# 1n

## 1

#### The meta-ethic is practical reason.

#### A] Bindingness – Any obligation must not only tell us what is good, but why we ought to be good or else agents can reject the value of goodness itself. That means ethics must start with what is constitutive of agents since it traces obligations to features that are intrinsic to being an agent – as an agent you must follow certain rules. Only practical agency is constitutive since agents can use rationality to decide against other values but the act of deciding to reject practical agency engages in it.

#### B] Action theory – every moral analysis requires an action to evaluate, but actions are infinitely divisible into smaller meaningless movements. The act of stealing can be reduced to going to a house, entering, grabbing things, and leaving, all of which are distinct actions without moral value. Only the practical decision to steal ties these actions together to give them any moral value.

#### That justifies universalizability.

#### A] The principle of equality is true since anything else assigns moral value to contingent factors like identity and justifies racism, and the principle of non-contradiction is true since 2+2 can’t equal 4 for me and not for you meaning ethical statements true for one must be true for all.

#### B] Ethics must be defined a priori because of the is ought gap – experience only tells us what is since that’s what we perceive, 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. Applying reason to a priori truth results in universal obligations.

#### Prefer additionally,

#### 1] An intrinsic feature to any action is the acceptance of the goodness of universal freedom, Gewirth 84 bracketed for grammar and gendered language

[Alan Gewirth, () "The Ontological Basis of Natural Law: A Critique and an Alternative" American Journal Of Jurisprudence: Vol. 29: Iss. 1 Article 5, 1984, https://scholarship.law.nd.edu/ajj/vol29/iss1/5/, DOA:9-10-2018 // WWBW Recut LHP AV]

Let me briefly sketch the main line of argument that leads to this conclusion. As I have said, the argument is based on the generic features of human action. To begin with, **every agent acts for purposes [t]he[y] regards as good.** Hence, **[t]he[y] must regard as necessary goods the freedom** and well being **that [is]** are the generic features and **necessary conditions of** his **action** and successful action in general. From this, it follows that **every agent logically must hold or accept** that he has **rights to these conditions**. For if he were **to deny** that he has **these rights**, then he **would** have to **admit that it is permissible** for other persons **to remove** from him the very **conditions** of freedom and well-being **that**, as **an agent**, he **must have**. But **it is contradictory** for him **to hold both that [t]he[y] must have these conditions and also that he may not have them.** Hence, on pain of self-contradiction, every agent must accept that he has rights to freedom and well-being. Moreover, **every agent must further admit that all other agents also have those rights, since all other actual or prospective agents have the same general characteristics of agency** on which he must ground his own right-claims. What I am saying, then, is that every agent, simply by virtue of being an agent, must regard his freedom and well being as necessary goods and must hold that he and all other actual or prospective agents have rights to these necessary goods. Hence, every agent, on pain of self-contradiction, must accept the following principle: Act in accord with the generic rights of your recipients as well as of yourself. The generic rights are rights to the generic features of action, freedom, and well-being. I call this the Principle of Generic Consistency (PGC), because it combines the formal consideration of consistency with the material consideration of the generic features and rights of action.

#### 2] Agency requires deliberation to choose what actions to take which creates a practical identity identical for every agent. It is the only form of ontology that can account for every individual, making it the only identity that can create obligations.

Christine M. Korsgaard, 1992

Korsgaard, Christine. "The sources of normativity." *The Tanner Lectures on human values* (1992). Korsgaard, Christine. "The sources of normativity." *The Tanner Lectures on human values* (1992). DOA: Feb 18, 2022

The Solution: Those who think that the human mind is internally luminous and transparent to itself think that the term “self-consciousness” is appropriate because what we get in human consciousness is a direct encounter with the self. Those who think that the human mind has a reflective structure use the term too, but for a different reason. The reflective structure of the mind is a source of “self-consciousness” because it forces us to have a conception of ourselves. As Kant argues, this is a fact about what it is like to be reflectively conscious and it does not prove the existence of a metaphysical self. From a third person point of view, outside of the deliberative standpoint, it may look as if what happens when someone makes a choice is that the strongest of his conflicting desires wins. But that isn’t the way it is for you when you deliberate. When you deliberate, it is as if there were something over and above all of your desires, something that is you, and that chooses which desire to act on. This means that the principle or law by which you determine your actions is one that you regard as being expressive of yourself. To identify with such a principle or law is to be, in St. Paul’s famous phrase, a law to yourself.6 An agent might think of herself as a Citizen in the Kingdom of Ends. Or she might think of herself as a member of a family or an ethnic group or a nation. She might think of herself as the steward of her own interests, and then she will be an egoist. Or she might think of herself as the slave of her passions, and then she will be a wanton. And how she thinks of herself will determine whether it is the law of the Kingdom of Ends, or the law of some smaller group, or the law of the egoist, or the law of the wanton that is the law that she is to herself. The conception of one’s identity in question here is not a theoretical one, a view about what as a matter of inescapable scientific fact you are. It is better understood as a description under which you value yourself, a description under which you find your life to be worth living and your actions to be worth undertaking. So I will call this a conception of your practical identity. Practical identity is a complex matter and for the average person there will be a jumble of such conceptions. You are a human being, a woman or a man, an adherent of a certain religion, a member of an ethnic group, someone’s friend, and so on. And all of these identities give rise to reasons and obligations. Your reasons express your identity, your nature; your obligations spring from what that identity forbids.

#### Impacts: A] Since obligations arise from a universal identity, they must be the same for all, B] hijacks any role of the judge since judging is an identity contained within the practical one

#### That justifies a minimalist libertarian state – Otteson 09

James R. Otteson, 2009, “Kantian Individualism and Political Libertarianism,” The Independent Review, v. 13, n. 3., Winter 2009, available at [https://www.independent.org/pdf/tir/tir\_13\_03\_4\_otteson.pdf DOA: Feb 18: 2022 //](https://www.independent.org/pdf/tir/tir_13_03_4_otteson.pdf%20DOA:%20Feb%2018:%202022%20//) LHP PS

**The link between Kantian agency and the limited libertarian state is plausible, and indeed the former explains the latter;** moreover, **the evidence suggests that Kant himself believed that the former implied the latter**. That conclusion leaves us, however, with the final question of how exactly to characterize Kant’s position. To approach this question, consider two claims. **First, Kant believes that people create a state in order to protect their rational, autonomous agency and that this state is justified insofar as it protects that agency.** **Moreover, coercive state action can also be justified if it serves only to secure the conditions necessary for continued or more effective protection of this agency**. A plausible extension of this argument is that the **conditions of morality themselves are possible only within the protections of a Kantian minimal state**. Given that extension, Kant’s endorsement of limited, state-based welfare measures might have been motivated by a belief that they exemplify **state coercion necessary to secure the conditions of agency**. For the reasons explained earlier, I deny that such institutions can be defended successfully on these grounds, but the particular application notwithstanding, we may be able to endorse—consistently and rationally—Kant’s principle of granting the state those, and only those, coercive powers necessary for the protection of “right.” Second, Kant may not have been as convinced as one might be today of intermediary “civil” institutions’ ability to do the work of foundling hospitals and so on. Substantial evidence now attests, however, to the perhaps surprisingly effective scope and reach of civil society’s private institutions to find and meet the needs of society’s most destitute (for a recent treatment, see Beito, Gordon, and Tabarrok 2002). Kant might well have been unaware of such institutions, or—for reasons owing to his particular time and place—he might have been positively suspicious of them, including organized churches. I believe these two points absolve Kant of the claim of contradiction. He can claim consistently that the state’s purpose is to protect individual free agency and that it is justified in using coercion to secure the conditions that allow such protection—but not in any other circumstances. If this account correctly represents Kant’s position, then **we may properly describe him as a political libertarian, though one sensitive to libertarianism’s limitations. Thus, we might aptly call his position constrained libertarianism.**

#### Vote neg –

#### 1] Injustice requires someone wronged, but initial acquisition doesn’t violate any entity’s rights– therefore, private appropriation of outer space cannot be unjust, Feser 05:

Edward Feser, [Associate Professor of Philosophy at Pasadena City College] “THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION,” 2005, DOA: Feb 18, 2022, team purchased pdf //LHP AV

The reason **there is no such thing as an unjust initial acquisition** of resources is that there is no such thing as either a just or an unjust initial acquisition of resources. The concept of **justice**, that is to say, simply **does not apply** to initial acquisition. **It applies only after initial acquisition has already taken place**. In particular, it applies only to transfers of property (and derivatively, to the rectification of injustices in transfer). This, it seems to me, is a clear implication of the assumption (rightly) made by Nozick that **external resources are initially unowned**. Consider the following example. **Suppose** **an individual** **A seeks to acquire some previously unowned resource R**. **For it to be** the case that A commits an **injustice** in acquiring R, it would also have to be the case that **there is some individual** **B** (or perhaps a group of individuals) **against whom A commits the injustice**. **But for B to have been wronged** by A’s acquisi- tion of R, **B would have to have had a rightful claim over R,** **a right to R**. By hypothesis, **however**, **B did not have a right to R, because no one had a right to it—it was unowned, after all**. So B was not wronged and could not have been. In fact, **the very first person who could conceivably be wronged by anyone’s use of R would be, not B, but A himself, since A is the first one to own R**. Such a wrong would in the nature of the case be an injustice in transfer—in unjustly taking from A what is rightfully his—not in initial acquisition. **The same thing, by extension, will be true of all unowned resources: it is only after some- one has initially acquired them that anyone could unjustly come to possess them, via unjust transfer**. It is impossible, then, for there to be any injustices in initial acquisition.7

#### 2] Submitting to international limits on power is a contradiction in will – it weakens the republic and has no binding force.

Waltz ’62 (Waltz, Kenneth N. "Kant, Liberalism, and War." The American Political Science Review 56, no. 2 (1962): 331-40. doi:10.2307/1952369.) team purchased pdf, DOA: Feb 18, 2022

So long at least as the state "runs a danger of being suddenly swallowed up by other States," it must be powerful externally as well as internally. In international relations the difficulties multiply. The republican form is preferable, partly because republics are more peacefully inclined; but despotisms are stronger-and no one would expect or wish to bring the state into jeopardy by decreasing its strength.15 Standing armies are dangerous, arms races themselves being a cause of war, but in the absence of an outside agency affording protection, each state must look to the effectiveness of its army.'6 A freely flowing commerce is a means of promoting peace, but a state must control imports, in the interests of its subjects "and not for the advantage of strangers and the encouragement of the industry of others, because the State without the prosperity of the people would not possess sufficient power to resist external enemies or to maintain itself as a common- wealth."'7 Not only standing armies but also, indeed more so, the disparity of economic capacities may represent danger, occasion fear, and give rise to war. Kant's concern with the strength and thus the safety of the state is part of his perception of the necessities of power politics. Among states in the world, as among individuals in the state of nature, there is constantly either violence or the threat of violence. States, like "lawless savages," are with each other "naturally in a nonjuridical condition.'8 There is no law above them; there is no judge among them; there is no legal process by which states can pursue their rights. They can do so only by war, and, as Kant points out, neither war nor the treaty of peace following it, can settle the question of right. A treaty of peace can end only a particular war; a pretext for new hostilities can always be found. "Nor can such a pretext under these circumstances be regarded as un- just; for in this state of society every nation is the judge of its own cause."'19 More surely than those who extract and emphasize merely Kant's republican aspirations and peaceful hopes, Khrushchev speaks as though he had read Kant correctly. "War," in Khrushchev's peculiar yet apt phrase, "is not fatalistically inevitable." Kant does set forth the "shoulds" and "oughts" of state behavior.2' He does not expect them to be followed in a state of nature, for, as he says, "philosophically or diplomatically composed codes have not, nor could have, the slightest legal force, since the States as such stand under no common legal constraint.... 22 His intention clearly is that the "oughts" be taken as the basis for the juridical order that must one day be established among states, just as the rights of the individual, though not viable in a state of nature, provided the basis for the civil state.

#### 3] The aff violates the rights of private entities – a] no one owns space and can exclude them on legitimate grounds, and they want to go to space so stopping them is a contradiction in will b] private entities expend and have expended resources to claim things in space like making rockets or rocket fuel, preventing that is a violation of property rights since you are not allowing them to use what they own as they want

## 2

#### Interpretation: The affirmative must not defend a non-status quo policy option. To clarify, the affirmative may not fiat \_\_\_\_\_ (their advocacy)

#### Violation: They do (explain)

#### Vote neg:

#### 1] Precision – the resolution doesn’t entail an actor nor does it an action – they are definitionally not topical or even a subset of the resolution – vote them down –

#### A] stasis point – the topic is the only reasonable focal point for debate – anything else destroys the possibility of debate because we will be two ships passing –

#### B] internal link turn – violating semantics justifies the aff talking about whatever with zero neg prep or prediction which is the most unfair and educational –

#### C] Jurisdiction – you can’t vote for them because the ballot and the tournament invitation say to vote for the better debater in the context of the resolution –

#### D] objectivity – only semantics are objective whereas pragmatics are subjective which means intervention

#### 2] Limits – they explode them – they are super Extra T and justify an infinite possible number of affirmatives and different actors – none of which are part of the resolution which means there is no prediction ground. Multiple Impacts – A] Stable Ground – they deck neg preparation ability and impose an infinitely reciprocal research burden on the negative to have to guess the infinite policy options and possible permutations and to cut specific disads to those - B] Predictability – no actor or action means its impossible to have a way to predict affs on this topic which decks quality engagement and education – C] Infinite Abuse – being non-topical justifies picking a trivially true aff which means they always win

#### 3] TVA – don’t defend an action and use ideal theory to explain why appropriation is bad - That’s better – it promotes in-depth philosophical clash over law that’s constitutive to LD

## 3

#### Interpretation: The Affirmative debater must defend a hypothetical enactment of a topical post fiat policy action that affirms the resolution – Resolved: the appropriation of outer space by private entities is unjust

#### “Resolved” means to enact a policy by law, WORDS & PHRASES 64

Words & Phrases ‘64 (Words and Phrases; 1964; Permanent Edition), physical book

Definition of the word “resolve,” given by Webster is “**to express** an opinion or **determination by resolution or vote**; as ‘it was resolved **by the legislature**;” It is of similar force to the word “enact,” which is defined by Bouvier as **meaning “to establish by law”**.

#### Violation: they don’t defend a policy action conceded in cross

#### Standards:

#### [1] Clash – I don’t have prep specific to their non-T aff to generate in depth clash – they can leverage their specific knowledge of their aff to always frame out generics and use their extensive frontlines to crush any pre round prep I generated, magnified by the fact that I can only prep the rez o/w ~a~ Education since arg interaction is the only specific way we learn in debate, B~ Advocacy Skills - turns their aff scholarship – the only way to create change in the real world is by being able to make advocacies and engage in them– allowing clash forces people to actually consider your claims and forces good engagement

#### Reject clash bad – they purposely read their aff in a competitive activity that assumes clash

#### [2] State Education – debate is a unique forum in which we can learn the most out of all spaces about the state, even if the state is bad, using the state and talking about it allows us to understand how levels of power and how the state functions – that turns the aff – in order to engage in your method and challenge the state we need to understand how it operates – also takes out any T violent arguments

#### [3] Limits – absent the rez the aff could be anything which makes infinite affs. That destroys fairness – their abuse is supercharged by two things. A~ they literally have infinite prep since the 2-month topic reset doesn’t apply and B~ they can cherry pick their aff to be something trivially true like racism bad which I can’t substantively deny.

#### Voters:

#### [1] Fairness – A] Fairness is a voter because no one would debate if it wasn’t fair – B] they concede authority of fairness by following speech times

#### [2] Education – A] it’s the only portable impact of debate – B] it’s the only reason schools fund debate

#### [3] Accessibility – A] debate is a place people go to escape; they must access the space to do that

#### Prefer competing interpretations over reasonability – [A] reasonability is arbitrary and a race to the bottom 🡪 requires judge intervention – [B] Only objective way to set specific norms for debate

#### NO RVIS on T-Framework – [A] Chilling effect – debaters will be intentionally abusive in the 1AC and win off of their prepped out Counterinterp in 1AR collapse – [B] you don’t get to win for proving you defended the resolution: Double bind 🡪 either the abuse is so small you shouldn’t have a problem answering the shell in no time OR the abuse is so great you can’t answer it and deserve to lose – [C] Topic lit – RVIS incentivizes the 1AR to go for a full theory collapse which distracts the round from educational substance debate

#### T-Framework is DTD – [A] Stronger consequences deter future abuse – [B] It’s functionally the same as DTA since they drop their entire advocacy – [C] Your abuse was so great it skewed the entire round which destroys my access

#### TVA:

#### Plan: The United Nations should enforce the non-appropriation principle of the outer space treaty, solves their I law stuff

# Case

### Framework

#### OV: Everyone has access to reason, so to avoid epistemology being based on things that are inaccessible to everyone, it needs to be universal

And extempted arg

#### [1] Disagreement: --A] we have a capacity for reason that defines us:

#### [2] Regress and open question: --A] reason is a unisversal moral fact, hold that line at reason –B] engaging in reason and questioning it jsutifes reason, escapes good since it solves regress

#### [3] Streets 6: --A] historical implicatsions have no justifications on morality indepdennetly –B] this triggres regress and collapses to reason since he have to ask why historical figures acted

#### [4] Gauthiier 2: --A] flawed cus it doesn’t take seriously that humans have the ability to change preferences. I can decide to not be an alcoholic, so reason is a pre req to preference maximization –B] preference maximziaiton collapses because the impossiblility of predicting consequecnes, I may have prerfrence of xyz but I don’t know how to get to zyx with consequnecs

#### [5] Guathier 3: --A] contracts fail to justify mutual restraint, because they are contingent, we’ve agreed to a certain set of terms that can always change. I can just renegotiate –B] contracts cant apply irl because people aren’t on equal playing field to negotiate –C] all existing contracts suck cus colonialism forced people into unfair ones –D]they don’t guide us to engage in empricial circumstances because the preconditions that gautier is talking about don’t exist.

#### Standard

#### [1] Actor spec: --A] is ought fallacy, just cus states may use contracts doesn’t mean they ought to, its let them exploit millions like native peoples

#### [2] Tautoalogy: --A] its violent, justifies coercion and slavery –B] conditions and wills change proves conditions aren’t static

## Offense:

#### [1] Taylor 19: --A] empirically disproven, space companies are endorsed by literal governments i.e. space x partner with nasa –B] this is extrapolated, it just says it should ban private appropriation not that it does

#### [2] Tayler 2: --A] no warrant for ilaw controlling safety, we don’t assume that the Israeli occuptation of palestein is safe just cus the US recognizes it

#### [3] Taylor 3: --A] just because x agreement doesn’t specifify if I am or am not allowed to breath doesn’t mean I should assume I cant

## Underview

#### [1] –A] No 1ar theory, 4 min 1ar can pick any layer the 1N had to go for and collapse onto like 2 minutes of 1n responses –B] the 6min 2N neets strategic flexability, if the 2N has to split on both layers I can’t engage and the 3 min 2ar will just win every time cus they’ll go for the undercovered layer

#### [2] Its DTA: --A] if u read a shell on one part of the 1N I should jus be able to drop it since it didn’t fill much time anyway, the shell takes shorter to read than the NC –B] DTA lets us shift back to substance and engage in education clash

#### [3] Yes RVIs: --A] baiting, 4 min 1ar will go for a bunch of shells I cant respond to or win off of in the 2N with sufficient time allocation –B] the time skew stuff from DTA links here too

#### [4] Don’t accept al paradigm issues in 1AR: --A] they can just split education over fairness and win the RVI that has a slight education benefit over fairness –B] 2AR weighing solve, u get to collapse and cherry pick which 2N paradigm issues u wanna go for –C] Neg flex, negating is harder since u have first and last speech, giving u an unreciprocal advantage only furthers it

#### [5] Yes 2NR paradigm issue: I can’t predict the 1ar strat before and waste the 1N which is already skewed between answering the AC and constructing –B] no time skew, they forget the 1ar exists flips it to 7:6