I value morality. All moral obligations must derive from practical reason. Because we can always question, why I should follow other sources of morality, but if I ask why I should act for reasons I demand a reason to act for reasons, which concedes the authority of acting for reasons. And, only practical reason can hold persons morally responsible. **Furrow 5**[[1]](#footnote--1):

This is because the source of human dignity is our capacity for freedom. **We are distinguished from** all **other beings by our capacity to rationally choose our actions.**  If God, nature or other persons imposed moral requirements on us, against our will, our freedom would be fatally compromised. What is more, **if our moral decisions were not free** but imposed on us**, we would not be morally responsible for them,** thus **undermining the system of praise and blame** that is **central to our moral framework.** Thus, according to Kant, the basic condition for moral agency is moral autonomy – the capacity that each of us has to impose moral constraints on ourselves. Thus far, Kant’s thrilling praise of moral freedom seems compatible with ethical egoism. If moral decisions are up to me then it would seem that I am free to choose in accordance with my self-interest. However, Kant goes on to argue that I cannot achieve moral autonomy if desires, emotions and inclinations govern my moral judgements. Kant was convinced that nature is a mechanical system governed by deterministic, physical laws – causal relationships determine the behaviour of plants, animals and inanimate objects. They have no capacity to choose. But human desires, emotions and inclinations are also part of that deterministic universe, since they are a function of our bodily nature. When we act in accordance with desires, emotions and inclinations, we are simply responding to physical urges much as an animal does. How can human beings escape this deterministic physical world? **The only way we can exercise our freedom** and autonomy **is to rationally assess our actions independently of our desires**. Moral reasoning will set us free – free from desires **and** emotions that chain us to nature. In contexts where moral judgement is required, by reasoning independently of desires, I am imposing **[impose] moral principles on [ourselves]** myself**.** My actions are self-directed rather than caused by external forces. Kant is not arguing that we should never act on our desires or inclinations. In fact, most of the time we act on what he calls hypothetical imperatives, which involve desires. ‘If you want to earn money, go to work.’ ‘If you are afraid of tigers, then stay out of the jungle.’ These are perfectly acceptable as a basis for action. Actions based on these hypothetical imperatives have instrumental value – they get us something we want. But such actions have no moral value. **When our actions reflect only our desires** and inclinations, **and not** our capacity for moral **reason, they are not free and thus** they **have no moral worth, since morality requires freedom.**

And people are moral equals unless a morally relevant distinction exists because no characteristics exist to differentiate them. Arbitrary violations deny human equality because they privilege one group over another for no reason. Which means that there must be some morally relevant difference between the two groups to limits ones freedom, and affording rights to people that don’t deserve them is better then taking rights away from people who don’t. Because adults have the right to make autonomous decisions if there is no morally relevant distinction between adults and adolescents then adolescents ought to have the right to make autonomous medical decisions as well. Thus the affirmative burden is to prove that there is no morally relevant distinction between adults and adolescents in the context of making autonomous medical decisions. Additionally prefer my burden, First, the difference between adults and children is at the core of the topic, arguments that flow negative say that there is some defining characteristic about kids that justifies treating them differently, i.e they are irrational. Topic lit is key to clash because it ensures that we both have the prep in order to engage each other’s arguments in depth. Clash is an independent voter and outweighs fairness and education because it is most specific to the purpose of debate in that it addresses the nature of argumentation. Second, the NEG must accepts the AFF’s burden because this preserves 100% of the ground of the AC, I'm forced to speak first and define a starting point for debate, so changing the framework moots 6 minutes of AC offense. Framework contestation makes the AC meaningless because the question is now what we should be debating about. Moreover, switch side debate solves and link turns their offense- AFC creates a permanent space for framework exploration and inculcates multiple perspectives by forcing debaters to debate under different frameworks. It increases depth and clash by bracketing discussion to issues under a framework, as opposed to between frameworks. Third, The resolution doesn’t specify a timeframe the resolutional action occurs in. The resolution uses the phrase “ought to have” as opposed to “ought to be given” as such it is not about the potential implementation of a possible right but rather a question of what adolescents are morally due, text is key because it is the basis for mutual pre-round prep. Therefore I contend there is no morally relevant distinction between adults and adolescents in the context of making autonomous medical decisions. First, an “autonomous choice” in the medical context definitionally necessitates understanding of the medical condition. This means NEG arguments that adolescents are incapable of grasping or navigating the overwhelming medical world don’t link. **Cummings 11**[[2]](#footnote-0)

Competence in this context can be defined as having the ability to understand a proposed therapy or procedure, including its risks, benefits, and alternatives, and to be able to arrive at a decision based on consideration of these factors in light of one’s values and life plans (Beauchamp and Childress). An autonomous decision is one made with adequate information and understanding of the implications of various possible outcomes. For any patient not considered competent, a truly autonomous decision is not possible, so a surrogate decision-maker should speak and decide on that patient’s behalf. In the case of young children, parents nearly always

And Kantian authors define autonomy as the capacity for practical reason—thus, only those who are rational are capable of autonomous choices. **Furrow 5**[[3]](#footnote-1)

This is because the source of human dignity is our capacity for freedom. We are distinguished from all other beings by our capacity to rationally choose our actions. If God, nature or other persons imposed moral requirements on us, against our will, our freedom would be fatally compromised.  What is more, if our moral decisions were not free but imposed on us, we would not be morally responsible for them, thus undermining the system of praise and blame that is central to our moral framework. Thus, according to Kant, the basic condition for moral agency is moral autonomy – the capacity that each of us has to impose moral constraints on ourselves. Thus far, Kant’s thrilling praise of moral freedom seems compatible with ethical egoism. If moral decisions are up to me then` it would seem that I am free to choose in accordance with my self-interest. However, Kant goes on to argue that I cannot achieve moral autonomy if desires, emotions and inclinations govern my moral judgments. Kant was convinced that nature is a mechanical system governed by deterministic, physical laws – causal relationships determine the behaviour of plants, animals and inanimate objects. They have no capacity to choose. But human desires, emotions and inclinations are also part of that deterministic universe, since they are a function of our bodily nature. When we act in accordance with desires, emotions and inclinations, we are simply responding to physical urges much as an animal does. How can human beings escape this deterministic physical world?  The only way we can exercise our freedom and autonomy is to rationally assess our actions independently of our desires. Moral reasoning will set us free – free from desires and emotions that chain us to nature. In contexts where moral judgment is required, by reasoning independently of desires, I am imposing moral principles on myself.  My actions are self-directed rather than caused by external forces. Kant is not arguing that we should never act on our desires or inclinations.  In fact, most of the time we act on what he calls hypothetical imperatives, which involve desires.  ‘If you want to earn money, go to work.’ ‘If you are afraid of tigers, then stay out of the jungle.’ These are perfectly acceptable as a basis for action.  Actions based on these hypothetical imperatives have instrumental value – they get us something we want.  But such actions have no moral value.  When our actions reflect only our desires and inclinations, and not our capacity for moral reason, they are not free and thus they have no moral worth, since morality requires freedom.

This means both adolescents and adults are equally rational and aware of the condition which denies a difference between the two. Also it means the resolution is really asking, do adolescents have the right to make rational medical decisions. And denying that adolescents are capable of making autonomous choices denies a premise in the resolution, which means you affirm, because every statement implicitly contains infinite assumptions, every statement is a conditional statement. Therefore the resolutions really read, “If X assumptions are true then Y statement is true, and traditionally the argument is over Y statement but if X condition is false then we affirm because if the condition is false, then the only possibility of knowing the statement is false cannot be obtained, so the statement must be true. Second, the distinction between adolescents and adults is a legal one, and the standard for what constitutes an adolescent varies from state to state, making it arbitrary. **Legal Dictionary No Date**[[4]](#footnote-2):

In the law a juvenile is defined as a person who is not old enough to be held responsible for criminal acts. In most states and on the federal level, this age threshold is set at 18 years. **In Wyoming a juvenile is** a person **under** the age of **19. In some states a juvenile is** a person **under** the age of **17, and in Connecticut, New York, and North Carolina, a juvenile is** a person **under** the age of **16.** These age definitions are significant because they determine whether a young person accused of criminal conduct will be charged with a crime in adult court or will be required to appear in juvenile court.

Third, legal distinctions are not morally relevant. **Schapiro 2K**[[5]](#footnote-3) writes:

It is sometimes thought that Wolff’s challenge to authority is merely a special case of a more general paradox, one that purports to show the incompatibility of authority and rationality. The general argument is familiar: **Consider any directive issued by an authority** and any action required by that directive. Either the balance of reasons supports that action or it does not**. If the balance of reasons supports the action, an agent should conform to the directive, but not because conformity is required by the directive, rather because agents should always act according to the balance of reasons.** On the other hand, **if the balance of reasons does not support the action, then an agent should not conform to the directive because agents should never act against the balance of reasons.** It would seem, **therefore**, that **authoritative directives can never be reasons for action** – if a directive gave the right result, the directive would be irrelevant; if the directive gave the wrong result, then the obedience to the directive would be unreasonable. Since authoritative directives can never be reasons for action, it follows that rational agents can never obey authority. The proof: Rational agents always aim to act on undefeated reasons and act in accordance with that aim. If an agent were to obey an authority, they would either have to believe that they had an undefeated reason to obey or believed that they didn’t have an undefeated reason but would have obeyed anyway. If the former were true, then the agent would have irrational beliefs, given that according to the first argument, authoritative directives can never be reasons for action. If the latter were true, then the agent would not be acting in accordance with the aim of acting on undefeated reasons.

For example, if a law says do not cross the street in the face of oncoming traffic and I stop and wait for cars to pass in order to prevent my death, I have not obeyed the law, but merely done the same thing as someone obeying the law would have done. Also even if legal distinctions are relevant I can fiat a change in legal distinctions, so they automatically flow AFF. Fourth, given the same circumstances adults make the same decisions as children which denies a difference between the two of them **Weithorn & Campbell 82[[6]](#footnote-4)**

For example, **14-year old minors and adults were presented with four** hypothetical **vignettes about individuals suffering from** particular **medical** or psychological **disorders.** They were presented with **detailed information about the nature,** purpose, risks, and benefits **of the** alternative **treatments, and were asked to choose** among them. **The participants were then asked** a series of standardized questions **about their decisions.** In most instances, **the responses showed no difference between the adults and** the **14 year olds on any of the scales** of competency **used in the study--**factual understanding, inferential understanding (appreciation), reasoning, choice of reasonable option and evidence of choice.

Fifth, Any rationale for a brightline between the two would have to include all adults but exclude all children in order to avoid contradiction, however this would be fail to include fringe cases for example child prodigies are more capable of decision making then the senile. Sixth, to say of some people, like adults, has some morally distinguishing feature is to pick out a regularity of that class of adolescents. But no regularities have the appropriate features for prediction. For example, if one were to say all emeralds are green, they have taken themselves to identify a regularity that predicts what will be found. But there is no basis for making the prediction all emeralds are green as opposed to the prediction that all emeralds are bleen, which claims that emeralds can be either green or blue. There is no criterion by which one could say that they ought to make one and not the other, since both are equally consistent with the evidence. Just as there can never be adequate evidence for distinguishing the claim “all emeralds are green” from the claim that “all emeralds are bleen,” there is no possible criterion for making a distinction between adolescents and adults on the basis of some essential difference. Seventh, reject distinctions on the basis of empirical differences between adults and the adolescents. Inductive reasoning is circular, this is because no amount of past knowledge can allow someone to be certain about the future, and the relationship between cause and effect is know entirely from our past observations of it, which makes it insufficient to generate a proof. Eighth, reject neuroscience—it would justify distinct treatment on the basis of non-moral factors like race or gender. **Maroney 9**[[7]](#footnote-5):

Just as developmental neuroscience might, if taken literally, counsel special treatment of the elderly, it might counsel differential treatment of girls and boys. **Brain maturation is** importantly **linked to puberty, and girls** tend to **reach puberty significantly earlier than boys.** Though physical and sexual maturity are poor proxies for either brain maturity or cognitive development, there is a clear gender differential, likely linked to pubertal onset. **Girls**, on average, **experience early-adolescence neural exuberance**—particularly in the frontal lobes—**at least a year before boys**, and possibly more**. If structural brain maturity were the correct legal metric, it would counsel that boys and girls** become subject to juvenile-court jurisdiction, and **age out** of it, **at different times**; indeed, one testifying expert has conceded as much**.** The behavioral implications of brain-level gender differences are largely unknown. Whatever they may be, law should not track them. Indeed, behavioral research already shows that boys and girls have markedly different propensities for violence and lawbreaking, and law rightly does not officially impose more severe punishment for girls’ violent acts because they are less normative. While **the equality concern** is most evident for gender, it is not confined to it. It would **appl[ies]**y **to any group for whom a** statistically significant **developmental trend could be identified**, including racial or socioeconomic groups**. As race is strongly linked to age of pubertal onset—**it is well documented, **for example,** that **African American girls** tend to **begin puberty much earlier than white** American **girls—boys and girls of different races might be subject to different rules.** Any argument that law’s treatment of children should track developmental neuroscience must demonstrate why such inequality is not its logical outcome, and the only way to do so is to concede that neuroscience (and, for that matter, developmental science generally) must sometimes give way to other values.

Ninth, if neuroscience can yield morally relevant distinctions, the literature flows AFF. **Morse 99[[8]](#footnote-6)** :

**Many** able **scholars have reviewed the literature** concerning potential legally relevant difference between adolescents and adults. I shall make the simplifying assumption that **near consensus of their findings represents the most accurate** current **assessment** of those differences. In brief, **the literature indicates that the formal reasoning ability and level of cognitive moral development of mid adolescents differs little from adults.** Further, on narrowly conceived cognitive tasks performed under laboratory conditions that concern decisions about medical treatment, there is little difference in outcome between mid adolescents and adults.

Tenth, deontic morality makes judgments about the inherent nature of a person. Codified universal distinctions should be made only on the basis of universal differences; for instance, certain ethnic groups may be more likely to commit crime, but that does not warrant categorically different treatment. Even if adolescents are more inclined to make bad decisions due to immaturity, they are equally rational agents since no developmental impediment can make refraining from bad decisions literally impossible—many adolescents are pretty smart. Eleventh, no ends-based concern can be morally relevant. Utilitarianism can never be derived from practical reason since it isolates the good in something external from the self, such as pleasure, and externally imposes an obligation to pursue that good, while practical reason functions *a priori*.

Twelfth, Even if they win that ends are relevant if I win there is no difference between adults and adolescents they can’t generate any uniqueness to their offence because there are a lot of adults who make autonomous decisions if adolescents are the same adults, adults should’ve triggered the link already, and you vote AFF on presumption.

Next is theory spikes: First, Weigh all NEG theory against the 7% NEG bias[[9]](#footnote-7) over 30 thousand rounds. Side bias proves the round is already unfair so I should be allowed to make the round a little unfair to get myself back to zero. Second, Only AFF gets RVIs, on counter interps or I meets, because its key to ensure proportional punishment on NEG T and theory since the NEG would only claim drop the debater if they were prepared to collapse to theory- that checks theory’s use as a crutch and fosters topical debate. That proves uniqueness for the AFF- the NEG always has bidirectional interps, so deterrence is key. Additionally the AFF is already deterred from reading bad theory because a minute of the 1AR is a quarter of the time but a minute of the 1N is a seventh, so there’s a structural check against abuse, also if they get an RVI they can collapse to six minutes of theory in the 2N making the 2AR impossible Third, Only drop the Negative debater on theory or T, and Drop the AFF’s arguments because the 1NC is reactive to AC strategy and has 7-4, 6-3 time advantage so rejecting the argument is sufficient punishment since reading arguments in the 1N proves no abuse or ground loss. Dropping the NEG is key since NEG abuse is temporal- it actively prevents me from winning the round and the time crunched 1AR and 2AR means I have no recourse against abuse especially because the 2AR is too short to win multiple layers. Fourth, Neither debater may make theory interpretations after the end of the 1AR. A) Skews AFF time NEG has six minutes to justify their interpretations whereas AFF only has three minutes to respond. B) Resolvability there are only two speeches after the 1AR, which makes it impossible to have the debate, be clearly resolved. Fifth, NEG must ask if I’ll conflict or comply on all potential theory violations, which lets me solve all abuse and lets us talk about the topic instead of theory. Additionally it lets us come to an agreement on a comprehensive set of rules for the round, which eliminates the need for theory.

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3. Dwight Furrow. “Moral Agency.” Ethics. 2005. [↑](#footnote-ref-1)
4. Legal Dictionary, part of The Free Dictionary by Farlex. *Juvenile Law*. <http://legal-dictionary.thefreedictionary.com/Juvenile+Law> [↑](#footnote-ref-2)
5. Shapiro, Scott J. [B.A., Columbia, 1987; J.D., Yale, 1990; Ph.D., Columbia, 1996. Professor of Law and Philosophy at Yale Law School, Former Professor of Law and Professor of Philosophy at the University of Michigan and Professor of Law at the Benjamin N. Cardozo School of Law]. *Authority* (2000). Stanford/Yale Jr. Faculty Forum Research Paper 00-05; Cardozo Law School, Public Law Research Paper No. 24. SSRN. [http://ssrn.com/abstract=233830 or doi:10.2139/ssrn.233830](http://ssrn.com/abstract=233830%20or%20doi:10.2139/ssrn.233830) [↑](#footnote-ref-3)
6. L Weithorn and S Campbell, ‘The Competency of Children and Adolescents to Make Informed Treatment Decisions’ (1982) 53 *Child Development*1589. LK [↑](#footnote-ref-4)
7. Maroney, Terry A. [Associate Professor at Vanderbilt University Law School]. *The False Promise of Adolescent Brain Science in Juvenile Justice*. Notre Dame Law Review, Volume 85, 2009. [↑](#footnote-ref-5)
8. Morse, Stephen [Ferdinand Wakeman Hubbell Professor of Law and professor of psychology and law in psychiatry at the University of Pennsylvania]. “Delinquency and Desert.” *The Annals of the American Academy of Political and Social Science*. 1999. [↑](#footnote-ref-6)
9. Fantasy Debate. National Statistics. Fantasydebate.com/ld-national-statistics LK [↑](#footnote-ref-7)