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# 1AC

## Interps

I advocate the Standing Committee of National People's Congress of China’s Revisions to the 1989 Environmental Protection Law, including “red lines” for zones off limit to extraction. I reserve the right to clarify. Duggan[[1]](#footnote-1) 4/25

[**China**](http://www.theguardian.com/world/china)**'s** legislature has voted to adopt revisions to the country's **environmental law,** introducing tougher penalties for polluters.The reviews **are the first changes** to the legislation **in 25 years**, according to the state news agency Xinhua. The revised law has 70 articles while the existing one has 47 and the changes will come into affect from January 1, 2015.Companies and **industries found** to be **in breach of environmental standards will face** **stricter penalties** "an important principle of the new legislation," according to Xinhua. Companies will be named and shamed for breaking environmental protection laws while **individuals** in charge of companies found to be in breach **will face** up to 15 days in **prison**.There are specific articles on tackling the country's air[pollution](http://www.theguardian.com/environment/pollution)problems. Many of China's cities are plagued with lung-choking smog on a regular basis due the reliance on coal. The **new revisions** also **call for improved environmental monitoring**.**The** revised **law sets no limits on** the **fines** **imposed** on polluters. Previously in some cases the fines were so low it was cheaper to violate environmental limits than install pollution-reducing equipment. This was an issue that some lawmakers brought up during discussions on the new revisions.**Local governments will** also **be held responsible** and **officials can be** either **fired** or demoted **if** they **found** **guilty of covering up** environmental **breaches** or not making environmental information public.**The** revised **law** also **calls on the Chinese public to** "**adopt a low-carbon** and frugal **lifestyle** **and** **perform environmental protection duties**". The law calls on the public to make efforts such as sorting rubbish for recycling.For decades China has pursued economic growth to the detriment of the country's environment. **The** revised **law is** one of **a** number of **measure**s **the government has taken** recently **that shows it is** taking **environment**al damage **seriously**. **The** revised **law** **states** that economic **development should be "coordinated" with environmental protection**, **an indication** that **the government may be looking for more** balanced approach to economic growth and **environmental protection**.In March[President Xi Jinping "declared war" on pollution](http://www.theguardian.com/world/2014/mar/05/china-pollution-economic-reform-growth-target). Addressing the opening session of the National People's Congress, China's largely rubber-stamp parliament, Xi said pollution is "nature's red-light warning against the model of inefficient and blind development".The government recently released more environmental data, giving an insight into the scale of the problems facing China. A recent official report estimated that[16% of China's soil and 20% of farmland is polluted](http://www.theguardian.com/environment/chinas-choice/2014/apr/18/china-one-fifth-farmland-soil-pollution). The report was based on an extensive survey, the results of which were previously deemed a state secret.This week the government said that nearly[60% of the country's groundwater is polluted](http://www.theguardian.com/environment/2014/apr/23/china-half-groundwater-polluted). The land and resources ministry found that among 4,778 testing spots in 203 cities, 44% had "relatively poor" underground water quality and the groundwater in another 15.7% tested as "very poor".

2. Unless my opponent would like me to do otherwise, I defend my advocacy and generate offense with it under a Kantian framework. However, if the framework debate is resolved in favor of an ends based framework, I reserve the right to generate contextualized offense based upon my advocacy, which ensures a stable aff advocacy and fair division of ground.

3. Oxford Dictionary[[2]](#footnote-2) defines should: **used to indicate obligation**, duty, or correctness, typically when criticizing someone's actions: *he should have been careful* | *I think we should trust our people more* | *you shouldn't have gone*. So I value morality. Morality by very nature is a guide to action, it has to provide a normative structure that generates prohibitions or obligations on action for individual agents or else it would be meaningless. Thus is an ethical theory fails to guide action, it is false.

## FW

Morality’s directives can only be categorically binding if they are constitutive of agency, i.e., if an agent is subject to normative principles by virtue of being an agent. Only a constitutivist account of moral motivation provides agents with non-optional reasons for acting. . Katsafanas[[3]](#footnote-3)

Enter a third theory, which attempts to do just that: constitutivism. According to constitutivism,there is an element of truth in both the internalist and the externalist positions. For the constitutivist agrees with the internalist thatthe truth of a normative claim depends on the agent’s aims, in the sense that the **[an] agent must possess a certain aim** in order **for the normative claim to be true.** But the constitutivist **[constitutivism] traces the authority of norms to an aim that** has a special status, an aim that **is constitutive of being an agent. This** constitutive **aim is not optional;** if you lack the aim, you are not an agent at all. So the constitutivist agrees with the internalist that practical reasons derive from the agent’s aims; but the constitutivist holds that **the relevant aim is one** that is **intrinsic to being an agent. Accordingly,** the constitutivist gets the conclusion that the externalist wanted: **there are non-optional reasons for acting.** Put differently, there are reasons for action that arise merely from the fact that one is an agent.

Constitutivism establishes a person falls under the concept of agency, that is to be an agent, by submitting to a normative principle. Agency is inescapable- two warrants. Ferrero[[4]](#footnote-4)

3.1 The initial appeal of the shmagency objection rests on the impression that there is a close analogy between agency and ordinary enterprises. If one can stand outside of chess and question whether there is any reason to play this game, why couldnʼt one stand outside of agency and wonder whether there is any reason to play the agency game? The problem with this suggestion is that the analogy does not hold. Agency is a very special enterprise. Agency is distinctively ʻinescapable.ʼ This is what sets agency apart from all other enterprises and explains why constitutivism is focused on it rather than on any other enterprise. 3.2 Agency is special under two respects. **First**, agency is the enterprise with the largest jurisdiction.12 All ordinary enterprises fall under it. **To engage in any** ordinary **enterprise is *ipso facto* to engage in** the enterprise of **agency**. In addition, there are instances of behavior that fall under no other enterprise but agency. 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** any **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 necessary 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-evaluationʼ of all of her engagements and at least temporarily suspend her participation in all ordinary enterprises.133.3 The **second** feature that makes agency stand apart from ordinary enterprises is agencyʼs *closure.* **Agency is closed under** the operation of **reflective rational assessment**. As the case of radical re-evaluations shows, **ordinary enterprises are never fully closed under reflection. There is** always **the possibility of reflecting on their justification while standing outside of them**. Not so for rational agency. The constitutive features of agency (no matter whether they are conceived as aims, motives, capacities, commitments, etc.) continue to operate even when the agent is assessing whether she is justified in her engagement in agency. One cannot put agency on hold while trying to determine whether agency is justified because this kind of practical reasoning is the exclusive job of intentional agency. This does not mean that agency falls outside of the reach of reflection. But even **reflection about agency is a manifestation of agency**.14 Agency is not necessarily self-reflective but all instances of reflective assessment, including those directed at agency itself, fall under its jurisdiction; they are conducted in deference to the constitutive standards of agency. This kind of closure is unique to agency. What is at work in reflection is the distinctive operation of intentional agency in its discursive mode. What is at work is not simply the subjectʼs capacity to shape her conduct in response to reasons for action but also her capacity both to ask for these reasons and to give them. Hence, agencyʼs closure under reflective rational assessment is closure under agencyʼs own distinctive operation: Agency is closed under itself.15 3.4 To sum up, agency is special because of two distinctive features. First, agency is not the only game in town, but it is the biggest possible one. In addition to instances of bare intentional agency, any engagement in an ordinary enterprise is *ipso facto* an engagement in the enterprise of agency. Second, agency is closed under rational reflection. It is closed under the self- directed application of its distinctive discursive operation, the asking for and the giving of reasons for action. The combination of these features is what makes agency *inescapable.* This is the kind of nonoptionality that supports the viability of constitutivism.

Impacts:

A. Arguments that claim that a principle can be non-normative despite being inescapable presume a weaker form of inescapability, i.e. **empirical inescapability**, where agency is inescapable by fact or circumstance, but where it’s conceptually possible for an agent to conceive of themselves as being under a different principle. My argument involves a stronger sense of inescapability -- it is *conceptually incoherent* to think of agency as not falling under the normative principle, i.e. **rational inescapability**. Ferrero indicates that a person falls under the concept of agency only by submitting to the normative principle. There is no reality of “being an agent” that precedes or is separable from the reality of “submitting to the normative principle.” To be an agent just *is* to bring oneself under this principle.

B. My framework best accounts for the ontology of agency because the reality of an agent is on the most basic level characterized by being subject to a normative principle.

C. Ethical theories grounded on factors contingent to agents being rational willers, like our desires or states of affairs, fail to generate binding principles because said theories rest on principles that can change or that agents could rationally judge as incorrect. Only principles that are derived from the rational will are necessary, and thus binding on agents in general.

The constitutive principle of agency is that agents see themselves as the cause of their own actions—free, or not subject to the domination of another.

1. Since agency just is the ability to act on the basis of thinking of yourself as an agent, to bring oneself under the concept of agency is *itself* an act of agency; it is the most basic act of agency, as it constitutes you as an agent. And applying the concept of agency cannot rely on successfully applying some further concept, as that further concept application would rely on the applying the concept of agency since intentionally applying any concept is an act of agency, and so on, to infinite regress. So if constitutivism is true, the normative principle that is contained in rational agency can’t be anything other than a principle that comes from the idea of rational willing itself.

2. Identifying yourself as the cause of your actions is contained in the idea of rational agency. Korsgaard[[5]](#footnote-5):

The first step is this: **To conceive yourself as the cause of your actions is to identify with the principle of choice on which you act**. A rational will is a self-conscious causality, and a self-conscious causality is aware of itself as a cause. To be aware of yourself as a cause is to identify yourself with something in the scenario that gives rise to the action, and this must be the principle of choice. For instance, **suppose you** experience a conflict of desire: you **have a desire to do *both* *A* and *B,* and they are incompatible**. ***You have*** *some* ***principle which favors A*** *over B,* ***so* you exercise this principle, and** you choose to **do *A****.* In this kind of case, **you** do not regard yourself as a mere passive spectator to the battle between *A* and *B.* ***You* regard the choice** as yours, **as *the product of* your own activity**, because you regard the principle of choice as expressive, or representative, of yourself. ***You must do so, for* the only alternative** to identifying with the principle of choice **is** **regarding the principle of choice as** some **[a] third thing** in you, another force on a par with the incentives to do *A* and to do *B,* which happened to throw in its weight in favor of *A,* in a battle at which you were, after all, a mere passive spectator. **But then you are not the cause of the action**. Self- conscious or rational **agency**, then, **requires identification with the principle of choice on which you act.**

If the constitutive principle of agency is merely agency, then any valid practical judgment must be true *of* every practical agent and *for* every agent. Rational agents cannot act on a maxim that hinders the outer freedom of others’ – that is non-universalizable. Engstrom[[6]](#footnote-6):

Given the preceding considerations, it’s a straightforward matter to see how a maxim of action that assaults the freedom of others with a view to furthering one’s own ends results in a contradiction when we attempt to will it as a universal law in accordance with the foregoing account of the formula of universal law. Such a maxim would lie in a practical judgment that deems it good on the whole to act to limit others’ outer freedom, and hence their self-sufficiency, their capacity to realize their ends, where doing so augments, or extends, one’s own outer freedom and so also one’s own self-sufficiency.Now on the interpretation we’ve been entertaining, applying the formula of universal law involves considering whether it’s possible for every person—every subject capable of practical judgment—to share the practical judgment asserting the goodness of every person’s acting according to the maxim in question. Thus in the present case the application of the formula involves considering whether it’s possible for every person to deem good every person’s acting to limit others’ freedom, where practicable, with a view to augmenting their own freedom. Since here all persons are on the one hand **deeming good** both **the limitation of others’ freedom and** the **extension of their** own **freedom**, **while** on the other hand, insofar as they agree with the similar judgments of others**,** also **deeming good the limitation of their** own **freedom** **and the extension of others’** freedom**, they are all deeming good both the extension and the limitation of both their own and** **others’ freedom**. These judgments are inconsistent insofar as **the extension of a person’s outer freedom is incompatible with the limitation of that same freedom**

States are formed to ensure an equal system of outer freedom, by safeguarding the independence of each person. Independence is a relational dimension of the structural conditions between persons, that a person A is independent relative person B insofar as B cannot make choices for A and deny A’s ability to set ends and choose the means to pursue those ends for themselves.

**Thus the standard is respecting a system of equal and outer freedom.** Counter examples that show certain states don’t maintain a system of outer freedom do not deny the constitutivist argument above because the implied generality is non-universal. Under my framework, such a state is merely a defective state. For example, it’s constitutive of dogs to have four legs even if some dogs have three. Prefer the standard:

**1.** Actor Specificity: countries as collective agents act through reasoning of individual agents. Laurence[[7]](#footnote-7)

It is enough that the same order displayed in collective action explanationcan also be represented as a set of rational transitions justifying the actions undertaken by members of a group in light of a shared objective. In this way,**whether or not there is** *strictly speaking* **a unitary knowing subject of**the whole**action, we can**still**see**the**actions**in question**as recommended by reasoning***.* **This reasoning will**not, of course,**occur**through the exercise of a separate practical reason possessed by the group, but rather**through the reasoning of the** *individual* **members as the execute their shared objective***. We might sum this up by saying that* just as**a collective agent**can only act through the actions of its individualmembers, it**can only** *know through their knowing, and* **reason through their reasoning***.* This:

A. Preempts aggregations frameworks that claim every agent has a differing perspective and values. Reject frameworks that aggregate individual views via polls or emotive response because the idea of the individual view as the most basic unit of collective reasoning is flawed – Laurence indicates that the intentions of individual agents are synthesized into a collective action, involved in the adoption of the perspective of a shared consciousness.

B. Indicates my framework is mandated by the topic. A supposition of the resolution is an action by developing countries, which is a collective action by states, not individuals because individual agents can’t alter environmental or extractive policy.

2. Contained in the idea of instrumental rationality is that agents have the capacity to secure sufficient means to achieve their ends, irrespective of the particular content of that end. However, agents in willing any end are committed to willing a system of equal outer freedom. Fichte[[8]](#footnote-8)

II) Thus, the problem of political right and (according to our proof) of the entire philosophy of right is *to find a will that cannot possibly be other than the common will.* Or, in accordance with the formula presented earlier (one that is more in keeping with the course of our investigation), the problem is: *to find a will in which the private and the common will are synthetically united.*We shall solve this problem in accordance with a strict method. Let us **call the will we** are **seek**ing **X**.(a) Every will has itself (in the future) as an object. Everything that wills has self-preservation as its final end. The same goes for X; and so self-preservation would be *the private will* of X. - Now this private will is supposed to be one with **the common will**, which **wills the security of** the **rights of all.** Therefore, **X, just as it wills *itself,* wills *the security of the rights of all.***(b) *The* ***security of*** *the* ***rights of all* is willed only through** the harmonious will of all, through **the concurrence of their wills**. *It is* ***only in this regard***that ***all* agree**; [152] for **in** all **other matters their will** **is** particular and **directed to** their **individual ends**. In accordance with our assumption of universal egoism (which the law of coercion presup- poses), no individual, no single part of the commonwealth, makes this an end for himself; rather, only *all* of them, taken as a whole, do.(c) Thus **X would** itself **be this *concurrence***of all. **This** concurrence, as surely as it willed *itself* **would** also **have to will** the **security of the rights of** **all**; for **it is one and the same as that security.**(III) But **such *concurrence* is a mere concept**; now it should not remain so, but ought rather to be realized in the sensible world, i.e. it ought to be brought forth in some particular external expression and have effect as a physical force.For us, the only beings in the sensible world that have wills are human beings. Therefore, **this** concept **would** **have to be realized** in and **through human beings. This requires**:(a) That **the will of** a certain number of **human beings**, at some point • time, **actually becomes harmonious,** and expresses itself or gets declared as such. - The task here is to show that the required oncurrence does not take place of itself, but rather is based on an*express act* of all, an act *that takes place in the sensible world and is perceptible at some point in time and is* ***made possible only through free self- determination****.* Such an act is implied by a proof already presented above. That is, **the law of right says** only that **each person should limit** the **use** **of** his **freedom through the rights of** **the other,** but it does not determine how far and to which objects the rights of each ought to extend. These latter determinations must be expressly declared, and declared in such a way that the declarations of all are harmonious. Each person must have said to all: I want to live in this place, and to possess this or that thing as my own; and all must have responded by saying: yes, you may live here and possess that thing.Our further investigation of this act will yield the first section of the doctrine of political right, *on the civil contract [vom Staatsburgervertrage].* [153] (b) That this will be established as the steadfast and enduring will of all, a will that each person - just as certainly as he has expressed this will in the present moment - will recognize as his own so long as he lives in this place. In every previous investigation it was always necessary to assume that such willing for the entire future is present in a single moment, that such willing for all future life occurs all at once.Here, for the first time, this proposition is asserted with justification. Because the present will is established as valid for all time, the common will that is expressed now becomes *law.*(c) This common will determines both how far the rights of eachperson ought to extend, in which case the legislation is *civil (legislalio civilis);* and how a person who violates these rights in one way or another ought to be punished, in which case the legislation is criminal or penal *(legislatio criminalis, jus criminale, poenale).* Our investigation of this will yield the second section of the doctrine of political right, on *legislation.*(d) **This common will must be equipped with a power** — and indeed a superior power, in the face of which any individual's power would be infinitely small - **that will enable it to** **look after** itself and **its preserva- tion by means of coercive force: *the state authority****.* This authority includes two elements: the right to judge, and the right to execute the judgments it has made *{potestas judicialis et potestas executiva in sensu*

Individual agents are incapable of securing the means to their antecedently willed ends, because both the empirical world can frustrate securing those means and agents within the world can set themselves in opposition to the ends you have willed. To will one continue to exist independent of a system of outer freedom is a contradiction in willing, because in willing any end you commit yourself to the willing the necessary means to that end. Agents know their attempt to secure sufficient means is external to their control, which leaves them open to contradictions in material insufficiencies to bring about that end. Regardless of what you will, you must will the system of outer freedom because the means under that system alone could the agent know themselves to secure sufficient means to secure their ends. The alternative is pursuing no ends, as it leaves open the question of whether agents have the ability to achieve that end, which is inconsistent with the principle of instrumental reason. That functions independent of and controls the internal link to all other frameworks, because the every moral theory presumes agents desire some outcome or end.

3. The paradox of self-consciousness. Reason constitutes action, which is to say there is no separation between what an agent is reasoning about and the agent’s action- the reason just is internal to the action. The alternative view is that there’s a distinction between what an agents is thinking about, or the object of their thought and action they take, and the agents thinking. For example, desire based theories hold that the objects ethics theorizes about is distinct from the agents thinking about those objects. An agent could have a desire to reduce pleasure, even if they aren’t thinking about it. That creates the paradox of self consciousness. Pippin[[9]](#footnote-9)

According to Henrich, **any theory that claims** that **self-consciousness involves** some kind of **bipolar reflective awareness of a self must** founder on two objections. **First**, the account must **be circular**. **I** am supposed to **become aware of myself by** virtue of **directing attention to “me” as an object of consciousness**. **But** if I do that, then**, insofar as I know I’m doing it, I am already self-conscious** **only if I already am. Second**, the reflective theory suggests that I identity an object of my awareness as me, as If I have criterion of recognition that I apply in becoming aware of myself. But **this begs the question** of **how** **I can** be said to **identify** **some intentional object as myself** in the first place. **It assumes** (by the postulation of this criterion) that **I have already so identified** **myself** and that self-consciousness requires its own explanation. Henrich does not mention **other** well-known **problems** **[include]** with the self-as-object-of-awareness view of self-consciousness, such as Hume’s phenomenological difficult (**there is no such object to be found in my experience**) **or** Ryle’s temporal problem (**the self I observe would not be me** as **observing**, and so would not be self-consciousness, but the problems he states are certainly enough to cast doubt on what appears to be a common sense interpretation of self-consciousness

Thus the object of thinking, or action, and the agent’s thinking become separated and cannot be put back together. The solution to the paradoxes is the system of outer freedom

Agents thus can only identify themselves by distinguishing themselves from something else. The Pippin evidence indicates agents account for identity by looking only to themselves, so agents must relate themselves to something else, called a not I. Wood[[10]](#footnote-10)

In reflecting on itself, the I forms a concept of itself (GA I/4:213, I/3:329). **Every act of conceptualization** **involves distinguishing the item brought under a** given **concept from those excluded from it.** Therefore, reflective self-awareness involves the I's self-limitation: the I must distinguish itself from what it is not. From this Fichte infers that the very possibility of the I requires its limitation by a "not-I": "The following is implicit in our principle: **The I posits itself as limited by the not-I"** (GA I/2:285, SK 122). **To posit the I is** at the same time **to "counterposit" a not I** (GA I/2:268, SK 105; I/3:330). This means that **the activity of the I must be** twofold: that of the I, **directed toward a not-I and that of a not-I, directed back against the I** as a "collision" or "check" (Anstoss) of the I's activity (GA I/2:354-362, SK 189-196). Since **both are conditions of the I's existence**, Fichte regards both as activities of the I: the former is "ideal" activity, the latter "real" activity (GA I/2:402-404. SK 236-238). Limits on demands? I think?

However that leaves agents vulnerable to denial by the not-I. If I identify through you, but the agent denies that identity, that means your identification of yourself through me is merely a projection onto the world. You need to affirm your identity through me, which commits agents to mutual recognition. Wood 2

**To understand another as a rational being making** such **a demand, and to display such understanding in action is to "recognize"** (anerkennen) **the other** (GA I/3:353). Since every free being necessarily wills to make use of its freedom, **the** basic **demand I** necessarily **make on every other free being is** that **it** should **limit its action in** such **a way that I am allowed** a sphere for **the exercise of my freedom** (GA I/3:357-358). Fichte argues that for this reason **I must assume** that **others will recognize me**, **but since I cannot expect others to do so unless I treat them as rational beings, I am bound by** mere **logical consistency** (and prior to any moral requirement) to recognize all others and treat them accordingly (GA I/3:349-356). Recognition must be presupposed as the condition of all interactions between free beings, and it must be presupposed as a reciprocal relation, which Fichte calls the "relation of right". It grounds the "principle of right": "I must in all cases recognize the free being outside me as such, i.e. limit my freedom through the concept of the possibility of its freedom" (GA I/3:358). By the principle of right each free being is to have an external sphere for the exercise of its freedom, and others are to limit their freedom accordingly. This external sphere begins at the point of origin of one's action on the external world itself. We have seen that the I must be limited by a not-I. Fichte interprets as saying that the I and an external, material world must exercise a mutual causal influence on one another. But since only matter can act on matter, the I too must be matter – or at least it must have a material vehicle for its relations of activity and passivity to the not-I. To be an I therefore, one must be embodied, and the starting point of the external sphere recognized by others must be its body

Since the state is not an I in the sense humans are, its obligation is to allows individuals the sphere’s of freedom to understand this demand, which is the system of outer freedom. Impact calc:

**1.** Even if affirming the resolution is non-universalizable for a reason other than its being a violation of outer freedom, a violation of outer freedom comes first because self-sufficiency is necessary both to will a maxim in the first place and for your action to be unified—in willing *any end*, you hold yourself to be capable of bringing about the end, so you necessarily will that you be able to pursue it free from others’ choice. Thus, reject maxims that conflict with self-sufficiency.

**2.** Intended harms outweigh foreseen harms:Intending a harm involves willing the necessary means to bring about that harm, but foreseeing a harm at most implies indifference about whether the harm occurs, as the occurrence of the harm is not part of your intention. So intended harms are worse than merely foreseen harms because to make a harm necessary is worse than to make it merely possible. Also means foreseen harms are no one’s ground because they can be solved by extra-resolutional action – unlike intended harms, they are not made necessary by affirming or negating.

## Contention

1. Willing the destruction of finite, natural resources is incompatible with freedom. The institution of property is such that it provides one with the ability to employ usable things fully to achieve one’s purposes, so the destruction of property involves a contradiction in willing. Ataner[[11]](#footnote-11)

We can also make our point with a series of questions: **If “[f]reedom requires that you be able to have usable things fully at your disposal,** to use as you see fit, **and** so **to decide which purposes to pursue** with them”,131 **then is not the destruction of usable things in contradiction with the requirements of freedom? How are you supposed to pursue any further purposes if you have made it your purpose to destroy the things within which you pursue your purposes?** Clearly, given the Kantain perspective on the meaning of property, **the (permanent) destruction of finite, non-renewable natural resources, such as land, is incoherent: one simply cannot invoke the right of property, or the freedoms that it is supposed to enable, to justify destroying such resources.** Similarly, suppose Hegel is right to say that property permits the suppression of the “pure subjectivity of personality”, or that in possessing property I become “an actual will”, or that property “gives my will existence”, such that “not until he has property does the person exist as reason”. In that case, wouldn’t **the destruction of property result in a failed actualization of the will**? Suppose, again, we have a land-owner who wishes to poison his lands, rendering them unfit for future use: is such a person actualizing his will freely and effectively, or is he undercutting his own (future) ability to act freely and effectively? I maintain that, for both Kant and Hegel, the destruction of property holdings, especially of finite depletable resources, is fundamentally incompatible with the core rationale of property as a freedom-maximizing institution**.** Put differently, **the destructive,** dissipating or non-sustainable **use of finite,** depletable **natural resources,** especially land, **constitutes a transgression of freedom because such use is radically inconsistent with the conditions under which alone “the greatest use of freedom” is possible.** That is, Kant’s core tenet regarding the necessity of property acquisition as a function of our extended freedom in the world dictates that the character of usable things as usable, as means fit for the realization of human purposes, must be maintained in perpetuity.

2. Extracting resources is a violation of agents outer freedom and an unreciprocal violation of the system of outer freedom. Extractive mechanisms harm the natural environment at the expense of future generations, while privileging current ones. . Rendall[[12]](#footnote-12): **Intergenerational justice deals with our obligations to** past or **future generations**, particularly those with which our own lives do not overlap.  Certain actions – such as **cutting down forests or producing radioactive waste** – **let us make gains at our descendants’ expense**.  Tax cuts now, debt repayments later can be a winning formula for re-election, as recent U.S. history shows.  “In many intergenerational situations … it is less costly in the short term to ignore the problem,” observes Kimberly Wade-Benzoni.  “… In the long run, however, it ends up costing more – but those costs accrue to a different set of people.”  Intergenerational exploitation is particularly common in the environmental sphere.  Nuclear power raises many of the same distributive issues as nuclear deterrence.  We enjoy the electricity now; future generations face most of the risks. **We exploit our descendants by creating an externality in our favor, since “future generations must bear very significant costs without having received the benefits of the activities prior to the accident.”** So too with nuclear deterrence.  The objection that “no reasonable person with even a limited acquaintance with the history of human affairs over the last 3,000 years could be confident of safe storage by methods involving human intervention over the enormous time periods involved” applies at least as much to nuclear weapons as to nuclear waste.  Does any reasonable person, let alone a realist, expect deterrence to work for millennia without catastrophic “accidents”?

Also outweighs neg offense- the violation is the worst because future generations are the most vulnerable. Agents in current generation are alive and have a chance of acting to ameliorate their situation and are thus include in willing the means to any end, whereas future generation don’t exist.

3. . Any harm to the environment has an effect on someone else’s property interests within the system of outer freedom. It’s impossible to markoff any distinction between portions of the environment, so a harm to the environment violates the outer freedom of an agent by interfering with their property:

A. Any division in the environment is arbitrary. Since no distinction already exists in the natural world, the claim that an agent is affecting only one part of the environment must be based on a distinction that the agents created themselves. Even if empirical distinctions do exist in the natural world, these distinctions never match the ways agents can or do divide up the natural environment.

B. If agents aim to extract resources then contained in that rational will is the commitment that said resources produce value for the agent. Otherwise the agent wouldn’t extract in the first place, since every action is purposeful and willing the end of securing value from resources entails the agent is necessarily committed to the means of extracting resources. Agents only benefit from the transaction and secure value in when they extract resources and get something from other people engaged in the transaction of resources. An agent cannot get more value or positive value by only getting value from themselves.

That’ also preempts the Wood evidence- even if the environment is nonrational, human agents rationality means the natural world is assigned value under the system of outer freedom.

4. Any change to the environment can only be evaluated in context of what is valuable for agents, because otherwise said change could be either good or bad. For example, increasing oxygen levels and decreasing CO2 would be better for the environment from the human perspective, but bad for the environment from a plant’s perspective. Any action changes the environment is thus only evaluated from the external interests of what sets assessment of value, which under the AC framework just is the rational ends of agents. Hence a harm to the environment harms the morally relevant class of agents, which infringes on their freedom as per the AC framework.

5. Any attempt to distinguish between human value and natural value on the basis of rationality creates a dualism of value that is incompatible with the very value of rationality to which it appeals. Rational agents are committed to valuing nature by virtue of existing physically, and the idea of being a rational actor implies this because it requires taking an action in the world. McDowell[[13]](#footnote-13):

I have been considering the tendency to oscillate between two un-palatable positions: a coherentism that loses the bearing of empirical thought on reality altogether and a recoil into a vain appeal to the Given. I have proposed a diagnosis of this tendency: it reflects an intelligible distortion undergone by the Aristotelian idea that normal mature**human[s] beings are rational animals. Animals are**, as such, **natural beings, and a familiar** modern **conception of nature** tends to**extrude[s] rationality from nature. The effect is that reason is separated from our animal nature**, as if being rational placed us partly outside the animal kingdom. Specifically, the understanding is distanced from sensibility. And **that is the source of our philosophical impasse. In order to escape it, we need to bring** understanding and sensibility, **reason and nature, back together.** One way to avoid the dilemma is to leave unquestioned the conception of nature that threatens to extrude reason from nature, but to reconceive reason in naturalistic terms, on a corresponding understanding of what it is for a term to be naturalistic. This position is what I have been calling “bald naturalism”. It allows us to conceive ourselves as rational animals, but I think the conception is not Aristotle’s. Admittedly, though, bald naturalism is like Aristotelian thinking in that it does not address the philosophical worries I have been considering, but simply refuses to feel them. **The threat is that an animal endowed with reason would be metaphysically split**, with disastrous consequences for our reflection about empirical thinking and action. I have claimed that **we can avoid the threat even while we maintain**, unlike bald naturalism, **that the structure of the space of reasons is *sui generis*, in comparison with the organization of the realm of law.** The spontaneity of the understanding cannot be captured in terms that are apt for describing nature on that conception, but even so it can permeate actualizations of our animal nature. If we can see our way to accepting that, we can avoid the philosophical difficulties while fully appreciating what makes them gripping.

Thus, in order to avoid the dualism, we are committed to valuing both reason and nature in themselves. Rejecting a concept of nature as merely instrumentally valuable to rational ends brings reason and nature back together, treating them as equal sources of value, and so successfully avoids the dualism.

## Underview

The law enables the environmental regulators to go after large state owned corporations- key internal link to stopping pollution. The Star[[14]](#footnote-14) 4/15BEIJING: Smog-hit China is set to pass **a** new **law** that **would give Beijing** more **power**s **to shut polluting factories** and punish officials, **and** even p**lace protected regions off-limits to industrial development**, scholars with knowledge of the situation said. Long-awaited amendments to China's 1989 Environmental Protection Law are expected to be finalised later this year, giving the Ministry of Environmental Protection (MEP) greater authority to take on polluters. While details of the fourth draft are still under discussion, it has been agreed that **the principle of prioritising the environment** above the economy **would be enshrined in law**. The fourth draft was due to be completed within weeks, the scholars said."(Upholding) environmental protection as the fundamental principle is a huge change, and emphasises that the environment is a priority," said Cao Mingde, a law professor at the China University of Political Science and Law, who was involved in the drafting process.The first change to the legislation in 25 years will give legal backing to Beijing's newly declared war on pollution and formalise a pledge made last year to abandon a decades-old, growth-at-all-costs economic model.Cao cautioned that some of the details of the measures could be removed as a result of bureaucratic horse-trading. The MEP has called for the law to spell out how new powers can be implemented in practice, but the National Development and Reform Commission (NDRC), the country's top economic planning agency, prefers broader, more flexible principles."There is a usual practice when everyone is unable to come to a complete agreement – we first put an idea into the law and then draw up detailed administrative rules later," Cao said.Local authorities' dependence on the taxes and employment provided by polluting industries is reflected by the priorities set out in China's growth-focused legal code, said Wang Canfa, an environment law professor at the Center for Pollution Victims in China.NEW POWERS**In** the **absence** **of** legally **enshrined powers, the environment ministry has** often **made do** **with one-off** national inspection **campaigns** to name and shame offenders, as well as **ad hoc arrangements** with local courts and police authorities to make sure punishments are imposed and repeat offenders shut down.It has also stretched existing laws to its advantage.Last year, **it began to use its powers** of approval over environmental impact assessments – mandatory for all new industrial projects – **to force powerful** industrial **firms such as Sinopec and** the **C**hina **N**ational **P**etroleum **C**orporation **to cut emissions**, threatening to veto all new approvals.The new law would give the ministry the legal authority to take stronger punitive action."The environment ministry could only impose fines and management deadlines," Cao said. "Now we can close and confiscate them. It's an important right."It will also set up a more comprehensive range of punishments, putting an end to a maximum fine system that allowed enterprises to continue polluting once they had paid a one-off fee.Cao said the final draft was also likely to impose an "ecological red line" that would declare certain protected regions off-limits to polluting industry.The legislation also proposes to formalise a system by which local cadres are assessed according to their record on pollution issues, including meeting emissions targets.Experts have welcomed commitments to improve transparency and compel polluters to provide comprehensive and real-time emissions data. Criminal penalties will also be imposed on those found guilty of trying to evade pollution monitoring systems."The provisions on transparency are probably the most positive step forward. These include the requirement that key polluters disclose real-time pollution data," said Alex Wang, expert in Chinese environmental law at UCLA.FIERCELY CONTESTEDFor nearly two years, scholars, ministries, local governments, companies and environment ministry officials have been debating the changes to the environmental protection law.One of the most fiercely contested parts of the new draft was a clause designed to prevent most environmental non-governmental organisations (NGOs) from filing lawsuits against polluters.The first draft said lawsuits could only be filed via the government-affiliated All-China Environmental Federation, though subsequent changes allowed other government-registered organisations that have been operating for at least five years to launch legal action.Polluting industries have lobbied government officials not to relax the restrictions on the rights of NGOs to file suits, said Cao.UCLA's Wang said the ultimate success of China's war on pollution would be determined not by symbolic new legislation but by specific targets and guidelines set by local governments."Many people point to China's laws as a sign of the government's concern about the environment," he said. "But changes in bureaucratic targets are a more direct indication of changing priorities and can tell us whether Beijing means business." – Reuters

Provides comprehensive legal basis that ensures enforcement, transparency, and legitimacy. He et al[[15]](#footnote-15) ‘13

The Legislative Affairs Commission of NPC has listed an EPL revision in the 2013 legislation plan. We suggest addressing the following four major issues. In compliance with the Constitution, environmental protection and ecological civilization as national basic policy must be reaffirmed. The EPL should provide a legal basis for key environmental principles: the precautionary and prevention principles, public environmental rights and participation, and environmental justice ( 11, 12). These are absent or insuffi ciently stressed in the current draft. A **strong legal basis must be provided for independent** strategic environmental **assessment** **and** performance-based **auditing**. The **current** Environmental Impact Assessment (EIA) **law** **only requires EIA of plans** or projects **not** of **policies** ( 13). Although after-the fact environmental audits should be conducted on all major public projects and programs by independent auditing institutions, few have been conducted because of limited capacity and knowledge within the National Audit Office and lack of legal backup ( 14). Environmental audits should be indispensable parts of decision-making of major governmental investments. **EPL revision** **provides an opportunity to remove obstacles for** powerful **policy** **and** to **plan EIAs** **and** governmental environmental **audits** crucial **for** science- based **environmental policies**. Law enforcement must be improved. **Principles for** defi ning, coordinating, and **supervising transregional** and inter- and intradepartmental **environmental rights,** responsibilities, and obligations of governmental and nongovernmental actors **need to be** **specifi ed in the** revised **EPL**. Internal and external **evaluation of** environmental performance of **governmen**tal **organizations and offi cials should become** compulsory and **transparent** ( 12, 15). Adequate rules for punishment must be set up and enforced to penalize those who violate the law—administrators, regulators, and regulated parties alike ( 1), e.g., through double punishment (punish the violating company and its owner), a daily penalty for continuous environmental violations, and avoiding low penalties. To align with litigation laws, **the revised EPL should adopt public interest litigation and grant any public entity** or citizen **the right to bring violating** administrative departments and other **entities to court** ( 5, 7). The revised EPL should shift from regulation to governance, promoting participation of nongovernmental stakeholders and balancing “hard” instruments (e.g., commandand- control) and “soft” (e.g., environmental education and voluntary agreements) ( 6, 16,17). More transparency and public participation in policy and regulatory processes at all stages, from drafting legislation to enforcement activities, can improve policy effectiveness and address potential inconsistencies. **Revision of the EPL can improve** the **government’s** **legitimacy** for promoting ecological civilization by following expert advice, including public suggestions, and empowering environmental authorities for sustainability ( 18). It is a unique opportunity for China to be a role model, especially for other emerging economies.

New environmental law creates a rational incentive for companies and extractive industries to limit pollution and gives government control boards power to seize contaminants- also lifts the lid of state environmental reports, which is key to actualize change. Tiezzi[[16]](#footnote-16) ‘14

The Standing Committee of the  National People’s Congress approved [revisions to China’s Environmental Protection Law](http://news.xinhuanet.com/english/china/2014-04/24/c_133287570.htm" \t "_blank) (EPL) this week, paving the way for higher fines to deter polluters. The revisions marked the first change to China’s environmental protection legislation since 1989, when the EPL first took effect. According to*Xinhua,*the revisions call for improved monitoring of both the environment and health; improved survey and risk assessment mechanisms; and more severe punishments for polluting. The new law will go into effect on January 1, 2015. Perhaps **the** single **most important change** **is** that **the cap on environmental fines has been removed**, meaning China’s Ministry of Environmental Protection (MEP) will finally be able to implement fines that are more costly than the safe environmental practices the government requires. In the past, as*Xinhua*noted, businesses often found it was cheaper to ignore the laws and pay a fine than to purchase or upgrade expensive equipment. To cite the example provided by NPC Standing Committee member Xin Chunying, it could cost a company 500,000 RMB ($80,000) each year to run a generator in compliance with MEP standards — but the fee for simply ignoring those requirements was only 10,000 RMB ($1,600). Now, **polluters** will **face** cumulative **daily fines for not meeting MEP standards**, giving a clear profit incentive for businesses to make changes sooner rather than later. The new power to charge higher fines will hopefully change the calculus of Chinese business owners as they decide whether or not to follow environmental regulations. As an added incentive to follow the rules, the revised EPL also calls for polluting enterprises to be “named and shamed.” Polluters could even face prison time, although the maximum sentence is currently set at a mere 15 days and would only come after the company ignores a warning.Giving the [Ministry of Environmental Protection more teeth](http://thediplomat.com/2013/12/what-can-the-us-environmental-protection-agency-teach-china/" \t "_blank) has been a crucial goal for China, especially since MEP head Minister [Zhou Shengxian told Chinese media](http://www.reuters.com/article/2013/07/09/us-china-environment-idUSBRE9680A920130709" \t "_blank) that his department was one of “four major embarrassing departments in the world.” The revisions to China’s EPL have been in the works since August of 2012, when the draft revisions were first introduced. The revisions went through four rounds of deliberation before finally beginning passed (as*Xinhua*pointed out, most legislation is passed after three or fewer readings). Cao **Mingde**, a law professor at the China University of Politics and Law **who helped draft  the** new **legislation**,[told](https://www.chinadialogue.net/blog/6935-China-s-revised-environmental-protection-law-better-than-expected-/ch" \t "_blank)*[Chinadialogue](https://www.chinadialogue.net/blog/6935-China-s-revised-environmental-protection-law-better-than-expected-/ch" \t "_blank)*[Chinese]that **the revisions reflect a fundamental change in China’s principles**. Whereas **before e**nvironmental **p**rotection **had to compromise** **with** the goals of building **the** **economy** and developing society, he said, **now** economic **development must compromise to ensure e**nvironmental **p**rotection. In keeping with this change, he noted that the **revised legislation strengthens the MEP’s ability to seize assets** and hold people in custody.As Elizabeth Economy, Director for Asia Studies at the Council on Foreign Relations, noted, **institutional change will be crucial to** actually **giving teeth to** any **environmental legislation** Beijing passes. As she [wrote back in January](http://thediplomat.com/2014/01/chinas-incomparable-environmental-challenge/" \t "_blank), “the **t**ransparency, official accountability, and rule of law—however imperfect—that became the mainstay of environmental protection in the United States eluded and continue to elude China.” Beijing has slowly been taking steps to increase each of these factors, especially transparency. **Air quality data**, previously the subject of a row between Beijing and the U.S. Embassy, **is now being released** for China’s major cities. The worrisome report on China’s soil pollution released earlier this year was previously classified as a state secret.Certainly **China’s media is being given greater leeway to talk about the problem**. The*Xinhua*article on the new EPL acknowledged China’s “serious pollution problems,” from polluted water both above and [below ground](http://www.channelnewsasia.com/news/asiapacific/60-of-china-s-underground/1080510.html" \t "_blank) to [tainted soil](http://www.ft.com/intl/cms/s/0/c250bd4c-c6b4-11e3-9839-00144feabdc0.html" \l "axzz2zoK5Rdf3" \t "_blank)—and of course China’s [continuing battle with smog](http://thediplomat.com/2013/12/smog-wars-chinas-pollution-in-the-spotlight/" \t "_blank).  Pollution in general is more and more out in the open in China, allowing for increased “bottom up” pressure for environmental reform. And while China’s leaders can get nervous about citizen protests, Cao Mingde argued China needs it citizens to help join in the “[war on pollution](http://www.reuters.com/article/2014/03/05/us-china-parliament-pollution-idUSBREA2405W20140305" \t "_blank).”  With NGOs helping keep watch, Cao said,  the MEP’s limited people and funds will be under less strain.

Rational incentives and public participation are key. Bloomberg[[17]](#footnote-17) 4/25

**The amendments give the** public and **government “powerful** new **tools” to cut pollution,**[**Barbara Finamore**](http://www.nrdc.org/about/staff/barbara-finamore), senior attorney and Asia director at the Natural Resources and Defense Council in[**New York**](http://topics.bloomberg.com/new-york/), said in an interview. “The pollution is now impossible to ignore,” she said. “This is very big news.”‘Strong Incentive’ **The changes provide “a strong incentive for polluters to come into compliance”** as violators can be fined on a daily basis, Finamore said.The amendments become effective from Jan. 1, according to the revised law, which was passed on yesterday by the Standing Committee of National People’s Congress, China’s top legislature. **It allows for consecutive daily fines** on polluters **if they don’t get better and offers channels for whistle-blowers** to make environment-related appeals. **Non-government groups can** also **file lawsuits for environmental damage** under certain conditions, it says.The **prominence given to open information and public participation** is the biggest improvement in the revision, according to Alex Wang, assistant law professor at the University of California Los Angeles School of Law. Wang cautioned that it’s too soon to hail the amended law as anything beyond a signal of intent and aspiration, he said.“If citizens truly ’supervise’ polluters as the law encourages, China **will** begin to make progress in **turn**ing its **environmental crisis around**,” Wang said in an e-mail. “But the proof is of course in the pudding. Given China’s history of weak environmental enforcement, the burden is on regulators to show that they now mean business.”

Pollution causes mass suffering and death. Sharma[[18]](#footnote-18) 08

**One of the greatest challenges facing humanity is environmental degradation**, including deforestation, desertification, pollution, and climate change – an issue of increasing concern for the international community. Environmental degradation increases the vulnerability of the societies it affects and contributes to the scarcity of resources. Climate change will lead to an increase in the intensity and frequency of weather extremes, such as heat waves, floods, droughts and tropical cyclones. The people hardest hit by climate change and environmental degradation are those living in the most vulnerable areas, including coastal communities, small island nations, Sub-Saharan Africa and Asian delta regions. It is the poorest of the poor, who lack the resources to prepare, adapt and rebuild, that are most affected. Environmental degradation can lead to a scarcity of resources, such as water and farmable. Extreme weather events, such as severe flooding, increase the spread of waterborne diseases, such as malaria and diarrhoea. The effects of the major environmental problems on both health and productivity are: a. Water pollution and water scarcity: As per the estimation of UN,**more than two million deaths and billions of illnesses a year are attributable to water pollution. Water scarcity compounds these health problems.Productivity is affected by the costs of providing safe water, by constraints on economic activity caused by water shortages, and by the adverse effects of water pollution and shortages on other environmental resources** such as, declining fisheries and acquifer depletion leading to irreversible compaction. b. Air pollution: As per the estimation of UN, urban**air pollution is responsible for 300,000—700,000 deaths annually and creates chronic health problems for many more people. Restrictions on** vehicles and**industrial activity**during critical periods**affect productivity**, as does the effect of acid rain on forests and water bodies.

These impacts outweigh on duration and scope. Chen et al[[19]](#footnote-19) ‘13

This paper's findings suggest that an arbitrary Chinese policy that greatly increases total suspended particulates (TS**air pollution is causing the 500 million residents of Northern China to lose more than 2.5 billion life years** of life expectancy. The quasi-experimental empirical approach is based on China’s Huai River policy, which provided free winter heating via the provision of coal for boilers in cities north of the Huai River but denied heat to the south. Using a regression discontinuity design based on distance from the Huai River, we find that ambient concentrations of TSPs are about 184 μg/m3 [95% confidence interval (CI): 61, 307] or 55% higher in the north. Further, the results indicate that life expectancies are about 5.5 y (95% CI: 0.8, 10.2) lower in the north owing to an increased incidence of cardiorespiratory mortality. More generally, the analysis suggests that **long-term exposure** to an additional 100 μg/m3 of TSPs **is associated with a reduction in life expectancy at birth of about 3.0** y (95% CI: 0.4, 5.6).

# Frontlines

## A2 T Aims

He couldn’t have picked a worse aff to read this T arg against- I meet because the law literally purported as a change in priorities- this ev is untouchable. Zhongxi[[20]](#footnote-20) ‘14

BEIJING, April 24 (Xinhua) -- Revisions to the Environmental Protection Law adopted by senior Chinese legislators could not have come at a better time. The Standing Committee of China's National People's Congress (NPC) on Thursday approved the most sweeping revisions to the law in 25 years, promising tougher penalties for polluters. After two years of heated debate, **the** much-anticipated **revision** expanded the law to 70 articles from 47 in the previous version, **enshrined environmental protection as the government's overriding priority**, and included specific articles and provisions on tackling smog. **For a country mired in** pollution amid **mounting public anger over** a **deteriorating environment**, strict implementation of **the** new **law is more relevant than ever**.Before this week's NPC Standing Committee session, China's Environmental Protection Law had not been revised since it took effect in 1989. Decades of rapid economic growth have taken their toll on the country's ecology, while disturbingly lenient penalties have indulged excessive environmental pollution. A report issued in April showed that nearly 60 percent of monitored areas in China had "very poor" or "relatively poor" underground water quality last year. Another report issued jointly by the Ministry of Environmental Protection and the Ministry of Land and Resources on April 17 showed that about 16.1 percent of the country's soil is polluted. Heavy smog that has frequently shrouded Beijing, Shanghai and other major Chinese cities is a more obvious cause for concern. And on April 11, more than 2.4 million people in Lanzhou of northwest China's Gansu Province, were affected by tap water that contained excessive levels of benzene.The madness has to stop. Pollution has been on the top of the Chinese government's agenda for years, but problems have persisted. The new round of reforms aimed at steering the country to transform its growth pattern nevertheless offer a unique opportunity to address the issue. By setting environmental protection as the country's basic policy, the new Environmental Protection Law represents a huge step forward in China's drive to build an ecological civilization.Speaking during the annual parliamentary sessions in March this year, **Premier** Li **Keqiang** **said China would "declare war" on pollution and** pledged to **fight it with the** same **determination the country battled poverty**.The new law -- which also called on citizens to adopt a low-carbon and frugal lifestyle and perform environmental protection duties while expanding the range of subjects of public interest litigation on environmental issues -- will definitely play an important role in this fight.Meanwhile, though approval of the environmental law revisions is enough reason to rejoice, it would be simple-minded to believe that the new law will automatically solve all troubles overnight, since China's ecological problems are the result of decades of reckless pollution.The new law has provided a powerful tool for authorities to take stronger punitive actions against pollution and ensure that information on environmental monitoring and impact assessments is made public.But the real challenge lies in ensuring that the new law is implemented in full and in a consistent manner.

## 1AR O/V

The 1AR will extend reasons why conflicting arguments in the contention and the negative framework and criticism imply util as the new framework for the round. The neg can’t extend AC framework arguments to take out my strategy:

1. Gives the neg 2NR framework choice- that moots all 1AR strategy and increasese judge intervention by starting the debate over twice, with only the 2AR to respond and link offense ot the new 2NR framework. A strategic neg debater would have offense on util, or link 1NC offense to the new util framework.

2. Debaters can’t extend arguments in a speech without having extended them prior. Otherwise the strategy becomes totally unpredictable, since any argument is live to become relevant in the next speech.

## Turns=>Util

1**.** Violations of the system of outer freedom show the factors that differentiate two violations will not be internal to pure reason. A factor internal to pure reason is something shared by wills and actions, because the nature of pure reason is that judgments just are shared universally. In this case, both violations share the factor of being violations, so to adjudicated between them is to use a factor external to reason- because according to pure reason, the violations are equal. Hence, agents must consider the empirical effects to adjudicate between conflicting violations. If two actions are equally good under a framework, that means the ethical theory fails to guide action. An agent would be given on reason to prefer either action, so the ethical theory would be meaningless.

2. Kantianism leaves no room for weighing contradictions. A candidate will is either contradictory or note, either 0% or 100% probable. Contradicting wills commit agents to an action and its polar opposite, which is binary, not scalar. That means there’s no way to coherently weigh between violations and that Kantianism cannot provide a metric to render an ethical decision in face of a conflicting decision. To reconcile those contradiction is to employ a different metric.

## Property Rights =>Util

If an agent does have a right to property and it creates a conflict with the system of outer freedom, then Kantianism is false:

1. That shows access to the material of preconditions of exercising your freedom is itself something you’re entitled to. He can’t deny that- his key internal link is that property is an instance of the agents exercising their own end. That proves the principle on which you act from alone is insufficient to guaranteed the rightness of your action, because that rightness depends on the material effects on the material preconditions of the effects on their freedom. Hence the only correct framework is one that takes into account the goodness and badness of something in terms of the overall effects it has on yourself and others.

2. His framework indicates there’s no original acquisition or distribution of property, because whatever you have has an element of arbitrariness to it. If you have a right to property, the question of how that property should be allocated cannot be a question of the principle but rather what schema is most beneficial, which just is consequentialism.

Death turns=>util

Proves util

Derives coclsuin about which effets under util are to be sought out or avoided

She makes amistate bc she grants my fw and not read a util fw but she is reading au til fw

Good timesuck

Even if she win an RVI generally speaking its not about better practices but accusation that under rpatice everyone accepts she is cheating- you can’t grant her an RVI for that. Lying about your ev is good is what she needs to get an RVI- if she shows lying about ev is bad but I didn’t do it, or me reading this cards is ok, then no RVI

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