# NC- Unity

## 1NC

### 1NC- Unity- TL

#### To negate means “to deny the truth of” which implies A. that you presume neg since negating has no positive connotation and permissibility or skep negates by denying the truth of a moral obligation, B. truth testing paradigm is the only textual one,s inc ethe role of the neg Is relative to the truth statement.

#### Negate if I win a counterinterp to 1AR theory:

#### A. Even if RVI’s are false in general, they’re necessary here since I don’t have the ability to generate similar new layers in the 2N

#### B. Deterrence- since the 2AR can collapse onto 1AR theory and make new extrapolations, the neg always needs to overcover, skews time

#### At worst, these are additional reasons to structurally presume neg

### 1NC- Unity- Long

#### 1. Morality must be able to explain the unity of action

**Laurence** [Ben Laurence, “An Anscombean Approach to Collective Action”. University of Chicago, pp.8-10.]

Expanding on an example from Anscombe we may consider a case where a man is making tea.12 Let us suppose he (i) fills up the kettle, (ii) turns on the stove, (iii) puts the water on to boil, (iv) places a tea bag in each of several cups, (v) waits for the kettle to whistle, and then (vi) pours the boiling water into each cup. All along as he does first one thing and then another the man is making tea: there is some one thing he is doing throughout: when he is finished doing them all he will have made tea. So here we have several actions the performance of which adds up to the performance of a single action. And, furthermore, they all are done with the intention of making tea. So here, also, we have several actions that “share” an intention. But what is involved in this?Let us consider it from the perspective of the explanation of action. The sort of explanation we are interested in here is the one investigated by Anscombe in which an explanation cites the agent’s reasons for acting. The question “Why?”, heard in the right way, is a request for such an explanation. If we ask our man why he is filling the kettle he might say he is heating some water. And when we query this in turn, he might say that it’s because he’s making tea. Here we see a nested set of explanatory relations. For example, (i) and (ii) are explained with reference to (iii), and (iii) as well as each of the other items on the list— including (i) and (ii)—can be explained by adverting to the fact that the man is making tea: the reason the man is doing all those things is that he is making tea. The several actions thus share an explanatory unity: they are all to be explained as phases or elements of tea-making.13 We could gesture at the same explanatory point by saying that it is no accident that the man is filling the kettle—he is filling the kettle precisely because he’s heating water. And it is no accident that he’s heating water—he is doing that precisely because he is making tea. Unlike a random collocation of actions, perhaps culled haphazard from a list of actions performed by an agent on one particular day, these actions are not arbitrarily related, but rather are fit together in a unified explanatory series as elements of the action they serve.

#### Each phase of the action will be unified because the agent knows that the means together bring about the end given by the principle. This means we can only explain an action’s unity if it is possible for the agent to know that the means taken are sufficient to achieve the principle guiding the action

#### 2. Morality is action guiding, so it must be governed by principles that enable agents to choose between courses of action. A principle that fails to meet this requirement would be equally consistent and inconsistent with the action, so it wouldn’t be a guide to courses of action. A principle can only play this role if it is possible for agents to know whether their actions are in accord with or in violation of that principle

#### 3. Identifying your own rational agency requires you to know that you are taking an action with a certain principle of choice

**Korsgaard 99** [CHRISTINE M. KORSGAARD, “SELF-CONSTITUTION IN THE ETHICS OF PLATO AND KANT”. The Journal of Ethics 1999, Volume 3, Issue 1, pp 1-29. Specifically, “VII. GOOD ACTION AND THE UNITY OF THE KANTIAN WILL”. Professor of Philosphy, Harvard University.]

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.

#### 4. For a rational principle to be a principle at all, it must be justified by reason. A rational principle is statement from which certain actions are excluded. (For example, if I say it is going to rain today, it necessarily follows from that principle that the ground will be wet and that principle excludes the possibility of the ground being dry). Thus principles are only coherent insofar as the agent who acts upon the principle can know whether they are consistent with or in violation of the principle, because otherwise the agent couldn’t determine which actions are excluded or necessarily follow from the principle. To identify the principle as having any content at all is to see what follows from it or is excluded by it.

#### Thus, the sufficient negative burden is to show that the affirmative’s advocacy is an impossible principle of action

#### 1. Free speech is conceptually impossible- there can never be a public forum immune to political constraint- speech depends on ideology to be intelligible

**Fish 94** [Stanley Fish. “There’s No Such Thing As Free Speech, And It’s a Good Thing, Too.” Oxford University Press. 1994. <https://www.english.upenn.edu/~cavitch/pdf-library/Fish_FreeSpeech.pdf>]

When a shorter version of this essay was first published, it drew a number of indignant letters from readers who took me to be making a recommendation: let’s abandon principles, or let’s dispense with an open mind. But, in fact, I am not making a recommendation but declaring what I take to be an unavoidable truth. That truth is not that freedom of speech should be abridged but that freedom of speech is a conceptual impossibility because the conditions of speech’s being free in the first place is unrealizable. That condition corresponds to the hope, represented by the often-invoked “marketplace of ideas,” that we can fashion a forum in which ideas can be considered independently of political and ideological constraint. My point, not engaged by the letters, is that constraint of an ideological kind is generative of speech and that therefore the very intelligibility of speech (as assertion rather than noise) is radically dependent on what free-speech ideologues would push away. Absent some already-in-place and (fore the time being) unquestioned ideological vision, the act of speaking would make no sense, because it would not be resonating against any background understanding of the possible courses of physical or verbal actions and their possible consequences. Nor is that background accessible to the speaker it constrains; it is not an object of his or her critical self-consciousness; rather, it constitutes the field in which consciousness occurs, and therefore the productions of consciousness, and specifically speech, will always be political (that is, angled) in ways the speaker cannot know.

#### 2. What counts as constitutionally protected speech is subject to various views of judges- what counts as “clear and present danger” differs based on region and individual judge which means that there can’t be a conception of what constitutionally protected speech is

#### 3. Colleges and universities are not agents- they are composed of them- but that means they only make decisions because they are composed of them- that means that individual agents can’t see themselves as the cause of their own actions

#### 4. Free speech is not the transparent entity they think it is- they obfuscate it’s actual violence and grounding in individual desire- which makes it impossible for agents to realize

**Douglass-Scott 98** [Douglass-Scott, Sionaidh. “Psychoanalysis, Speech Acts and the Language of ‘Free Speech’” Res. Publica Vol.IV no.1 1998. <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2457640>.( School of Law, King’s college London).] NB

First, a brief excursion into psychoanalytic theory reveals a very different approach to speech and language. Initially, the psychoanalytic situation might seem to have something in common with the liberal paradigm of self-expression and autonomy. For why is free, uncon- strained speech ("the talking cure") so important in the context of an analytic session? Well, it is important in order to improve our self- understanding and to explore our hidden depths and repressions, which will somehow come to light through speech, language and self- expression. But how disturbing then, if the very means which should permit this self-understanding - - language - - should not be the transparent entity, the conduit, that we might suppose it to be. Work in psychoanalytic theory presents a very different view of language and speech from the traditional self-congratulatory liberal analyses of speech. The focus is instead on how language performs, obfuscates, confuses and misleads us. A strong reason for rebutting the presumption in favour of free speech comes specifically from the theory of language of Jacques Lacan, which stresses the obfuscation of language and its grounding in desire and lack, rather than in its ability to describe the world successfullyor in its ability to enable us to attain truth or autonomy. Second, speech can cause very real harm, just as much as other types of acts are capable of doing. The old sticks and stones adage does not ring true. A statement such as "I say the Holocaust never took place"7 can cause real harm, distress or worse, as writers such as Delgado and Matsuda 8 have stressed. As Toni Morrison has written, "[O]ppressive language does more than represent violence, it is violence.''9 But such harms - - caused by speech - - are not always prohibited by legislation. Why ignore these? Because we allow even the grossest insults and lies to be conceptualised as "speech" that communicates, contains ideas and must therefore be protected. 10

### 1NC- UA Weighing

1. Probability- Action must be an instance of the agent’s self-determination and reasoning, or else our common act descriptions would be incoherent. The idea of “giving up,” “succeeding” or “being interrupted” in action only makes sense if we take action to be unified, as otherwise they would merely mark a distinction between two discrete actions rather than a break in the steps of one action.
2. Controls the internal link to the aff standard- Only the agent’s reasoning from the end to the means unifies their action, otherwise his framework would collapse since action would be a meaningless collocation of infinitely small steps. Morality at the highest level is a guide to action, so my framework is the only way to solve for his.
3. Scope- 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- also another warrant for probability.

### AT: ASpec

A. Strength of Link- Democracies as collective agents act through reasoning of individual agent. Even if actor specificity outweighs my metastandards in a vacuum, strength of link determines size of impact. I link to actor specificity and have mitigation on his link, but he has no link to unity of action so my framework combines the best of both.

B. Motivational- agents wouldn’t act in accordance with a moral theory if its justifications appeal to something external to themselves, since saying the state must use this moral theory simply begs the question- it allows them to question why. Practical reasoning however is internal to all agents, represented in self evident actions.

## 2NC

### Turn OV

#### Your turns to the NC don’t apply- it’s a NIB

#### 1. the framework is a side constraint on action, so showing a principle meets the constraint does not imply it ought be prioritized, only that neither should be prioritized in which case the resolution is textually false so negate

#### 2. Proving you’re consistent only proves that it’s a permissible course of action, to prove an obligation, you have to prove that the prioritization of the right to public interest is itself is an unfulfillable principle. Permissibility negates, cross apply the warrant here.

### AT: NIBs Bad

#### 1. I meet- the NC is necessary and sufficient for both debaters…

#### 2. CX Checks solves- it’s not insufficient but if it was then I would’ve just granted her artificial sufficiency. The NC comes first, so all the turns on the aff are irrelevant because the NC functions on a higher layer, so she can just kick her AC and spend 4 minutes on defense. Solves reciprocity because the round is now 1-1, and solves clash because all clash now is focused on the NC contention.

#### 3. Err Neg on the violation debate, two warrants:

#### A. Real world- In the real world, you’re innocent until proven guilty. She is initiating offensive theory, so she has a proactive burden to prove I violate her interpretation. If you are at all unsure, default negative and evaluate substance.

#### B. Proportionality- there is minimally a risk I meet her interpretation and I have mitigated the abuse, so punishing me with a loss or kicking the NC for me is grossly proportional because it’s the ultimate punishment. No 2NR RVI solves abuse since we can just go back to substance, this round doesn’t have to get decided on theory

#### 4. No new 2AR responses or explanation- if her argument wasn’t on your flow in the 1AR don’t vote on it

#### A. Skews my time and strategy-force me to preempt argument that she won’t go for and shift away from relevant issues

#### B. lack of a 3NR means I have no ability to respond

#### Lastly, reject the argument…