Actions are expressions of an agent’s will and must derive from practical reason. Furrow[[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.**

This implies that defensive force is only permissible when it’s in response to a free choice, Rodin[[2]](#footnote-2)

**If one is to be justified in inflicting harm** in an act of defense, then **there must be an appropriate normative connection between the wrongfulness of the threat one is seeking to avert and the person one harms**; **the threat must derive from** him **[them] as a moral subject, not just as a physical entity.** We might say that **[T]he threat we respond to must be** his **[their] threat rather than simply a threat of the world at large which happens to manifest itself through** his **[their] body**

Thus the affirmative burden is to demonstrate that repeat abusers are culpable for a free moral choice to engage in cyclical abuse. Prefer this burden because killing someone who is not culpable is arbitrary. An abusers who is not culpable is equivalent to an innocent bystander – they are not due violence, they just have bad luck. This form of morally arbitrariness a) violates practical reason by ignoring the individual moral worth of the abuser and b) precludes other frameworks since arbitrary decisions are directly contrary to the point of morality, which attempts to present justifications. Moreover, if there’s controversy over whether someone is culpable or not, we default towards not killing someone as killing is an irreversible harm. I contend that cyclical abusers are not culpable. First, those who are cyclically abusive meet the criteria for borderline personality disorder. Dr. Donald Dutton[[3]](#footnote-3) writes

According to the *Diagnostic and Statistical Manual* (DSM-IV), the psychological and psychiatric community’s diagnostic bible,**at least three of the following criteria must be present**to a notable degree in order for an individual**to be diagnosed with borderline personality disorder: 1. Recurring periods of dejection and apathy interspersed with spells of anger anxiety, or euphoria. 2. Wavering energy levels and irregular sleep-wake cycles. 3. Repetitive self-destructive thoughts.**The borderline redeems moody behavior by derogating himself.**4. A preoccupation with securing affection and maintaining emotional support.**The borderline reacts intensely to separate and reports a haunting fear of isolation and loss**. 5. Conflicting emotions toward others, notably love, rage, and guilt. With the exception of the third criterion, these all seem consistent with cyclically abusive men.**And **if** you changed that **[the] guideline** to **read, the borderline redeems moody behavior by derogating a significant other, you would have a perfect description of** the **wife assaulters** I have been studying.

Second, borderline personality disorder precludes responsibility, Dutton 2

In the past, psychiatrists had focused on women with borderline personalities, simply because the bulk of their clinical outpatients were female. Borderline women seek help more easily; **borderline men act out and get into trouble.** I have come to believe that **some of these trouble men** – those who **are cyclically abusive** – wound up in our groups and research studies. Psychiatrist Otto Kernberg estimates that **11 to 15 percent of the general population exhibit** the symptoms of **borderline personality organization; of these**, **only 10 to 25 percent manifest signs of the more severe** version, **borderline personality disorder**. **A personality type becomes a disorder when it is so fixed and rigid as to cause the person interminable difficulties. People afflicted with a disorder literally cannot escape themselves.**Clearly, though**, even the less severe forms are problematic,**and the point at which personality type becomes a disorder is somewhat arbitrary**.**

*Prefer the Dutton evidence since he specifically spent his life’s work studying psychological and clinical syndromes which effect domestic abusers. The University of British Columbia notes his relevant areas of study as the psychology of violence, social psychological explanations of clinical syndromes; and personality disorders. He won the Ferguson Foundation Lifetime Achievement Award for work on Family Violence. He has developed the government response to domestic violence for the Navjaho nation, Micronesia, and the Japanese Ministry of Health. He worked with abusers: as the Therapist and Co-Director of the Assaultive Husbands Programme which was court-mandated treatment for men convicted of wife assault and studied personality disorders in male and female abuse perpetrators for the U.S. Army.*

# NC BLOCKS

## AT – Rights based AC FW

(\_) If abusers are not morally responsible, victims lose rights based claims against them. McMahan

Jeff McMahan [Rutgers University] THE BASIS OF MORAL LIABILITY TO DEFENSIVE KILLING Philosophical Issues, 15, Normativity, 2005

Some have argued that it is not true that the fat man will violate your right if you do not kill him, since only a morally responsible agent can violate a right. Even on Thomson’s own account, for a person to have a right is just for others to be morally constrained in certain ways. 3 And just as a falling boulder or a charging tiger cannot be morally constrained and therefore cannot violate a right, so also a person cannot be morally constrained except in the exercise of responsible agency [which would]. Since the fat man cannot be morally constrained from having his body used by someone else against his will, he does not threaten your right[s] when his body is hurled at you. This does not, of course, show that the Rights-Based Account is wrong. It if is correct that the fat man would not violate your right, all this shows is that the Rights-Based Account does not, after all, have the intuitively appealing implication that nonresponsible threats may be liable to defensive killing

# 2NR BLOCKS

## AT – people always have rationality

(\_) My furrow evidence is about practical reason, not rationality – it’s about the ability to have norms influence our behavior and thus give rise to values. Our norm guided behavior is constituted by both more general character traits. Railton

Peter Railton, “Normative Guidance,” Oxford Studies in Meta Ethics Oxford University Press, 2006

In the domain of practical reason, individuals can be aptly responsive to risk through arousal of fear, even when the fear is not recognized as such by the agent.18 More broadly, individuals can be aptly responsive to moral and prudential considerations, even in the face of contrary self-aware judgments, through the emotional impact of sub-personal, empathetic simulations of the internal states of others or of one’s future self.19 Again, such processes are highly complex computationally and cognitively, but are not forms of reasoning in the canonical sense. **Rational agency**, conceived broadly, **is not located exclusively in the judgmental core, but distributed over the larger psyche and physiology of the human individual**. **To understand rational agency** in the broad sense ‘fromthe inside out’ **we must start not at the seat of reasoning, but at the center of mass of the person as a whole—the center of a constellation of desires, drives, emotions, moods, experiences, images, thoughts, values, expectations, associations, dispositions, sensibilities, and commitments** that take shape over a lifetime**. Taken together, they comprise the many ways in which the agent’s psyche and its embodiment equip him to be responsive to reasons**, with or without the blessing of his judgmental or reasoning self.20

Beings can never act *only* because of rationality, they need other behavior, motivational, and norm based responses in order to constitute a person with values. The disorder interferes with behavior in this way.

(\_) My evidence indicates that the disorder prevents people from being able to change their personhood. Thus, even if people can reason correctly, they might not be able to translate that reasoning into an actual effect on their behavior.

(\_) Even if people are rational, rationality isn’t the only criteria for moral responsibility. When we reason, we start with certain beliefs and empirical understandings, and then arrive at conclusions from those. My evidence indicates that the disorder prevents accurate understanding of the world around them, so they can’t correctly interpret facts to arrive at conclusions.

(\_) Just because people have some level of practical reason doesn’t mean they always act in a perfectly rational matter. My Furrow evidence indicates that practical reason is characterized by the primacy of reasoning and reflection over acting on mere desires. But Dutton 1 describes the symptoms of the disorder – things such as rapid swings in mood and awareness that specifically undermine people’s ability to reason and causes them to act without thinking. Dutton 2 specifies that this isn’t something they can change, meaning they can’t be culpable for these wrongs. Similarly, if I was kept without sleep for two weeks, I probably wouldn’t be able to really control my behavior.

### AT – defending yourself respects PR

otsuka doesn’t respect self

existence of PR isn’t morally valuable, it’s taking actions that violate it. So if happen to get killed by something not a moral violation of you even if in some sense bad.

My ev indicates constraint on permissible SD

If two violations vote neg

My violation outweighs bc a) aff world guaranteed kill, neg not. B) acts worse than omissions. C) other weighing.

SD is only obl under pr if its another person abusing your rat – i.e. a peron w.o freedom can’t choose to use you, meaning you don’t have an obligation in the same way to do shit to them.

Not same thing as suicide, bc refusing to hurt another person- placing value of rat first.

Not resp for other peoples choices, PR is about what you do. Other people’s wrongs can change your MP behavior.

I’m not treating self as MERE means when allow self to die – not doing it to achieve an end. In contrast, the aff is killing someone TO ACHIEVE a goal proactively using them, so only aff is real violation.

What ends we are pursuing can’t legitimize immoral means – that’s the whole point of deontology, meaning their logic would always contradict the fw so reject it.

## Weighing Author Quals versus Other Stuff

* Controls I/L general topic lit bc wrote lots of books say same thing. Precludes specific studies
* Observations based on multiple studies done here
* Empirically he’s made right calls bc keeps getting awards and gov’s hire him, so in this case know he’s right even if generally empirics first. Award boards and govs look for results yo.
* Conflicting empirics, fact not read in round irellevant
* Wouldn’t publish shit w.o backing bc of reputation, meaning he knows he’s prob right. He’s a better judge of the empirical ev then we are in a debate round.
* Empirics usually wrong.
* He’s specific to cyclical
* Thing like diagnoses necessarily kind of subjective, meaning his observation come prior to your studies.
* All args like this terminate in a appeal to authority since a) assume they’re not lying b) assume their understanding of psych is correct c) explain specific

# Extra Stuff

(\_) Full Quals

B.A. (President's List; Magna cum Laude) University of Toronto 1966 (Psychology). Ph.D. University of Toronto 1970 (Experimental Social Psychology). **Professor, Department of Psychology, University of British** Columbia. Adjunct Professor, Department of Psychology,Simon Fraser University

SPECIALTY AREAS: **The psychology of violence**; social psychological explanations of social science epistemology; applications of social psychology to the criminal justice system; **social psychological explanations of clinical syndromes**; personality disorders.

TOPIC SPECIFIC QUALS:. Muriel McQueen **Ferguson Foundation**. **Lifetime Achievement Award for work on Family Violence**, Fredericton, N.B. June 1997. Other: **executive director: America on Violence**, San Diego, California. 1999 President, West Coast Social and Behavioral Research Enterprises, Vancouver, B.C., 1974 - Present. **Member of International Family Violence Society and International Society for Research on Aggression. Scientific Advisory Board - Respecting Accuracy in Domestic Abuse Reporting** (RADAR) **National Family Violence Legislative Resource Board - Advisory Board** Panel of Experts - Worldwide Alternatives to Violence (U.K.) **Navaho Nation** Winslow Arizona April 1999**. Revision of community response to domestic violence. Federated States of Micronesia: Development of a police response to domestic violence.** Reviewer of Academic articles/studies for following journals: National Institute of Mental Health (U.S.), 1985.to present. Journal of Family Violence, 1988-present. Violence and Victims 1988-present. Journal of Interpersonal Aggression, 1988-present. **Editorial Boards: Violence & Victims Journal of Aggression, Maltreatment & Trauma. Journal of Interpersonal Violence Journal of Family Violence Trauma, Abuse and Violence:** A Journal of Reviews **Consulting + hands on work:** Clinical/Therapeutic Training 1978 Cold Mountain Institute Group Therapy Internship 1998 Psychopathy: Assessment Workshop, Robert Hare, Steve Hart, Vancouver, B.C. 2000 Specialized Training Services, Irvine, CA. Personality Disorders Training Workshop. 2000 Marriage and Family Health Center, Newport CA., Integrating Sexual and Marital Therapy, Dr. David Snartch. 2001 Dialectical Behavior Therapy for BPD Dr. Marsha Linehan, Seattle, WA 2005 Attachment and neural development. Dr. Alan Schore, Torrance, CA Therapeutic Experience: 1979 - 1995 **Therapist and Co-Director of the Assaultive Husbands Programme** (**court-mandated treatment for men convicted of wife assault**.) 1984 - present Private Practice 2003 – present Psychologist: RCMP **United States Army:** **Family Advocacy Branch, Personality disorders in male and femal abuse perpetrators**, San Antonio, Texas, March 2007 Judicial Council of California., Research Advisory Committee, 2005. 2006, October 19: The 21st Century and Domestic Violence: A World Perspective (see Workshops for Poster). **Japanese Ministry of Health/** Gender Equality **Development of a Comprehensive Domestic Violence Response,** UBC, Vancouver, ( Dec. 2003) . Navaho Nation Winslow Arizona (April, 1999). Revision of community response to domestic violence. Federated States of Micronesia: Development of a police response to domestic violence, US Ambassador Dianne Watson, Los Angeles, CA.. International Panel of Experts, WAVE, U.K.

**BOOKS: Rethinking Domestic Violence, Intimate Violence: Contemporary Treatment Innovations. The Abusive Personality, The Domestic Assault of Women, The Batterer**

(\_) Extra Dutton Cards

This is also statistically verified. **Dutton 3:**

Finally, the day of reckoning:The data were in the computer, carefully lifted from the questionnaire pages, read into the computer file, reread, checked, and double-checked for accuracy. At last we were ready to see the results. The initial data runs started. Would the suspected connection of borderline personality to cyclical abusiveness appear as we had hypothesized? It was not unlike the reentry of a jury foreman after a lengthy deliberation. The verdict was imminent.**The first scores we looked at were for Oldham’s borderline personality self-report measure.**On the face of it,**the abusive men,**especially those who had referred themselves to treatment,**scored very much like diagnosed borderlines.**The first hurdle had been crossed**. We interpreted the self-referred batterers scores as indicative of a “pure” group of assaultive males.**

**He Continues:**

**We also found strong correlations between borderline scores and the associated features of cyclical abusiveness. Those strongly related to borderline scores included anger, jealousy, and tendencies to blame women for negative events in the relationship. These were certainly consistent with the clinical descriptions of borderlines.**

1. Dwight Furrow. “Moral Agency.” Ethics. 2005. [↑](#footnote-ref-1)
2. Rodin, David. War and Self Defense. 2002. Pg 88. Print. [↑](#footnote-ref-2)
3. Donald G. Dutton, Ph.D. with Susan K. Golant “The Battler: A Psychological Profile” 1995 BasicBooks New York, NY [↑](#footnote-ref-3)