be right. Why don’t we believe that they can? The best explanation is that we take them to make objective and contradictory judgements. But, if we run upon inconsistent judgements, at least one judgement must be false. And we often feel that we come to the conclusion [conclude] that what we once believed was a proper moral judgement was, upon closer inspection, not a proper one. We then tend to believe, not only that we judged the case differently before, but that, before, we judged it wrongly. This means that we assume that there is a fact of the matter to be right or wrong about.

### Truth Testing Theory

#### Any other paradigm is not based in common usage of moral judgements, making it unpredictable. Textuality is key to fairness because it forms basis of mutual preround prep

#### 2. Philosophical education- comparing worlds only evaluates post fiat states of affairs, which excludes all but consequentialist positions. There are 5 main branches of philosophy, not just one that coincidentally garners the neg the most offense.

#### This outweighs

#### A. Controls internal link to topic education, real world and critical thinking—it determines how we are able to interpret the resolution through different manners

#### B. Portability- philosophy Is a portable skill that we will be able to implement in our everyday lives and in the future- that’s key to actual decision making when carving out our own ideologies as young people.

#### 3. Jurisdiction- it’s the only possible conclusion of the rules given to us prior to the round- otherwise it alters the activity itself

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To determine who is better at something requires normative assessments about the rules of the activity – the winner of a competitive activity is the one who follows the rules and procedures to victory. The better soccer team is the team that scores more goals according to the rules of soccer and the better chess player is the person who achieves checkmate by moving their pieces in accordance with the rules of chess. Any competitive activity’s evaluation of the “better participant” is constrained by the rules that govern the activity. The constraining role of an activity’s rules can answer a couple of common claims for education’s value and the judge as an educator. First, a common reason to view education as “a voter” is a combination of the following: Argument 1: A) education is valuable, and B) debate is a unique space to provide that education. To see how this claim is mistaken consider the follow example: It seems apparent that two claims are true: 1) exercise is valuable, and 2) soccer is an activity structured in such a way that can easily facilitate exercise. This, however, does not seem to be a strong enough reason to make the claim that: “the referee should be a facilitator of exercise”. Intuitively, if one team scored more goals than another team that happened to hustle far more, the proper response is to reward the goal-scoring team the win. There doesn’t seem to be a compelling reason to promote exercise just because exercise can easily be promoted. This is because pragmatic benefits are constrained by the rules of the activity. Exercise or education should not be promoted at the expense of the rules since the rules are what define the activity. LD is only LD because of the rules governing it – if we changed the activity to promoting practical values, then it would cease to be what it is. As soon as referees reward teams that hustle more with the win, the game is no longer soccer, but some new sport that rewards hustle rather than goal scoring. At best, the claim in Argument 1 merely justifies why the rules of debate should change; however, that does not bear any claim to who should win a round. A much stronger claim made for education is as follows: Argument 2: Debate was designed to be educational At first glance, this argument seems intuitive. If debate was designed to be educational, then surely our rules should just be to promote that educational objective. This, however, incorrectly understands the nature of activities. Once again, an example will help illustrate this problem: Although the rules of chess were probably designed to provide an intellectually stimulating game (and for the sake of argument, let’s assume they were), this does not tell you how to play the game. Imagine that a player makes an illegal move and argues that it should be allowed because it will make the resulting position more intellectually challenging. The proper response is to forbid it. Internal rules of an activity are absolute. From the perspective of the players, the authority of the rules are non-optional. The argument the player made could only be a reason to reform the rules outside the round.[[1]](http://nsdupdate.com/2015/09/04/the-role-of-the-judge-by-david-branse-part-one/#_ftn1) Even if debate was designed to be educational, if the rules of debate don’t mandate voting on education, then the judge does not have the jurisdiction to do it. In fact, rules probably shouldn’t exclusively actualize the reason for their instantiation. If chess rules said, “be intellectually stimulating” instead of “move pieces certain ways”, the resulting game would end up being less intellectually stimulating. In the same way, if debate should be educational, a rule of “promoting (or voting on) education” is probably counter-productive. The process of saying something is educational so we should be bound to talking about it limits the range of arguments available. Education arises after the fact: the process itself provides education; we receive value from truth testing. I will elaborate on this argument in more detail in later sections. Thus, from an internal perspective – the perspective of an agent involved in the activity – rules are more important than the purpose of creating the rules in the first place. Within the debate, the judge is bound by the established rules. If the rules are failing their function, that can be a reason to change the rules outside of the round. However, in round acts are out of the judge’s jurisdiction.

### General K’s

#### The critique is focused on describing the problem it finds with the 1ac but gives no concrete solution as to how the alternative works. This methodology is counterproductive because it destroys public support for change and diverts intellectual resources away from more productive scholarship. Bryant 12:

Levi R. Bryant, Professor of Philosophy at Collin College, holds a Ph.D. in Philosophy from Loyola University in Chicago, 2012 (“Underpants Gnomes: A Critique of the Academic Left,” Larval Subjects—Levi R. Bryant’s philosophy blog, November 11th, Available Online at http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/, Accessed 02-21-2014)

I must be in a mood today–half irritated, half amused–because I find myself ranting. Of course, that’s not entirely unusual. So this afternoon I came across a post by a friend quoting something discussing the environmental movement that pushed all the right button. As the post read, For mainstream environmentalism– conservationism, green consumerism, and resource management –humans are conceptually separated out of nature and mythically placed in privileged positions of authority and control over ecological communities and their nonhuman constituents. What emerges is the fiction of a marketplace of ‘raw materials’ and ‘resources’ through which human-centered wants, constructed as needs, might be satisfied. The mainstream narratives are replete with such metaphors [carbon trading!]. Natural complexity,, mutuality, and diversity are rendered virtually meaningless given discursive parameters that reduce nature to discrete units of exchange measuring extractive capacities. Jeff Shantz, “Green Syndicalism” While finding elements this description perplexing– I can’t say that I see many environmentalists treating nature and culture as distinct or suggesting that we’re sovereigns of nature –I do agree that we conceive much of our relationship to the natural world in economic terms (not a surprise that capitalism is today a universal). This, however, is not what bothers me about this passage. What I wonder is just what we’re supposed to do even if all of this is true? What, given existing conditions, are we to do if all of this is right? At least green consumerism, conservation, resource management, and things like carbon trading are engaging in activities that are making real differences. From this passage–and maybe the entire text would disabuse me of this conclusion–it sounds like we are to reject all of these interventions because they remain tied to a capitalist model of production that the author (and myself) find abhorrent. The idea seems to be that if we endorse these things we are tainting our hands and would therefore do well to reject them altogether. The problem as I see it is that this is the worst sort of abstraction (in the Marxist sense) and wishful thinking. Within a Marxo-Hegelian context, a thought is abstract when it ignores all of the mediations in which a thing is embedded. For example, I understand a robust tree abstractly when I attribute its robustness, say, to its genetics alone, ignoring the complex relations to its soil, the air, sunshine, rainfall, etc., that also allowed it to grow robustly in this way. This is the sort of critique we’re always leveling against the neoliberals. They are abstract thinkers. In their doxa that individuals are entirely responsible for themselves and that they completely make themselves by pulling themselves up by their bootstraps, neoliberals ignore all the mediations belonging to the social and material context in which human beings develop that play a role in determining the vectors of their life. They ignore, for example, that George W. Bush grew up in a family that was highly connected to the world of business and government and that this gave him opportunities that someone living in a remote region of Alaska in a very different material infrastructure and set of family relations does not have. To think concretely is to engage in a cartography of these mediations, a mapping of these networks, from circumstance to circumstance (what I call an “onto-cartography”). It is to map assemblages, networks, or ecologies in the constitution of entities. Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: [YouTube video omitted] The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: [YouTube video omitted] Well this is sadly how it often is with the academic left. Our plan seems to be as follows: Phase 1: Ultra-Radical Critique Phase 2: ? (Question Mark) Phase 3: Revolution and complete social transformation! Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation. “Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary–it is–but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.

# 2AR

## Blocks

### General K’s Crystallization

#### The K’s focus was misplaced on status quo *problems*, not on prescribing and explaining a *solution* – that’s Bryant. Their strategy of “Phase 1: Ultra-Radical Critique, Phase Two: Question Mark, Phase 3: Revolution and complete social transformation!” is counterproductive. Two impacts to their methodology –

#### They destroy public support – endless critique without prescription causes their movement to be perceived as incessant complaining, devastating any coalitionary potential. The right capitalizes on the left’s complaining to further hinder their movement.

#### They divert intellectual resources – each vote for a vague and intangible criticism of the status quo shifts academia further and further towards postmodern theories that have little effect or ability to be implemented. Their ivory tower abstractions leave the marginalized people they try to help in limbo, meaning every vote for topical action is vital.