## 1

#### [A] Interpretation: Debaters may not read frameworks with both normative and theoretical justifications. To clarify, theoretical justifications link back to fairness and education.

#### [B] Violation: They read TJF’s and normative justifications.

#### [C] Standards:

#### [1] Philosophical education—when I read a normatively justified framework in opposition, we are able to interact and weigh between two frameworks. However, when you include normative and theoretical justifications, you moot any philosophical education by a) extending pre-fiat reasons to come before substance b) require people to justify their framework substantively less and c) hone theory skills rather than reading literature. Kills philosophical education because we don’t engage on a substantive discussion of warrants. Philosophical education outweighs other links to education because LD is uniquely a values debate. Also controls the internal link to real world education because people make a bunch of moral decisions in their everyday lives.

#### [2] Strategy Skew—by having both layers, you can just collapse to whichever one I undercover in the next speech, skewing my strategy. Even if I put defense on theoretical justifications, you still win the framework debate. Strat skew is an independent voter because we need a coherent strategy to debate in the first place, meaning it precludes things like fairness or education.

## 2

#### A. Interpretation: If the affirmative defends a consequentialist framework, they must explicitly delineate which theory of the good they defend in the form of a text in the 1ac.

#### Each nuance of the ethic entails different obligations and would exclude different offense – there are 7 different versions.

**Mastin** [Luke Mastin, Consequentialism, The basics of philosophy <http://www.philosophybasics.com/branch_consequentialism.html>] //Massa

Some **consequentialist theories include**: Utilitarianism, which holds that an action is right if it leads to the most happiness for the greatest number of people ("happiness" here is defined as the maximization of pleasure and the minimization of pain). **Hedonism**, **which** is the philosophy **[holds] that pleasure** **is** the **most important** pursuit of mankind, **and** that **individuals** **should** strive to **maximise** **their own total** **pleasure** (net of any pain or suffering). **Epicureanism** is a more moderate approach (which still seeks to maximize happiness, but which **defines happiness** more **as a** **state of tranquillity** than pleasure). **Egoism, which holds that an action is right if it maximizes good for the self.** Thus, Egoism may license actions which are good for an individual even if detrimental to the general welfare. **Asceticism**, in some ways, **the opposite of Egoism in that it describes a life characterized by abstinence from egoistic pleasures** especially **to achieve a spiritual goal. Altruism**, which **prescribes that an individual take actions that have the best consequences for everyone except for himself**, according to Auguste Comte's dictum, "Live for others". Thus, individuals have a moral obligation to help, serve or benefit others, if necessary at the sacrifice of self-interest. **Rule Consequentialism**, which is a theory (sometimes seen as an attempt to reconcile Consequentialism and Deontology), **[holds] that moral behaviour involves following certain rules**, but that those rules should be **chosen** based **on** the **consequences that** the selection of **those rules have**. Some theorists holds that a certain set of minimal rules are necessary to ensure appropriate actions, while some hold that the rules are not absolute and may be violated if strict adherence to the rule would lead to much more undesirable consequences. **Negative Consequentialism**, which **focuses on minimizing bad consequences rather than promoting good consequences**. This may actually require active intervention (to prevent harm from being done), or may only require passive avoidance of bad outcomes.

#### B. Violation: They don’t and maximizing expected well-being doesn’t cut it.

**Crisp**, Roger, "Well-Being", *The Stanford Encyclopedia of Philosophy*(Fall **2017** Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/fall2017/entries/well-being/>. //Massa

Well-being is most commonly used in philosophy to describe what is non-instrumentally or ultimately good *for* a person. **The question of what well-being consists in is of independent interest**, but it is of great importance in moral philosophy, especially **in the case of utilitarianism**, according to which the only moral requirement is that well-being be maximized. Significant challenges to the very notion have been mounted, in particular by G.E. Moore and T.M. Scanlon. **It has become standard to distinguish theories of well-being as either hedonist theories, desire theories, or objective list theories**. According to the view known as welfarism, well-being is the only value. Also important in ethics is the question of how a person’s moral character and actions relate to their well-being.

#### C. Standards:

#### 1. Shiftiness – They can shift out of my turns based on whatever theory of the good they operate under due to the nature of a vague standard. Especially true because the warrants for their standard could justify different versions of consequentialism as coming first and I wouldn’t know until the 1ar which gives them access to multiple contingent standards.

#### 2. Strat – I lose 6 minutes of time during the AC to generate a strategy because I don't know what turns or strategy I can go for during the 1N absent which proves CX doesn’t check since it would occur after the skew.

#### 3. Resolvability – Makes the round irresolvable since we can’t weigh different mechanisms for the good – Benatar would probably link harder under a hedonistic conception of util – weighing ground is key since it ensures we can compare arguments that clash to access the ballot.

## 3

**1] Utilitarianism collapses into contractarianism.**

John J. **Thrasher**, Assistant Professor in the Philosophy Department and the Smith Institute for Political Economy and Philosophy at Chapman University, Reconciling Justice and Pleasure in Epicurean Contractarianism, Ethical Theory and Moral Practice, Vol. 16, No. 2 (April **2013**), pp. 423-436 ///AHS PB

**If** you do not, on every occasion, refer each of your actions to the goal of nature, but instead turn prematurely to some other [criterion] in avoiding or pursuing [things], your actions will not be consistent with your reasoning (KD 25). **This goal of reasoning and action is the absence of pain** and the tranquility that comes from living without fear (KD 3).4 This kind of pleasure, ataraxia, is unhindered tranquility, rather than a sensation of active pleasure.5 It is a psychological fact, according to Epicurus, that we do actually seek ataraxia and that our lives go best, from a subjective point of view, when we pursue ataraxia. It is the natural goal of beings like us. If fear of the gods, death, and pain constitute sickness of the soul, removing those ailments constitutes its health. This psycho logical hedonism creates the justification for the normative hedonism that practical reason ing should aim at ataraxia.6 The normative ideal of Epicurean practical rationality is a hedonistic form of instrumental rationality with the final end of ataraxia. In the parlance of modern decision theory, it is a maximizing theory of rationality. Given a set of ordered preferences, individuals chose rationally when they choose to act on their highest valued goals. To choose less pleasure rather than more pleasure when given the choice is paradig matically irrational and contrary to nature. Given this conception of practical rationality and virtue, it is hard to see how one can single-mindedly pursue pleasure and accept the constraints of justice. Traditionally, virtue ethical theories solve this problem by making the virtue of justice constitutive of happiness with deontic restraints built into the formal conditions of happiness.7 To use the Rawlsian terminology, the right flows naturally out of the good.8 This solution, however, will not work for the Epicurean. Unlike in Aristotelian or Stoic virtue theory, the standard of Epicurean happiness is not an objective, formal standard, but rather the subjective, psychological state of ataraxia. The Epicurean has a reason to (j> only if he or she believes that (J)-ing will reliably lead to the final end of ataraxia. If all reasons are instrumental in this sense, how is it possible for the Epicurean to have reason to constrain his or her pursuit of the goal of nature by the deontic demands of justice? To give a plausible account of justice, the Epicurean needs to explain how to justify the demands of justice as a means to the final end of ataraxia. One version of this problem arises in the context of friendship. Epicurus claims . .every friendship is worth choosing for its own sake, though it takes its origin from the benefits it confers on us" (VS 23). Given this statement about the value of friendship and KD 25, how can friendship be non-instrumentally valuable while also being beneficial because of the benefit it confers? Some have argued that genuine friendship is impossible unless we amend the basic egoistic element of Epicurean practical rationality.9 In contrast, Matt Evans argues that there are two basic approaches to understanding friendship in a consistently egoistic way (Evans 2004, 413). Friendship as "indirect egoism" involves incorporating the good of a friend or of friendship generally into one's own good. This is the interpretation that Timothy O'Keefe favors (O'Keefe 2001a). The alternative is Evans's preferred view, "direct egoism," that one's own good "stands or falls" with the good of one's friend (Evans 2004, 413). Indirect egoism is, for O'Keefe, a two-level hedonistic theoiy. Choice of desires is governed directly by hedonic concerns and those desires then pick out particular actions, which are only indirectly related to the original hedonic calculus (O'Keefe 2001a, 300-302). In contrast, Evans's direct egoism applies the hedonic calculus to action selection. Evans maintains that Epicureans can "reason their way to friendship" through direct egoistic means (Evans 2004, 423). What is true of friendship will likely be true of justice so it is imperative to determine whether the Epicurean hedonic calculus is meant to apply to actions (direct egoism), desires (indirect egoism), or something else entirely. The direct egoist interpretation has the benefit of being the easiest to reconcile with KD 25. The indirect egoist interpretation makes it easier to understand how the Epicurean can incorporate friendship and justice into hedonism. Another possibility, between direct and indirect egoism, is what Gregory Kavka calls "rule egoism" (Kavka 1986, chap. 9). Although Kavka developed his version of rule egoism in the context of understanding Hobbes's ethical theory, there are enough similarities between the two accounts for a plausible Epicurean version as well. The hedonic calculus applies directly to rules rather than to desires or action. Furthermore, rules can be generalizations over desires or actions, e. g. "don't cultivate a desire for riches" or "seek out friends." The first is a rule that indicates what desires will lead to pleasure whereas the second is a rule that indicates a particular set of actions that will likely lead to pleasure, namely having friends. **Rule egoism has several benefits over direct and indirect egoism. First, it is more general. Both actions and desires are mentioned throughout KD and VS as the possible object of choice. Rule egoism recognizes the importance of both actions and desires to the end of ataraxia and accounts for both in terms of rules. Second, rule egoism is simpler and likely more reliable than direct or indirect egoism. It is reasonable to expect that the typical Epicurean would be bewildered in the face of the multiplicity and complexity of choices that would face him or her on any given day. The stress of deliberating over actions on the direct egoist interpretation of KD 25 would often create anxiety rather than tranquility. Similarly, it is not clear that, given the complexity of the world, the direct approach would reliably lead to ataraxia. The indirect approach is not better on this count partly because desires do not necessarily pick out unique action in decision situations, partly because the indirect egoist faces the same problem as the direct egoist at the level of desires. By using rules, however, the Epicurean can rely on the knowledge embodied in the rules without having to deliberate in each case.** This explains the reason that Epicurus spends so much time in his writing listing rules and maxims. He gives rules about how to reduce sexual passion (VS 18), the irrationality of suicide (VS 38), the danger of envy (KS' 53), and the dangers of great wealth (VS 67). In all of these cases, and many more, Epicurus is passing on wisdom about how to reliably achieve ataraxia. He is playing the part, of a guide who has walked down life's tangled road and is reporting to those who have yet to see everything he has seen. These maxims or rules are the embodiment of the successful use of practical rationality in the past. Following these types of rules is, therefore, an application of direct egoism in an indirect way. Given the limited cognitive capacity and time of the Epicurean rational agent, relying on rules as a guide can be, following Gigerenzer and Goldstein, a "fast and frugal" way of reasoning based on heuristics communicated as rules or maxims (Gigerenzer and Goldstein 1996). **Instead of choosing over the expected outcome of individual acts, the rule egoist chooses sets of rules to follow based on the expected outcome of following that rule or set of rules** (Kavka 1986, 358-359). In the next section we will see how understanding Epicurean practical rationality as "rule-hedonism" makes it possible to reconcile Epicurean practical rationality with justice. 3 The Possibility of the Contract Once we understand Epicurean practical rationality as applying to rules rather than to particular actions or desires, we can see how the Epicurean can reconcile the imperatives of practical rationality with the demands of justice. **A particular social contract is a set of rules that regulates behavior in certain public settings.** The Epicurean agrees to a particular set of rules in order to more reliably achieve and maintain personal ataraxia. We might wonder, however, why the Epicurean would need a contract at all. Why wouldn't the first personal application of practical rationality be sufficient for ataraxia? Why is the social **contract** necessary? In a world of practically rational Epicureans, the social contract seems either otiose or harmful. Either the contract recommends what practical rationality would recommend or it conflicts with practical rationality. On its face, Epicurean contractarianism looks either unnecessary or impossible. I will argue here that the Epicurean social contract is both necessary and possible. **The social contract is necessary, as I will argue in the next section, for its coordinating, assuring, and specifying functions**. The social contract is possible because of the role that rules can play in Epicurean practical rationality. In this section I will argue that the Epicurean social contract is consistent with Epicurean practical rationality and, hence, possible, while fulfilling an important social role. The Epicurean social contract is fundamentally instrumental; **it is a "pledge of reciprocal usefulness neither to harm one another nor be harmed**" (KD 35). To be consistent with Epicurean practical rationality, then, the contract must secure benefits that would not be possible without the contract. If, however, one only has reason to enter into a contract because of the benefits, what reason does one have to follow the contract when there are no benefits and only costs? This is the heart of the concern that the Epicurean cannot be a good citizen. If citizenship involves the possibility of sacrifice, why should we expect the Epicurean to comply? Here again, we see the same kind of problem that we saw in §2 concerning friendship; the solution is also similar.

**2] Utilitarianism requires a system of individual preference in order to be normative, which means my framework is a prior question.**

**Gauthier**, David P. *Morals by Agreement*. Oxford: Clarendon, **1986**. Print ///AHS PB BRACKETED FOR CLARITY

A position both subjectivist and absolutist seems implicit in the views of many defenders of one of the most influential modern moral theories, **utilitarianism**. John Stuart Mill suggests such a position in his attempt to offer a sort of proof for the principle of utility - **subjectivist in saying that 'the sole evidence it is possible to produce that anything is desirable is that people do actually desire it', and absolutist in insisting 'that each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons'. 22 But there is an evident awkwardness in this union** of subjectivism and absolutism noticeable in Mill's own statement, **which in passing from a seemingly relativist premiss (that each person's happiness is a good to that person) to an absolutist conclusion (that the general happiness is a good to all persons) has generally been held to exemplify the fallacy of composition**. Utilitarianism finds itself under pressure to move away from a conception of value at once subjective and absolute. The most plausible way to resist this pressure would seem to be to accept a universalistic conception of rationality, and to argue that since rationality is identified with the maximization of value, and rationality is universal, then what is maximized, value, must similarly be universal -- the same from every standpoint. If however utilitarianism remains true to its roots in the economic conception of rationality, then either subjectivism or absolutism gives way. On the one hand value may be conceived as relative, but a special form of value, **moral value**, is introduced, which **is the measure of those considered preferences held from a standpoint specially constrained to ensure impartiality**. On the other hand value may be conceived as objective, as the measure of an inherent characteristic of states of experience -- enjoyment -- that affords a standard or norm for preference. This is not the place to embark on a discussion of these positions, so that we shall merely (but dogmatically) affirm that a hundred years of ever more sophisticated efforts to avoid Mill's fallacy have not advanced the cause of utilitarianism a single centimetre. But we shall of course give more serious attention, especially to the second of the above ways of defending utilitarianism, as we continue the exposition of our own theory.

#### That negates-

#### [1] Banning appropriation prevents private entities from fulfilling existing contracts with governments.

Loren Grush, daughter of 2 NASA engineers so she knows whats up, June 18, 2019, The Verge, “Commercial space companies have received $7.2 billion in government investment since 2000”, [https://www.theverge.com/2019/6/18/18683455/nasa-space-angels-contracts-government-investment-spacex-air-force] mc

Early investments from a government agency, like NASA or the Air Force, can be a crucial step in the evolution of commercial space companies from scrappy startups to successful businesses. That’s according to a new report from Space Angels, an investment firm focused on the space industry, which quantified how much money government agencies have invested in private aerospace firms over the last 18 years. The analysis reveals just how important a role the government still plays in the private space industry. It found that early public investment can sometimes be the difference between life and death for a company. “I think it’s really important for people to recognize **that it isn’t just the private sector deciding to do something**,” Chad Anderson, CEO of Space Angels, tells The Verge. “**The government has played a key role** in the development of entrepreneurial space companies.” “THE GOVERNMENT HAS PLAYED A KEY ROLE IN THE DEVELOPMENT OF ENTREPRENEURIAL SPACE COMPANIES.” Space Angels made the report at the request of NASA, as the agency wanted to know just how its investments over the last couple of decades have affected the private sector. Ultimately, Space Angels found that 67 space companies received a total of $7.2 billion in investments from the government between 2000 and 2018. And about 93 percent of that investment went into companies dedicated to launching rockets. “It’s no surprise,” says Anderson. “Government funding has been directed at reducing the barriers to entry, and the biggest barrier in the beginning is launch.” The report highlights SpaceX as a prime example of how early government investment contributed to the success of a company. During its first decade of operation, SpaceX operated off of $1 billion, and about half of that money came from government contracts from NASA, according to the Space Angels report. Musk notably thanked NASA for the agency’s support after SpaceX launched its very first Dragon cargo capsule to the International Space Station in 2012. “They didn’t do this alone,” says Anderson. “They couldn’t have done it without the help of NASA.”

#### [2] Forecloses the ability for future contracts.

**Christensen 16,** "Building Confidence and Reducing Risk in Space Resources Policy," Ian Christensen. Project Manager [https://room.eu.com/article/building-confidence-and-reducing-risk-in-space-resources-policy] // recut ahs emi

Like most areas of economic activity, **space resource** utilisation **business plans are based** **upon** the ability to **access a resource**, produce a product, service, or goods based from the resource, **and produce revenue** from that product based on established market activities. An economic system requires a level of regulation and oversight to ensure it functions. Regulation and governmental oversight is part of an overall market framework that provides stability and confidence in validity for commercial entities and those that invest in them. Just as the commercial companies are in the initial stages of developing and validating hardware, governments have begun to establish regulatory and policy frameworks. US President Barack Obama signed into a law in November 2015 a fairly comprehensive piece of legislation focusing on the development of the US commercial space sector, the ‘US Commercial Space Launch Competitiveness Act of 2015’. One title of this law, Title IV - Space Resource Exploration and Utilization, has elicited considerable international attention. It authorises US commercial entities engaged in the recovery of space resources to possess, own, transport, use and sell space or asteroid resources obtained in accordance with US and international law. In layman’s terms, the Act makes asteroid mining permissible under US law for US entities. This provision has led many to question whether the US law violates the Outer Space Treaty (OST), the document which represents the primary source of international law governing space activities. At issue is whether authorising the use of space resources violates Article II of the Treaty, which states ‘Outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claims of sovereignty, by means of use or occupation, or by other means’. The most prohibitive interpretation of this Article would suggest all **extractive** or consumptive **uses of space resources** on celestial bodies would be **prohibited**. An interpretation of this type **would have obvious negative impact on business** plans focused on space resources utilisation, **and** by extension the **security of investments** in those plans. However, opinion is consolidating around the interpretation that the US law is in compliance with the OST. Both the International Institute of Space Law (IISL) - the primary international professional society for attorneys in the space sector - and European Union (EU) officials have issued statements indicating belief that the Act is compliant. The Act itself contains an explicit disclaimer of extraterritorial sovereignty. In February 2016, the Government of Luxembourg announced its intent to develop a specific legal and regulatory regime focused on space resources. While the exact details of this legislation are unknown at this time, it is certain that it will be supportive of the legal right to access, possess, use, transport and sell space resources, as the policy is part of a broader initiative designed to attract space resources companies to operate from Luxembourg. While the question of how the US Act relates to Article II of the OST is not the primary focus of this article, the discussion does highlight the current role of political risk in the nascent space mining industry. Speaking at a panel in 2013, Bob Richards, CEO of prospective lunar resources company Moon Express, stated there was a risk in assuming governments will be supportive in defending space resources businesses’ rights to operate in space. He said: “We are making some broad assumptions and interpretations to existing treaties that were set up by governments in the past. We are assuming that commercial ventures will be allowed and there will not be some kind of international backlash.” **Signalling** this **support** - ie**, reducing political risk and establishing** the underlying frameworks to enable **activity** - is one reason governments enact legislation of the type represented by the US Act. Legislation and regulation is also a means by which governments ensure that they meet obligations to international agreements and treaties. In this regard the US law is as notable for what it does not include, as for what it does. Article VI of the OST establishes an obligation for states to be responsible for the space activities of their entities, including non-governmental actors such as commercial companies. It states, in part, that ‘the activities of non-governmental entities in outer space, including the Moon and other celestial bodies, shall require authorisation and continuing supervision by the appropriate State Party to the Treaty’. States typically respond to this obligation through national regulations, laws and licensing regimes. The space resources provisions in the US Act did not establish any elements of this regulatory framework, instead requiring the executive branch of the US government to deliver a report with recommendations (which would cover other activities in addition to space resources). It can be expected that the pending legislation in Luxembourg might also address a regulatory approach. This results in a condition of **uncertainty – or risk** – as the commercial entities continue to execute their business plans. The lack of a regulatory framework does **not** necessarily create an environment c**onducive to business** development. The current situation in the US is one in which the government has clearly signalled its intent to support commercial space resources development - but has yet to fully implement the regulatory framework to enable that support. The passage of the US Act, legislative action in other countries and the increasing activities of space resources-focused commercial enterprises creates a window - and a need - for additional action to define a regulatory scheme that reduces the political risk faced by the commercial sector while simultaneously upholding national obligations to the international legal system.

#### [3] Private appropriation is consistent with international law. No OST violation – sovereignty and private property are distinct.

Pace 11 (Scott Pace is the director of the Space Policy Institute at the Elliott School of International Affairs at George Washington University, and former Associate Administrator for Program Analysis and Evaluation at NASA. “Merchant and Guardian Challenges in the Exercise of Spacepower” Toward a Theory of Spacepower, Chapter 7, February 2011, National Defense University Press, http://www.ndu.edu/press/space-Ch7.html, TDA)recut emi

Current international law recognizes the continued ownership of objects placed in space by governments or private entities. Similarly, resources removed from outer space (such as lunar samples from the Apollo missions) can be and are subject to ownership. Other sorts of rights in space, such as to intellectual property and spectrum, are also recognized. Article II of the 1967 Outer Space Treaty, however, specifically bars national appropriation of the Moon or other celestial bodies by claims of sovereignty or other means. It also says that states shall be responsible for the activities of persons under their jurisdiction or control. Thus, the central issue is the ability to confer and recognize real property rights on land, including in situ resources found on the Moon and other celestial bodies. In common law, a sovereign is generally required to recognize private property claims. Thus, the Outer Space Treaty, by barring claims of sovereignty, is usually thought to bar private property claims. Many legal scholars in the International Institute of Space Law and other organizations support that view. Other scholars, however, make a distinction between sovereignty and property and point to civil law that recognizes property rights independent of sovereignty.34 It has also been argued that while article II of the treaty prohibits territorial sovereignty, it does not prohibit private appropriation. The provision of the Outer Space Treaty requiring state parties to be responsible for the activities of persons under their jurisdiction or control leaves the door open to agreements or processes that allow them to recognize and confer property rights, even under common law.

## 4

#### Util collapses to antinatalism

#### Nonexistence is always a net better state of affairs under hedonism since it maximizes pleasure and minimizes pain.

David Benatar, Professor of Phil at University of Cape Town, Better Never to Have Been: The Harm of Coming into Existence, pub Oxford University Press, USA, Year: 2006, ISBN: 0199296421 ///AHS PB

As a matter of fact, bad things happen to all of us. No life is without hardship. It is easy to think of the millions who live a life of poverty or of those who live much of their lives with some disability. Some of us are lucky enough to be spared these fates, but most of us who are, nonetheless suffer ill-health at some stage during our lives. Often the suffering is excruciating, even if it is in our final days. Some are condemned by nature to years of frailty. We all face death.²⁰ We infrequently contemplate the harms that await any new-born child—pain, disappointment, anxiety, grief, and death. For any given child we cannot predict what form these harms will take or how severe they will be, but we can be sure that at least some of them will occur.²¹ None of this befalls the nonexistent. Only existers suffer harm. Optimists will be quick to note that I have not told the whole story. Not only bad things but also good things happen only to those who exist. Pleasure, joy, and satisfaction can only be had by existers. Thus, the cheerful will say, we must weigh up the pleasures of life against the evils. As long as the former outweigh the latter, the life is worth living. Coming into being with such a life is, on this view, a benefit. The asymmetry of pleasure and pain However, this conclusion does not follow. This is because there is a crucial difference between harms (such as pains) and benefits (such as pleasures) which entails that existence has no advantage over, but does have disadvantages relative to, non-existence.²² Consider pains and pleasures as exemplars of harms and benefits. It is uncontroversial to say that () the presence of pain is bad, and that () the presence of pleasure is good. However, such a symmetrical evaluation does not seem to apply to the absence of pain and pleasure, for it strikes me as true that () the absence of pain is good, even if that good is not enjoyed by anyone, whereas () the absence of pleasure is not bad unless there is somebody for whom this absence is a deprivation.

#### This creates a moral obligation to not bring people into existence since every life always contains more pain then pleasure. This means the procreation always brings more pain into the world. Thus, the standard is consistency with antinatalism, or the view that having children is bad. Prefer the standard:

#### Heavily err neg in the framework, since almost all counterarguments are caused by psychological bias.

David Benatar, Professor of Phil at University of Cape Town, Better Never to Have Been: The Harm of Coming into Existence, pub Oxford University Press, USA, Year: 2006, ISBN: 0199296421 ///AHS PB

Most people deny that their lives, all things considered, are bad (and they certainly deny that their lives are so bad as to make never existing preferable). Indeed, most people think that their lives go quite well. Such widespread blithe self-assessments of well-being, it is often thought, constitute a refutation of the view that life is bad. How, it is asked, can life be bad if most of those who live it deny that it is? How can it be a harm to come into existence if most of those who have come into existence are pleased that they did? In fact, however, there is very good reason to doubt that these self-assessments are a reliable indicator of a life’s quality. There are a number of well-known features of human psychology that can account for the favourable assessment people usually make of their own life’s quality. It is these psychological phenomena rather than the actual quality of a life that explain (the extent of) the positive assessment. The first, most general and most influential of these psychological phenomena is what some have called the Pollyanna Principle,⁷ a tendency towards optimism.⁸ This manifests in many ways. First, there is an inclination to recall positive rather than negative experiences. For example, when asked to recall events from throughout their lives, subjects in a number of studies listed a much greater number of positive than negative experiences.⁹ This selective recall distorts our judgement of how well our lives have gone so far. It is not only assessments of our past that are biased, but also our projections or expectations about the future. We tend to have an exaggerated view of how good things will be.¹⁰ The Pollyannaism typical of recall and projection is also characteristic of subjective judgements about current and overall well-being. Many studies have consistently shown that self-assessments of well-being are markedly skewed toward the positive end of the spectrum.¹¹ For instance, very few people describe themselves as ‘not too happy’. Instead, the overwhelming majority claims to be either ‘pretty happy’ or ‘very happy’.¹² Indeed, most people believe that they are better off than most others or than the average person.¹³ Most of the factors that plausibly improve the quality of a person’s life do not commensurately influence self-assessments of that quality (where they influence them at all). For example, although there is a correlation between people’s own rankings of their health and their subjective assessments of well-being, objective assessments of people’s health, judging by physical symptoms, are not as good a predictor of peoples’ subjective evaluations of their well-being.¹⁴ Even among those whose dissatisfaction with their health does lead to lower self-reported well-being, most report levels of satisfaction toward the positive end of the spectrum.¹⁵ Within any given country,¹⁶ the poor are nearly (but not quite) as happy as the rich are. Nor do education and occupation make much (even though they do make some) difference.¹⁷ Although there is some disagreement about how much each of the above and other factors affect subjective assessments of well-being, it is clear that even the sorts of events that one would have thought would make people ‘very unhappy’ have this effect on only a very small proportion of people.¹⁸

#### That negates-

#### Going to space and living on space causes infertility.

James Taylor, writes about space, February 14, 2011, Independent, “Why infertility will stop humans colonising space”, [https://www.independent.co.uk/news/science/why-infertility-will-stop-humans-colonising-space-2213861.html] mc

Renowned astrophysicist Stephen Hawking once remarked that humankind would need to colonise space within the next century if it was to survive as a species. "It will be difficult enough to avoid disaster in the next 100 years, let alone the next thousand or million," he said somewhat pessimistically last year. "Our only chance of long-term survival is not to remain inward-looking on planet Earth, but to spread out into space." The prospect of long-term space travel has led scientists to consider, increasingly seriously, the following conundrum: if travelling to a new home might take thousands of years, would humans be able to successfully procreate along the way? The early indications from Nasa are not encouraging. Space, it seems, is simply not a good place to have sex. According to a review by three scientists looking into the feasibility of colonising Mars, astronauts would be well advised to avoid getting pregnant along the way because of the high levels of radiation that would bombard their bodies as they travelled through space. Without effective shielding on spaceships, high-energy proton particles would probably sterilise any female foetus conceived in deep space and could have a profound effect on male fertility. "The present shielding capabilities would probably preclude having a pregnancy transited to Mars," said radiation biophysicist Tore Straume of Nasa's Ames Research Center in an essay for the Journal of Cosmology. The DNA which guides the development of all the cells in the body is easily damaged by the kind of radiation that would assail astronauts as they journeyed through space. Studies on non-human primates have shown that exposure to ionising radiation kills egg cells in a female foetus during the second half of pregnancy. "One would have to be very protective of those cells during gestation, during pregnancy, to make sure that the female didn't become sterile so they could continue the colony," Dr Straume said. Radiation in space comes from numerous sources but the two types that have Nasa scientists most concerned are solar flares and galactic cosmic rays. Flares are the result of huge explosions in the Sun's atmosphere that catapult highly charged protons across space. The Earth's atmosphere and magnetic field absorbs much of this harmful radiation – but in space astronauts are much more vulnerable. Galactic cosmic rays pose an even greater threat. They are made up of even heavier charged particles. Although Nasa's shields can protect astronauts against most flare radiation, it is unlikely they could do the same against cosmic rays. Until recently, sex had been a taboo subject for Nasa, which has a strict code of conduct stating that "relationships of trust" among astronauts are to be maintained at all times. Only once has a husband and wife been on the same mission – Jan Davis and Mark Lee – and they have remained tight-lipped over whether they joined the 62-mile high club.

## Case

### K

#### Utilitarianism is morally repugnant:

#### [1] Util creates a moral obligation to oppress people, when their suffering would cause a greater amount of happiness for the majority.

Jeffrey **Gold**, Utilitarian and Deontological Approaches to Criminal Justice Ethics

According to utilitarianism, an action is moral when it produces the great-est amount of happiness for the greatest number of people. A problem arises, however, when the greatest happiness is achieved at the expense of a few. For example, **if a large group were to enslave a very small group, the large group would gain certain comforts and luxuries (and the pleasure that accompanies those comforts) as a result of the servitude of the few**. **If we were to follow the utilitarian calculus** strictly, **the suffering of a few (even intense suffering) would be outweighed by the pleasure of a large enough majority**. A thousand people’s modest pleasure would outweigh the suffer-ing of 10 others. Hence, utilitarianism would seem to endorse slavery when it produces the greatest total amount of happiness for the greatest number of people. This is obviously a problem for utilitarianism. **Slavery and oppression are wrong regardless of the amount of pleasure accumulated by the oppressing class. In fact, when one person’s pleasure results from the suf-fering of another, the pleasure seems all the more abhorrent.** The preceding case points to a weakness in utilitarianism, namely, the weak-ness in dealing with certain cases of injustice. Sometimes it is simply unjust to treat people in a certain way regardless of the pleasurable consequences for others. A gang rape is wrong even if 50 people enjoy it and only one suffers. It is wrong because it is unjust. To use Kant’s formulation, it is always wrong to treat anyone as a mere means to one’s own ends. When we enslave, rape, and oppress, we are always treating the victim as a means to our own ends.

#### [2] Because only consequences determine if specific actions are good or bad, utilitarianism justifies horrific conclusions since no state of affairs could ever be intrinsically bad in and of itself.

**Vallentyne**, Peter. *Against Maximizing Act-Consequentialism*. **2006**, mospace.umsystem.edu/xmlui/bitstream/handle/10355/10174/AgainstMaximizingActConsequentialism.pdf?sequence=1.

**If** core **consequentialism is true, then any action with maximally good consequences** (in a given choice situation) **is permissible**. The main argument in favor of this claim is the following: **P1: An action is morally permissible if it is best supported by insistent moral reasons for action. P2: The value of consequences is always an insistent moral reason for action. P3: The value of consequences is the only insistent moral reason for action. C: Thus, an action is morally permissible if it maximizes the value of consequences.** This is the same argument given in the previous section for the impermissibility of actions that do not have maximally good consequences, except that (1) the appeal to insistent reasons has been made explicit, (2) the necessary conditions of the original P1 and C have been converted to sufficient conditions, and (3) the qualification in P3 that allowed the possibility of some prior constraints has been dropped. P1 is highly plausible. An action that is best supported by insistent moral reasons is surely permissible. P2 can be challenged, as I did earlier, on the ground that beyond some point the value of consequences ceases to be an insistent moral reason (once consequences are good enough, their value may only be a non-insistent reason). For the present purposes, however, we can grant this claim. The crucial claim is P3. It is implausible, because there are insistent moral reasons other than the value of consequences. There are also deontological insistent reasons, and these, or at least some of these, are lexical prior to the value of consequences. In particular**, individuals have certain rights that may not be infringed simply because the consequences are better.** Unlike prudential rationality, morality involves many distinct centers of will (choice) or 15 **interests, and these cannot simply be lumped together and traded off against each other.**16 **The basic problem with standard versions of core consequentialism is that they fail to recognize adequately the normative separateness of persons.** Psychological **autonomous beings** (as well, perhaps, as other beings with moral standing) are not merely means for the promotion of value. They **must be respected and honored**, and this means that at least sometimes certain things may not be done to them, even though this promotes value overall. An innocent person may not be killed against her will, for example, in order to make a million happy people slightly happier. This would be sacrificing her for the benefit of others.

### Permissibility

#### [1] Pleasure and pain aren’t additive or aggregatable just like two headaches don’t equal a migraine.

#### [2] Self Defeating: Always trying to maximize as much X as possible prevents us from actually using X, which means we never experience pleasures goodness.

#### [3] Masochism Objection: There are different standards for what a good sensation is (IE some people like pain), so knowing what end state is desirable under util is impossible

#### [4] Util can never deem certain actions as uniformly prohibited as the only morally relevant feature is whether an action maximizes utility in that situation.

#### [5] Assigning blame is impossible as consequences always trigger more consequences, and there is no brightline for when culpability ends.

#### [6] Induction is circular because it relies on the assumption that nature will hold uniform and we could only reach that conclusion through inductive reasoning based on observation of past events

#### [7] Util is incoherent: If I punch two people its impossible to determine who felt more pain from the action or if either felt pain internally at all.

### FWK

Actor spec

A] just because states use it doesn’t mean its right, states make irrational decisions all the time ie Iraq war

B] just because states calculate doesn’t mean they do it right

Extinction first

A]