*1. All theory violations must be established in CX to allow me to make concessions according to their interps. This checks abusive neg theory spreads forcing me to waste my 1AR on “I meets” and increases substance by reducing the chance of either debater going all in on theory. Also, if the neg presents a better interp, don’t drop me; let us debate under theirs instead. Not doing so allows the neg to pick the weakest part of aff interps and turn it into a no-risk issue.*

2. Aff gets RVIs to avoid making T a no-risk issue; otherwise, negs would exploit the aff time skew and run blippy shells to skew my strategy. RVIs discourage bad T since nobody will run abusive shells if they can lose off of them. Also, the AC is always vulnerable to T since the NC is reactive and can run theory on any of my interps, so aff RVI is key to avoiding unnecessary T.

3. Presume aff. I have a massive time skew since I only get 4 minutes to answer a 7 minute NC and preempt 6 minutes of negative responses. This structural disadvantage means presume aff; if I had more time, then the offensive debate would have been more thorough. If there is no clear offense at the end, presume aff since I accomplished everything the neg did in far less time and thus did the better debating.

4. Skep implications.

A. Moral permissibility is the absence of opposing moral objections. Hanser:

Matthew Hanser, “Permissibility and Practical Inference” *Ethics* Vol. 115, No. 3, April 2005, pp. 447-449 http://www.jstor.org/stable/10.1086/428457

An agent who has insufficient reason for doing what he does need not on that account be acting morally impermissibly. So let us say that **an agent acts morally permissibly if and only if his action embodies a practical inference whose premises’ justifying force**, if any, **is not** successfully undermined or **defeated by any moral considerations.** Let us call such practical inferences “permissible.” An agent acts permissibly, then, if and only if his action embodies a permissible practical inference.6 (For the sake of simplicity I shall sometimes, in what follows, revert to the preliminary formulation of the view, omitting the qualification about moral considerations.) Returning to the observation with which this section began, we can see that the inferential account easily explains why permissibility judgments cannot have mere occurrences as their objects. The power to act is a rational power: it is the power to do things for reasons. According to the inferential account, acting permissibly is a matter of not going astray (in a certain way) in one’s exercise of this power. It is a matter, roughly speaking, of basing one’s practical conclusions on adequate reasons. Adverbial permissibility judgments thus evaluate actions qua exercises of agency and not merely qua physical occurrences. What of actions performed for no reason, assuming for the moment that such actions are possible? We can think of **an agent who acts for no reason** as drawing **[draws] a practical conclusion on** the basis of **no premises at all. If there is a moral reason for him not to act** as he does**, then the (nonexistent) justifying force of his premises is defeated by a moral consideration, and so he acts impermissibly. If there are no moral reasons for him not to act** as he does**, then the (nonexistent) justifying force of his premises is not defeated** by any moral considerations**, and** so **he acts permissibly. Even if there are actions performed for no reason,** then, **this needn’t be** seen asa **fatal** blow **to the inferential account.** A few further clarifications are in order before we move on. An agent may pursue multiple, independent ends in performing a single action, and even when he has but one final end, some of his means to that end will themselves function as subordinate ends. The practical inference embodied by an action, then, should be taken to encompass a complex inferential chain, not just a single inferential step. Furthermore, even when an agent does explicitly rehearse a chain of inferential steps prior to acting, he does not typically rehearse the inference embodied by his action all the way down to its ultimate conclusion. Suppose an agent explicitly reasons, “I can w by xing; so let me x; I can x by fing; so let me f.” If fing is something he already knows how to do, this is where his reasoning will stop. But when it comes to acting, he won’t “just” f. He’ll f in some particular way—with his right hand, say, and with a certain amount of force. Most likely, the agent will be unable fully to conceptualize his manner of fing. He will be able to specify it only demonstratively—his ultimate conclusion, were he explicitly to think it, would be something like, “so I’ll f like this” (as he moves his right hand in a certain way). The conclusion of the practical inference must be taken to include more than the mere “so let me f” if the inferential account of permissibility is to be plausible. Suppose an agent consciously reasons, “I can protect the baby from the cold draft by closing this door; so let me close this door.” He then closes the door quite forcefully—forcefully enough to awaken the baby. Assuming that he could easily have closed the door quietly, it is arguable that he acted impermissibly. The inferential account would be unable to capture this if the inference embodied by his action were to encompass no more than what the agent explicitly thought, for there was no reason why he shouldn’t close the door. What he had a decisive reason not to do was close the door so forcefully. The inferential account of permissibility must not be confused with the superficially similar view that an agent acts permissibly if and only if he acts from a morally admirable motive, such as universal benevolence or respect for the moral law. The inferential account does not even imply that an agent acts impermissibly if he acts from a morally discreditable motive, such as malice or greed. **What matters is not the moral status of the agent’s reason for acting**, considered on its own, but the justificatory relation between that reason and that for which it is a reason. What matters is whether the agent’s reason for acting is sufficient to justify him in doing what he does. Suppose an agent rescues a drowning swimmer because he expects a reward. He may not act virtuously, and his action may lack moral worth, but he acts permissibly. A more admirable reason for saving the swimmer’s life was available, and a more admirable agent would have availed himself of it, but the agent’s actual reason nonetheless provided him with sufficient justification for doing what he did. Finally, note that the inferential account makes a purely formal claim, in the following sense: while it links the notion of acting permissibly to that of an agent’s acting for a reason sufficient to justify him in doing what he does, it says nothing substantive about what constitutes a successful justification. On this issue it is, I think, quite properly silent.

B. The resolution is not making a moral statement, but rather claiming no moral reason is adequate to reject it. If there can be no moral reasons, then morality’s function and content has not been denied, just our ability to meet its requirements. We can still understand morality as a concept and analyze what it permits as a result of not being able to prohibit anything, i.e. we can say that dragons are green even if dragons are imaginary subjects as the statement would become a null set.  
  
C. Actions are permissible if they are either merely permitted or obligatory since it’s incoherent to obligate an agent not to do what they are otherwise obligated to do. If permissible is “A”, and prohibited is “not A”, then proving that not not A is true produces a double negative, rendering A true.

The value’s MORALITY.

The resolution is a statement of fact since it questions what “is”, using a descriptive adjective as opposed to prescriptive verb such as “ought”. Traditional logic dictates that a statement can only be sound if it is both valid and true; the truth of a statement indicates that the judgment of truth is derived from some form of knowledge. Moral statements rely upon our cognitive capacities to construct and act according to maxims; the objective validity of moral statements is determined by the universalizeability of subjective judgment. Engstrom:  
Stephen Engstrom, “The Form of Practical Knowledge”, Harvard University Press 2009. Pg 202-203

As we saw, **rational cognition is characterized by a universality that has both a subjective and an objective aspect,** each grounded in a conception of a single shared capacity. **On the subjective side, this conception is of an identical capacity to know, by which all cognizing subjects** share a capacity to **communicate** uniting them as members in a community of knowers; **on the objective side, it is cognition's original representation of the possibility of its objects' coexistence, by which all cognizable objects** share a capacity to **interact uniting them as members in a law-governed system.** But we have just seen that practical knowledge is distinctive in that, on account of its efficacy, its object and its subject must be one and the same. It follows that in the case of such cognition these two conceptions necessarily coincide, so that every subject that shares the capacity for practical knowledge must, precisely through possessing it, likewise be a member of the system of coexisting, interacting agents represented in such cognition. We also saw that the two-sided universality of rational knowledge entails that such cognition's validity is likewise universal in two corresponding senses, that **rational knowledge is both valid *for* every subject capable of grasping the concept** determined in such cognition **and valid *of* every object falling under its concept.** Given the self-relation of practical knowledge, it follows that **in such knowledge subjective and objective universal validity** necessarily **coincide in the sense that the subjects for which the cognition is valid are the** very **beings to which it applies.** This necessary coincidence of practical cognition's subjective and objective universal validity entails that the act of practical self-determination is inherently universal, in that any particular act of practical cognition, whether **a practical judgment** of the primary or the secondary type, **is** always, as knowledge of the particular in the universal, based in doubly universal knowledge, **knowledge *every* practically cognizing subject can have of what *every* such subject** is, or **ought**, **to do.** Practical **self-determination is**, accordingly, **a universal self-relation**, whereas the practical self-specification characteristic of bare practical thought is merely particular, indeed singular. Practical self-determination is never the bare self-relation of an isolated practical *I*; it always has a footing the self-relation of the *we* of practical knowledge.

Moral rules can only be derived non-observationally. Kant:  
Immanuel Kant, the only philosopher the common man recognizes, “Critique of Pure Reason”

**Because** this **empirical character** itself **must be drawn from appearances as effect**, and from the rule which experience provides, **all the actions of the human being in appearance are determined** in accord with the order of nature **by his empirical character** and the other cooperating causes; **and if we could investigate** all **the appearances of his power of choice down to their basis, then there would be no human action that we could not predict with certainty, and recognize as necessary given its preceding conditions. Thus[,] in regard to this empirical character[,] there is no freedom**, and according to this character we can consider the human being solely by observing, and, as happens in anthropology, by trying to investigate the moving causes of his actions physiologically.

Moral theories must judge action as a unified whole. If they did not, the separate steps in the chain of action would not be justified. In the process of doing a whole action, the steps are not disconnected, but rather so connected that one interruption would disrupt the entire action. Rodl:  
**Rodl I** (Rödl, Sebastian. Self-Consciousness, Harvard University Press, 2000)

**Suppose** I walked from a to c, via b. It may be that **I decided to walk from a to b, and, having got there, decided to walk from b to c. Or I decided to walk from a to c, and did**. In the former case, I was walking from a to b, and then I was walking from b to c. But **only in the latter case**, not in the former, **was I walking from a to c. As a movement, an action is not an aggregate, but a unity of phases.**

Calculations from desire do not account for the unity of action. This means changeable end states are morally irrelevant as reasons to act. Rodl 2:  
**Rodl II** (Rödl, Sebastian. Self-Consciousness, Harvard University Press, 2000)

**Calculations from desire does not yield a premise for instrumental reasoning because its conclusion represents a changeable state**, while an instrumental reasoning proceeds from athought that represents something with the temporality of a movement. But the instrumental syllogism is a necessary form of practical reasoning, for practical reasoning arrives at a thought on which a movement may rest. And **if a movement rests on thought, then the unity of its phases**, which constitutes it as a movement, **must rest on thought.** So it does **if** I reason from the same thought now, “**I want to do B. So let me do [X]”, and then, “I want to do B. So let me do [Y]**”, and so on. As “I want to do B” expresses the same thought all the while that I am doing B and until I have done it, **the unity of the phases of my doing B consists in the fact that they all hang on that thought. By contrast, if “I want to do B” represented a changeable state** I would not reason from the same thought, now to doing A1, and then to doing A2. In consequence, my doing A1 and my doing A2 would bear no unity. **These would not be phases of a movement, and I would not**, in doing A1 and A2, **be doing B.**

Calculations from desires that reference time cannot account for the unity of action because there is no constant intention linking the parts of an action together. Rodl 3:  
**Rodl II** (Rödl, Sebastian. Self-Consciousness, Harvard University Press, 2000)

**An intention to do A2 cannot rest on a judgment that desires earlier were best served by doing B. It can rest only on a judgment that doing B is best given all desires now**. If appetite unified by a calculation is the order of practical reason, then she who conforms to it forms two intentions to do B: one is the ground of her intention to take the first step and do A1, another the ground of her intention to take the second step and do A2. One might think that there are not two intentions, but one that remains, if the desires on which the intention is based remains. But this is wrong. The ground of an intention is a judgment that desires, all in all, speak in favor of doing A. **As desires come and go, that judgment contains a reference to a time. It is a judgment that desires now present all in all speak in favor of doing A. Such a judgment made at t1 bears no logical connection with the judgment expressed by the same words at t2**, no matter whether the same things are present at t1 and t2, no matter whether it was probably or even necessary that the same things would be present. On Davidson;s account, the same holds true of all-out judgments, or intentions, as their basis is an all-things considered judgment: **judging all out at t1 to do B and judging all out at t2 to do B are different judgments, regardless of whether the desires changed in the meantime,** whether it was unlikely or even impossible that they would change.

Thus, for a moral judgment to be truly normative, one must be able to act on it indefinitely. Rodl 4:  
**Rodl III** (Rödl, Sebastian. Self-Consciousness, Harvard University Press, 2000)

**[Because] judgments that represent changeable states cannot be the ground of an intention**, which is the principle of a movement. So the necessarily represented **[a] unity of ends must bear a different kind of temporality**. We shall now suggest that the relevant unity is a unity not of desire, but of what we shall call infinite ends. Just as the concept of desire, so is our concept of an infinite end defined by the form of a thought that constitutes adherence to it. As a man may desire noble things, so may his infinite ends be base, if base things figure in his thoughts of the relevant form. All-things-considered **[while desire] judgments join subject and action**-form **at a time**. An intention joins them progressively, guiding the progress of the action. If the representation of **an infinite end** is to **provide[s] the principle of temporal synthesis of an action [and]**, it **must [not] join subject and action**-form neither **at a time** nor progressively, but in a way that, metaphorically speaking, always already contains the whole of a temporally extended action. We shall see that **this means that its predication is time-general.** “I am getting my tools because I want to repair my bicycle”, I say. “Why do you want to repair your bicycle?,” you ask. “ I want to go cycling.” But why go cycling? It is healthy. Is this an instrumental syllogism? It appears so. Does not it represent health as an end and cycling as a means? It is true, we call **[for example if] health [is] an infinite end.** But it is an end in a different sense from repairing a bicycle; the end and what is done in its service relate differently in these cases. Infinite ends are time-general; this distinguishes them from desires. I may one moment feel like going to the movies, the next moment feel like staying home, and a minute later again think that going to the movies would be nice. But it makes no sense to say that, one moment, I cared about my health, was completely indifferent to it the next moment, and a bit later again cared greatly about it. If I want health, **then [health] manifests itself in actions at various times; wanting health is time-general and not tied to a moment.**

Agency is an inescapable form of the human condition, so it is the only infinite end. Ferrero:

**Ferrero I** (Luca Ferrero, “Constitutivism and the Inescapability of Agency,” Oxford Studies in Metaethics, January 2009)

First, **intentional transitions** in and out **of particular enterprises might not count as moves within those enterprises, but they are still instances of intentional agency**, of bare intentional agency, so to say. Second, **agency is the locus where we adjudicate the merits** and demerits **of participating in an**y ordinary **enterprise**. Reasoning whether to participate in a particular enterprise is often conducted outside of that enterprise, even while one is otherwise engaged in it. **Practical reflection is a manifestation of** full-fledged **intentional agency but it does not** necessarily **belong to any other** specific **enterprise.** Once again, it might be an instance of bare intentional agency. In the limiting case, **agency is the only enterprise that would** still **keep a subject busy if she were to attempt a** ʻradical **re-evaluation**ʼ **of** all of **her engagements and** at least **temporarily suspend her participation** in all ordinary enterprises.

Thus, the standard is CONSISTENCY WITH HUMAN AGENCY.

Agents cannot submit themselves to violence since you can never will that you become someone else’s slave. Herman:  
Barbara Herman “MURDER AND MAYHEM: VIOLENCE AND KANTIAN CASUISTRY” The Monist, Vol. 72, No. 3, Kant's Practical Philosophy (JULY 1989), pp. 411-431.

So first?why may I kill to resist aggression? What reasons could I of fer to rebut the presumption against violence? It is not that I may kill in order to keep myself from becoming dead?something I do not want to happen. Death is part of the fate of human agents. The kind of value or moral standing I have as an agent is not lost or compromised in dying**.** **What** a maxim of **aggression** or violence **involves,** morally speaking, **is the discounting of my agency**. The aggressor would use me (take my life) for his purposes. **This is what I resist, and claim moral title to refuse**.As **I cannot agree to become someone's slave, so I must not assent to be the victim of aggression**.17 **This gives more than permission for an act of self-defense when that is necessary to resist the aggression; it imposes a requirement that aggression be resisted.** **Though I may not be able to prevent the aggressor's success, I may not be passive in the face of aggression.**

Also, self-defense is consistent with agency. Herman 2:

This same fact blocks reciprocity of complaint. **The aggressor acts on a maxim that involves the devaluation of my agency. I do not. I am not acting to save my life** (as such), **but to resist the use of my agency** (self) **by another**. Acting to save my life (as something valuable to me) would be to act for just another purpose. The moral standing of my agency - what makes it the source of reasons for others to refrain from acting against me - is not the good (to me) of being alive. **Acting to sustain the integrity of my agency is to act for a morally necessary end.** Thus, since my maxim of resistance is not a maxim of aggression as a means, the original aggressor cannot renew his attack on morally superior grounds. **I am not acting to preserve myself through violent means. In stopping aggression with force I am asserting my status as a rational agent. It is an act of self-respect.**

The neg is in a double bind. Either:

A. Domestic violence is inconsistent with universalizeable moral rules since it undermines the agency of free individuals. Agents acting outside moral law are reduced from moral agents to moral objects since they are no longer free; practical reason does not value their agency. All actions against moral objects are permissible since the object’s agency cannot be violated if it was overridden by inclination. Rodl 5:  
(Rödl, Sebastian. Self-Consciousness, Harvard University Press, 2000)

It is not the case that **I am** not **dominated by inclination, if** **my action** or my choice **could** have **be**en **determined by a different inclination.** Nor am I free if my action, or my choice, is determined by nothing at all. In ‘‘I could have done otherwise’’, ‘‘could’’ must represent, not a possibility, as on the first interpretation, but a power. The second interpretation wants to make it refer to a power, but fails because it describes not a power, but non-power. Here is a third interpretation: **I am free if my** choice, or my **action**, **can be determined by** a different kind of thing from an inclination: if it can be determined by **a practical law.** Then **I have a power of rational desire[,]**.  It is clear that I am not dominated by inclination when I act according to a law. **[f]or then the law** completely **explains my action.** **If an inclination enters into** the account of **my action, then it [is]** does **not** enter as **its** ultimate **cause.** (It may enter as itself explained by the law according to which I act, as respect for the law does according to Kant.) Furthermore, [For example,] **if I have a power to act according to a law, and ate the apple because I was hungry, I could have done otherwise. I could have refrained from eating the apple, if eating it had been bad, where** the measure of **badness is a practical law.** Hence, **[I]f I have a power of rational desire, ‘‘I ate the apple because I was hungry’’ need not represent me as dominated by desire.** In this way the power of rational desire is contained in, and thus presupposed by, the explanation of its subject’s actions by inclination.  Kant holds that **the power to act according to a practical law is the power to act according to the moral law: the form of the power**, which we designate by calling it a power **of rational desire**, **defines its law. Then being free is being under the moral law.**

Or:

B. If the abuser does have rational agency, then the only way to respect their moral autonomy is to universalize the moral judgments they deem correct. Since they will a maxim for themselves that permits violence, the victim would be permitted, under practical reason, to respond with violence.

You have a right to defend your independence under equal freedom. Ripstein:

Second, **Kant**’s conception of coercion **judges the** **legitimacy** **of** any particular coercive act **[coercion]** not in terms of its effects but **against the background** idea of a **system of equal freedom.** That is, unlike Bentham, he begins with the concept of a rule, but the rules in question govern the legitimate use of force in terms of reciprocal limits on freedom. **Coercion is objectionable where it is a hindrance to** a person’s right to **freedom**, **but legitimate when it** takes the form ofhindering **[hinders] a hindrance to freedom. To stop you from interfering with another person upholds the other’s freedom.** Using force to get the victim out of the kidnapper’s clutches involves coercion against the kidnapper, because it touches or threatens to touch him in order to advance a purpose, the freeing of the victim, to which he has not agreed. **The use of force is rightful because** an incident **of the victim’s antecedent right to be free. The kidnapper hinders the victim’s freedom;** forcibly **freeing the victim hinders that hindrance**, and in so doing upholds the victim’s freedom. In so doing, it *also* makes the kidnapper do what he should have done, that is, let the victim go, but its rationale is that it upholds the victim’s right to be free, not that it enforces the kidnapper’s obligation to release the victim. **The use of force** in this instance **is an instance of the victim’s right to independence, and so is a[n]** consistent **application of** a system of **equal freedom.**

*External agents don’t have the right to impose limiting externalities on defensive force. Ripstein 2:*

***When faced with apparent aggression*** *in a state of nature,* ***a person is entitled to shoot first and ask questions later****.46 In a civil condition, the right to self-defense is much narrower. When self-defense serves as a defense to civil action for battery, the person who claims self-defense must establish it before a court; if the court rejects the defense on the grounds that it has not been proven, then the person who engaged in putative selfdefense was just an aggressor. In a situation in which two people both believe themselves to be acting defensively, a court can find that one of them was wrong. The subsequent verdict of the court does not always provide a prospective guide to action when confronted with what you take to be an aggressor, but it does render defensive rights into a consistent set at the level of repair. In a state of nature, the rights of several persons to defend themselves do not necessarily form a consistent set,* ***because each is entitled to do “what seems*** *good and* ***right*** *to it.”* ***Different people can act in inconsistent ways,*** *even* ***though each acts*** *in good faith* ***under the idea of the right of self-defense.*** *Any two persons in a state of nature are entitled to defend themselves, and in defending themselves they have no perspective but their own from which to assess aggression. If you act on your right to selfdefense in a state of nature, you do so on your own initiative, based on what seems good and right to you. People may sometimes commit aggression in the guise of self-defense, or have sincere but groundless beliefs about the dangers posed by others. But two people can also each act in good faith, each using force purely defensively against the other. Actual legal systems refuse the defense of self-defense to an initial aggressor, and suppose that at most one of the two can be acting defensively. The other has, at most, some sort of excuse of mistake. This structure is not an accident of positive law, but rather a reflection of the normative structure of self-defense: your right to defend yourself only holds against an aggressor. Yet just as* ***the question of who is an aggressor*** *in a state of nature* ***can be answered by nothing other than what seems*** *good and* ***right to the person defending*** *himself, so, too, these higher-order constraints that require there be only one genuine justified defender can only be applied by the parties themselves. It is thus a structural feature of the situation that it is possible for each party to believe, in good faith, that the other is the sole aggressor. They each make inconsistent claims of right. However, once they have made inconsistent claims of right, there is no answer, apart from what seems good and right to each of them. The idea that there can be no answer in a dispute about defensive force may seem surprising, because the question of who was the initial aggressor appears to be a purely factual one. But the question of whether defensive force is warranted is not equivalent to the factual question of who made the first move. Your right to defend yourself against an aggressor rests on your belief that someone is wrongfully attacking you, but in a state of nature only you are in a position to judge whether you are under attack, because you need not defer to anyone else. The entitlement to use defensive force is a reflection of the first Ulpian precept, rightful honor.* ***To defer to the judgment of another about whether something is*** *in fact* ***a case of aggression is****, again,* ***to allow yourself to be treated as a mere means.***