# 1NC Harvard R6 vs. Lexington AK

## Offs

### NC

#### Permissibility negates – should in the plan implies an obligation but permissibility is a lack of obligation which means the neg met their burden of disproving the aff.

#### Presumption negates – a] statements are more often false than true – a pen can be red in only one way but it can be not red in an infinite amount of wayys b] contradictions – would justify saying both p and not p if you knew nothing about p

#### Only constructing ethics from our rational agency can explain the sources of normativity –

#### 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.

#### Coercion isn’t universalizable—willing your own freedom while violating someone else’s is a conceptual contradiction.

#### Prefer –

#### A] performativity – argumentation requires the assumption that freedom is good – else agents would be unable to make arguments

#### B] prerequisite – condoning any action requires condoning the freedom required to take that action – so my theory’s a prerequisite to theirs and my offense acts as a side-constraint to your framework.

#### C] culpability – absent a conception of free will, people can just claim they were acting of desires they can’t control.

#### The universality of freedom justifies a libertarian state. Otteson 09

Otteson 09 brackets in original James R. Otteson (professor of philosophy and economics at Yeshiva University) “Kantian Individualism and Political Libertarianism” The Independent Review, v. 13, n. 3, Winter 2009 https://www.independent.org/pdf/tir/tir\_13\_03\_4\_otteson.pdf

In a crucial passage in Metaphysics of Morals, Kant writes that the “Universal Principle of Right” is “‘[e]very action which by itself or by its maxim enables the freedom of each individual’s will to co-exist with the freedom of everyone else in accordance with a universal law is right.’” He concludes, “Thus the universal law of right is as follows: **let your external actions be such that the free application of your will can co-exist with the freedom of everyone in accordance with a universal law**” (1991, 133, emphasis in original).5 **This** stipulation **becomes** for Kant **the grounding justification for the existence of a state**, its raison d’être, and the reason we leave the state of nature is to secure this sphere of maximum freedom compatible with the same freedom of all others. Because this freedom must be complete, in the sense of being as full as possible given the existence of other persons who demand similar freedom, it entails that **the state may**—indeed, must—**secure this condition** of freedom, **but undertake to do nothing else because any other** state **activities** would **compromise** **the** very **autonomy the state seeks to defend**. **Kant’s position** thus outlines and implies a political philosophy that **is broadly libertarian**; that is, **it endorses a state constructed with the sole aim of protecting** its citizens **against invasions of** their **liberty**. For Kant, individuals create a state to protect their moral agency, and in doing so they consent to coercion only insofar as it is required to prevent themselves or others from impinging on their own or others’ agency. In his argument, **individuals cannot rationally consent to a state that instructs them in morals, coerces virtuous behavior, commands them to trade or not, directs their pursuit of happiness, or forcibly requires them to provide for** their own or **others**’ pursuits of happiness. And except in cases of punishment for wrongdoing,6 **this** severe limitation on the scope of the state’s authority **must always be respected**: “The rights of man must be held sacred, however great a sacrifice the ruling power may have to make. There can be no half measures here; it is no use devising hybrid solutions such as a pragmatically conditioned right halfway between right and utility. For all politics must bend the knee before right, although politics may hope in return to arrive, however slowly, at a stage of lasting brilliance” (Perpetual Peace, 1991, 125). The implication is that **a Kantian state protects** against invasions of **freedom and does nothing else**; in the absence of invasions or threats of invasions, it is inactive.

#### Thus, the standard is consistency with a libertarian state.

#### Prefer the standard –

#### 1] Aggregation fails – there is no one for whom aggregate good is good-for. Korsgaard:

Christine Korsgaard, “The Origin of the Good and Our Animal Nature” Harvard, n.d. RE https://www.people.fas.harvard.edu/~korsgaar/CMK.MA1.pdf

According to the second view I will consider, hedonism, the good just is pleasurable experience or consciousness and the absence of painful experience or consciousness. What makes a being capable of having a final good is simply that the being is conscious. Otherwise, its good is not relative to its nature. As is often noticed, on this theory it is a real question whether some of the other animals might not have a better life, or at least be capable of having a better life, than human beings, given their apparent enthusiasm for simple and readily available joys. Although I’ll treat it as a separate theory, hedonism, I believe, has an inherent tendency to collapse either into a version of the intrinsic value theory, or into a version of the third view I am about to describe. Obviously, it is possible to regard hedonism simply as a particular instance of the intrinsic value theory, one that singles out conscious experience as the only possible bearer of intrinsic value. But I think this way of looking at hedonism does not do justice to the intuition that has made hedonism seem plausible to so many thinkers, which is precisely the idea that the final good must have an irreducibly subjective or relational element. That is, what makes hedonism seem plausible is precisely the idea that the final good for a sensate being must be something that can be felt or experienced as a good by that being. It is something that can be perceived or experienced as welcome or positive from the being’s own point of view, and that is therefore relative to the being’s own point of view.9 The intrinsic value version of hedonism tries to capture the essentially subjective element of the final good by attaching objective intrinsic value to a subjective experience, but when this move is made the essentially relational or relative character of subjectivity tends to drop out. The goodness of the experience is detached from its goodness for the being who is having the experience, and instead is located in the character of the experience itself. This defect shows up most clearly in utilitarian versions of hedonism, which allow us to add the goodness of pleasant experiences across the boundaries between persons or between animals. There is no subject for whom the total of these aggregated experiences is a good, so the aggregate good has completely lost that relational character: the goods are detached from the beings from whom they are good. This relational element of value, I believe, is better captured by the third theory I am about to describe.

#### 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. Since obligations arise from a universal identity, they must be the same for all.

Christine M. Korsgaard, 1992

“The Sources of Normativity.” The Tanner Lectures on Human Values, Cambridge University.

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.

#### Negate –

#### 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 https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1 //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.)

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.

## Case

### SBSP

#### Space-Based Solar Power (SBSP) is a megaconstellation, and it’s going to happen within 10 years in the squo. Aff banning private megaconstellations kills the necessary tech – David 21:

David, Leonard. 11/03/21 Space Solar Power’s Time May Finally Be Coming.”https://www.space.com/space-solar-power-research-advances // LHP BT + LHP PS

The sun never sets in space. **The idea of** harvesting solar energyvia power-beaming satelliteshas therefore long intrigued researchers looking for ways to feed an energy-ravenous [Earth](https://www.space.com/54-earth-history-composition-and-atmosphere.html). That reflection has fomented for decades but is now garnering new looks all over the world: Technologists in the U.S. and China, experts in Japan and researchers within the European Space Agency and the United Kingdom Space Agency are all working to make space-based solar power a reality. Related: [Solar power stations in space could be the answer to our energy needs](https://www.space.com/solar-power-stations-in-space-could-be-the-answer-to-our-energy-needs.html) History machine Peter Glaser, the father of the solar power satellite concept. (Image credit: Arthur D. Little Inc.) The idea of wireless power transmission dates back to [Nikola Tesla](https://www.livescience.com/45950-nikola-tesla-biography.html) near the end of the 19th century. Fast-forwarding to 1968, the notion of a solar power satellite was detailed and patented by U.S. space pioneer Peter Glaser. He blueprinted a novel way to collect energy from sunlight using solar cells and beam down an energetic muscle of microwaves to receiving antennas ("rectennas") on Earth. Those microwaves could then be converted to electrical energy and supplied to the power grid. Then, in the mid-1970s, microwave power transmission experiments in the tens of kilowatts were successfully conducted at the Goldstone Deep Space Communications Complex in California, a facility of NASA's [Jet Propulsion Laboratory](https://www.space.com/16952-nasa-jet-propulsion-laboratory.html). And this "power trip" doesn't stop there.The Space Solar Power Incremental and Demonstrations Research (SSPIDR) project is designed to beam power from space to Earth. SSPIDR consists of several small-scale flight experiments that will mature technology needed to build a prototype solar power distribution system. (Image credit: Air Force Research Laboratory (AFRL)) Impressive **advances Over the past decade,** researchers have made impressive advances **that** increase **the** likelihood **that space solar power (**SSP**)** will be realized during the next decade, said John Mankins, president of Artemis Innovation Management Solutions of Santa Maria, California. His view: the longstanding vision for SSP as a sustainable energy alternative should be revisited in light of such recent advances.Bolstering that outlook is a set of key perspectives, Mankins told Space.com. "Climate change is really going to be a disaster. Nations are committed to go [carbon net-zero](https://www.livescience.com/climate-report-net-zero.html) … and they have no idea how to do it."**The** rapidly unfolding value of "NewSpace**" is also** reshaping the landscape of 21st century space activities**, he added. "Two of the biggest hurdles to the realization of SSP have always been the cost of launch and the cost of hardware**," said Mankins. "Add flight rate, and all of a sudden you're looking at numbers always talked about for solar power satellites."Related: [What is climate change?](https://www.livescience.com/climate-change.html) Megaconstellations **Another** recent change isthedawn of the megaconstellations, Mankins added. **That's** exemplified by SpaceX's [Starlink](https://www.space.com/spacex-starlink-satellites.html) broadband network**, a** mass-production effort that now cranks out 30 tons of satellites a month**. SpaceX is on course to potentially manufacture 40,000 satellites within five years, and launch all of them. "The path to low-cost hardware has been shown," Mankins said. "It's modular and mass-produced. The hurdles of less-expensive launch and lowering hardware costs have been overcome.**"Mankins said that the economics of SSP concepts in the near term, within the next decade, have never been more viable. He flagged advances in space launch capabilities; progress in robotics for space assembly, maintenance and servicing systems; and the growth in various component technologies, such as high-efficiency solid state power amplifiers. **As a result, SSP is ready to see the light of day,** Mankins said.Astroelectricity An early entrant in focusing on understanding the energy policy needed and establishment of SSP is James Michael Snead, president of the Spacefaring Institute. He's adopted the use of the term "astroelectricity" to describe the transmitted electrical power produced by SSP systems.In looking at what he terms the "[coming age of astroelectricity](https://www.youtube.com/watch?v=5E-0NYnAaUA)," he sees a world needing a replacement for oil and natural gas, the two primary sources of energy currently maintaining an industrial standard of living. Snead envisions a world in the year 2100 where about 20% of electrical power comes from terrestrial nuclear and renewables, with 80% supplied by astroelectricity."Just as the military, economic and diplomatic control of Middle East oil has substantially influenced world events for the past 80 years, the control of space solar power platforms will come to dominate outer space activities this century," Snead told Space.com. Wanted: high-priority leadershipIf SSP becomes a reality later this century, Snead said, the U.S. military will be required to protect and defend these new sources of national energy security just as it guards oil infrastructure in the Persian Gulf today."While some people are developing SSP concepts that would be launched from the Earth and autonomously assembled in geostationary Earth orbit, I do not see this as a successful proposition," said Snead. He believes that building the thousands of SSP platforms needed requires a substantial [space industrialization effort](https://www.space.com/nasa-low-earth-orbit-iss-commercialization.html) involving more than a million people in space by the end of the century. The starting point, Snead said, will be establishing the enabling "astrologistics" infrastructure operating throughout the Earth-moon system. He stressed that those astrologistics require high-priority U.S. Air Force — not [Space Force](https://www.space.com/42089-space-force.html) — leadership to draw upon nearly a century of human flight/operational logistics experience and expertise.That is necessary to manage industry's efforts to design and build the required new human spaceflight systems, with a clearly needed emphasis on safety and effectiveness, Snead said. As these new military astrologistics capabilities begin, Snead contends, commercialization of these capabilities will extend these safety and operational benefits to support the coming space industrial revolution needed to undertake SSP. "This is exactly what happened to enable U.S. airline manufacturers to dominate the airline and air cargo industry for decades. It is a successful model to now replicate in space — a model that neither NASA nor the U.S. Space Force can effectively execute," Snead said. The U.S. Naval Research Laboratory’s Paul Jaffe holds a module designed for space solar power investigations in front of a customized vacuum chamber used to test the device. (Image credit: NRL/Jamie Hartman) 'Performing like a champ' While new artwork, economic plots and conceptual SPS thinking and visions flow, there's an in-space technology experiment already underway. On its latest mission, which launched in May 2020, the Space Force's robotic [X-37B space plane](https://www.space.com/25275-x37b-space-plane.html) is toting the Photovoltaic Radio-frequency Antenna Module Flight Experiment (PRAM-FX), a Naval Research Laboratory (NRL) investigation into transforming solar power into radio-frequency microwave energy. The focus of that X-37B investigation is not establishing an actual power-beaming link, but more on appraising the performance of sunlight-to-microwave conversion. "It is performing like a champ," said Paul Jaffe, an NRL electronics engineer working on power beaming and solar power satellites. "We are getting data regularly, and that data is exceeding our expectations," he told Space.com. [PRAM-FX](https://www.space.com/x-37b-space-plane-solar-power-beaming) is principally made out of commercial parts, not "space-grade" hardware. "The fact that it is continuing to operate and give us positive results is quite encouraging," Jaffe said. Commercial parts are mass-produced, while many space-grade parts are one-offs. Solar power satellites, like those envisioned in high Earth orbit, would have thousands of elements made out of similar components being tested onboard the X-37B, Jaffe said. [The US Space Force's secretive X-37B space plane: 10 surprising facts](https://www.space.com/x-37b-military-space-plane-surprising-facts) Space-based solar power could help the UK achieve net-zero emissions by 2050, according to a leading British systems, engineering and technology company. (Image credit: Frazer-Nash Consultancy) Making the economics work There's much more work ahead, of course. "The big strike against space solar power has always been making the economics work. People who have looked at the idea seriously do understand that, from a physics standpoint, there is no reason you couldn't do it," Jaffe said. "With mass production of space hardware, and with the cost reduction of space access, it is more plausible that it could work," he added. "I would caution against excessive optimism … but also point out that things are changing. There are a lot of encouraging developments." SPS will assuredly be compared to a "levelized cost of energy" metric, Jaffe concluded. "There's just not enough data to come up with a levelized cost of energy basis for space solar power. It's premature. What you are seeing now is laying the foundation for that sort of evaluation." Clear, affordable path To that end, Mankins of Artemis Innovation Management Solutions has rolled out SPS-ALPHA ("Solar Power Satellite by means of Arbitrarily Large Phased Array"), a design he showcased at the 72nd International Astronautical Congress, which was held from Oct. 25 to Oct. 29 in Dubai, United Arab Emirates. Detailing a business model and step-by-step SSP roadmap, he feels the concept promises a clear, affordable path to deploying a critically needed new energy option. "**I believe you could have operational solar power satellites to scale within a decade,"** Mankins said. That possibility, combined with the fact that multiple nations are eying SSP as a promising power generation system of the future, begs a question: Is there a solar power satellite race afoot? It is close to that, Mankins said. "I think it has to be cooperation among friends and allies. But I think it's very likely to end up being competition with China. The longer we wait with regard to the urgency of policies on [climate change](https://www.space.com/climate-change-dimming-earth), the more likely it is we're going to miss the boat." Mankins is a 26-year veteran of assessing SSP and the technologies required. "The moment has come," he said. "I think the right answer is really clear: We need to just go do it."