# Lay Kant

## 1AC – Framework

#### I Value justice since the resolution is question of if something is unjust or not

#### Ethics must begin a priori, or prior to experiencing the world – An Evil demon deceiving us or the inability to know others’ experience make empiricism an unreliable basis for universal ethics. Outweighs since other people could say they don’t experience the same.

#### That mandates practical reason as the starting point of morality.

#### 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 or use reason” demands a reason to justify it and answer the question. Proving its inescapability.

#### 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] 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.

#### 4] Inescapability – Every agent intrinsically values practical reason when they go about setting and pursuing an end as we must understand what that action looks like through our rational ability.

#### This means we must universalize maxims – 3 warrants:

#### 1] Absent universal ethics, morality becomes arbitrary and fails to guide action in all instances, 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 must also apply to all universally.

#### 3] Anything else justifies that someone could impede your ability to exercise your will in the first place, restricting your ability to act. An action is only deemed moral if everybody can universally do it and deem it good.

**Engstrom**, Stephen [“Universal Legislation As the Form of Practical Knowledge. University of Pittsburgh, ND]

I’ll begin with the case of natural justice. **Since this obligation is founded on the practical knowledge of self-sufficiency as an end, and since self-sufficiency, according to its very idea, can never be augmented, but only restricted, by the actions of others, the maxim we have to consider is one prescribing action that restricts others’ self-sufficiency**. This restriction can be more precisely characterized, however, as the **limitation of what Kant calls outer freedom**. For as I’ll now try to explain, outer freedom is just what self-sufficiency requires, as a negative condition, in relation to others. Kant describes outer freedom as an “**independence from the necessitating power of choice of another**” (MS237). In other words, **outer freedom lies in the independence of one’s capacity to pursue one’s ends from hindrance to its exercise stemming from the power of choice of 19another.** That one’s capacity to pursue one’s ends can be subject to such hindrance from another is, of course, clear. Where diverse persons share a practical world, where in other words they are present together in the world in such a way that it’s possible for any one of them both to know what action another of them intends and also to act in ways that prevent or hinder that action (or, as we might also say, where mutual recognition and mutual influence are possible), **the outer freedom of one such person is limited to the extent that another chooses to prevent or to hinder the former’s action and succeeds in the attempt.** Where a person’s actions constitute such hindrances they can accordingly be described—to borrow a phrase from Kant—as “assaults on the freedom... of others” (G430).**19 Now since the material ends a person pursues in acting are all united in the fundamental end of happiness, generically conceived, outer freedom amounts to independence from hindrances by others to one’s pursuit of that basic end. Thus any assault on this freedom, to the extent that it’s successful, is a limitation of a person’s capacity to realize this end. And since this capacity is just what self-sufficiency consists in, this freedom is nothing other than the independence from other persons requisite for self-sufficiency, and it can therefore be regarded,** in a negative sense**, as self-sufficiency itself in relation to others.** Given the preceding considerations, it’s a straightforward matter to see how a maxim of action that assaults the freedom of others with a view to furthering one’s own ends results in a contradiction when we attempt to will it as a universal law in accordance with the foregoing account of the formula of universal law. **Such a maxim would lie in a practical judgment that deems it good on the whole to act to limit others’ outer freedom, and hence their self-sufficiency, their capacity to realize their ends, where doing so** augments, or **extends, one’s own outer freedom and so also one’s own self-sufficiency.** 20Now on the interpretation we’ve been entertaining, applying the formula of universal law involves considering whether it’s possible for every person—every subject capable of practical judgment—to share the practical judgment asserting the goodness of every person’s acting according to the maxim in question. **Thus in the present case the application of the formula involves considering whether it’s possible for every person to deem good every person’s acting to limit others’ freedom, where practicable, with a view to augmenting their own freedom. Since here all persons are on the one hand deeming good both the limitation of others’ freedom and the extension of their own freedom, while on the other hand, insofar as they agree with the similar judgments of others, also deeming good the limitation of their own freedom and the extension of others’ freedom, they are all deeming good both the extension and the limitation of both their own and others’ freedom. These judgments are inconsistent insofar as the extension of a person’s outer freedom is incompatible with the limitation of that same freedom**.

#### Thus, the Value Criterion is respecting a system of inner and outer freedom

#### 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] 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.

#### [4] Freedom is a prereq – In order to live any life worth living we must be free to set and pursue our own ends free from coercion of others. Means coercion o/w your arguments.

## 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] Private entities are incapable of making omnilateral decisions as privatization entails that they withhold information which limits deliberation over making maxims.

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The intrinsic wrong of privatization, I will suggest, rather consists in the creation of an institutional arrangement that, by its very constitution, denies those who are subject to it equal freedom. I understand freedom as an interpersonal relationship of reciprocal independence. To be free is not to be subordinated to another person’s unilateral will. By building on an analytical reconstruction of Kant’s Doctrine of Right, I will argue that current forms of privatization reproduce (to a different degree) within a civil condition the very same defects that Kant attributes to the state of nature, or to a pre-civil condition, thereby making a rightful condition of reciprocal independence impossible. Importantly, this is so even if private actors are publicly authorized through contract and subject to regulations, and even if they are committed to reason in accordance with the public good. The reason for this, as I will explain, derives from the fact that private agents are constitutionally incapable of acting omnilaterally, even if their actions are omnilaterally authorized by government through some delegation mechanism, e.g. a voluntary contract. Omnilateralness, I will suggest, must be understood as a function of 1) rightful judgment and 2) unity. By rightful judgment I mean the capacity to reason publicly and to make universal rules that are valid for everyone, according to a juridical ideal of right, as necessary to solve the problem of the unilateral imposition of private wills on others. By unity I mean the capacity to make rules and decisions that change the normative situation of others, as a part of a unified system of decision-making. The condition of unity is crucial, as I shall later explain, insofar as there might be multiple interpretations compatible with rightful judgment, which would still problematically leave the definition of people’s rightful entitlements indeterminate. Further, the practical realization of the juridical idea of an omnilateral will, I will contend, requires embeddedness within a shared collective practice of decision-making. In practice, rightful judgment can only obtain when certain shared background frameworks that structure practical reasoning and confer unity to that reasoning are in place. The rules of public administration and the authority structure of bureaucracy should be understood as playing this essential function of giving empirical and practical reality to the omnilateral will, as far as the execution of rules and the concrete definition of entitlements are concerned. Together, these two requirements are necessary, (whether they are also sufficient is a different question), to make an action the omnilateral action of a state, which has the moral power to change the normative situation of citizens, by fixing the content of their rights and duties in accordance with the equal freedom of all. The phenomenon of privatization thus raises the fundamental questions of why we need political institutions to begin with, and what makes an action an action of the state. Insofar as private agents make decisions that fundamentally alter the normative situation (the rights and duties) of citizens, and insofar as, by definition, private agents are not public officials embedded in that shared collective practice, their decisions, even if well intentioned and authorized through contract, cannot count as omnilateral acts of the state. They rather and necessarily remain unilateral acts of men. Hence, I will conclude, for the very same reasons that we have, following Kant, a duty to exit the state of nature so as to solve the twofold problems of the unilateral imposition of will on others and the indeterminacy of rights, we also have a duty to limit privatization and to support, on normative grounds, a case for the re-bureaucratization of certain functions. Therefore, my paper provides foundational reasons to agree with Richard Rorty’s nonfoundational defense of bureaucracy as stated in the opening epigraph, since only agents who are appropriately embedded within a bureaucratic structure, properly understood, are, in many cases, capable of acting omnilaterally. The “bosses” I am here concerned with are not primarily those who 5 can unilaterally impose their will on us in their capacity as private employers, but rather any private actor who acts unilaterally while in the garb of the state.

#### 3] 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.

#### 4] 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).

#### 5] 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. C) The International Institute of Space Law proves

Sean Blair 2011 is a space journalist and is currently working for the European Space Agency, 08-01-2011, "Space property: who owns it?," BBC Science Focus Magazine, <span class="skimlinks-unlinked">[https://www.sciencefocus.com/space/space-property-who-owns-it</span>/](https://www.sciencefocus.com/space/space-property-who-owns-it%3c/span%3e/) // Dulles VN

While the deep-sea salvage claim here on Earth appears to show that possession will be sufficient, we’re still to discover exactly what will happen when someone lands a craft on a celestial body with the intention of claiming it, or at least part of it. There are some who believe that regardless of what’s happened on Earth, you simply can’t own something in space. “For us it is clear that private property rights over parts of outer space are not permitted,” says Tanja Masson-Zwaan, President of the International Institute of Space Law. “There is no consensus on property rights in space, as there will always be people who continue to challenge what the law says.”

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