# Lib NC

### Notes

Literally most of this is Jack Wareham’s lol

### \*\*1NC\*\*

#### Practical reflection is an inescapable aspect of agency.

Ferrero Luca Ferrero (University of Wisconsin at Milwaukee) “Constitutivism and the Inescapability of Agency” Oxford Studies in Metaethics, vol. IV January 12th 2009 pp. 6-8 JW

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.13 3.3 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 [ordinary enterprises] 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

#### Impacts:

#### A] Justifying a normative claim requires adherence to the norm of the constitutive rules of the activity. Answering the question of why an agent ought to take an action is impossible without practice rules since each link can be taken out with a “why” question-proving the aff framework collapses to infinite regress. Constitutivism solves because the answer to the question can just refer to the aim of the activity.

#### B] Aff framework devolves to the NC—to even reflect about the legitimacy of your standard concedes the authority of agency since it’s in every action.

#### Next, rational reflection requires that the maxims we act upon be universalizable. Any reasoner would know that two plus two equals four because there is no a priori distinction between agents so norms must be universally valid. And- willing coercion is a contradiction in conception because you extend your own freedom while simultaneously undermining your ability to act in the first place.

#### Thus, the standard is respecting freedom. Prefer the standard: all frameworks presuppose liberty. People can only be held responsible for unethical actions if they chose to do them, but choice itself requires that people can pick which actions to take without threat of force. For example, if someone holds a gun to my head and makes me steal someone’s apple, I am not truly culpable because I wasn’t free.

#### Now negate – data collection hinders the ability to act freely.

**Kamminga 14** Jakob Jan Kamminga (2014) “The Moral Content of the Concept of Privacy” Faculty of Humanities Theses (Master thesis) Jakob Jan Kamminga OHS-AT

However, there are many more kinds of ways of psychologically forcing people's wills. One of these is more closely connected to privacy, and has been called decisional interference by Solove. Although Solove himself does not discuss it, the clearest case is the extensively proven claim that camera surveillance alters people's behaviour.56 Decisional interference entails that the individual in question would choose differently if he would not be aware of certain surveillance or data collection. Most of the time, the main function of a camera is simply hanging there, letting people know that they are being watched. If it were not for the relatively few cases that recordings are actually used in criminal investigations, the cameras could be replicas and the effect would be the same. The same applies to many more security methods that allegedly violate privacy, like body scanners at airports and body searchings at event entrances. It also applies to the possibility of saved medical records becoming publicly known (which was the case in Whalen v. Roe in the US), and even to the ability of the government to wiretap phone conversations or open letters, even though it officially needs warrants to do so.57 The knowledge of the fact that checks and monitoring are possible is enough to alter behaviour, and constitutes interference with decision-making. Philosophers and sociologists (among others) will know this as the panopticon effect.58

Kant's moral framework seems to provide a moral reason to forbid these violations. But aside from the claim whether this actually is the case, we can ask whether it also provides a moral reason against the same practices if they were hidden, unknown of, or failsafe. In the case of body searchings, this is a little harder to imagine, but cameras can be easily hidden from sight. And when it comes to medical records, there is a strong argument to be made for the storage of the records as long as the administration and safety of the storage is in order (as was argued in Whalen v. Roe). Still, we have to be clear about the precise connection between the enforcement of the will and privacy. In the above, the connection with the enforcement of wills is in the knowledge of (the possibility of) being surveilled or monitored, or even in the knowledge that records that in themselves constitute no privacy violations may leak. The surveillance and monitoring are indeed privacy violations (at least as I have defined them), but they bear no direct connection to the enforcement of the will as outlined above. Kant's moral framework, in conclusion, does provide a moral reason against these practices for which it can be established that they force wills in their operation, but not as privacy violations. They are wrong, not because they are privacy violations, but because they hinder the ability of the person to act morally (free).

### \*\*AT: Util\*\*

### 1NC – Calc Indict Dump

### 1NC – Permissibility

### AT: Plummer

#### 1] Collapses to the NC – assumes that we should value humanity

#### 2] No uncertainty – practical reason is consistent with everyone

#### 3] Infinitely regressive – I could tip over my water bottle and it could cause a chain of events that cause extinction

#### 4] No moral uncertainty if I’ve won the NC is true

#### 5] This increases moral uncertainty – there’s always a RISK of extinction, meaning under your logic we keep pushing off moral discussion and never try to resolve the questions we have about ethics

### AT: Bostrom

### AT: Greene

#### 1] Wrong – practical reason is consistent with all of humanity

#### 2] This doesn’t disprove deont, just proves that people don’t always follow it

#### 3] Util doesn’t respect people as equal because it devalues their worth situationally

### AT: Actor Specificity

### AT: McCluskey

### \*\*2NR\*\*

### AT: Shmagency

### AT: Tailoring Objection

### AT: Bad Action Problem

### AT: No A/O Distinction

### AT Government Doesn’t Have Intent

### AT Genetic Fallacy

### AT Interests/Needs Are Source of Morality

### AT Life is Fundamental