## 1AC – Framing

#### The starting point of morality is practical reason.

#### 1] Bindingness – A theory is only binding when you can answer the question “why should I do this?” and not continue to ask “why”. Only practical reason provides a deductive foundation for ethics since the question “why should I be rational” already concedes the authoritative power of agency since your agency is at work. Bindingness ow a) its meta-ethical, so it determines what counts as a warrant for a standard, so absent grounding in some metaethical framework, their arguments aren’t relevant normative considerations b) Absent a binding starting point frameworks would all share equal value. Weighing between them would be infinitely regressive as it presupposes there is a higher metric to determine who has the better justifications. That would make contestation vacuous as any locus of moral duty is sufficient since it would have an uncontested obligatory power

#### 2] Action theory – only evaluating action through reason solves since reason is key to evaluate intent, otherwise we could infinitely divide actions. For example: If I was brewing tea, I could break up that one big action into multiple small actions. Only our intention, to brew tea unifies these actions if we were never able to unify action, we could never classify certain actions as moral or immoral since those actions would be infinitely divisible.

#### 3] Empirical uncertainty – Evil demon deceiving us or inability to know others’ experience make empiricism/induction an unreliable basis for universal ethics. Outweighs since it would be escapable since people could say they don’t experience the same.

#### 4] All arguments by definition appeal to reason – otherwise you are conceding they have no warrant to structure them and are by definition baseless. Thus reason is an epistemic constraint on evaluating neg arguments.

#### 5] Is/ought gap – experience only tells us what is since we can only perceive what is, not what ought to be. But it’s impossible to derive an ought from descriptive premises, so there needs to be additional a priori premises to make a moral theory.

#### Rationality necessitates a free will – rational action must set before itself objective ends that we can categorically pursue through setting and pursuing ends. All frameworks concede the validity of a free will because otherwise people can’t be held culpable for actions they didn’t cause.

#### Next, the relevant feature of reason is universality – 3 warrants:

#### 1] Absent universal ethics, morality becomes arbitrary and fails to guide action, which means that ethics is rendered useless, necessitating a priori abstraction from physical experience.

#### 2] A priori principles like reason definitionally apply to everyone since they are independent of human experience therefore ethics is universal.

#### 3] Any non-universal norm is contradictory as it justifies someone’s ability to impede on your ends, which also means universalizability acts as a side constraint on ends-based frameworks. If we accept one contradiction we accept all statements as true.

#### Key for following rules since rules are arbitrary since the agent can form a unique interpretation and understanding which makes it impossible to verify a violation. Only universality solves since universalizing a violation of freedom entails a violation of your own freedom.

#### Thus, the standard is consistency with the categorical imperative as enacted through the omnilateral will.

#### Prefer:

#### [1] Performativity—freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place. Thus, it is logically incoherent to justify the neg arguments/standard without first willing that we can pursue ends free from others.

#### [2] Consequences Fail: [A] Every action has infinite stemming consequences, because every consequence can cause another consequence. [B] 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. [C] Aggregation Fails – suffering is not additive can’t compare between one migraine and 10 headaches [D] Predictions are impossible because anything could lead to a butterfly effect of unexpected consequences i.e. sneezing becoming a tornado and killing thousands

#### [3] There is an intent-foresight distinction. Multiple people can intend the same action looking for different consequences i.e. going home to avoid work vs to see family

#### [4] The Categorical Imperative unites the abstract with the concrete—this is key to challenging oppression.

Farr 2, Arnold Farr (prof of phil @ UKentucky, focusing on German idealism, philosophy of race, postmodernism, psychoanalysis, and liberation philosophy). “Can a Philosophy of Race Afford to Abandon the Kantian Categorical Imperative?” JOURNAL of SOCIAL PHILOSOPHY, Vol. 33 No. 1, Spring 2002, 17–32.

**One** of the most popular **criticism**s **of Kant’s moral philosophy is that it is too formalistic.**13 That is, the universal nature of the categorical imperative leaves it devoid of content. Such a principle is useless since moral decisions are made by concrete individuals in a concrete, historical, and social situation. This type of criticism lies behind Lewis Gordon’s rejection of any attempt to ground an antiracist position on Kantian principles. The rejection of universal principles for the sake of emphasizing the historical embeddedness of the human agent is widespread in recent philosophy and social theory. I will argue here on Kantian grounds that **although a distinction between the universal and the concrete is** a **valid** distinction, **the unity of the two is required for** an understanding of human **agency.** The attack on Kantian formalism began with Hegel’s criticism of the Kantian philosophy.14 The list of contemporary theorists who follow Hegel’s line of criticism is far too long to deal with in the scope of this paper. Although these theorists may approach the problem of Kantian formalism from a variety of angles, the spirit of their criticism is basically the same: The universality of the categorical imperative is an abstraction from one’s empirical conditions. **Kant is** often **accused of making the moral agent an abstract, empty**, noumenal **subject. Nothing could be further from the truth. The Kantian subject is** an **embodied**, empirical, concrete subject. However, this concrete subject has a dual nature. Kant claims in the Critique of Pure Reason as well as in the Grounding that human beings have an intelligible and empirical character.15 It is impossible to understand and do justice to Kant’s moral theory without taking seriously the relation between these two characters. The very concept of morality is impossible without the tension between the two. By “empirical character” Kant simply means that we have a sensual nature. We are physical creatures with physical drives or desires. **The** very **fact that I cannot simply satisfy my desires without considering the rightness** or wrongness **of my actions suggests that my empirical character must be held in check** by something, or else I behave like a Freudian id. My empiri- cal character must be held in check **by my intelligible character**, which is the legislative activity of practical reason. It is through our intelligible character that **we formulate principles that keep our** empirical **impulses in check.** The categorical imperative is the supreme principle of morality that is constructed by the moral agent in his/her moment of self-transcendence. What I have called self-transcendence may be best explained in the following passage by Onora O’Neill: In restricting our maxims to those that meet the test of the categorical imperative we refuse to base our lives on maxims that necessarily make our own case an exception. The reason why a universilizability criterion is morally signiﬁcant is that it makes our own case no special exception (G, IV, 404). In accepting the Categorical Imperative we accept the moral reality of other selves, and hence the possibility (not, note, the reality) of a moral community. **The Formula of Universal Law enjoins no more than that we act only on maxims that are open to others also.**16 O’Neill’s description of the universalizability criterion includes the notion of self-transcendence that I am working to explicate here to the extent that like self-transcendence, universalizable moral principles require that the individ- ual think beyond his or her own particular desires. **The individual is not allowed to exclude others as** rational **moral agents** who have the right to act as he acts in a given situation. For example, if I decide to use another person merely as a means for my own end I must recognize the other person’s right to do the same to me. I cannot consistently will that I use another as a means only and will that I not be used in the same manner by another. **Hence,** the **universalizability** criterion **is a principle of consistency and** a principle of **inclus[ive]ion.** That is, in choosing my maxims **I** attempt to **include the perspective of other moral agents.**

#### [5] Motivation – consequentialist theories hold agents responsible for consequences external to their will which removes any reason to act ethically because agents are punished for ends they did not intend.

#### [6] Practical identities – we set ends based on practical identities like student or debater. However, human identity – or agency – is the source of practical identity, since it’s necessary to choose which roles to take on. Impacts: A] Justifies valuing humanity as an end – we find our lives worth living under our practical identities and activities, but that means we must value agency as the source of that value. B] Hijacks the role of the judge – judge is a practical identity, which requires first valuing human identity.

#### [7] Practical reasoning demands that agents recognize their universal subjectivity to form commitments with people deemed different.

**O'Neill 2000**, Onora (2000). Bounds of Justice. Cambridge University Press.

In the second place, the ethnocentrism of norm-based reasoning matters for relations between insiders and outsiders. Once upon a time it might not have mattered if those who lived in homogeneous but isolated societies reasoned in ways that could not have been accessible to hypothetical others with whom they had no connection. But today societies, cultures and traditions are not bounded or impervious. So it matters when reasoning is based on principles that are internal to some tradition yet not even accessible to outsiders. Ethnocentric reasoning will fail or falter for those who attempt communication across boundaries; it will lack authority – and may prove inaccessible to others. Norm-based conceptions of reason will not suffice in a pluralist world. If any ways of organizing either thinking or action are to have quite general authority, they cannot presuppose the norms and opinions of a particular time and place. Analogous points might be made about more individualistic, commitment-based conceptions of practical reason. These too need not be intrinsically conservative, since we can revise and change our commitments and projects across our lives. However, such reasoning, although not necessarily selfish, will unavoidably be self-centred: it argues from my commitments, my life-projects and my attachments. My commitments, projects and attachments may not be selfish, but equally they may not be noble: there are those who are moved to rescue their wives from drowning, and those who are not. There are even those whose commitments are selfish, who may be moved to drown their wives when opportunity arises. Even when a project is deeply internalized, its vindication may be meagre. Yet it is not clear what opening is left either for vindication or for criticism within a view that construes actual commitments, actual attachments and actual personal projects as the bed-rock of practical reasoning. These commitments will no doubt prove motivating, but it does not follow that it is rational to live lives that express whatever commitments happen to have been internalized. Can there not be principles for all, and that any attempt to persuade others to principles which do not meet this condition must lack authority. Since in our world reasoning must reach beyond the like-minded, our practical reasoning must often be based on principles that are widely accessible; its authority will vanish if we duck the requirement to keep to such structures. Where we attempt to base practical reasoning on principles that do not meet this requirement, at least some others will find that we put forward principles that they cannot share, and will understandably judge our proposals arbitrary and lacking in authority - in short, unreasoned. This stripped-down Kantian conception of practical reasoning shares the focus of norm-based and commitment-based conceptions of practical reason: it is directed at action, or rather at the norms and commitments, the practices and projects, by which we collectively or individually organize our lives. It is directed at actions as specified by certain act-descriptions, rather than at acts considered as instruments for producing results. Where it differs from norm-based or commitment-based conceptions of practical reasoning is in its view of the scope of reasoning, of the fixity of identities and of the mutual accessibility of traditions. It allows for the thought that what might seem a reason for me or for the insiders of some tradition, even a reason that is burnt into souls, may not be any sort of reason for others. Insiders’ reasoning - Kant spoke of a private use of reason) ? – cannot reach outsiders except by linking it with other reasoning which they can follow. Where this is achieved, practical reasoning may be able to link those who are outsiders to one another's traditions and offer reasons for changes in deep commitments, even in sense of identity.

## 1AC – Contention

#### I affirm; the appropriation of outer space by private entities is unjust.

#### 1] Out of the possibility of extraterrestrial reasoners, we have an obligation to respect their habitats and not interfere through exploration.

Brian Patrick Green 2014, Santa Clara University, "Ethical Approaches to Astrobiology and Space Exploration: Comparing Kant, Mill, and Aristotle," Scholar Commons, <https://scholarcommons.scu.edu/markkula/5/> //Dulles VN

But to assume that Kant has not considered these questions is an enormous mistake. In 1755, quite early in his career, Kant published the book Universal Natural History and Theory of the Heavens, where he described the solar nebular hypothesis (now the accepted theory for how the solar system formed).4 More than that, Kant not only allowed that extraterrestrial intelligences might exist, he believed that if they did not yet exist, that someday they would,5 and that some of these ETIs would be inferior and some superior to humans in intelligence.6 One might wonder if the young Kant’s belief in ETIs continued into his older years, when he was writing on ethics. There is good evidence that it does. Writing his Foundations of the Metaphysics of Morals, 30 years after his work on the nebular hypothesis, Kant is explicit – he is not just discussing humans, but “all rational beings.” 7 So with respect deontology and extraterrestrial intelligent life, Case 1) on the chart, Kant would extend the same full dignity and respect to ETIs which humans owe to each other, in accord with his categorical imperative, which requires the universalizability of moral norms8 and treating all rational beings as ends in themselves.9 For deontology and non-intelligent life, Case 2), Kant argues that animals, as non-rational beings, are of only relative worth. They are not as ends in themselves, not persons, but things.10 If humans discovered non-intelligent life on other worlds (most likely microbes, but if larger then we would have to carefully evaluate what it means to be intelligent, and make sure the discovered life does not qualify), according to Kant, we could do with it as we pleased. While some contemporary moral philosophers have tried to reinterpret or rehabilitate Kant on animals, these works are developments of Kant’s philosophy; they are not his philosophy itself.11 So while Kantianism might be modifiable into a system which is more friendly towards the rest of the living world, without these modifications it is not. For non-life and Kantian deontology, Case 3), there is likewise a simple answer: nonliving things are just things. Non-living things are not a moral concern, they are merely instrumental, and as such intelligent creatures can treat these things as they wish. However, there is an odd exception to this conclusion which is worth mentioning (and which I note with a star in the table). Kant believed that if other planets were not yet inhabited, they someday would be. If this is the case, then what of planets currently without intelligent life but which may someday have it? Ought we to anticipate these intelligent creatures and therefore respect them proactively by respecting their prospective goods? Kant does not say (perhaps because he was not interested in speculating or because humans were, in his time, far from being in a position to affect the futures of these planets). However, given the importance of rational beings in Kant’s system (rationality, teleology, and morality are the purpose of universe) the answer is possibly, or even probably, yes.

#### 2] Dictionary.com defines appropriation[[1]](#footnote-1) as

the act of [appropriating](https://www.dictionary.com/browse/appropriate) or taking possession of something, often without permission or consent.

#### Proving that any act of appropriation is intrinsically coercive and should be rejected.

#### 3] Space Exploration is non universalizable - a). Entails that everyone leaves Earth which means that no one would be around to create the means to leave earth b). Assumes all agents have access to the resources to fund a space trip, and is thus exclusionary.

Benjamin Segobaetso 2018, Project Officer at United Nations Association in Canada “Ethical Implications of the Colonization, Privatization and Commercialization of Outer Space.” https://ruor.uottawa.ca/bitstream/10393/38318/1/Benjamin\_Segobaetso\_2018.pdf?fbclid=IwAR2yROoOf\_np9HL97WmBB-xDUGSZnQrRPbvs2Gmo6V5NlyEFBoSLWxQFuV0 //Dulles VN

It can be argued through Kantian ethics that our record here on Earth paints a picture of neoliberal and capitalist policies with tendencies to favour the highest bidder at the exclusion of the under privileged and puts profit first at the expense of the environment. For Kantians, there are two questions that we must ask ourselves whenever we decide to act: (i) Can I rationally will that everyone act as I propose to act? If the answer is no, then we must not perform the action. (ii) Does my action respect the goals of human beings? Again, if the answer is no, then we must not perform the action. Kantian ethicists would argue that extending to space neoliberal and capitalist policies is immoral because these systems create economic disparities and life threatening environmental injustices; therefore, they are set up in a way that we could 16 not rationally will everyone to act the way they act either here on Earth or in space. Also, Kantian ethicists would ask whether the action of extending neoliberal and capitalist policies to space would respect the goals of extra-terrestrial intelligent life if any rather than merely using them for humans’ own purposes? If the answer is no, then the participating agent must not perform the action. Kant wrote on the possible existence of extra-terrestrial intelligent species in the final pages of the last book that he published, Anthropology from a Pragmatic Point of View [Anthropologie in pragmatischer Hinsicht] (1978). In this publication, Kant hinted that the highest concept of the Alien species may be that of a terrestrial rational being [eines irdischen vernünftigen ]; however, he argued that it will be difficult to describe its characteristics because there is no knowledge available of a non-terrestrial rational being [nicht irdischen Wesen] which could be used as a reference in regards to its properties and ultimately classify that terrestrial being as rational. This dilemma will continue until extraterrestrial intelligent life is discovered because comparing two species of rational beings has to be on the basis of experience, but that experience has not been possible yet (Kant, 237-238).

#### 4] Space is not subject to property rights – a). It has no physical manifestation as space is by definition the absence of matter which means it cannot be measured, bordered, or divided, thus it cannot be owned b). Owning unexplored planets/space is incoherent –it can’t be deemed an agents property unless agents have a rational conception of it.

#### 5] Libertarianism turns don’t apply:

#### A] Privatization of space inherently relies on an anti-libertarian state-based model

Shammas and Holen 19 [(Victor L. Oslo Metropolitan University, Tomas B. Independent scholar) “One giant leap for capitalistkind: private enterprise in outer space,” Palgrave Communications, 1-29-19, https://www.nature.com/articles/s41599-019-0218-9] TDI //recut Dulles VN

But the entrepreneurial libertarianism of capitalistkind is undermined by the reliance of the entire NewSpace complex on extensive support from the state, ‘a public-private financing model underpinning long-shot start-ups' that in the case of Musk’s three main companies (SpaceX, SolarCity Corp., and Tesla) has been underpinned by $4.9 billion dollars in government subsidies (Hirsch, 2015). In the nascent field of space tourism, Cohen (2017) argues that what began as an almost entirely private venture quickly ground to a halt in the face of insurmountable technical and financial obstacles, only solved by piggybacking on large state-run projects, such as selling trips to the International Space Station, against the objections of NASA scientists. The business model of NewSpace depends on the taxpayer’s dollar while making pretensions to individual self-reliance. The vast majority of present-day clients of private aerospace corporations are government clients, usually military in origin. Furthermore, the bulk of rocket launches in the United States take place on government property, usually operated by the US Air Force or NASA.Footnote13 This inward tension between state dependency and capitalist autonomy is itself a product of neoliberalism’s contradictory demand for a minimal, “slim” state, while simultaneously (and in fact) relying on a state reengineered and retooled for the purposes of capital accumulation (Wacquant, 2012). As Lazzarato writes, ‘To be able to be “laissez-faire”, it is necessary to intervene a great deal' (2017, p. 7). Space libertarianism is libertarian in name only: behind every NewSpace venture looms a thick web of government spending programs, regulatory agencies, public infrastructure, and universities bolstered by research grants from the state. SpaceX would not exist were it not for state-sponsored contracts of satellite launches. Similarly, in 2018, the US Defense Advanced Research Projects Agency (DARPA)—the famed origin of the World Wide Web—announced that it would launch a ‘responsive launch competition', meaning essentially the reuse of launch vehicles, representing an attempt by the state to ‘harness growing commercial capabilities' and place them in the service of the state’s interest in ensuring ‘national security' (Foust, 2018b).

## 1AC – Underview

#### 1] 1ar theory is key to checking back against infinitely abusive 1NCs, and recourse outweighs on predictability since 1NC reactivity means there are infinite permutations of possible hard negs but the aff is tied to the topic. Use drop the debater for aff recourse and preventing 2n sandbagging and because the 1ar is too short to win theory and substance. Competing interps on 1ar shells a] prevents 2ns that collapse to 6 min of reasonability good b] 1ars don’t have enough time to win substance and paradigm issues. No RVIs on 1ar shells: a] overcompensation – they have 2 speeches so they can win the 2n in other ways like impact turns b] time investment is larger so err aff on abuse stories c] creates a chilling effect against checking legitimate NC abuse. We don’t preclude you from contesting these paradigm issues, so combo shells on the underview are non-sensical and concede you could’ve just line by lined.

#### 2] AFF fairness issues come prior to NC arguments a) The 1ar can’t engage on multiple layers if there is a skew since the speech is already time-crunched b) Sets up an invincible 2n since there are a million of unfair things you can collapse to to win every round c) its key to compensate the structural skew

Shah 19 [Sachin Shah, 2019, "A Statistical Analysis of Side-Bias on the 2019 January-February Lincoln-Douglas Debate Topic," NSD Update, http://nsdupdate.com/2019/a-statistical-analysis-of-side-bias-on-the-2019-january-february-lincoln-douglas-debate-topic/] AG accessed 6-22-2019

As a final note, it is also interesting to look at the trend over multiple topics. In the rounds from 93 TOC bid distributing tournaments (2017 – 2019 YTD), the negative won 52.99% of ballots (p-value < 0.0001) and 54.63% of upset rounds (p-value < 0.0001). This suggests the bias might be structural, and not topic specific, as this data spans six different topics.

#### 3] No 2n theory arguments and paradigm issues. a) overloads the 2AR with a massive clarification burden b) it becomes impossible to check NC abuse if you can dump on reasons the shell doesn't matter in the 2n.

#### 4] Presumption and Permissibility affirm- [a] – Freezes action: requiring pro-active justification for all our actions would make it impossible to make morally neutral claims like ‘I ought to drink water’ which means we always assume we can take an action absent a proactive reason not to. [b] – Epistemics: We could never start a strand of reasoning if we had to question that reasoning. [c] – If I told you my name was Vishnu you’d believe me

#### 5] Use reasonability on neg theory – **[a] Competing interps moots 6 mins of AC offense creating a 7-13 time skew which outweighs minimal aff abuse. [b] Offense-defense disincentivizes substantive education by shifting the round from the AC to a norm so their model prioritizes diminishing marginal skews over substance. That outweighs – the end goal of theory is better substantive debates. [c] Binary interps make it possible for the reactive neg to always read theory, so the aff needs reasonability to protect their core ground.**

1. https://www.dictionary.com/browse/appropriation [↑](#footnote-ref-1)