# TOC Journey T

### Must Have Carded Counter-Interpretation

#### Having a carded counter-interpretation that defines the same term in the resolution is a litmus test on topicality- this means you reject their counter-interpretation on face and vote negate:

1. Textual precision is a condition you have to meet- an affirmative on environmental protection wouldn’t be topical even if it were fair and education. And, the meaning of words changes when used in conjunction with other words.
2. Explodes limits- you open up the T debate to an infinite amount of interpretations because they don’t have to be supported by any author in the literature, which is supercharged if they defend a different word.
3. No basis in the literature means that your interpretation is not real world; we don’t imitate actual scholarly debates.

### Semantics > Pragmatics

#### Topicality interpretations must be justified by the semantic plausibility as well as the pragmatic benefits that arise from that interpretation- this means you reject interpretations that lack a metric to assess the truth-validity/accuracy of their topical definition. Nebel 15

Nebel, Jake. "2 The Parametric Conception of Topicality." The Priority of Resolutional Semantics. Victory Briefs, 20 Feb. 2015. Web. 19 Apr. 2015. PH

Let me make three caveats before defending my view. First, my view is not that pragmatic reasons are[n’t] completely irrelevant to resolutional interpretation. I think, rather, that they should be lexically inferior to semantic reasons. (Think of the priority of basic liberties over equality in Rawls’s conception of justice.) Pragmatic considerations [they] cannot justify interpretations that are ruled out on semantic grounds. If the resolution does not mean X, then it doesn’t matter how much better it[‘d] would be to debate X. But if the resolution might mean either X or Y, then the topicality debate can come down to pragmatic[s] considerations. But note that the debate between “competing interpretations” and “reasonability” is relevant here: if the resolution is truly ambiguous between X and Y, then even if X does better than Y on pragmatic grounds, the affirmative might have the right to select a reasonable but suboptimal interpretation. But this question does not, I think, affect the priority of semantic considerations. Second, my view is not that plans are bad. On the contrary, I think that plans are good, but only when they affirm the resolution. Whether some plan affirms their resolution (i.e., whether it is topical) is a function of the resolution’s semantics. To repeat, I have nothing against plans in general, and I believe that specification of some resolutional parameter may be permissible, if not obligatory, on many topics. One of the great things about LD is that our resolutions are diverse not only in their subject matter but also in their structure. This requires debaters to analyze each resolution with a fresh eye and not simply to import concepts and assumptions that may have applied to old resolutions into theoretical norms for each new one. But when the only tool you have is a hammer, everything looks like a nail. It is easier to continue with the same assumptions, as long as they are sufficiently shared by one’s peers on the national circuit, rather than reinventing the theoretical wheel every two months. It is important to resist this temptation and not to ignore the meaning of the resolution, even and especially if you may be more comfortable debating a different resolution. Third, I do not think my view is best captured by the label “Textuality First,” under which some circuit LDers often seem to lump all semantic arguments. I think this label came into use around 2007 or so, and it strikes me as uninformative: it’s like making “topicality” your standard for topicality. The meaning of the resolution is not just one consideration among others. The extant literature favors an alternative strategy. Murphy, Merrell, and Diers classify various standards as truth-based or accuracy-seeking (e.g., intent, field context, grammar, source credibility, common usage, etc.) and others as non-truth-based or debate-based (e.g., ground and limits). I have instead suggested a distinction between semantic and pragmatic considerations. These minor differences in classification are not important. The important point is that what the resolution means is not just one consideration among others, and that there may be conflicting semantic considerations to be weighed. I suspect that many debaters lump semantic arguments under a single “textuality” standard because they don’t know of a more descriptive label to distinguish each of their arguments. Let me emphasize, then, that the label shouldn’t matter: one-word names for standards help the judge organize her flow and perhaps improve word economy in rebuttals, but debaters should feel free to make arguments without pigeonholing them.

### A2 T is Oppressive

#### Topicality grounded in semantics considerations isn’t intellectual gymnastics- it’s necessary to have an actual debate about the topic. Nebel 15

Nebel, Jake. "1.2 Critiques of Topicality." The Priority of Resolutional Semantics. Victory Briefs, 20 Feb. 2015. Web. 20 Apr. 2015. PH

My approach interacts pretty straightforwardly with critiques that see topicality (either in general or on this specific topic) as oppressive. Debaters often respond to critiques of topicality by pointing out the emancipatory or other outweighing benefits of acting like policy-makers (without explaining who is supposed to enjoy these benefits), by distinguishing between different kinds of fairness (without grounding or situating this distinction in the philosophical literature on fairness), and by going hard for theory (without appealing to an actual theory of debate pedagogy). These strategies feed the link: it probably is exclusionary to make up hoops for one’s opponents to jump through, in the form of pseudo-rules, -concepts, and -impacts designed to force them to debate on one’s favored terms, even if one’s intentions are good. And the initial link is, I think, usually pretty credible, because the status quo approach to topicality is based on how one wants one’s opponents to debate, not on the meaning of a sentence that is accessible and, in principle, knowable to everyone. It reeks of the advice, given by some debate instructors, to run theory against any ways in which one’s current debate round falls short of the round one most wishes to debate. The semantic approach to topicality, by contrast, appeals to an impartial rule requiring students to debate the resolution, whatever it means, regardless of what one wants it or thinks it would be best for it to mean. Some might think that this rule is still objectionably exclusionary. But that claim is much less credible than the link to topicality as many currently run it. Let’s briefly consider three possible arguments for the claim. First, some might argue that the notion of “meaning” on which the semantic approach is based is illusory and oppressive. I realize that some authors claim to hold this view, but I don’t take it very seriously. If it were illusory, then how could the judge grasp the meaning of the argument? And would it really be oppressive to point out that some extension of an argument isn’t what the original argument meant, and is therefore new? There may be a much more credible claim in the vicinity. For example, suppose that the affirmative interprets some word or phrase in the resolution in African American Vernacular English, and the negative objects to this interpretation on semantic grounds because it’s “incorrect” English. There is good reason to reject this objection as false and oppressive, because of its assumption that some spoken dialects are objectively wrong, sloppy, or inferior to others. But this kind of scenario is much more specific than the generic objection to the semantic approach.4 The fact that many dialects are legitimate does not deny that words in each dialect mean things. Second, some might argue that a requirement to debate the resolution is oppressive because it excludes debaters who want to argue about other things. But that strikes me as no more exclusionary than speech times: sure, you can continue talking after the time runs out, but the judge isn’t going to vote on what you say.5 Similarly, you can talk about whatever you want, but if it doesn’t support or deny the resolution, then the judge shouldn’t vote on it.6

#### Semantic interpretations best addresses interpretations of the topic that are violent towards certain bodies. Nebel 15

Nebel, Jake. "1.2 Critiques of Topicality." The Priority of Resolutional Semantics. Victory Briefs, 20 Feb. 2015. Web. 20 Apr. 2015. PH

Third, some might argue that this particular topic is harmful to debate, and so we should reject a requirement to debate the resolution in this particular case. This argument, I think, is the most important objection to the topicality rule. This is because it challenges my claim that the topicality rule is justifiable to everyone, and that no one’s claim against debating the announced resolution is as strong as one’s claim against changing the topic. It also interacts with my claim about the democratic legitimacy of the topic selection process, in ways that raise serious questions about the community and debaters’ obligations within it. And it is not crazy to think that some resolutions are harmful to debate. Many thought this about the domestic violence topic. Enough people thought it about a Public Forum topic in 2010—“Resolved: An Islamic cultural center should be built near Ground Zero”—that the NSDA changed the resolution (to “Resolved: High school Public Forum Debate resolutions should not confront sensitive religious issues”) and instituted a democratic procedure for topic selection. It is interesting to think about what debaters would have had most reason to do if the NSDA had not changed the topic. I don’t think there is a magic-bullet response to critiques of the topic, as opposed to critiques of topicality in general. I think they must be answered on a case-by-case basis, in their own terms. But one advantage of my view is that it provides a better framing for this debate. The question boils down to whether or not the topic is harmful for students to debate, and whether those harms justify breaking, or making an exception to, the topicality rule.7 This burden should be fairly difficult (but not impossible) to meet, because of the advantages of a topicality rule that applies regardless of the topic. The arguments for the topicality rule establish, at the very least, a default presumption in favor of debating the topic. The pragmatic approach to topicality, however, asks which proposition would be best to debate.8 It is extremely unlikely that the chosen resolution would be best to debate, even if it is not particularly harmful: there are almost certainly more important questions to discuss. This framing of the debate strikes me as silly: no one thinks or ever should think that the chosen resolution is the best possible proposition to debate; nor should that matter—students should, in general, debate the chosen resolution even if (or even though) the topic committee could have put better ones on the list. The semantic approach offers a more sensible threshold for when one should disobey the topicality rule. Some may be curious about two kinds of affirmative positions that are somewhat grounded in the resolution, but in unconventional ways. First, some affirmatives discuss the resolution’s topic area but do not affirm the resolution as stated. That is, in my view, not topical: the resolution is a proposition, not a mere topic area. That it is a proposition is what makes the round a debate, rather than a discussion, and is crucial to testing and rewarding the kinds of skills that debate is designed to promote. This is one regrettable feature of the technical term “topicality,” because although we may describe the topic of some debate as “the living wage,” that is not the resolution. Talking about the topic, even in a positive way, does not suffice for affirming the resolution. Second, some affirmatives read phrases in the resolution in figurative, unconventional ways, and affirm the resolution so interpreted. That may, in my view, be topical: one merely needs evidence that the expressions in the resolution actually have the metaphorical meaning at hand. Such interpretations must be argued and answered on a case-by-case basis. The pragmatic costs (and benefits) of metaphorical interpretation are not enough, on my view, to rule those interpretations out (or in).

### Voters

Fairness- you can’t objectively decide the winner of the round unless both debaters are on equal footing. Vote on jurisdiction independently- you can’t vote for a case that doesn’t affirm. Drop the debater on T 1. Dropping the argument is the equivalent of severance since it allows a shift to a different debate in the 1AR. A) Severance screws the neg by allowing new aff offense in the 1AR and a new advocacy makes my offense irrelevant. B) It incentivizes affs to be non-topical until the 1AR, destroying a pre-round basis for prep. C) It creates neg time skew by giving the aff 7-6 time advantage to debate the topic they were supposed to in the 1AC. D) Neg only gets 1 speech to develop responses, so the aff can collapse with new 2AR weighing. That heavily biases debate in favor of the aff. 2. It’s the only way to deter non-topical positions since a loss overrides the competitive incentive to read it since the ballot is irreversible. T comes first

a) Jurisdiction – the judge doesn’t have the ability to even vote for untopical affs since their role is to determine who debated the resolution better. Theory is contestable since the judge doesn’t necessarily have to enforce theory rules and those practices are justifiable b) Neg abuse is reactionary since the aff chose to read a non-topical position which alter the 1NC strategy since legitimate neg args are predicated on the aff being topical.

No RVI on topicality 1) aff burden is to be topical in the first place, proving you are doesn’t mean you should be voted up [arguments about logic come first, because args have to make logical sense before we determine their theoretical legitimacy], also turns reciprocity args because its unreciprocal for the aff to be able to win by proving their advocacy is theoretically legitimate whereas the neg cannot 2) proving topicality means you don’t lose any aff ground, RVIs are thus unfair because you can win under a) a new shell b) the ac which I’m behind on because I had to read T in the 1nc, and c) the RVI itself 3) RVIs chill me from reading topicality to test the aff because I know they can turn the tables on me, outweighs other theoretical justifications for RVIs because this means abuse will further proliferate because there’s no check on it.

## T- Plans Bad

1. Interpretation: The term “just governments” means the affirmative must defend just governments as a general principle as opposed to a specific government or governments. To clarify, they must defend that “just governments” ought to require employers to pay a living wage not any specific government.
2. Violation: They said they’d only defend the plan text, which is USFG
3. Standards:
4. Limits- they massively under limit the topic by defending the effects in only specific governments when there are thousands of government actors in the world. Their interpretation allows them to defend ANY government from multi-national actors like the UN to the municipality of LA. This creates an extreme burden on the negative to engage with plan affirmatives. This also commits the fallacy of isolated exceptions since it they look at one instance to prove the resolution universally true- this is an independent reason to negate since they haven’t met their textual burden. Disclosure isn’t competitive since they my interpretation allows them to disclose AND read general principle. My interpretation solves all affirmative offense on T since they can garner offense from specific countries but they must allow all general-principle arguments to link. Limits are independent voter since it constraints the topic which allows us to engage in the first place. Limits are key to fairness since it creates a basis for pre-round prep.
5. Grammar-
6. The resolution uses a plural noun phrase “just governments”. By defending one government you’re inconsistent with the grammatical reading of the topic.
7. The term “just governments” is a bare plural since it lacks a determiners, which means the resolution is not about any specific government. Nebel 14

Nebel, Jake. [BPhil candidate in Philosophy at the University of Oxford, specializing in ethics and epistemology. AB in Philosophy from Princeton University in 2013.] "Jake Nebel on Specifying "Just Governments"" Briefly. Victory Briefs, 19 Dec. 2014. Web. 22 Dec. 2014. PH

I believe that debaters shouldn’t specify a government on the living wage topic. The standard argument for this is simple: “just governments” is a plural noun phrase, so it refers to more than one just government. Most debaters will stop there. But there is much more to say. (Some seem not to care about the plural construction. I plan to address this view in a later article about the parametric conception of topicality.) Some noun phrases include articles like “the,” demonstratives like “these,” possessives like “my,” or quantifiers like “some” or “all.” These words are called determiners. Bare plurals, including “just governments,” lack determiners. There’s no article, demonstrative, possessive, or quantifier in front of the noun to tell you how many or which governments are being discussed. We use bare plurals for two main purposes. Consider some [the] examples: Debaters are here. Debaters are smart. In (1), “debaters” seems equivalent to “some debaters.” It is true just in case there is more than one debater around. If I enter a restaurant and utter (1), I speak truly if there are a couple of debaters at a table. This is an existential use of the bare plural, because it just says that there exist things of the relevant class (debaters) that meet the relevant description (being here). In (2), though, “debaters” seems to refer to debaters in general. This use of the bare plural is generic. Some say that generics refer to kinds of things, rather than particular members of their kinds, or that they refer to typical cases. There is a large literature on understanding generics. Here my aim is not to figure out the truth conditions for the generic reading of the resolution; I shall simply work with our pre-theoretical grip on the contrast between sentences like (1) and (2). This distinction bears importantly on the resolution. If “just governments” is a generic bare plural, then the debate is about whether just governments in general ought to require that employers pay a living wage. If it is an existential bare plural, then the debate is about whether some just governments—i.e., more than one—ought to require that employers pay a living wage. Only the second interpretation allows one to affirm by specifying a few governments. To my ear, the generic reading is correct. I think the best evidence for this is simply the undistorted judgments of ordinary speakers. No competent speaker of English would, without distorting influence or additional evidence of generalizability, endorse an inference from a plan involving two just governments to the resolution. Suppose Sally, an American citizen, believes that the U.S. and Canada should require employers to pay a living wage, but that no other government (just or unjust, actual or possible) should. She would not represent her view by asserting, “Just governments ought to require that employers pay a living wage.” She would deny this claim and hold that the U.S. and Canada are exceptions. One might object that Sally would endorse this assertion if she believed that the U.S. and Canada are the only just governments. Maybe she would, but that is explained by the generic reading, because she would then be making a generalization about (what she believes to be) just governments. And the onus would be on the affirmative, when specifying particular governments, to add such a premise. Moreover, many linguists would add that Sally could not regard it is as mere accident that these governments are just and that they ought to require employers to pay a living wage: the resolution requires there to be some explanatory connection between the justness of governments and the living wage requirement (see Carlson 2005). This is good evidence because ordinary speakers have an implicit (but not infallible) mastery over the language in which the resolution is stated. The resolution is stated in English, not in some special debate-specific dialect of English. Facts of usage constrain interpretation. The existential interpretation is not even, as I see it, eligible. So its pragmatic benefits are irrelevant. Compare: I think it would be better if the resolution were, “It is not the case that just governments ought to …” But that’s not the resolution, so it’s not even an eligible interpretation in a T debate. (Here I assume a controversial view about whether pragmatic benefits can justify a semantically inadequate interpretation of the resolution. I cannot defend this view here, but I welcome questions and objections in the comments to be addressed in a later article.) Some speakers might balk at the generic reading of the resolution. How, they might think, could anyone assent to such a sweeping claim about what just governments ought to do? It seems to depend heavily on the details of each country. I can easily get into this frame of mind. But, equipped with this frame of mind, it’s not as if I would assent to, “Just governments ought to require that employers pay a living wage,” and expect my audience to pick up on the existential reading. I would instead either deny the resolution or suspend judgment about it. This means that the anti-generalization view is not evidence of an eligible existential interpretation; rather, it’s a reason not to affirm the resolution. One more argument for affirmatives to answer! Consider an analogy. Suppose I say, “Dogs are ugly.” You might think it’s silly to say of dogs in general that they are ugly: how could one support such a generalization about the aesthetics of dogs? So you’ll reject my statement. You won’t reinterpret it to mean that some dogs are ugly and agree with it. I’m sure that many readers will be skeptical of directly appealing to how we ordinarily speak and think. Let me mention a more theoretical explanation of why the resolution is generic. Carlson (1977) suggests that the reading of bare plurals depends on the predicate of the sentence. He distinguishes between highly temporary stage-level predicates like “being here” or “being available,” and more intrinsic individual-level predicates like “having four legs” or “being altruistic.” He calls the former stage-level because they express properties of temporary stages of things: for example, sitting is a property of the present stage of Jake. One might argue that “ought to require” is an individual-level predicate: if just governments have an obligation to require that employers pay a living wage, that is not just a fleeting property of temporary government-stages. I mention this argument just as an illustration of how one might support the intuition with a theory, but I do not endorse the argument. We can turn next to a less direct argument for the generic reading of “just governments.” But this argument may carry more weight in a T debate. One of the most trolly observations to make in a debate on this topic is that just governments do not exist. It strikes me as plausible that no actually existing government is just. But most debaters will rightly trust their linguistic intuitions (in this case, but not in others!) and assume that this point is irrelevant to the resolution. The question is: why is it irrelevant?If “just governments” gets an existential reading, then the point should be relevant. If [and] there are no just governments, then it is not the case that there are some just governments that ought to require employers to pay a living wage. So the resolution is not true. Reading “just governments” as a generic bare plural, then, is key to avoiding the trolly observation as a knockdown negative argument (or a knockdown presumption trigger, if presupposition failure makes the resolution neither true nor false).

“Just Governments” must be a generic bare plural since the term “Just” in the resolution is a constraint on the type of government but it’s impossible to determine that a government is just since there’s multiple legitimate interpretations of “just”. Grammar is an independent voter since it dictates how we understand language, which is a perquisite to evaluating the resolution. It’s also key to fairness since it creates a stable basis for preparation.

### 2NR Overview

#### You’re interpretation is literally undebatable since you a world where there’s infinite prep and research burdens to engage with plan affs while at the same time allowing the neg to read no-risk T args that say the Aff isn’t a just government or even worse, read NIB NCs that say that there are no “just governments” every single round KILLING engagement.

### Limits Ext

#### Extend Limits- Their interpretation makes debate virtually impossible since the aff can defend anything from Hong Kong to AFW exploding the negs burden to prep case negs. My interpretation requires defense of general principle, which means they have to defend LW on balance not the isolated effect in one or two governments. Limits links turns their offense to ground, clash, topic lit, predictability, and education since limits constrains how we discuss the topic which ensures we’re not two ships passing in the night but rather able to have in-depth engagement.

### Grammar Ext

#### You’re aff is consistent with the English language. Nebel indicates that the logic meaning of the term “just governments” a generic bare plural which entail general principle since it’s not about any specific governments. Assuming that it’s a existential bare plural would create a unique neg skew where negatives could read truth-testing NCs that denied the existence of Just governments. Grammar is an independent reason to vote negative since it determines how we evaluate words like the resolution which is a precondition to discussing the topic and it’s legitamacy

##  T- Employers =No Spec

1. Interpretation: The living wage policy advocated by the affirmative must apply to all employers. To clarify, they can’t specify which employers give their workers a living wage Miller and Williams 09

Miller, Doug, and Peter Williams. "What price a living wage? Implementation issues in the quest for decent wages in the global apparel sector." Global Social Policy 9.1 (2009): 99-125. PH

If we take Bangladesh as an example, an Achilles heel for those UK mass dis- count retailers that have become the target of persistent NGO campaigning,27 sectoral bargaining around the National Minimum Wage in 2006 led to an agreed new minimum of 1662 Taka in October of that year. This figure is just over half the 3000 Taka/month living wage that unions and NGOs were seeking. Let us assume that all parties agree to the living wage figure of 3000 Taka. One of the principles of a living wage is that it should apply to all workers. Hence the lowest-remunerated worker, on entry level (Grade 7) would receive a wage of around 3000 taka/month based on a standard working week. This would involve an 80 increase on the entry-level rate. The next step would be to agree a notional pay scale for other workers. Differentials would need to be maintained, lest sewers are to earn more than supervisors. This would be have to be the sub- ject of negotiations at national or local level. One approach, which has the merit of being visibly equitable, would be to apportion to each grade the same flat rate increase afforded to the lowest grade worker. This is illustrated in Table 4.

1. Violation: They defend pay X workers a living wage.
2. Standards:

1st Limits – specifying employer vastly under limits the topic since the aff can specify ANY employee from big retailers to individual small businesses. Creates an extreme burden on the neg to engage specific plan affs.

Impacts:

A. Research Burdens- I have to research for every aff, while they can frontline the fringe.
B. Clash- Makes it impossible for me to engage, it’s a one sided discussion on the case so I have to up-layer.

C. Predictability- Allowing him to cherry pick employers makes it hard to predict the AC, which is necessary to be reactive. Wiki doesn’t solve since there’s a net benefit to disclosing and not specifying. Also, creates a ruse when debaters post a litany of positions to throw their opponents of the prep trail as they break new.
D. Topic Lit- incentivizes the aff picking plans farthest from the core of the lit, which means we don’t engage in the most purposeful discussion.
2nd Textual precision- The term “employers” in the resolution is a generic bare plural none since it lacks a quantifier before it which means debate is supposed to be about employers general, not any specific group of employers. Leslie

Sarah Jane Leslie. Prof. of Linguistics. “Generics.” https://www.princeton.edu/~sjleslie/RoutledgeEncyclopediaEntry2.pdf

**Generics are statements such as “dogs are mammals”**, “a tiger is striped”, “the dodo is extinct”, “ducks lay eggs”, and “mosquitoes carry the West Nile virus”. Generic statements **[they] express general claims about kinds, rather than claims about particular individuals. Unlike** other general **statements such as** “all dogs are mammals” or **“most tigers are striped”, generics do not involve the use of** explicitquantifiers (such as “all” or “most” in these examples). In English, **generics can be expressed using a variety of syntactic forms: bare plurals** (e.g. “**ducks lay eggs**”), indefinite singulars (e.g. “a tiger is striped”), and definite singulars (“the dog is a mammal”). (Sometimes, habitual statements such as “Mary smokes” or “John runs in the park” are classified generics, but we will not follow this practice here.)

Prefer Leslie since she’s a professor of linguistics who’s studied the nuances of the English language- she’s most likely to give the best account of the text in the resolution. Textual precision o/w other all other fairness claims since they’re interpretation of employers might be the most accurate but the term is being used in relation to the other terms in the resolution. Textual precision is key to fairness since it creates the basis for pre-round prep.

1. Voter:

Fairness is a gateway issue since it’s necessary to determine who’s doing the better debating.

Limits key to participation, which makes it an independent voter. Rowland 84

(Robert C., Debate Coach – Baylor University, “Topic Selection in Debate”, American Forensics in Perspective, Ed. Parson, p. 53-54) PH
The first major problem identified by the work group as relating to topic selection is the decline in participation in the National Debate Tournament (NDT) policy debate. As Boman notes: There is a growing dissatisfaction with academic debate that utilizes a policy proposition. Programs which are oriented toward debating the national policy debate proposition, so-called “NDT” programs, are diminishing in scope and size.4 This decline in policy debate is tied, many in the work group believe, to excessively broad topics. The most obvious characteristic of some recent policy debate topics is extreme breath. A resolution calling for regulation of land use literally and figuratively covers a lot of ground. Naitonal debate topics have not always been so broad. Before the late 1960s the topic often specified a particular policy change.5 The move from narrow to broad topics has had, according to some, the effect of limiting the number of students who participate in policy debate. First, the breadth of the topics has all but destroyed novice debate. Paul Gaske argues that because the stock issues of policy debate are clearly defined, it is superior to value debate as a means of introducing students to the debate process.6 Despite this advantage of policy debate, Gaske belives that NDT debate is not the best vehicle for teaching beginners. The problem is that broad policy topics terrify novice debaters, especially those who lack high school debate experience. They are unable to cope with the breadth of the topic and experience “negophobia,”7 the fear of debating negative. As a consequence, the educational advantages associated with teaching novices through policy debate are lost: “Yet all of these benefits fly out the window as rookies in their formative stage quickly experience humiliation at being caugh without evidence or substantive awareness of the issues that confront them at a tournament.”8 The ultimate result is that fewer novices participate in NDT, thus lessening the educational value of the activity and limiting the number of debaters or eventually participate in more advanced divisions of policy debate. In addition to noting the effect on novices, participants argued that broad topics also discourage experienced debaters from continued participation in policy debate. Here, the claim is that it takes so much times and effort to be competitive on a broad topic that students who are concerned with doing more than just debate are forced out of the activity.9 Gaske notes, that “broad topics discourage participation because of insufficient time to do requisite research.”10 The final effect may be that entire programs either cease functioning or shift to value debate as a way to avoid unreasonable research burdens. Boman supports this point: “It is this expanding necessity of evidence, and thereby research, which has created a competitive imbalance between institutions that participate in academic debate.”11 In this view, it is the competitive imbalance resulting from the use of broad topics that has led some small schools to cancel their programs.

## T- Require=Implementation

1. Interpretation: Merriam-Webster defines require.

Require." Merriam-Webster.com. Merriam-Webster, n.d. Web. 22 Dec. 2014. <http://www.merriam-webster.com/dictionary/require>. PH

“to impose a compulsion or command on : compel”.

Since governments are only capable of motivating action or coercion through codified legal statutes, the aff must defend implementation of a topical post-fiat policy. To clarify, you don’t have to read a plan, just defend implementation.

And, resolved means the affirmative must defend implementation. Parcher 01

(Jeff, Fmr. Debate Coach at Georgetown University, February, <http://www.ndtceda.com/archives/200102/0790.html>) PH

(1) Pardon me if I turn to a source besides Bill. American Heritage Dictionary: Resolve: 1. To make a firm decision about. 2. To decide or express by formal vote. 3. To separate something into constituent parts See Syns at \*analyze\* (emphasis in orginal) 4. Find a solution to. See Syns at \*Solve\* (emphasis in original) 5. To dispel: resolve a doubt. - n 1. Frimness of purpose; resolution. 2. A determination or decision. (2) The very nature of the word "resolution" makes it a question. American Heritage: A course of action determined or decided on. A formal statemnt of a deciion, as by a legislature. (3) The resolution is obviously a question. Any other conclusion is utterly inconcievable. Why? Context. The debate community empowers a topic committee to write a topic for ALTERNATE side debating. The committee is not a random group of people coming together to "reserve" themselves about some issue. There is context - they are empowered by a community to do something. In their deliberations, the topic community attempts to craft a resolution which can be ANSWERED in either direction. They focus on issues like ground and fairness because they know the resolution will serve as the basis for debate which will be resolved by determining the policy desireablility of that resolution. That's not only what they do, but it's what we REQUIRE them to do. We don't just send the topic committee somewhere to adopt their own group resolution. It's not the end point of a resolution adopted by a body - it's the prelimanary wording of a resolution sent to others to be answered or decided upon. (4) Further context: the word resolved is used to emphasis the fact that it's policy debate. Resolved comes from the adoption of resolutions by legislative bodies. A resolution is either adopted or it is not. It's a question before a legislative body. Should this statement be adopted or not. (5) The very terms 'affirmative' and 'negative' support my view. One affirms a resolution. Affirmative and negative are the equivalents of 'yes' or 'no' - which, of course, are answers to a question.

1. Violation:
2. Standards:

1. Topic Literature- the literature talks about wage distribution and wages in strictly policy settings – it is a contentious political issue with varying methods of implementation from country-to-country. The focus on the effects of implementation and economic effects in individual states are core literature, means general principle kills core negative ground. Bennasi 11

Chiara Benassi, “The Implementation of Minimum Wage: Challenges and Creative Solutions”. Global Labour University, www.global-labor-university.org. International Labour Organization. 2011. PH

Minimum wage is one of the most used instruments for affecting the wage distribution on the labour market. In fact, minimum wage is provided by law in 90% of the world’s countries; however, its implementation varies highly in both approach and effectiveness across countries. Because of its potential redistributive effect, setting a minimum wage as a matter of policy is a contentious political issue and object of controversies among the government[s], workers’ organizations and employers. Despite (or because of?) the controversy, there still lacks a coherent debate about effective minimum wage implementation strategies. A review of academic literature reveals the same gap in the research: the minimum wage issue is widely debated as a matter of policy, but its implementation strategies are often left out. Some authors deal with the question of legitimacy of minimum wage from a philosophical and legal perspective, discussing the minimum wage in reference to the ideal of social justice and of civil rights in different societies (Levin-Waldman 2009; Gaski 2004). The majority of the debate over minimum wage however mainly focuses on its macroeconomic effects. The effect of minimum wage on employment at the national level, as well as its application to specific groups (e.g. youth) or the informal sector represent some of the most controversial matters. Adopting different theoretical approaches, some authors support the negative correlation between employment and minimum wage, while others find no correlation or even positive effects of minimum wage.1 Parallel and equally controversial debates have been conducted on the impact of minimum wage[s] on prices as well as on income distribution.

Topic Lit is key to fairness and education- topic lit is where all arguments are based which allows for the most effective discussion and prep. Also, link turns ground since even if there’s ground under general principle, my interpretation allows for the best qualitative access. Qualitative outweighs quantitative since it doesn’t how many arguments you can make if they’re not good.

1. Textual Accuracy- “require” means implementation in the context of a government. DeBois 14

DeBois, Danny. [(Harvard ’18) Champion of TOC, NCFL Grand Nationals, assistant coach at Harvard-Westlake in California, and Instructor at VBI and NSD.] "2.2 Defining and Interpreting the Resolution." Victory Briefs. Victory Briefs, 15 Dec. 2014. Web. 22 Dec. 2014. PH

Webster’s defines “require” as “to impose a compulsion or command on”4 The resolution implies some type of governmental mandate on employers to pay a living wage, meaning that policy implementation is definitely an aspect of the topic. I predict that most topicality arguments in favor of plans will be based on the word “require,” as governments require agents act a certain way by passing laws. Note, however, that there is a distinction between specification and implementation: the aff can defend the action of mandating that employers pay a living wage and defend real world implications, but also choose not to narrow down the advocacy to a particular place.

Textual accuracy is an independent voter since accurate discussion of the topic is a perquisite to discussion the topic. It is also key to fairness since it creates the best basis for pre-round preparation.

1. Debatibility- we can’t know whether LW is good without knowing what it looks like. Implementation is just to imagine a legal mandate. It is a policy, not a theory so I coopt all the benefits of their interpretation since we can still have framework debate but through an implementation-based approach. The meaning of living wage depends on how it’s enforced which literally defines what a living wage is so it’s impossible to know absent implementation. Their interpretation makes debate impossible so it outweighs under fairness and education.
2. Policy-Making Education- your interpretation precludes the possibility of role-playing as policy-makers since that only makes sense in the context of implementation. And, role-playing provides unique critical thinking skills. Schaap 05

Schaap, Andrew. [BA(Hons) Melbourne, MSc, PhD Edinburgh] "Learning Political Theory by Role Playing1." Politics 25.1 (2005): 46-52. PH According to an influential theory of teaching in higher education, people tend to approach learning either in a 'deep-holistic' or 'surface-atomistic' way (Ramsden, 1992, pp. 43ff.). Students who adopt a deep-holistic approach to learning seek to discover the meaning of an idea, text or concept by relating new information to previous experience and the broader context within which it is encountered. By contrast, students who adopt a surface-atomistic approach tend to simply reproduce information, accumulating particular facts or details without discovering and constructing relations between them. Ramsden (1992, pp. 53ff.) reports on research that shows that deep-holistic approaches to learning are related to [leading to] higher-quality outcomes and greater enjoyment while surface-atomistic approaches are dissatisfying and associated with poorer grades. Ramsden (1992, pp. 96–102) identifies six key principles of teaching in higher education to promote a deep-holistic approach to learning. Effective teaching requires: engaging student interest; demonstrating concern and respect for students and student learning; providing appropriate feedback and assessment so that students can monitor their own learning; presenting students with clear goals and an intellectual challenge; giving students independence and control over their own learning; and modifying one's own teaching practice in response to student learning outcomes. In sum, effective teaching encourages students to relate to the subject material in a purposeful way. Teaching methods that promote deep-holistic approaches to learning involve students in actively finding knowledge, interpreting results, and testing hypotheses against reality (often in a spirit of co-operation as well as individual effort) as a route to understanding and the secure retention of factual knowledge' (Ramsden, 1992, p. 152). According to Ramsden there is no best teaching method. Nevertheless, some methods naturally encourage a deep-holistic approach to learning better than others. The traditional university lecture tends to be modelled on an implicit theory of teaching as transmitting information to students rather than one of making learning possible. While lectures can be engaging, stimulating and can involve students as active learners, this is often difficult to achieve and more often they encourage surface-atomistic approaches to learning: students struggle to remember various isolated details and the lecturer appears as a remote authority rather than participating in a community of learning with his or her students. Consequently, Ramsden (1992, p. 167) insists that the best way to improve the effectiveness of teaching in higher education is to make lecturing 'less like a lecture (passive, rigid, routine knowledge transmission) and more like an active communication between teacher and students'. In contrast to lecturing, role playing naturally tends to promote[s] a deep-holistic approach to learning because it requires students to interact and collaborate in order to complete an assigned task. The context of the role play [It] requires students to adopt different perspectives and think reflexively about the information they represent to the group. Some benefits of role playing identified by historian James Levy (1997, pp. 14–18) are that it: helps overcome students' inhibitions to contribute because they feel that they do not know enough; stimulates student discussion and debate outside of the classroom; provides many teachable moments by revealing gaps in students' understanding that the instructor can address; [and] encourages students to grapple with sophisticated issues that they might otherwise have failed to appreciate; and often challenges the teacher's own views.

This comes first under education since simulating policy-makers ensures deeper learning of the concepts.

### 2NR Internal Link Analysis

My interpretation link turns their offense.

A. Real world education- my interpretation narrows the debate to how scholars actually approach the issue, other interpretations encourage un-educational, inapplicable debate. Also, we need to look at the implementation to ensure that we’re modeling the procedures used in the real world.

B. Predictability- the literature determines what counts as predictable – if the majority of the debate is centered on policy issues that’s what I’ll expect coming into the round. Key since I can’t engage what I can’t predict. Also, general principle approaches are unpredictable since it allows for too much ambiguity.

## T- Consequentialism

A. Interpretation: Ought is defined as maximizing expected well-being. Harris

Sam Harris The Moral Landscape: How Science Can Determine Human Values

Many moral skeptics piously cite Hume’s is/ought distinction as though it were well known to be the last word on the subject of morality until the end of the world. They insist that notions of what we ought to do or value can be justified only in terms of other ‘oughts,’ never in terms of facts about the way the world is. After all, in a world of physics and chemistry, how could things like moral obligations or values really exist? How could it be objectively true, for instance, that we ought to be kind to children? / But this notion of ‘ought’ is an artificial and needlessly confusing way to think about moral choice. In fact, it seems to be another dismal product of Abrahamic religion—which, strangely enough, now constrains the thinking of even atheists. If this notion of ‘ought’ means anything we can possibly care about, it must translate into a concern about the actual or potential experience of conscious beings (either in this life or some other). For instance, to say that we ought to treat children with kindness seems identical to saying that everyone will tend to be better off if we do. The person who claims that he does not want to be better off is either wrong about what he does, in fact, want (i.e., he doesn’t know what he’s missing), or he is lying, or he is not making sense.

Prefer this analysis since Harris draws a conservative estimate on “ought” in the evaluative sense instead of drawing a definite conclusion, which is most with the resolution term. The aff must adopt a post-fiat consequentialist framework and defend the desirability of the resolution as a state of affairs.

B. Violation:

C. Standards:

1. Topic literature- the underlying debate is consequentialist. Wilhelm 14

Wilhelm, Bill. [Author at Hamilton County Business Magazine] "What Price Dignity?: The Ethical Side of the Minimum Wage - Hamilton County Business Magazine." Hamilton County Business Magazine. Hamilton County Business Magazine, 09 May 2014. Web. 14 Dec. 2014. PH

**The minimum wage debate** primarily **presents arguments based on** economic ***consequences*:  lost jobs versus reduced poverty,** increased consumer spending**, reduced government aid, [and] reduced income inequality**, and reduced job turnover.  **This cost-benefit** **approach focuses on** consequences and **choosing the action that will produce the greatest good and the least harm for the greatest number of people.**  While this approach is helpful, it suffers from the weaknesses of fallible measurement and debatable valuations.  In other words, how does one measure the harm of half a million lost low-wage jobs versus the benefit of reduced poverty?  How does one accurately calculate an incremental value that a higher minimum wage will add to reduced employee turnover?

Prefer this evidence since it’s comparative- he looks at the deontological perspective and concludes that consequentialism is the heart of the MW wage debate. Also, the minimum wage debates my author is talking are regarding an increase to a living wage. Prefer my evidence on impartiality- my author even indicates the consequentialist debate can be hard on this topic but it’s still the core. To access offense to topic lit they must quantify authors in lit who hold the denotation of “ought” in a different meaning. This is key to fairness and education- topic lit is where all arguments are based which allows for the most effective discussion and basis for prep.

2. Common usage- most people assume a consequentialist perspective when speaking in the context of what ought to be done. Sinott-Armstrong

Sinnott-Armstrong, Walter, "Consequentialism", The Stanford Encyclopedia of Philosophy (Winter 2011 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/win2011/entries/consequentialism/>. PH

Even if consequentialists can accommodate or explain away common moral intuitions, that might seem only to answer objections without yet giving any positive reason to accept consequentialism. However, **most people begin with the presumption that we** morally **ought to make the world better when we can. The question then is only whether any moral constraints** or moral options need to be added to the basic consequentialist factor in moral reasoning. (Kagan 1989, 1998) **If no objection reveals** any need for anything beyond consequences**, then consequences alone seem to determine what is morally right** or wrong, just as consequentialists claim.

Key to fairness- common usage is how words are actually defined so it a) is the most textually precise b) what’s commonly used is what I’ll expect in the round. Common usage is an independent voter since it constrains our understanding of language.

3. Division of Ground: Consequentialism maximizes ground because all impacts link. Other frameworks can be construed to exclude offense and justify side constraint NIBs that skew reciprocity. Even if the AC standard isn’t one, their interpretation of ought allow for the potential of structural skews. Division of ground is key to fairness because it creates an equitable basis for argument generation.

Philosophical ground is non competitive- Framework arguments simply become post fiat impact calculus. Peterson

Peterson, Martin. "A Royal Road to Consequentialism?." Ethical theory and moral practice 13.2 (2010): 153-169. PH

Euclid famously told King Ptolemy that, ‘there is no royal road to geometry’.1 But what about other theoretical constructs? Is there any royal road to any other theory worth thinking about? Some moral philosophers believe there is a royal road to consequentialism in ethics. On their view, every nonconsequentialist moral theory can be consequentialised. To consequentialise a moral theory means to account for moral phenomena usually described in nonconsequentialist terms, such as rights, duties, and virtues, in a consequentialist framework. In a recent article, Portmore proposes the following general recipe for consequentialising nonconsequentialist theories: Take whatever considerations that the nonconsequentialist theory holds to be relevant to determining the deontic status of an action and insist that those considerations are relevant to determining the proper ranking of outcomes. In this way, the consequentialist can produce an ordering of outcomes that when combined with her criterion of rightness yields the same set of deontic verdicts that the nonconsequentialist theory yields. (Portmore 2007:39) To see how consequentialising works in practice, consider the Kantian claim that lying is always wrong. If you face a choice between lying and telling the truth, the consequentialist could mimic the advice offered by Kantians by assigning a high utility to telling the truth and a low utility to lying. According to Dreier (1993:23) rival moral theories can be consequentialised in similar ways, because we can always, ‘take the features of an action that the theory considers to be relevant, and build them into the consequences.’2 If true, the claim that every moral theory can be consequentialised reveals an important asymmetry between consequentialism and other theories. Consequentialists can account for phenomena that are usually thought of in nonconsequentialist terms, such as rights, duties, and virtues, whereas the opposite is false of nonconsequentialist theories. Rights, duty or virtue-based theories cannot account for the fundamental moral importance of consequences.3 Because of this asymmetry, it seems it would be preferable to become a consequentialist – indeed, it would be virtually impossible not to be a consequentialist. Call this the asymmetry argument.

### A2 Phil Education

1. I ccopt all your offense on philosophical education since I still allow for framework I just narrow the framework debate to forms of consequentialism- you have uniqueness since you just say phil edu is good but don’t explain why your form of phil edu is good.
2. Turn, consequentialist fw debate is better since talk about concepts that will affect us in the real-world which outweighs since your interp allows for abstract discussion of philosophy with no practical value.
3. Turn, my interp is better for depth of phil edu since I force comparison within the same ethical perspective which ensures that we actually have a deeper understanding of ethics rather than superficially understanding that results from framework preclusion or re-hased Deont vs. Util. Depth outweighs since most people know the basics of deont and contractualism so it’s more important to talk about the nuances of one theory like consequentialism.
4. Turn, I allow for better phil education since my interp forces debaters to be more prepared to defend different parts of their framework syllogism since they’ll never know what parts the negative’s form of consequentialism will comply with vs. contest.

### A2 Harris isn’t a Definition

1. Yes, it is, he’s defines ‘ought’ in the normative sense which is most contextual to the resolution since it’s not asking a factual question but rather a normative one.
2. It’s an interpretation which means at worst that’s just a reason they have to defend ‘ought’ as a question of desirability not obligation.
3. Literally no impact- it’s a T debate and my evidence indicates that they should the resolution as a desirable state of affairs- the offense explains why it’s the most legitimate interp even if it isn’t defined as such.

## T- No Permissibility

A. Interpretation: Ought is defined a decisive reason, which means equal or greater reason to act, not an absolute obligation. Parfit

Parfit, Derek. "On what matters (Vol. 1)." Oxford: Oxford University Press 410 (2011): 16-17. PH

What we should or ought to do. Like the concept of a reason, the concept expressed by these uses of ‘should’ and ‘ought’ cannot, I believe, be helpfully defined. Some people suggest that, when we claim that we ought to do something, we mean that we have decisive reasons to do this thing. But this seems to be only part of what we mean, or imply. The word ‘ought’ seems to add something. Others try to define the concept of a reason by appealing to the concept ought. I doubt whether such definitions could succeed. But even if these concepts are both indefinable, they are very closely related, in ways that do something to explain them both. We can partly identify this version of the concept should and ought by saying that this concept applies to some act just when, and because, we have decisive reasons, or most reason, to act in this way.

B. Violation:

C. Standards:

1. Philosophical Education- My interpretation allows for the most philosophical education since we can talk about all the normative implications of our actions. Obligation debate limits the scope of philosophical discussion since not every philosopher takes a definitive stance on applied issues like the resolution conflict. I also o/w on literature consensus since Parfit looks at the way other political philosophers use the term and draws the most modest conclusion. Also, philosophical education is key to the real-world value of debate and teaches us to think critically about the content we’re introduced to. It literally makes you smarter. Rice University

Rice University, Why Study Philosophy?The study of philosophy provides a training in expressing thoughts clearly and precisely, in defending one's ideas, and in evaluating the positions of others. Quite simply, **philosophy gives training in critical thinking.** And this is a skill **valuable in any professional held.** Philosophy has a special **affinity with the legal profession, in which argument and the application of general rules to cases play central roles.** Many **law schools recognize this** connection, **and are especially receptive to philosophy majors**. But philosophical skills are valuable elsewhere as well. **In business you must be able to formulate and clarify problems, to analyze potential solutions, and defend your approach in a clear and rational way**. All these abilities are improved by exercise in philosophical argument. And finally, **medical schools place increasing importance on the ability to reflect on the ethical issues that arise in their practice** - and these are problems **treated in moral** philosophy. Some of these practical benefits are reflected in exceptional performance by philosophy majors on graduate admissions exams. Studies showed that **philosophy majors scored higher than any other group on the verbal sections of the GRE, and much higher than any other humanities majors on the quantitative section.** Philosophy majors were second only to math majors on the GMAT, and third only to math and economics majors on the LSAT. Of course, majors' training in philosophy may not be wholly responsible for these results - it might also be that brighter students are entering the field to begin with. But in either case, the report suggests that you're not stupid if you join them.

2. Reciprocity- Obligation-based interpretations allow for deflationary arguments like permissibility or skepticism which gives one side a 2-1 structural advantage that requires me to prove the existence of morality and an obligation when they can deny just one to win. Decisive reason solves by creating a 1:1 burden structure where you only have to prove equal or greater reason for taking an action so even if deflationary arguments they can flow either side based on the arguments you make. Reciprocity encompasses all structural fairness claims since they assume competitive equity which reciprocity rectifies.

3. Division of Ground- Decisive reason allows all arguments to link since it each side on has to prove equal or greater reason for action. Obligation-based interpretations structurally favor the negative since deflationary arguments flow negative under their interpretation since every action being allowed would imply that we’re not obligated to take any specific action. Division of ground is key to fairness because it creates an equitable basis for argument generation.

## T- LW=Suggested Rage

A. Interpretation: Living wage is a suggested income level for employers to pay workers not a legally mandated wage. Guzi 14

Guzi, Martin, and Paulien Osse. "Estimating Living Wage Globally-65 Countries." European Conference on Living Wages (2013): n. pag. WageIndicator Foundation. Masaryk University. Web. 16 Dec. 2014. PH

The minimum wage levels are enforced by law. By contrast the concept of living wage is not written in the law and should be perceived as a suggested income level to achieve decent living standards. The definition of decent living standards can vary between countries and individual preferences. In majority of countries the estimated living wage is higher than the minimum wage.

B. Violation: C-X concession

C. Standards:

1. Debatability- There’s no way to have coherent debate about a specific living wage rate or law since there’s no consensus on how to determine or calculate a living wage. Guzi 2

Guzi, Martin. [Postdoctoral researcher at Masaryk University] "Estimating Living Wage Globally-65 Countries." European Conference on Living Wages(2013): n. pag. CLESI and WageIndicator Foundation. Masaryk University. Web. 16 Dec. 2014. PH

The income level necessary to secure a decent standard of living is an important economic yardstick of income adequacy. A living wage is defined as a wage paid for a standard working week that meets the basic needs of workers and their families and provides some discretionary income. The need for a living wage has also been recognized by the international community. In 1919 the International Labor Organization (ILO) has defined a living wage as a basic human right under their conventions and recommendations to the Universal Declaration of Human Rights Article 23 (ILO, 2008). In 1948 the United Nations Universal Declaration of Human Rights officially recognized the need for workers to receive a living wage. There was never a consensus on how to define a living wage but in the recent decades governments, municipalities, international and local trade unions, and labor research institutes developed their own definitions and measurement methods of a living wage. Debates have appeared in different fora about how best to calculate this standard in a given context. Anker (2011) is the most comprehensive review on how the living wage has been described, defined and measured around the world. In many countries, the concept of living wage is based on a number of different definitions. Different methodological approaches make it difficult to produce a globally comparable living wage. Moreover, the estimation of living wage hinges on the availability of timely information about the cost of living, which is seldom available in developing countries. Anker (2011) argues that greater clarity with regards to the definition and measurement of living wage is a prerequisite for the widespread consideration of living wages and employee needs, by companies, unions and governments.

2. Affirmative Solvency Ground- defending a legal mandate undermines ANY ability to solve their impacts because living wage incentives misclassification for companies to get out of paying the wage. Woodfield 14

**Woodfield, Nicholas. "Employers Skirt Wage Requirements [Commentary]." *Baltimoresun.com*. Baltimore Sun, 07 July 2014. Web. 07 July 2014. GC**

Without extra safeguards, **wage hikes will mainly give employers a huge new incentive to break the law by "misclassifying" more workers in order to stay competitive. Misclassification [it] is** already rampant among employers. It's illegal, and it cheats both employees and taxpayers, but it's also **easy to imple ment and tough — too tough — for workers to fight.** What is misclassification, exactly? Well, most federal and local wage laws apply only to "employees" — and rules such as overtime pay apply only to "non-exempt employees." To avoid extra costs, about **30 percent of employers play** brazen (and unlawful) **games with** these legal definitions. **Want to hire people without paying them the minimum wage** — or unemployment insurance, or worker's compensation, or Medicare tax, or many other expenses? Just **don't call your new hires "employees,"** even if that's what they are. **Call them "independent contractors,"** and see if anyone notices. **Want to avoid paying your employees time-and-a-half after 40 hours of work?** Just **call them "exempt,"** even if they're not: They probably won't object. **Facing a tight economy, more companies have been shortchanging their workers** — and depriving them of legal rights, and evading taxes — via such wrongdoing. Federal lawsuits for violation of the Fair Labor Standards Act have risen for six straight years now, to more than 8,100 in the year ended March 31. **Most employers never face any consequences for their law-breaking**, however: They have their cake and eat it, too. Misclassification is a norm in industries such as construction; university researchers found last year that **more than 40 percent of Texas construction workers, for instance, are misclassified as independent contractors** — or paid entirely under the table. In such an environment, **even honest employers feel they must break the law simply to compete. Imagine what'll happen to Seattle's construction industry when the cost of honesty jumps by 60 percent — the amount that city plans to raise its minimum wage, to $15 per hour.**

Defending a suggested rate as opposed to a legal mandate solves for enforcement barriers since affirmative offense isn’t contingent on solving a specific impact. Affirmative solvency ground is key to fairness since it ensures they have the ability to garner offense, which is necessary to access the ballot.

3. Topic Literature- The literature distinguishes living wage from minimum wage because minimum wage is codified into law. Lawton and Pennycook 13

Lawton, Kayte, and Matthew Pennycook. "Beyond the Bottom Line." (2013). PH

Living wages are fundamentally different. They focus on the wage rate that is necessary to provide workers and their families with a basic but acceptable standard of living. This minimum standard of living is socially defined (and therefore varies by place and time) and is often explicitly linked to other social goals such as the fulfilment of caring responsibilities. Living wage advocates typically emphasise the roles of workers beyond the workplace, for example, as parents and members of a community, and call for a wage rate that will ensure that workers do not have to work for excessive hours in order to achieve an adequate income. The potential impact on employment or the effect on employers is given little if any consideration. These conceptual differences help to explain the different ways in which living wages and minimum wages are advanced. In the UK, living wages are voluntary and usually adopted by employers after a local campaign or process of negotiation. This allows employers who feel unable to bear the cost of introducing a living wage without shedding labour to decline to commit to paying one. Living wages therefore tend to be partial and fragmented in nature. Minimum wages by contrast are imposed universally (although most have exemptions) through legislation at the national or sub-national level.

Thus, they must quantify authors who view living wage as legal mandate to access offense on topic lit. This is key to fairness and education- topic lit is where all arguments are based which allows for the most effective discussion and basis for prep.

### A2 Other Words Require Implementation

1. Not competitive- my interpretation allows them to defend implementation. It just requires them to implement it as a suggested rate- like soft enforcement model of Living Wage.
2. I outweigh on textual precision- their definitions might be more accurate at defining the words in isolation but my definition of LW is most consistent with the meaning of the word in relation to the other terms in the resolution.
3. My definition is comparative- it looks at how minimum wage as been implemented and how that differs from the implementation of living wage, which means it’s most consistent.
4. His definition doesn’t speak to living wage as a legal mandate rather just a policy option so it’s not competitive with my interpretation, which says that living wage is implemented as a suggestion. A non-competitive counter-interp on T is a reason I coopt their offense since my interp prohibits a different argument all together.

## T- Plan Flaw

1. Interpretation: The advocacy text read by the affirmative must constitute an enactable policy action.
2. Violation:

1st You don’t say “resolved” before the plan text which means the affirmative is never put into action.

2nd You say that you “reserve the right to clarify” which means the AC can’t be a legitimate policy since components of the plan can be changed.

3rd There isn’t a period at the end of the plan text which means that it’s not a sentence, just a phrase which would imply that the plan is a suggestion rather than a legal mandate.

4th

## T- Prisons

A. Interpretation: Duhaime’s Law Dictionary defines Employer

Duhaime, Lloyd. "Employer Legal Definition:." Duhaime's Law Dictionary. Duhaime.org, n.d. Web. 25 June 2014. PH

A person who is contractually bound to a worker - the employee - to give that worker money as a salary or wages, in exchange for ongoing work and for which the employer directs the work and exercises fundamental control over the work.

B. Violation:

1. Prisoners aren’t employees- that’s why the aff is inherent. Schwartzapfel 14

Schwartzapfel, Beth. [Freelance journalist] "Modern-Day Slavery in America's Prison Workforce." The American Prospect. The American Prospect, 2014. Web. 24 Dec. 2014. PH

Because inmate workers are not considered “employees” under the law, they have none of the protections that word implies. No disability or worker’s compensation in the event of an injury. No Social Security withholdings, sick time, or overtime pay. In three states—Texas, Georgia, and Arkansas—they work for free. In Texas, where inmates are required to work under threat of punishment, most do maintenance tasks like Hazen, but some are assigned to “field force” jobs designed to be particularly demeaning. “It wouldn’t be an ideal job,” says Jason Clark, Texas Department of Criminal Justice public information officer director. “Someone may have had disciplinary issues, so they end up in the field force, doing various things including clearing fence lines. They’re out under armed-guard supervision, using their labor.”

2. Prisons don’t have employment contracts. Swepston 01

Swepston, L. [Chief, Equality and Employment Branch and Human Rights Coordinator, ILO, Geneva] "Prison Labor and International Human Rights." PROCEEDINGS OF THE ANNUAL MEETING-INDUSTRIAL RELATIONS RESEARCH ASSOCIATION. IRRA; 1999, 2001. PH

One of the views expressed by those questioning the present-day relevance of Convention No. 29 was that a prisoner could only be considered to be hired to or placed at the disposal of a private company in cases where the prisoner was employed by the private company, which might be either the prison operator or a third party, or where the prisoner was placed in a position of servitude in relation to the private company, but not where the performance of work was 'merely one of the conditions of imprisonment imposed by the State'. An Employer member stated that contractual arrangements were not comparable to what would normally be regarded as a hiring arrangement in cases where it was not the private company which was paying the public authority as providers of the prisoners' services, since the roles had been reversed. Also, prisoners should not be considered to be placed at the disposal of private companies where the companies did not have absolute discretion over the type of work that they could request the prisoner to do, but were limited by the rules set by the public authority.

C. Standards:

1. Legal Precision- legal definitions have developed highly specific tests of what constitutes an employee. Duhamie 2

Duhaime, Lloyd. "Employer Legal Definition:." Duhaime's Law Dictionary. Duhaime.org, n.d. Web. 25 June 2014. PH

In order to determine whether a person is an employer, as the characterization may have ominous consequences in terms of vicarious liability for the torts of an alleged employee, or in regards to taxation or the payment of statutory benefits, the law generally turns towards the distinctions between an employee and an independent contractor or an agent or such other control tests as have been developed by the relevant jurisprudence. For example, in City of Montreal, a 1946 Canadian case, which was appealed all the way to the Privy Council of England (such appeals to the court of a foreign jurisdiction have since been disallowed), Justice Wright of the Privy Council wrote: "In earlier cases a single test, such as the presence or absence of control, was often relied on to determine whether the case was one of master and servant, mostly in order to decide issues of tortious liability on the part of the master or superior. "In the more complex conditions of modern industry, more complicated tests have often to be applied. "t has been suggested that a fourfold test would in some cases be more appropriate, a complex involving control, ownership of the tools, chance of profit (and) risk of loss. "Control in itself is not always conclusive. Thus the master of a chartered vessel is generally the employee of the shipowner though the charterer can direct the employment of the vessel. "Again the law often limits the employer's right to interfere with the employee's conduct, as also do trade-union regulations. In many cases the question can only be settled by examining the whole of the various elements which constitute the relationship between the parties. In this way it is in some cases possible to decide the issue by raising as the crucial question whose business is it, or, in other words, by asking whether the party is carrying on the business, in the sense of carrying it on for himself or on his own behalf and not merely for a superior." A year later, the Privy Council, in Mersey Docks added: "Many factors have a bearing on the result. "Who is paymaster, who can dismiss, how long the alternative service lasts, what machinery is employed -- all these questions have to be kept in mind. "The expressions used in any individual case must always be considered in regard to the subject matter under discussion, but among the many tests suggested I think that the most satisfactory by which to ascertain who is the employer at any particular time is to ask who is entitled to tell the employee the way in which he is to do the work upon which he is engaged. "If someone other than his general employer is authorized to do this, he will, as a rule, be the person liable for the employee's negligence. "But it is not enough that the task to be performed should be under his control, he must also control the method of performing it. It is true that in most cases no orders as to how a job should be done are given or required. The man is left to do his own work in his own way, but the ultimate question is not what specific orders, or whether any specific orders, were given, but who is entitled to give the orders as to how the work should be done."

Key to predictability – laws are based on legally precise definitions, so prisoner wage laws are an entirely different set of laws than minimum wages for society at large – it’s a different literature base than the rest of the resolution, which makes it impossible to prep against the aff.
Imprecise definitions cause confusion, conflating distinct concepts under 1 non-technical education – this mis-educates us about minimum wage laws, which kills topic education.
2. Limits – A) virtually every group of employers is a possible plan, which makes it harder for the neg to prep and answer the aff, which is worse since plans give the aff a huge prep advantage over the neg. Strict interps decrease the neg prep burden and make it possible to prep the aff.
3. Neg ground – A) the standard comparison is between a minimum wage and higher living wage, which sets up how all neg positions are written and argued; this aff escapes that comparison to get out of neg positions. Prepping specific responses is worse for the neg since the huge size of the topic makes this impossible – there are too many possible affs to prepare EVERY single one of them.
B) The prison aff is especially bad – not adhering to normal wage laws non-uniques standard neg econ disads, link turns generic NCs, and is a form of exploitation that can link turn kritiks. Not paying wages to prisoners is WIDELY REGARDED as exploitative and violates virtually EVERY ethical theory, escaping ALL neg ground.
C) Empirics prove – 19 of the first 20 articles taking a stance for or against low prisoner wages conclude affirmative – it hasn’t ever been proposed as a policy BECAUSE regular employment laws doesn’t apply, which means there’s no neg literature arguing against those proposals, only aff literature proposing it that isn’t taken seriously.

## T- Require=Aims

1. Interpretation- Oxford Dictionaries defines Require:

(require something of) Regard an action, ability, or quality as due from (someone) by virtue of their position: the care and diligence required of him as a trustee

Since the resolution is a question of whether employers are obligated to pay living wages, and that said obligation follows from the principles and virtues of the agent.

1. Violation: They defend the implementation of a living wage
2. Standards:

#### 1. Topic literature – minimum wages are political issues but the literature has not begun to discuss methodology of implementation – there is a gap between how wages are discussed as an issue of public policy and the implementation of policies. They’re just proposals and potential impacts based on general instances of increased wages. Benassi 11

Benassi 11 [Chiara Benassi, “The Implementation of Minimum Wage: Challenges and Creative Solutions”. Global Labour University, [www.global-labor-university.org](http://www.global-labor-university.org). International Labour Organization. 2011.] PH

#### This frames ground distribution and limits – his interpretation isn’t a *good* interpretation and doesn’t have solvency if there’s no basis in the topic literature. Key to fairness and education since it’s the basis of ground distribution.

Predictability– can’t predict a bunch of policies in multiple countries since there’s not a coherent plan in the literature for implementing it – they put forth a policy but nothing more. Moreover, 90% of countries Minimum wage is one of the most used instruments for affecting the wage distribution on the labour market. In fact, minimum wage is provided by law in 90% of the world’s countries; however, its implementation varies highly in both approach and effectiveness across countries. Because of its potential redistributive effect, setting a minimum wage as a matter of policy is a contentious political issue and object of controversies among the government, workers’ organizations and employers. Despite (or because of?) the controversy, there still lacks a coherent debate about effective minimum wage implementation strategies. A review of academic literature reveals the same gap in the research: the minimum wage issue is widely debated as a matter of policy, but its implementation is often left out. [Most]Some authors deal with the question of legitimacy of minimum wage from a philosophical and legal perspective, discussing the minimum wage in reference to the ideal of social justice and of civil rights in different societies (Levin-Waldman 2009; Gaski 2004).

#### have minimum wage policies

2. Philosophical education – his interpretation kills the value of phil debate – there’s no need to justify why a ethical theory is good or not since he can criticize the framework by proving that status quo and historical instatiations of the ethical theory has been flawed – renders all philosophical debate meaningless since there’s no reason to debate the merits of an ethical theory anymore. Cross apply all of the reasons why phil education outweighs and is a voter – that’s on his shell.

## T- LW=/= Ordinance

#### A. Interpretation: Living Wage is not an absolute amount; it is an hourly wage rate that differs based on various variables.

Wills, Jane, and Brian Linneker. "The costs and benefits of the London living wage." London: School of Geography, Queen Mary University of London (2012). PH

The living wage is the minimum hourly wage required to allow a worker to support themselves and their dependents. It should cover the cost of food, housing and basic needs. Although the household circumstances of each worker will be different, the wage rate is calculated to reflect a locally determined minimum acceptable standard of living. The methods used to calculate the wage generally involve research into the cost of living, including everyday items, adjusted for household characteristics, such as the presence of a working partner and the number of children. The London rate has been calculated and announced by the Mayor of London since 2005. The team of economists based at the Greater London Authority use a consistent methodology to calculate the rate incorporating the cost of a basic basket of goods and necessary housing, childcare and transport costs, all calculated making very [under] modest assumptions, as well as some statistical analysis of households below half average income in London. These figures are then combined and modelled to reflect the household structure of families in London in order to generate three wage rates every year. These are the basic poverty wage that only covers essential items with nothing to spare, the living wage rate that assumes full benefit take up with an additional 15% income for contingency, and the living wage rate without benefit take up. The rates set since 2003 are shown in relation to the NMW in Table 2.

B. Violation:

## T- Circa 68

1. Interpretation: Clain 07 defines living wage.

Clain, Suzanne Heller. [Economics Department School of Business Villanova University] "How living wage legislation affects US poverty rates." Journal of Labor Research 29.3 (2008): 205-218. PH

Since the mid-1990s, over 100 U.S. cities and counties have followed the example of Baltimore, Maryland, and adopted living wage legislation. These laws typically require that businesses that contract with (or receive assistance from) the local government pay workers a wage that is at or above a level designated as sufficient to maintain a family income above federal poverty levels.

1. Violation: Circa 68 would wages to be at least at

Fairchild, Caroline. [Writer at Huffington Post] "Minimum Wage Would Be $21.72 If It Kept Pace With Increases In Productivity: Study." The Huffington Post. TheHuffingtonPost.com, 13 Feb. 2013. Web. 26 Dec. 2014. PH

President Obama's call to increase the federal minimum wage to $9 an hour was one of the more significant proposals he laid out in his State of the Union address Tuesday night. But $9 an hour is still a far cry from what workers really deserve, a 2012 study finds. The minimum wage should have reached $21.72 an hour in 2012 if it kept up with increases in worker productivity, according to a March study by the Center for Economic and Policy Research. While advancements in technology have increased the amount of goods and services that can be produced in a set amount of time, wages have remained relatively flat, the study points out. Even if the minimum wage kept up with inflation since it peaked in real value in the late 1960s, low-wage workers should be earning a minimum of $10.52 an hour, according to the study. Between the end of World War II and the late 1960s, productivity and wages grew steadily. Since the minimum wage peaked in 1968, increases in productivity have outpaced the minimum wage growth. The current minimum wage stands at $7.25 an hour. In 2011, more than 66 percent of Americans surveyed by the Public Religion Research Institute supported raising this figure to $10. The last time the federal minimum wage increased was in 2009. Currently observed in 31 states, the federal minimum wage translates to an annual income of about $15,000 a year for someone working 40 hours per week.

1. Standards:
2. Topic Literature- most legislation on living wage use this definition. Clary 09

Clary, Betsy Jane. "Smith and living wages: arguments in support of a mandated living wage." American Journal of Economics and Sociology 68.5 (2009): 1063-1084. PH

A living wage has been defined in most living wage campaigns as a wage equivalent to the poverty line for a family of four, or the amount of income generated by such a wage that would allow such a family to secure the food, shelter, clothing, health care, transportation, and other necessities of living in modern society. Such a social definition of wages and income leads to an evaluation of wages that includes the absolute level of the wage, as well as an evaluation of wages relative to both acceptable standards of living and acceptable standards of distribution.

## T- FMW Act of 2013

A. Interpretation: The wage mandated by living wage must vary to reflect the regional cost of living in the United States. Pollin 03

[Professor of Economics and Co-Director, Political Economy Research Institute (PERI) University of Massachusetts-Amherst “Evaluating Living Wage Laws in the United States: Good Intentions and Economic Reality in Conflict?” Economic Development Quarterly, 2003] FK

A considerable amount of value judgment inevitably goes into establishing such standards. Moreover,the cost of living varies considerably between regions and communities in the U.S. Adjustments should therefore be made in light of such cost differences in determining appropriate living-standard thresholds. The only way a researcher can handle these issues is to be explicit in establishing meaningful benchmarks.

B. Violation: The fair minimum wage act of 2013 raises wage uniformly. Library of Congress 13

"S.460 - Fair Minimum Wage Act of 2013113th Congress (2013-2014)." S.460. Library of Congress, 05 Mar. 2013. Web. 26 Dec. 2014. PH

Fair Minimum Wage Act of 2013 - Amends the Fair Labor Standards Act of 1938 (FLSA) to increase the federal minimum wage for employees to: (1) $8.20 an hour on the first day of the third month after the enactment of this Act; (2) $9.15 an hour after one year; (3) $10.10 an hour after two years; and (4) the amount determined by the Secretary of Labor (based on increases in the Consumer Price Index) after three years, and annually thereafter. Increases the federal minimum wage for tipped employees to $3.00 an hour for one year on the first day of the third month after the enactment of this Act. Provides a formula for subsequent annual adjustments of the wage increase to ensure that it remains equal to 70% of the wage in effect under FLSA for other employees. Directs the Secretary of Labor, 60 days before any increase in the minimum wage, to publish it in the Federal Register and on the Department of Labor's website.

C. Standards:

Living wage varies by region. Harvard University

"The Harvard Living Wage Fact Sheet." The Living Wage Fact Sheet. Harvard University, n.d. Web. 22 June 2014. PH

Although living wage standards do, by definition, vary by region, they are all considerably higher than the federal minimum wage. This is because the minimum wage does not begin to meet the needs of working people or families anywhere in the country: in fact, it puts a parent with one child below the federal poverty line. A living wage aims to correct this by establishing, at a local level, a more reasonable minimum wage. Like many municipal standards in place around the country, our living wage standard also combines this wage standard with benefits.

Living Wage is not an absolute amount; it is an hourly wage rate that differs based on various variables. Willis and Linneker 12

Wills, Jane, and Brian Linneker. "The costs and benefits of the London living wage." London: School of Geography, Queen Mary University of London (2012). PH

The living wage is the minimum hourly wage required to allow a worker to support themselves and their dependents. It should cover the cost of food, housing and basic needs. Although the household circumstances of each worker will be different, the wage rate is calculated to reflect a locally determined minimum acceptable standard of living. The methods used to calculate the wage generally involve research into the cost of living, including everyday items, adjusted for household characteristics, such as the presence of a working partner and the number of children. The London rate has been calculated and announced by the Mayor of London since 2005. The team of economists based at the Greater London Authority use a consistent methodology to calculate the rate incorporating the cost of a basic basket of goods and necessary housing, childcare and transport costs, all calculated making very [under] modest assumptions, as well as some statistical analysis of households below half average income in London. These figures are then combined and modelled to reflect the household structure of families in London in order to generate three wage rates every year. These are the basic poverty wage that only covers essential items with nothing to spare, the living wage rate that assumes full benefit take up with an additional 15% income for contingency, and the living wage rate without benefit take up. The rates set since 2003 are shown in relation to the NMW in Table 2.

## T- LW and MW not MW🡪LW

A. Interpretation - Neumark and Adams 03 define living wage.

Neumark, David, and Scott Adams. "Do living wage ordinances reduce urban poverty?." Journal of Human Resources 38.3 (2003): 490-521. PH

Living wage ordinances typically mandate that businesses under contract with a city or, in some cases, receiving assistance from a city, must pay their workers a wage sufficient to support a family financially.

B. Violation –Though Living wage policies have characteristics of both minimum wage and prevailing wage laws it isn’t the same as Minimum Wage. Martin 01

Isaac Martin, [University of California, Berkeley], “Dawn of the Living Wage: The Diffusion of a Redistributive Municipal Policy,” Urban Affairs Review 2001 36:470-496. PH

The demand for a “living wage” is not new; English-speaking labor movements have used the term at least since the nineteenth century (see Glickman 1997). Currently, labor and community activists use it to refer to a narrow set of legislative strategies that are best understood by comparing them to minimum wage legislation, on one hand, and prevailing wage legislation, on the other. Minimum wage laws establish a standard for wages that applies to all employers within a specified jurisdiction and that is not indexed to market wages. Prevailing wage laws apply only to employers who hold public contracts or receive some form of public subsidy, and they typically require employers to pay the wage that “prevails” in a given market rather than any absolute minimum. Living wage policies share characteristics of both: Like a minimum wage law, they set an absolute minimum standard, but like a prevailing wage law, they apply only to employers who hold public contracts or receive public monies (see Pollin and Luce 1998, chap. 2). There are important differences among living wage policies in the wage level, mandated benefits, and exact scope of coverage (Spain and Wiley 1998), but all of them aim explicitly to raise workers out of poverty. Furthermore, with the exception of policies passed by the states of Maryland and Minnesota, all living wage policies at the time of this writing have been passed by local governments (including municipalities, counties, and public authorities).1

C. Standards:

Division of ground- My interpretation allows for the best division of ground since authors delineate living wage and minimum wage in academic discussion based on the coverage of their legislation. Defending minimum wage increases gives you access to better ground since the discussion has less controversy. Neumark and Adams 03

Neumark, David, and Scott Adams. "Do living wage ordinances reduce urban poverty?." Journal of Human Resources 38.3 (2003): 490-521. PH

Living wage ordinances mandate wage floors that are typically much higher than the wage floors set by state and federal minimum wage legislation. These ordinances are frequently tied to the federal government's definition of poverty. While traditional minimum wage legislation is nearly universal in coverage, living wages apply to a subset of firms. Only businesses under contract to provide services to the city and, in some cases, firms receiving assistance from the city for the purpose of economic development or job creation, or city employees, are subject to the requirements of these ordinances. Thus, theoretical predictions of the effects of tradi-tional minimum wage laws and the extensive empirical literature that tests these predictions can only serve as a rough guide to studying the effects of living wages. Their unique features require separate empirical examination.

## Spec Shells

## Must Spec

1. Interpretation: The aff must have evidence in the 1AC that specifies the method of by which living wage is determined. This must be in the AC not C-X or later speeches
2. Violation:
3. Standards:

Ground- There’s several different methods to calculate living wage but no consensus. Brokatzky et al

Brokatzky, Juergen, Raj Sapru Geiger, and Matthias Streib. "Implementing a living wage globally: The Novartis approach." Embedding Human Rights in Business Practive II: 129. PH

While the company’s commitment to a living wage was never in question, methodological challenges raised by implementation were by no means undemanding. Numerous different conceptual approaches and methodologies have been proposed to calculate a living wage – taking into account geographically specific data on household expenditure (e.g. food, housing, health care, education, transportation, child care) for varying family sizes and places of residence.

Not specifying kills neg ground since we don’t know how much of the impact they can solve for or the effectiveness of their enforcement method- this kills my ability to indict their enforcement method. Also, kills CP ground since many process and advantage CPs are contingent on it. Even if there’s a sliver of ground it will be qualitatively worse since I need to know indexing method to garner core neg lit such as Outsourcing DAs. CP ground is an independent voter since living wage intuitively reduces poverty so CP is necessary to be comparative on the issue. Ground is key to fairness since it rectifies access to the ballot.

Stable Advocacy- The standard for basic living is different in every place so knowing the methodology for determining living wage is key to ensure the aff doesn’t shift in the 1AR to get out neg turns. Anker 11

Anker, Richard. Estimating a living wage: A methodological review. ILO, 2011. PH

It is important to point out that what is considered an acceptable basic quality life is time- and place-specific. It differs across development levels and improves over time as a country develops. It is also important to point out that assumptions for household size needing to be supported and number of persons in the household expected to work are, by their nature, somewhat subjective. On the other hand, as will be shown later in this paper, while these assumptions and estimates of basic living costs necessary involve some subjectivity, it possible to make defensible and reasonable living wage estimates with judicious use of information about workers, households and typical household expenditures.

Not specifying allows the aff to de-link and shift out as many neg arguments as possible while still getting access to their solvency to mooting the 1NC.

Stable advocacy is key to fairness since it allows for engagement, which is necessary to access the ballot. It’s key to education since it allows for a more developed coherent discussion.

## Full Spec

A. Interpretation: On the 2014-2015 TOC topic, the affirmative must specify the