**Inaction in the face of injustice makes an individual morally culpable.**

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# Topic Overview

**Inaction in the face of injustice makes an individual morally culpable.**

In Peter Singer’s 2009 work “The Life You Can Save: Acting Now to End World Poverty” we find the classic articulation of the question that the resolution posits. Do you have an obligation to alleviate the suffering of another individual? To answer, Peter Singer tells the famous story of the child and the pond.

Imagine, you are in the middle of the daily journey to school or work. Everything is the same as it is everyday-traffic, morning radio shows, and a rush to be to your destination on time. This normalcy is interrupted by a child face down in the water you pass while in your routine, and this child appears to be drowning. Singer asks if you have an obligation to save this child. You will probably get wet and be late to your job, but most would conclude a human life outweighs the consequences of discomfort and tardiness. Singer agrees, and begins to complicate the scenario. What if other individuals are passing by, with equal ability to save the child, but for whatever reason they are not? (Singer 2009). The affirmative stance on the topic would argue the fact that others are not doing what they ought to in your presence makes you even more culpable.

The second part of the question is a matter of proximity. Where is “in the face of”? Rather would it make a moral difference if the child was far away, and facing a different threat? Perhaps a Palestinian starving, or a child who daily plays around unexploded ordnances in Somalia. Our globalized time produces a state of existence where we are geographically separated, but integrally tied together in a web of social meaning. Separated by space and imminent in existence. Judith Butler’s works “Precarious Life” expands this discussion and makes for contextual affirmative evidence. Singer explains that today is among the first in which we can speak of global responsibility and community (2009). Now

“our emission of carbon dioxide is changing the climate of the entire planet in unpredictable ways and raising the level of the sea; and fishing fleets are scouring the oceans, depleting fish populations that once seemed limitless to a point from which they may never recover. In these ways the actions of consumers in Los Angeles can cause skin cancer among Australians, inundate the lands of peasants in Bangladesh, and force Thai villagers who could once earn a living by fishing to work in the factories of Bangkok” (Singer).

It is undeniable that there isn’t a better to time to create and participate in dialogue that may produce a global ethic. Singer, and the affirmative propose an escape from our daily routines as bystanders in a world slowly withering away. Graduate, get a career, and reproduce. Consume. Enjoy. In Singer’s summation he argues there is a commodity that we all enjoy which is of less value than a human life. Like the person in the story sacrificed the value of a timely arrival to their destination to save a child, Singer proposes we ought to sacrifice one of our commodities in order to put the energy given to that product to another being, existing in precariousness. The affirmative proposes that we ought to minimize suffering even if our hands are never clean.

The negative side will often be more callous. Theorists like Friedrich Nietzsche take issue with the drive to build a frictionless world. Nietzsche argues a will to organize life into a securitization of reality free from risk or suffering vilifies life itself by positing that pain and death are defective parts of life (1989). These things become a part of life that is to be eradicated at all costs. Nietzsche posits are obsession with survival is an unnatural part of our being. The ethics of the affirmative force us to live a dead life to survive. This is what Nietzsche argues causes resentment for life itself. This type of hatred destroys the capacity for the affirmation of life, because the world will never be good enough for an ascetic framework like the affirmative team promotes. A guilt to an unseen other becomes a guilt toward a “God”, a power which is detached and simultaneously regulates your life. Nietzsche articulates what this produces when someone inevitably fails the God.

“In this mental cruelty there is a kind of insanity of the will, which simply has no equal: a man’s will finding him so guilty and reprehensible that there is no atonement, his will to imagine himself punished, but in such a way that the punishment can never be adequate for his crime, his will to infect and poison the most fundamental basis of things with the problem of punishment and guilt in order to cut himself off once and for all” (1987).

Thus a universalizing ethic like Singer suggests results in detachment from life itself. A scenario in which action is never taken to assuage injustice. This is the nihilism Nietzsche speaks of. There is no possible atonement for a globalized world where consumption of any product comes from the suffering of another.

“The resentment of the noble man himself, if it comes over him, consumes and exhausts itself in an immediate reaction.  The noble man cannot take his enemies, his misfortunes, even his bad deeds seriously for very long—that is the mark of strong, complete natures, in whom there is a healing power, as well as the power to forget” (1987).

Rather, the negative should propose transforming the debate’s relationship to suffering. Nietzsche is more life affirming than his works originally appear to be. In transformation it is still possible to help people. Though, the negative will propose taking action in the face of injustice not because of a guiding principle like Singer suggests, not because they are culpable, but because they themselves want to. The negative recognizes there is no way the debate solves injustice, or an enemy across the planet. Rather the negative should propose a rhetorical ethic, one of self-improvement. To do this is an attempt to overcome the essentialist opposition which the affirmative positions itself in, and reaffirms the domination which they claim to resolve. As Timothy K. Bael writes on Nietzsche

“Let us throw ourselves into the whirlwind which has preceded the creation of form. Let our being tremble with effort and madness in the fiery abyss! Let everything be wiped out so that, surrounded by confusion and disequilibrium, we participate fully in the general delirium, retracing our way back from cosmos to chaos, from form to swirling gyres” (2001).

By embracing a notion of ephemeral existence can one be freed from anxiety of failing in their moral culpability. Freeing one’s self from this anxiety is key to ethically engaging with those who suffer the scenarios Singer describes. A life free from anxiety allows one to be reflexive of their experiences with suffering which decreases the chances of repeating the past. A life becomes one of active, rather than passive nihilism.

# 1AC

**I will value morality because the resolution is a question of moral responsibility.**

**The difference of others constitutes what we know as our self. Thus in order to be moral we must commit ourselves to an a priori obligation to the other.**

**Wood 06**

Allen, Guggenheim Fellowship and Professor “Fichte’s Intersubjective I.” Stanford University, USA Inquiry, Volume 49, Number 1 February, 2006 <http://www.stanford.edu/~allenw/webpapers/FichteIntersubjective.pdf>

There **the transcendental ordering of thoughts begins with the I’s self-positing** (or as he also calls it, “self-reverting” activity) and argues that **forming a concept of this activity requires distinguishing it from an opposed activity, that of the object or “not-I”** **We first acquire our concept of the I as an acting being through the concept of its interaction with the not-I** (the material world). The I as an acting *thing*, therefore, must also be material, a body (SW 1:495; 3:56-61). The body is not an empirical accompaniment but a transcendentally deduced requirement for being an active I at all: “Experience could not teach us that we have a body. That we have a body and that it is ours is something we have to know in advance, as a condition for the possibility of experience” . A disembodied Cartesian thinking substance is 15therefore incoherent, a transcendental impossibility. “Apart from connection with a body [an I] would not be a person, but would be something quite inconceivable (if one can still refer to a thing which is not even conceivable as ‘something’)” (SW 6:295). **An active I “finds itself”** (to use a favorite expression of Fichte in this connection, **only as *willing****,*  **and its willing takes the form of a striving against a material world on which it acts, and to which it is at the same time also passive.** At a general, indeterminate (and also unconscious) level, this willing is already present at every point at which the I finds itself, in the form of an indeterminate striving. But the I’s awareness of itself as active is also an awareness of its activity as the determinate activity of this I. And **it is at this** still **very** fundamental **point** in the transcendental deduction of the conditions **for the possibility of being an I [is]** that Fichte regards **it** as **necessary to form the concept of other I’s besides ones own,** and to expect to encounter them in experience For **it is only through the experience of a certain kind of object, which is essentially distinguished from all *merely* material objects, that the self-consciousness of the I as a determinate form of activity can be thought of as possible at all.**

**Affirmation is a prior question. Refusal to engage in an infinite obligation toward the other renders life meaningless.**

 **Butler 05**

Judith, Professor of Rhetoric and Comparative Literature at University of California at Berkeley, Giving an Account of Oneself, New York: Fordham University Press (2005), p. 135-136

What perhaps emerges most emphatically from the conjunction of these very disparate positions (Adorno, Foucault, Laplanche, Levinas, Nietzsche, Hegel) isthat **the response to the demand to give an account of oneself is a matter of fathoming** at once **the formation of the subject** (self, ego, *moi*, first-person perspective) **and its relation to responsibility.** A subject who can never fully give an account of itself may well be a result of being related at non-narratable levels of existence to others in ways that have a supervenient ethical significance. **If the “I” cannot effectively be disjoined from the impress of social life, then ethics will surely not only presuppose rhetoric** (and the analysis of the mode of address) **but social critique as well.** The Nietzschean postulation of the self as a “cause” has a genealogy that must be understood as part of **the reduction of ethical philosophy to the inward mutilations of conscience**. Such a move **not only severs the task of ethics from the matter of social life** and the historically revisable grids of intelligibility within which any of us emerge, if we do, **but it fails to understand** the resource of **primary and irreducible relations to others as a precondition of ethical responsiveness.** One might rightly quarrel with the postulation of a preontological persecution by the Other in Levinas or offer an account that challenges the primacy of seduction in Laplanche. But either way, **one must ask how the formation of the subject implies a framework for understanding ethical response** and a theory of responsibility. **If certain versions of self-preoccupied moral inquiry return us to a narcissism that is supported through socially enforced modes of individualism, and if that narcissism also leads to an ethical violence that knows no** grace of **self-acceptance or forgiveness, then it would seem obligatory**, if not urgent, **to return the question of responsibility to the question “How are we formed within social life, and at what cost?”**

**Constructing agency as dependent on interaction with the world is the best way to understand morality. Any theory of knowledge presupposes knowledge of the subject. To create normative claims we must know the subject and the object.**

**Thus the standard ought to be fulfilling ethical commitments to other beings when able.**

**The only way we can attempt to understand injustice and a guiding principle of moral culpability is the aff standard.**

**Clegg and Slife 05**

Joshua C. and Brent D “Epistemology and the hither side: A Levinasian account of relational knowing” European Journal of Psychotherapy, Counseling and Health, 2005.

**Levinas’s project**, then, **is not to undermine** the possibility of all **systematic knowledge, because his project**, like all philosophical projects, **depends on that** very **possibility. His project is**, rather, **to undermine** fully adequate, or apodictic, **conceptions of rational knowledge.** Knowing requires themes 'but it is also necessary that the saying call for philosophy in order that the light that occurs not congeal into essence, and that the hypostasis of an eon not to be set up as an idol’. We cannot help but engage in knowing but we must always be careful to undermine our own enshrined idols – idols like empiricism that, through movements like EST, congeal (i.e. institutionalize) the methods of psychology into a single class. **Any** approach to knowing, then, any **epistemology**, if it is to be an ethical epistemology, **must be capable of** simultaneously **making** necessarily reductive **assertions about** the **self-and-other-in-relation** and ‘despite the reduction, retaining an echo of the reduced said in the form of ambiguity’ (ibid.: 44). An ethical epistemology must recognize the necessity of saying something while never allowing that said to be reified, crystallized, or dogmatized ‘for the saying is both an affirmation and a retraction of the said’ (ibid.: 44). Of course, **though epistemology requires theme, it may be** that **epistemology,** or any kind of rational or systematic knowledge, **is** itself **unnecessary.** Levinas expresses this doubt: ‘Why know? Why is there a problem? Why philosophy?’ (Levinas, 1997 [1981], p. 157). **Levinas’ answer** to this question **is** that because **every face obligates me infinitely, it becomes necessary** to find a way **to face** those **multiple obligations, to compare the incomparable and**: In the comparison of the incomparable **there would be the** latent birth of representation, logos, **consciousness, work, the neutral notion being** . . . . Out of representation is produced the order of justice moderating or measuring the substitution of me for the other, and giving the self over to calculus. Justice requires contemporaneousness of representation. It is thus that the neighbor becomes visible, and, looked at, presents himself and there is also justice for me. The saying is fixed in a said, is written, becomes a book, law and science. (Levinas, 1997 [1981], p. 158) The face of a third interlocutor creates not only obligation (as in the faceto-face relation), but the need for justice and justice requires system**. It is in the multiplicity of obligating others that we find** ‘the reason for the intelligibility of systems. The entry of **a third party is** the very **fact of consciousness**’ (ibid.: 157). In this sense, **epistemological implications are not only possible within Levinasian philosophy but also daemanded by it** – an often overlooked, or at least minimized, aspect of his work. The Levinasian account of knowing is, to be sure, non-rational and nonideological, but it is still an account of knowing**. It does not** so much **disqualify knowing as subjugate it to the ethical. This account**, then, **does not prevent us from making claims about self, other, and the methods that may relate them.** It simply **prevents us from** considering those **claims** fully **to contain self and other. These claims bear** an inevitable, fundamental **uncertainty but this** uncertainty **should not be confused** either with falsehood or **with a lack of knowledge.** It is the positivist who confuses certainty with truth and knowledge, not Levinas. For Levinas, uncertainty is a positive condition, representing not the futility (because of their uncertainty) Epistemology and the hither side of all claims but the ascendancy of the ethical relation over rational necessity – the inception of knowing in ignorance rather than its termination in surety. **An ethical epistemology does not deny knowledge; it simply affirms the priority of the ethical relation.** It is our argument that such **an ethical epistemology is not only consistent with the philosophy of Emmanuel Levinas but also capable of providing psychology with a means for adjudicating between the disparate knowledge claims and knowledge practices of our [daily lives]**

**We are always already culpable for injustice because we are all always already in the face of the other.**

**Derrida 94**

Jacques, "Villanova Conversations." in: Villanova University. October 3, 1994. http://www.egs.edu/faculty/jacques-derrida/articles/villanova-conversations/

**If** **someone tells you "I am just," you can be sure that** he or **she is wrong, because being just is not a matter of theoretical determination**. **I cannot know that I am just. I can know that I am right.** I can see that I act in agreement with norms, with the law. I stop at the red light. I am right. That is no problem. **But that does not mean that I am just. To speak of justice is not a matter of knowledge,** of theoretical judgment. T**hat's why it's not a matter of calculation. You can calculate what is right.** You can judge; you can say that, according to the code, such and such a misdeed deserves ten years of imprisonment. That may be a matter of calculation. **But the fact that it is rightly calculated does not mean that it is just. A judge, if he wants to be just, cannot content herself with applying the law. She has to reinvent the law each time.** If he wants to be responsible, to make a decision, h**e has not simply to apply the law, as a coded program**, to a given case, **but to reinvent in a singular situation a new just relationship;** that means that justice cannot be reduced to a calculation of sanctions, punishments, or rewards. That may be right or in agreement with the law, but that is not justice. **Justice, if it has to do with the other, with the infinite distance of the other, is always unequal to the other, is always incalculable. You cannot calculate justice**. Levinas says somewhere that the definition of justice--which is very minimal but wkhich I love, which I think is really rigorous--is that **justice is the relation to the other**. 14 **That is all. Once you relate to the other as the other, then something incalculable comes on the scene, something which cannot be reduced to the law or to the history of legal structures. That is what gives deconstruction its movement, that is, constantly to suspect, to criticize the given determinations of culture, of institutions, of legal systems**, not in order to destroy them or simply to cancel them, **but to be just with justice, to respect this relation to the other as justice.**

# AFF CARDS

**As long as we’re ethically uncertain, prevent extinction to preserve moral deliberation**

**Bostrom 2011**

 Bostrum, Nick. University of Oxford Professor. 2011. <http://www.existential-risk.org/concept.html>

These reflections on **moral uncertainty suggest[s]** an alternative, complementary way of looking at existential risk. Let me elaborate. Our **[that our] present understanding** of axiology **might well be confused. We may not now know**—at least not in concrete detail—**what** outcomes would **count[s] as a big win for humanity;** we might not even yet be able to imagine the best ends of our journey. **If we are** indeed profoundly **uncertain about our ultimate aims, then we should recognize that there is a great option value in preserving**—and ideally improving—**our ability to recognize value and to steer the future accordingly.** **Ensuring** that **there will be a future** version of **humanity** with great powers and a propensity to use them wisely **is** plausibly **the best way** available to us **to increase the probability that the future will contain a lot of value.**

**Making normative determinations using values outside of the physical world will lead to nihilism or the complete destruction of value**

**Todd May 05**

Giles Deleuze qtd. (PhD. In being and becoming a badass) In *Giles Deleuze: An Introduction* by Todd May <http://www.scribd.com/doc/24033680/7352-Gilles-Deleuze-an-Introduction>

**The idea of another world, of a supersensible** world in all its forms (God, essence, the good, truth), the idea **of values superior to life, is not one example among many but the constitutive element of all fiction. Values superior to life are inseparable from their effect: the depreciation of life, the negation of this world**. And if **they are inseparable from this effect** it is **because their principle is a will to deny to depreciate.** We must be careful not to think that higher values form a threshold where the will stops, as if, confronted by the divine, we were released from the constraint of willing.

**Ethics must be determined by the material world, otherwise the resolution would not constitute knowledge**

**Papineau 07**

David Papineau, “Naturalism,” Stanford Encyclopedia of Philosophy, 2007.

**If all physical effects are due to a limited range of natural causes, and if moral facts lie outside this range, then it follow that moral facts can never make any difference to what happens in the physical world** (Harman, 1986). At first sight this may seem tolerable (perhaps moral facts indeed don't have any physical effects). But it **[this] has** very **awkward epistemological consequences**. For beings like us, **knowledge of the** spatiotemporal **world is mediated by physical processes involving our sense organs and cognitive systems. If moral facts cannot influence the physical world, then it is hard to see how we can have any knowledge of them.**

**For states there is no act omission distinction**

**Cass Sunstein and Adrian Vermuele 05**

 “is Capital Punishment Morally Required" The Relevance of Life-lIfe Tradeoffs” Chicago Public law and legal theory March 2005 p 17

The most fundamental point is that **unlike individuals, governments always and necessarily face a choice between or among possible policies for regulating third parties. The distinction between acts and omissions may not be intelligible in this context,** and even if it is**, the distinction does not make a morally relevant difference**. Most generally, **government is in the business of creating permissions and prohibitions. When it explicitly or implicitly authorizes private action, it is not omitting to do anything or refusing to act.** Moreover, **the distinction between authorized and unauthorized private action** – for example, private killing – **becomes obscure when government formally forbids private action but chooses a set of policy instruments that do not adequately or fully discourage it.**

**No act-omission distinction means side-constraints reduce to util
Gewirth 82**

Gewirth (Department of Philosophy, Univ. of Chicago) 82 Alan, Human Rights: Essays on Justification and Applications pg 183

**To be responsible for inflicting** lethal **harms, a person need not intend or desire to produce such harms**, either as an end or a means. **It is sufficient if the harms come about as an unintended but foreseeable** and controllable **effect of what he does. For since he knows** or has good reasons to believe **what** **actions** or policies under his control **will lead to the harms in question he can control whether the harms will occur**, so that it is within his power to prevent or at least lessen the probability of their occurrence by ceasing to engage in these actions. Thus, just as all persons have the right to informed control, so far as possible, over the conditions relevant to their incurring cancer and other serious harms, so the causal and moral responsibility for inflicting cancer can be attributed to persons who have informed control

**Morally culpability is about intent of an action not the omissions**

**Nagel 86**

Nagel, Thomas, Thomas Nagel, "agent-Relativity And Deontology," The View From Nowhere: New York: Oxford University Press, 1986), Pp, 164-, and 85. "Agent-Relativity and Deontology." Agent-Relativity and Deontology (n.d.): n. pag. Web.

I have concentrated on the point of view of the gent, as seems suitable I the investigation of an agent-relative constraint. But there is also something to be said about the point of view of the victim. There too we encounter problems having to do with the integration of the two stand points, and further support for the analysis **moral principles** don’t simply tell agents what they may and may not do. They also **tell victims what sort of treatment they may and may not object to**, resists or demand. **If I were justified in killing one innocent person to save** **five** others**, then he would have no right to object,** and on a fully consequentalist view he would have no right to resist. The other five, by contrast, would have the right to object if I didn’t kill him to save them. A thoroughly impersonal morality would require the victims as well as actors be dominated by impersonal, agent-neutral values in their judgments about how others treat them. **But this seems an excessive demand to make of individuals whose perspective on the world is inherently complex and includes strong subjective components**. OF course **none of the six people in this dilemma wants to die, but only one of them is faced with me trying to kill him**. This person is not permitted, on a purely agent-neutral consequentalist view, to appeal for his life against my deliberate attempt to take it from him. His special position as my victim doesn’t give him any special standing to appeal to me. Of course the deontological position ahs a parallel feature. On a deontological view, the five people I could save by killing the one cannot appeal to me for their lives, against my refusal to save them. (They may appeal against their killers, if that’s the nature of the death threat, but not against me.) But this does not make the two positions symmetrical, for there is a difference. **The deontological constraints permits a victim** always **to object to those who aim at his harm, and this** relations **has the** same **special character of normative magnification when seen for the personal perspective of the victim that it has when seen from the personal prescriptive of the agent**. Such a constraint expresses the direct appeal to the point of view of the agent from the point of view of the person on whom he is acting. IT operates though that relation. **The victim feels outrage when he is deliberately harmed** even for the greater good of others, **not simply because of the quantity of harm but because of the assault on his value of having my action guided by his evil. What I do is immediately directed against his good:** Itdoesn’t just in fact harm him. **The five people I could save by killing him can’t say the same, if I refrain. They can appeal only to my** objective **acknowledgment of** the **impersonal value** of their lives**.** That is not trivial, of course, but **it** still **seems less pressing than the protests available to my victim—a protest he can make not to them but to me, as the possessor of the life I am aiming to destroy.**

**A2 what is morality?**

**Our argument is that the affirmative must only prove the resolution philosophically true or desirable. The ambiguity of Morality is what intensifies are obligation to those in the grip of injustice because only by helping to alleviate their suffering can we better understand the epistemological construction of morals and ethics (That’s the Levinas Card)**

**And.**

**We can concede what the negative supposes morality is or isn’t because whatever metaphysical force it is, our infinite obligation to others always entangles and enthralls us in its incalculability. The fact that morality is undefinable and incalculable paradoxically demands the culpability the resolution speaks of (that’s the Derrida card).**

# 1NC

#### A. Is the resolution analysis. Negate means deny the truth of, therefore the negative burden is to prove the resolution false and the affirmative to prove that under a morally obligatory framework the resolution is true.

**B. Is the Framework**

**1. All moral obligations must derive from practical reason.**

**Velleman 06**

Velleman, David. Self To Self. Cambridge University Press. 2006. Pg 18-19.

As we have seen, requirements that depend for their force on some **external source[s] of authority [are]** turn out to **be escapable because the authority behind them can be questioned. We can ask, “Why should I act on this desire?” or** “Why should I obey the U.S. Government?” or even **“Why should I obey God?”** And as we observed in the case of the desire to punch someone in the nose**, this question demands a reason for acting.** The authority we are questioning would be vindicated, in each case, by the production of a sufficient reason. What this observation suggests is that **any purported source of practical authority depends** on reasons for obeying it—and hence **on the authority of reasons.** Suppose, then, that we attempted to question the authority of reasons themselves, as we earlier questioned other authorities. Where we previously asked “Why should I act on my desire?” let us now ask “Why should I act for reasons?” Shouldn’t this question open up a route of escape from *all* requirements? As soon as we ask why we should act for reasons, **however**, we can hear something odd in our question. To ask “Why should I?” is to demand a reason; and so **to ask “Why should I act for reasons?” is to demand a reason for acting for reasons. This** demand **implicitly concedes the very authority that it purports to question—**namely**, the authority of reasons.** Why would we demand a reason if we didn’t envision acting for it? If we really didn’t feel required to act for reasons, then a reason for doing so certainly wouldn’t help. So there **[It] is** something **self-defeating** about **[to] ask**ing **for a reason to act for reasons.**

#### Further, morality would be non-functional if it were not universally applicable. Morals are about interpersonal obligations, but if we each have different obligations due to being held morally culpable, then morality could render neither definitive nor appropriate judgments and would be meaningless as a guide to action.

#### If individuals and individual circumstances were able to determine what a reason is, it would destroy universizability making an affirmative ballot impossible.

**Velleman 06**

Velleman, David. Self To Self. Cambridge University Press. 2006. Pg 18-19.

Why can't reasons owe their authority to us? The answer is that endowing reasons with authority would entail making their validity common knowledge among all reasoners. And if we could promote reasons to the status of being common knowledge among all reasoners, then we should equally be able to demote them from that status – in which case, the status wouldn't amount to rational authority. The point of a reason's being common knowledge among all reasoners, remember, is that there is then no way of evading it, no matter how we shift our point-of-view. No amount of rethinking will make such a reason irrelevant, because its validty as a reason is evident from every perspective. But if we could decide what is to be common knowledge among all thinkers, then a reason's being common knowledge would not entail its being inescapable, since we could also decide that it wasn't to be common knowledge, after all. Our power to construct a universally accessible framework of reasons would therefore undermine the whole point of having one.

If individuals could just step in and change what it meant to be morally culpable, then there would be no normative force to morality since people wouldn't be obligated to follow it.

#### Thus the standard is universality.

#### I contend the aff's maxim isn't universeizable because it positions people as a means to an end.

#### Treating bodies as a means to an end would require extending our freedom to limit another’s, but if their freedom is limited, their outer freedom is limited. Holding an actor morally culpable thus A. forces an actor to take an action, using them as a means to an end and B. inhibits their outer freedom.

#### Nozick 74 explains:

Robert Nozick Prof., Harvard University, Anarchy, State, and Utopia, New York: Basic Books, Inc., Publishers (1974), p. 32-33

Why not, *similarly*, hold that some persons have to bear some costs that benefit other persons more, for the sake of the overall social good? But there is no *social entity* with a good that undergoes some sacrifice for its own good. .[Because] There are only individual people, different individual people,with their own individual lives. Using one of these people for the benefit of others, uses [them] and benefits the others**.** Nothing more. What happens is thatsomething is done to him for the sake of others.Talk of an overall social good covers this up.(Intentionally?)To use a person in this way does not sufficiently respect and take account of the fact that [they are] a separate person, 5 that his is the only life he has.[they] do not get some overbalancing good from [their] sacrifice, and no one is entitled to force this upon [them] – least of all a state or government that claims his allegiance (as other individuals do not) and that therefore scrupulously must be neutral between its citizens

#### Acts are distinct from omissions

#### Otsuka 97

Michael, “Kamm on the Morality of Killing, Ethics” Vol. 108, No. 1(Oct., 1997, pp. 197-207, The University of Chicago Press, <http://www.jstor.org/stable/2382094>

Kamm's own justification of constraints focuses on facts about the status of the potential victims of rights violations rather than facts about the agent who would-violate the constraint. Her view is that constraints are justified because they reflect our elevated moral status as persons who are inviolable insofar as it is impermissible to sacrifice any one of us in order to realize the greater good of minimizing the violation of constraints. Our moral status as inviolable beings is greater than it would have been if it were legitimate to sacrifice any one of us for the sake of minimizing [harm] evil. Kamm emphasizes that the impermissibility of violating one person's constraint for the sake of preventing more of the same type of constraint from being violated does not imply the permissibility of the constraint violations that one is not permitted to prevent. Hence, even if we are, statistically speaking, more likely to be killed as a means when there are constraints against minimizing constraint violations, we are, morally speaking, less violable insofar as there are fewer constraints that it is permissible to violate.

**However, in tragic situations, both action and omission are permissible. This proves A. that the resolution is not a universeizable action and B. that there are situations in which the resolution isn’t true.**

Statman 06

Daniel, Moral Tragedies, Supreme Emergencies and National-Defence Journal of Applied Philosophy, Vol. 23, No. 3, 2006

Supreme emergencies, I believe, are not instances of genuine paradox. They are, rather, cases of moral tragedy. A moral tragedy occurs when, all things considered, every viable option one is confronted with involves a serious moral violation. In a supreme emergency, this is clear: if one violates jus in bello, one commits murder and perhaps other crimes. On the other hand, if one does not violate jus in bello, one’s omissions may contribute causally to the death and devastation of one’s people at the hands of a brutal, rights-violating aggressor. 7 Perceiving supreme emergencies as cases of moral tragedy implies that, in such cases, one faces a ‘moral blind alley’ (ibid.), with nowhere to turn, and no way to stay morally clean. But precisely because the alley is blind, i.e. all options are morally unacceptable, one cannot be blamed for choosing one option (committing murder or other crimes) over the other (negatively contributing to the death of one’s own people and the devastation of one’s own land), because such choice does not amount to neglecting the right course of action. The Tragedy Solution, then, offers the following argument: (1) In moral tragedies, the agent cannot be blamed for any course of action she chooses, because no respectable course of action is available; (2) Supreme emergencies are cases of moral tragedy; (3) Hence, in supreme emergencies, the political and military agents cannot be blamed for killing the innocent, or for committing other problematic actions against the enemy (given that such actions are necessary for victory). On Orend’s view, then, Walzer might have been right in assuming that Churchill’s bombing of German cities was immune to moral reproach, but for reasons different to those he mentioned. The immunity is not the result of some kind of utilitarian calculus, but an implication from the tragic nature of the situation. In reconstructing Orend’s argument, I have ascribed to him the view that killing the innocent in supreme emergencies is permissible.

# NEG CARDS

**When those who feel guilt extend aid, they take possession of the pitied.**

**Cartwright 98**

David E. “Schopenhauer's Compassion and Nietzsche's Pity” 1998 (Wisconsin/ US.A.)

We have seen that **pity can usurp agents' autonomy by placing them under the control of the persons pitied.** This was one of the dangers Nietzsche saw in pity. He also detailed a parallel problem for the recipients of pity. **Pity can become a surreptitous way through which agents gain control over recipients whose autonomy is threatened by pitiers: When we see someone suffer, we like to exploit this opportunity to take possession of him; those who become his benefactors and pity him**, for example, **do this and call the lust for a new possession "love."**'2 The autonomy of sufferers is in an especially vulnerable position. People usually suffer because they are unable to relieve their own misery. **Suffering is typically a sufficient reason for the agent to do something to relieve it. When we lament our woes, vocalize our misery, often we are announcing our inability to care for ourselves. We seek the assistance of others.**

**Superiority of the giver to the receiver of aid establishes pity**

**Cartwright 98**

David E. “Schopenhauer's Compassion and Nietzsche's Pity” 1998 (Wisconsin/ US.A.)

Philip Mercer has noted a revealing relationship between pitiers and their objects; "**the use of the word 'pity' in a particular context seems to imply that the speaker is in some way better off than the person who is pitied. The king pities the subjects; the judge pities the prisoner;** the sane man pities the idiot; mankind pities the beasts". 6 **The pitier is superior in status to the pitied. We do not pity those we respect or those we judge superior to ourselves** — unless we wish to level them by devaluing their status. Then I feel sorry for them. They are miserable, contemptible. By pitying them, I elevate myself. I boost my feelings of self-esteem by lowering them. The same is true **when I pity someone who is suffering. I boost my own feelings of self-esteem by exercising my pity; that I am able to relieve this misery emphasizes dramatically my superiority. The sufferer is helped, but helped in order to enhance my feelings of superiority. In these regards, pity is self-regarding. If we have general duties to respect others, pity incites their violations. If the moral goodness of beneficence is due to a desire to pursue another's well-being, the help rendered out of pity** is not morally good.

**Possession of the pitied=desire for extinction**

Nietzsche 1886

Friedrich, Chair of Classical Philology at the University of Basel, Beyond Good and Evil, http://www.geocities.com/thenietzschechannel/bge.htm

Whether it be hedonism or pessimism or utilitarianism or eudaemonism: all these modes of thought which assess the value of things according to pleasure and suffering, that is to say according to attendant and secondary phenomena, are foreground modes of thoughtand naïvetés which anyone conscious of creative powers and an artist’s conscience will look down on with derision, though not without pity. Pity for you! That, to be sure, is not pity for social “distress,” for “society” and its sick and unfortunate, for the vicious and broken from the start who lie all around us; even less is it pity for the grumbling, oppressed, rebellious slave classes who aspire after domination—they call it “freedom.” Our pity is a more elevated, more farsighted pity—we see how man is diminishing himself, how you are diminishing him!—and there are times when we behold your pity with an indescribable anxiety, **when we defend ourselves against this pity—when we find your seriousness more dangerous than any kind of frivolity.** You want if possible—and there is no madder “if possible”—to abolish suffering; and we?—it really does seem that we would rather increase it and make it worse than it has ever been! Well-being as you understand it—that is no goal, that seems to us an end! A state which soon renders man ludicrous and contemptible—which makes it desirable that he should perish! The discipline of suffering, of great suffering—do you not know that it is this discipline alone which has created every elevation of mankind hitherto? That tension of the soul in misfortune which cultivates its strength, its terror at the sight of great destruction, its inventiveness and bravery in undergoing, enduring, interpreting, exploiting misfortune, and whatever of depth, mystery, mask, spirit, cunning and greatness has been bestowed upon it—has it not been bestowed through suffering, through the discipline of great suffering? In man, creature and creator are united: in man there is matter, fragment, excess, clay, mud, madness, chaos; but in man there is also creator, sculptor, the hardness of the hammer, the divine spectator and the seventh day—do you understand this antithesis? And that your pity is for the “creature in man,” for that which has to be formed, broken, forged, torn, burned, annealed, refined—that which has to suffer and should suffer? And our pity—do you not grasp whom our opposite pity is for when it defends itself against your pity as the worst of all pampering and weakening

**Psychological studies prove that the prevalent emotion motivating altruism is pity.**

**Batson 08**

Altruism: Myth or Reality? - Written by Dan Batson & Nadia Ahmad in Issue 7 of The Inquisitive Mind: Social Psychology for You - <http://beta.in-mind.org/node/211>

**In both earlier philosophical writing and more recent psychological work, the most frequently mentioned possible source of altruism is an other-oriented emotional reaction to seeing another person in need. This reaction has been called** by many names, including sympathy, **pity**, compassion, soft-heartedness, and tenderness. We call it empathic concern. It is other-oriented in that it involves feeling for, not feeling as, the other. (Some researchers, such as [Eisenberg, 2000](http://beta.in-mind.org/node/211#Eis), use empathy to refer to feeling as the other feels; we do not.) The proposal that empathic concern produces altruistic motivation to relieve the empathy-inducing need has been called the empathy-altruism hypothesis ([Batson, 1991](http://beta.in-mind.org/node/211#Bat1)).

**Rejection of the Aff is key to meaning**

Nietzsche(Anti Modernist) 12

The Anti-Modernist “Active vs. Passive Nihilism” September 6th 2012 http://antimodernist.wordpress.com/2012/09/06/active-vs-passive-nihilism/

**As a direct consequence of nihilism, [we are] forced to see reality for what it is: a random, irrational, and chaotic existence in which our role is infinitesimal. Nihilism, in this capacity, serves to break down all the illusions, myths, and all other social, cultural constructions that have hitherto given us a false sense of security and hope. In its active form, nihilism is likened to a hammer — used not only to chisel away all artificial meaning, but to smash them. Active nihilism paves the way for the creation of new values, the overcoming of the self by taking a new relation to oneself as an autonomous creator. In effect, this is the transformation of living as the “one-self,” into “my-self.” Thus, the end result of nihilism in its active form is nothing short of paving the way for the grounds to becoming my own self.**

**A2 act omission distinction**

**An act/ omission distinction is Self-contradictory.**

**Persson 04**

Persson Department of Philosophy, Lund University, Kungshuset “Two act-omission paradoxes,” Proceedings of the Aristotelian Society, vol. 104 (2), pp. 147-162, 2004

**There are two ways in which the act-omission doctrine, which implies that it may be is permissible to let people die or be killed when it is but wrong to kill them, gives rise to [is] a paradox. First, it may be that when you let a victim be killed, you let yourself kill this victim. On the assumption that, if it would be wrong of you [to kill] to act in a certain fashion, it would be wrong of you [to] let yourself [kill] act in this fashion, this yields the paradox that [then] it is both permissible and impermissible to let yourself [kill] act in this fashion. Second, you may let yourself kill somebody by letting an action you have already initiated cause death, e. g., by not lending a helping hand to somebody you have pushed. This, too, yields [a contradiction] the paradox that it is both permissible and impermissible to let yourself kill if you are in a situation in which [when] killing is impermissible but letting be killed permissible.**

**Act-Omission doesn’t exist—there is no viable distinction between the two.**

Rachels **01**

James Rachels. “Killing and Letting Die.” New York: Routledge, 2001 <http://www.jamesrachels.org/killing.pdf>

So **what is the difference between causing and allowing?** What real difference is marked by those words? The most obvious ways of attempting **to draw the distinction won’t work.** For example, **suppose we say it is the difference between action and inaction--when we cause an outcome, we do something, but when we merely allow it to happen, we passively stand by and do nothing. This won’t work because, when we allow something to happen, we do perform at least one act: the act of allowing it to happen.** The problem is that **the distinction between doing something and not doing something is relative to the specification of what is or is not done--if I allow someone to die, I do not save him, but I do let him die.** It is tempting to say the difference between action and inaction is the difference between moving one’s body and not moving one’s body; but that does not help. When we allow something to happen, we are typically moving our bodies in all sorts of ways. **If I allow you to die by running away, I may be moving my body very rapidly.**

# Additional Reading

Butler, Judith. *Precarious Life: The Powers of Mourning and Violence*. London: Verso, 2004. Print.

Gewirth, Alan. *Human Rights: Essays on Justification and Applications*. Chicago: U of Chicago, 1982. Print.

Lévinas, Emmanuel, and Nidra Poller. *Humanism of the Other*. Urbana: U of Illinois, 2003. Print.

Nietzsche, Friedrich Wilhelm, and Walter Arnold. Kaufmann. *Beyond Good and Evil: Prelude to a Philosophy of the Future*. New York: Vintage, 1989. Print.

Nietzsche, Friedrich Wilhelm. *Twilight of the Idols, Or, How to Philosophize with the Hammer*. Indianapolis, IN: Hackett Pub., 1987. Print.

Rachels, James. *Killing and Letting Die*. New York: Routledge, 2001. Print.

Singer, Peter. *The Life You Can Save: Acting Now to End World Poverty*. New York: Random House, 2009. Print.