**The value is morality, Justice is a question of morality**

**The meta-ethic is Constructivism: Universal moral truths don’t exist, instead, they’re simply categories of language created by us.**

**Parrish** (Rick Parrish. "Derrida's Economy of Violence in Hobbes' Social Contract." Theory & Event 7, no.4 (2005)https://muse.jhu.edu/)Perhaps the single most telling quote from Hobbes on this point comes from The Philosophical Rudiments Concerning Government and Society(usually known by its Latin name, De Cive), in which he states that "to know truth, is the same thing as to remember that it was made by ourselves by the very usurpation of the words." 24 "For Hobbes **truth is a function of logic and language, not** of the relation between language and **some extralinguistic reality,"**25 so the **"connections between names and objects are not natural."**26 They are artificially constructed by persons, based on individual psychologies and desires. These individual desires are for Hobbes the only measure of good and bad, because value terms "are ever used with relation to the person that useth them, there being nothing simply and absolutely so, nor any common rule of good and evil to betaken from the nature of the objects themselves." 27 Since **"there are no authentical doctrines concerning right and wrong**, good and evil,**" 28 these labels are placed** upon things **by humans** in acts of creation rather than discovered as extrinsic facts. Elaborating on this, Hobbes writes that **"the nature**, disposition, and interest **of the speaker**, such as **are the names of virtues and vices; for one** man **calleth wisdom, what another calleth fear**; and one cruelty what another justice." 29 A more simplistic understanding of the brutality of the state of nature, which David Gauthier calls the "simple rationality account," 30 has it that mere materialistic **competition for goods is the cause of the war of all against all, but such rivalry is a secondary manifestation of the** more fundamental **competition** among all persons **to be the dominant creator** of meaning**.** Certainly, Hobbes writes that persons most frequently "desire to hurt each other "because "many men at the same time have an appetite to the same thing; which yet very often they can neither enjoy in common, nor yet divide it; whence it follows that the strongest must have it, and who is strongest must be decided by the sword." 31 But this competition for goods only arises as the result of the more primary struggle that is inherent in the nature of persons of meaning creators. In the state of nature, "where every man is his own judge," 32 **persons will" mete good and evil by diverse measures ,"creating labels** for things **as they see fit,** based on individual appetites.17. One of the most significant objects that receives diverse labels in the state of nature is 'threat'. Even if most people happen to construe threat similarly, **there will be serious disagreement regarding whether** or not **a** specific **situation fits a** commonly held **definition**. This is of co---urse the key to the famous Security Dilemma that international relations theorists spend so much time trying toovercome34--certain perfectly innocent actions by one person (or state) can easily be construed, and rationally must be construed, as a threat. Furthermore, any attempt by one person to allay another's fears about the threatening nature of actions must be taken as strategic disinformation, rather than as genuine explanation. Even if "I agree with you in principle about your right to preserve yourself," this agreement is useless "if I disagree about whether this is the moment for you to implement that right." 35Given that persons "are individual in experience, they are individual in their conceptions and in their speech. Their power of reasoning with words . . . dissociates them and provokes violent competition" 36 specifically because concepts that seem simple invoke very different interpretations. If there were some universally objective and knowable set of circumstances that constituted Threat as such, the rationally self-interested persons of the state of nature would not have to seek control over all things for their own protection. All persons could both avoid actions that would be defined as threat and shed the overbearing suspicion that, taken together, make the Hobbesian state of nature so unbearably brutish.

**To escape the state of nature, people unite to imbue a sovereign with absolute authority to define ethics and enforce them at will. The sovereign is the only binding ethical force–Absent the sovereign, ethics fail, since everyone has competing conceptions of the good.**

**Parrish 2**(Rick Parrish. "Derrida's Economy of Violence in Hobbes' Social Contract." Theory & Event 7,no. 4 (2005)https://muse.jhu.edu/)All of the foregoing points to the conclusion that in the commonwealth**the sovereign's first and** most fundamental**job is to be the ultimate definer.**Several other commentators have also reached this conclusion. By way of elaborating upon theimportance of the moderation of individuality in Hobbes' theory of government, Richard Flathman claims that**peace**"**is possibleonly if**the**ambiguity**and disagreement that pervade general thinking and acting**are eliminated by**the stipulationsof a**sovereign.**Pursuant to debunking the perennial misinterpretation of Hobbes' mention of people as wolves, PaulJohnson arguesthat "one of**the**primary**function**s**of the sovereign is to provide**the necessary**unity ofmeaning**and reference for the primary termsin which men try to conduct their social lives." 58 "The whole raison d'être of sovereignhelmsmanship lies squarely in the chronic defusing of interpretive clashes," 59 without which humans would "fly off in all directions" 60 and fallinevitably into the violence of the natural condition.26. It is not surprising that so many noted students of Hobbes have reached thisconclusion, given how prominently he himself makes this claim. According to Hobbes, "in the state of nature, where every man is his ownjudge, and differeth from others concerning the names and appellations of things, and from those differences arise quarrels and breach ofpeace, it was necessary there shouldbe a common measure of all things, that might fall in controversy." 61 The main categories of thesovereign's tasks are "to make and abrogate laws, to determine war and peace, [and] to know and judge of all controversies,"62 but each ofthese duties is asubspecies of its ultimate duty to be the sole and ultimate definer in matters of public importance**.It isonlythroughthe sovereign's effective continued accomplishment of** this duty**that**the**people**of acommonwealth**avoid the**definitionalproblems that typifythestate **of nature.**27. Judging controversies, which Hobbeslists as the third main task of the sovereign, is the duty most obviously about being the ultimate definer. In fact, Hobbes declares it a law ofnature that "**in**every**controversy,**the**parties**thereto ought**mutually**to**agree upon**an**arbitrator**,whom they both trust; and mutually to covenant to stand to the sentence he shall give therein." 63 As I repeatedly alluded toabove, this agreement **to abide by**the decision of a third party arbitrator, a**sovereign**in the commonwealth,**is necessary because of**the fundamentally perspectival and relative **nature of**persons' imputations of**meaning**and value into the situations they construct. Hobbes understands thisproblem, as evidenced by his claim that "seeing rightreason is not existent, the reason ofsome man or men must supply the place thereof; and that man or men, is he or they, thathave thesovereign power" 64 to dictate meanings that will be followed by all. The sovereign is even protected from potential democratic impulses, bywhich a 'true' meaning would be that agreed upon by the greatest number of people. Because "no one man's reason, nor the reason of any onenumber of men, makes the certainty," they willstill "come to blows . . . for want of a right reason constituted by nature" 65 unless both themajority and the minority agree to abide by the meanings promulgated by the sovereign. 28. These meanings are usually createdandpromulgated by the sovereignin the form of laws, another of the tasks with which 7/29/13 RickParrish | Derrida's Economyof Violence inHobbes' Social Contract | Theory& Event 7:4[https://muse.jhu.edu/journals/theory\_and\_event/v007/7.4parrish.html](https://www.dropbox.com/referrer_cleansing_redirect?hmac=irLNHrXE58tjOqQgz5qTbR%2BeoSf20DX6SbB0nhPFfqw%3D&url=https%3A%2F%2Fmuse.jhu.edu%2Fjournals%2Ftheory_and_event%2Fv007%2F7.4parrish.html)13/42 Hobbes charges it. In one of his clearest explanations of the law, Hobbes writes that "it belongs to the same chief power to make some common rules for all men, and to declare them publicly, by which every man may know what may be called his, what another's, what just, what unjust, what honest, what dishonest, what good, what evil; that is summarily, what is to be done, what to be avoided in our common course of life." 66**The civil law is the** set of the **sovereign's definitions** for ownership, justice, good, evil, and all other concepts that are important for the maintenance of peace in the commonwealth**. When everyone follows** the **law**(that is, when everyone follows the sovereign's definitions) there are far fewer conflicts among persons because everyone appeals to the same meanings**.** This means that **people know what meanings others will use** to evaluate the actions of themselves and others, so the state of nature's security dilemmas and attempts to force one's own meanings upon others are overcome

**Thus, the standard is upholding the will of the sovereign. Prefer:**

**[1] The standard is inescapable – when one sovereign is removed each individual becomes their own sovereign and attempts to subsume others until one comes above the rest.**

**Parrish 06,** Rick, “Violence Inevitable: The Play of Force and Respect in Derrida, Nietzsche, Hobbes, and Berlin,” 2006. NK.

But even more significantly for his relationship with Derrida, Hobbes argues that **in the state of nature persons** must not only try to control as many objects as possible -- they must also **try to control as many** persons **as possible.** "There is no way for any man to secure himself so reasonable as anticipation, that is, **by force** or wiles to master the persons of all men he can, so long **till [t]he[y] see no other power great enough to endanger [them].** And this is no more than his own conservation requireth, and is generally allowed."37 While it is often assumed that by this Hobbes means a person will try to control others with physical force alone, when one approaches Hobbesian persons as meaning creators this control takes on a more discursive, arche-violent character. First," says Hobbes, "among [persons in the state of nature] there is a contestation of honour and preferment,"38 a discursive struggle not over what physical objects each person will possess, but over who or what will be considered valuable. **Persons,** as rationally self-interested beings who "measure, not only other men, but all other things, by themselves,"39 and **value themselves above all others, attempt to force that valuation on others. "The human desire** for 'glory', which in today's language translates not simply as the desire for prestige, but also the desire to acquire power over others," **is** therefore **primarily about subsuming others beneath one's own personhood,** as direct objects or merely phenomenal substances. As above, the inevitability of this situation is given by the fact that the primarily egoistic nature of all experience renders the other in a "state of empirical alter-ego"41 to oneself. Those who prefer a more directly materialistic reading of Hobbes may attempt to bolster their position by pointing to his comment that "the most frequent reason why men desire to hurt each other, ariseth hence, that many men at the same time have an appetite to the same thing; which yet very often they can neither enjoy in common, nor yet divide it; whence it follows that the strongest must have it, and who is strongest must be decided by the sword."42 This quote also supports my reading of Hobbes, because quite simply **the primary thing all persons want** but can never have in common **is the status of** the **ultimate creator of meaning, the primary personhood,** from which all other goods flow. Everyone, by their natures as creators of meaning whose "desire of power after power . . . ceaseth only in death,"43 tries to subsume others beneath their personhood in order to control these others and glorify themselves. As Piotr Hoffman puts it, "every individual acting under the right of nature views himself as the center of the universe; his aim is, quite simply and quite closely, to become a small "god among men," to use Plato's phrase."Hobbes argues that **this discursive struggle** rapidly **becomes physical** by writing that "every man thinking well of himself, and hating to see the same in others, they must needs provoke one another by words, and other signs of contempt and hatred, which are incident to all comparison, till at last they must determine the pre-eminence by strength and force of body."45 The ultimate violence, the surest and most complete way of removing a person's ability to create meaning, is to kill that person, and the escalating contentiousness of the state of nature makes life short in the war of all against all. But this does not render the fundamental reason for this violence any less discursive, any less based on "one's sense of self-importance in comparison with others"46 or human nature as a creator of meaning

**Contention 1)**

**The Outer Space Treaty declares that space cannot be used by private entities. Chouhan:**

*https://deliverypdf.ssrn.com/delivery.php?ID=825123001111124079092069029031126002121019058093035031103092107005118001000023114091019024039057118017026011015084123096106093037075086051088088077023120125028067118038093060003120084096121005124127113088024023089026068124115127073018082028086086006009&EXT=pdf&INDEX=TRUE*

**Article I of OST declares Outer-Space including celestial bodies to be a ’province of mankind’** thereby denoting a common ownership or res-communes status to it. **Further Article I also provides that the use of the outer-space should be done for the benefit of all countries but at the same time it also provides** in the second Para of article I **that Outer Space will be free to use by all states ‘on a basis of equality’ and ‘in accordance with international law’.** The intention of **the provision is to provide access to use and explore outer-space to all countries freely and in accordance with the international law. This essentially means that one cannot exclude others from using or explore any part of the celestial body or outer-space. Right to exclude and Right to use are the most important element of ownership and possession but Article I** essentially **negates such rights in outer space**. **Article II further declares that outer space including celestial body cannot be appropriated by use, claim of sovereignty or occupation etc.** Article VIII states that the ownership and control of the object sent to space lies with the launching/owner of the object, and similar treatment will be provided to the object landed or constructed on a celestial body. Thus, it can be assumed that OST only provide ownership rights in outer-space for only the object sent from earth or constructed in outer-space through human interaction. It is interesting to note that OST specifically talk about states and their obligation but what about private entities, are they free from any obligation in space from the OST treaty? The answer should be a resounding no, **as even the activities of private entities can be** said to be **governed by OST by virtue of Article VI which provides that the state will be responsible for activities carried out by national or even nongovernmental agencies and puts an obligation upon the state to perform activities in conformity with the provisions of OST, it also puts a responsibility upon the state to regulate the activities of nongovernmental entities in accordance with the treaty provisions by providing authorization and continued supervision. So a corporate entity cannot on itself go into outer space and mine asteroid thus appropriating space resource without a specific authorization from the state, but the state cannot give such an authorization as such an act will go against the OST provisions.** The ‘Moon Agreement’ further reiterates under Article IV that Moon, including other celestial bodies, shall be the province of all 26 mankind and exploration and use of such bodies should be for the benefit and interest of all countries. The most important Article in moon 27 agreement, from the perspective of space ownership is article XI which provides that moon’s resources is a common heritage of mankind, and cannot be appropriated. Para 3 of Article XI specifically forbids any 28 property rights to a state or non-state entities over surface, subsurface, or any part thereof or natural resources in place of a moon or other celestial bodies. Para 5 of Article XI further puts obligation on the state parties to establish an international regime for the purpose of exploitation of space resources based on the principle of equitable sharing of benefits derived from those resources with special consideration to developing countries. However, it’s important to note that ‘Moon Agreement’ has 29 been rejected by most of the major space faring nation and some jurists consider it a failed treaty but nonetheless important from an international law perspective.30 Similarly, the principle that use of Outer-space should be for the benefit and interest of all mankind, that outer-space cannot be appropriated and its free for use and exploration by all states on basis of equality finds mentions in the UN resolution proclaiming ‘Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space’.31 **Considering** **the** above **legal provisions,** it is safe to assume that **private ownership of space or its resources is forbidden under the International Space Law framework. The question of private property in space under International Law also doesn’t exist as there is no sovereign in space and without a state granting title to the private entities, such rights are impossible to exist for want of enforcement.** However, even if 33 private property rights don’t exist but technically certain other ancillary rights can exist, and one of the important one is the ‘Right to Use’ by virtue of Article I of OST. Article I provide the right of access and use 34 to all states with a condition that it’s use is erga omnes. It can be argued that, the use of the statement ‘for the benefit of mankind’ in OST is vague, but still it has acquired the characteristics of peremptory norm under International law. So, **private entities can ‘use’ resources in outer space if authorised by the national governments provided that such use is for the ‘benefit of the mankind’ and for ‘peaceful purpose’, but it cannot extend to appropriation of resources as it will be** tantamount to **exclusion, which will go against the principle of free access to all.**

**Contention 2)**

**There is no sovereign in space to either will the creation of private property in space, or protect the private property rights. Chouhan:**

*https://deliverypdf.ssrn.com/delivery.php?ID=825123001111124079092069029031126002121019058093035031103092107005118001000023114091019024039057118017026011015084123096106093037075086051088088077023120125028067118038093060003120084096121005124127113088024023089026068124115127073018082028086086006009&EXT=pdf&INDEX=TRUE*

**One of the important questions in outer space regarding private property is that there is no sovereign who controls it, and no country can appropriate outer space or celestial bodies for themselves.** **If private property is to be created in outer space then a sovereign body needs to be established who can enforce such property rights. Unilateral action of state on earth cannot allocate private property to their citizens** and reason can be found in one Latin maxim ‘Nemo dat quod non habet’, **one cannot give something which they do not own. States don’t have any titles in outer space or celestial bodies and thus they cannot allocate these titles to their citizens in the form of private property.** However it would be wrong to assume that state don’t have any sovereignty in space, they can still exercise jurisdiction over the craft or something constructed in outer space. They also have jurisdiction over the personnel operating these crafts in outer space.

**Underview**

**The role of the ballot is to vote for the debater who best proves the truth or falsity of the Resolution; the affirmative must prove it true and the negative must prove it false. Prefer:**

**A) Text: Five dictionaries define negate as to deny the truth of and affirm as to prove true which means the sole judge obligation is to vote on the resolution’s truth or falsity. Constitutivism outweighs because you don’t have the jurisdiction not to truth test. Jurisdiction is a meta constraint since every argument you make concedes the authority of the judge fulfilling their jurisdiction to vote aff if they affirm better and neg the contrary**

**B) Logic: Any counter role of the ballot collapses to truth testing because every property assumes truth of the property i.e. if I say, “I am awake” it is the same as “it is true that I am awake” which means they are also a question of truth claims because it’s inherent.**

**C) Ground: Any offense can function under truth testing whereas your specific role of the ballot excludes all strategies but yours. This is bad for education because me engaging in a debate I know nothing about doesn’t help anyone.**

**D) Truth Testing is a prerequisite to other role of the ballots because without truth we’re operating off of lies which is what fuels propaganda and oppression.**

#### **Risk of the utility monster being real means we should suffer to max utility.**

**Nozick,** Nozick, Robert. Anarchy, State, and Utopia. New York: Basic, 1974. Print. **Util**itarian theory **is embarrassed by the possibility of utility monsters who get enormously greater gains in utility from any sacrifice of others than these others lose.** For, unacceptably, **the theory** seems to **require[s] that we all be sacrificed** in the monster's maw, **in order to increase total utility**. Similarly if people are utility devourers with respect to animals, always getting greatly counterbalancing utility from each sacrifice of an animal, we may feel that "utilitarianism for animals, Kantianism for people," in requiring (or allowing) that almost always animals be sacrificed, makes animals too subordinate to persons

1. Util is ableist cause some people can’t feel pain, so we can be infinitely abusive to them. Medicineplus.gov:

Congenital insensitivity to pain with anhidrosis (**CIPA**) **has** two **characteristic features**: **the inability to feel pain** and temperature, and decreased or absent sweating (anhidrosis). This condition is also known as hereditary sensory and autonomic neuropathy type IV. The signs and symptoms of **CIPA appear early, usually at birth** or during infancy, but with careful medical attention, affected individuals can live into adulthood.

*“Congenital Insensitivity to Pain with Anhidrosis: MedlinePlus Genetics.” Medlineplus.gov, 2020, medlineplus.gov/genetics/condition/congenital-insensitivity-to-pain-with-anhidrosis/. Accessed 25 Oct. 2021.*

**3) Analytics**

*1 http://dictionary.reference.com/browse/negate, http://www.merriam-webster.com/dictionary/negate, http://www.thefreedictionary.com/negate, http://www.vocabulary.com/dictionary/negate, http://www.oxforddictionaries.com/definition/english/negate*

*2 Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true*