#### I affirm. Brackets are for clarity.

#### Ethics must be derived from the constitutive features of agents – ethics based internally fail because they can’t generate universal obligations and ethics based externally fail because they are nonbinding as agents could opt-out and have no motivation to follow them which means they fail to guide action.

#### Constitutivism solves – it allows for universal obligations among all agents but they are binding and cannot be opted out of.

#### Next, only practical reason is constitutive:

#### [1] Regress – to question why one should reason concedes its authority since it is an act of reasoning itself which proves it’s binding and inescapable

#### [2] Agents can shift between different identities but doing so requires reason - it unifies the subject and is the only enterprise agents cannot escape

#### Ferrero 09 (Luca Ferrero, [Luca Ferrero is a Philosophy professor at University of California, Riverside. His areas of interest are Agency Theory, including Intentionality and Personal identity; Practical Reasoning; and Meta-Ethics], “Constitutivism and the Inescapability of Agency”. Oxford Studies in Metaethics, vol. IV, Jan 12, 2009. <https://philarchive.org/archive/FERCATv1> BHHS AK recut

Agency is special in two respects. First, agency is the enterprise with the largest jurisdiction.¹² All ordinary enterprises fall under it. To engage in any ordinary enterprise is ipso facto to engage in the enterprise of agency. In addition, there are instances of behavior that fall under no other enterprise but agency. First, intentional transitions in and out of particular enterprises might not count as moves within those enterprises, but they are still instances of intentional agency, of bare intentional agency, so to say. Second, agency is the locus where we adjudicate the merits and demerits of participating in any ordinary enterprise. Reasoning whether to participate in a particular enterprise is often conducted outside of that enterprise, even while one is otherwise engaged in it. Practical reflection is a manifestation of full-fledged intentional agency but it does not necessarily belong to any other specific enterprise. Once again, it might be an instance of bare intentional agency. In the limiting case, agency is the only enterprise that would still keep a subject busy if she were to attempt a ‘radical re-evaluation’ of all of her engagements and at least temporarily suspend her participation in all ordinary enterprises.

#### That justifies universalizability - insofar as there is no a priori distinction between reasoners, a reason for one agent must also be a reason for another; if all agents cannot set and pursue an end, it is not constitutive of agency. Willing a maxim that violates freedom is a contradiction in conception – you cannot violate someone’s freedom without having your own freedom to do so.

#### Thus, the standard is consistency with the categorical imperative– actions that terminate in contradictions when universalized are bad, so only our restrictions can solve Impact calc: Intentions first – only the intention in pursuing a certain end is relevant when considering whether or not it is universalizable.

#### Also Prefer Additionally –

#### [1] We must value freedom insofar as we value our ends which justifies valuing the freedom of agents setting and pursuing ends since anything else would be contradictory. This means we can’t treat others as a mere means to an end

Gewirth ’84 [Alan Gewirth, “The Ontological Basis of Natural Law: A Critique and an Alternative,” The American Journal of Jurisprudence, Vol. 29, No. 1 (1984), Pg. 95–121. Gewirth was professor of philosophy at the University of Chicago.] CHSTM \*\*Brackets for gendered language/grammar\*\* BHHS AK recut

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 he [they] regards as good. Hence, he [they] must regard as necessary goods the freedom and well-being that 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 [they have] rights to these conditions. For if he were to deny that he has [they have] these rights, then he [they] would have to admit that it is permissible for other[s] persons to remove from him the very conditions of freedom and well-being that, as an agent, he [they] must have. But it is contradictory for him to hold both that he 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 [they] have the same general characteristics of agency on which [they] must ground his [their] 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] Performativity – arguing against my framework presupposes freedom because without freedom to reason you would not be able to make arguments and try to win. – this means that contesting any of my arguments proves my framework true.

#### 3] A posteriori ethics fail:

#### [a] Problem of induction

Vickers 14, John Vickers, 2014, The Problem of Induction, https://plato.stanford.edu/entries/induction-problem/

The original problem of induction can be simply put. It concerns the support or justification of inductive methods; methods that predict or infer, in Hume's words, that “instances of which we have had no experience resemble those of which we have had experience” (THN, 89). Such methods are clearly essential in scientific reasoning as well as in the conduct of our everyday affairs. The problem is how to support or justify them and it leads to a dilemma: the principle cannot be proved deductively, for it is contingent, and only necessary truths can be proved deductively. Nor can it be supported inductively—by arguing that it has always or usually been reliable in the past—for that would beg the question by assuming just what is to be proved.

[b] **Is/Ought Gap – experience just describes how the world is but doesn’t indicate how it ought to be which means there must be an a priori conception of good**

[c] **Inability to know each other’s experience makes it an unreliable basis for ethics because different experiences bring different concepts of truth – only a priori ethics solve since a priori truths are accessible to all agents**

#### 4] Consequentialism is unverifiable – A] Butterfly effect - every action has infinite consequences so it is impossible to evaluate an action; one government policy could end up causing nuclear war in a million years. B] Aggregation is impossible – pleasure and pain are subjective

#### 5] Parameters

#### [A] Accessibility – Other frameworks like Util require massive amounts of research that under resourced kids can’t access – encouraging research heavy debates always favors big schools. My framework solves - is super easy to understand and you only need to think of analytic arguments in round

#### [B] Real World Education – an understanding of my fw is key to understanding the law in the real world because most states abide by inviolable side-constraints in their constitutions – Germany proves. Ripstein

Ripstein, Arthur.  Force and Freedom: Kant’s Legal and Political Philosophy. Harvard University Press, Cambridge, Massachusetts.  2009

Strictly speaking, the right to dignity is not an enumerated rightin **the German Basic Law [says]**, butthe organizing principle under which all enumerated rights—ranging from life and security of the person through freedom of expression, movement, association, and employment and the right to a fair trial to equality before the law—are organized. It appears as Art**.** I.1: **“Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.”** Art. I.3 explains that the enumerated rights follow: “**The following basic rights shall bind the legislature, the executive, and the judiciary as directly applicable law.”** Other, enumerated rights are subject to proportionality analysis, through which they can be restricted in light of each other so as to give effect to a consistent system of rights. **The right to dignity is the basis of the state’s power to legislate and so is not subject to any limitation,** even in light of the enumerated rights falling under it, because—to put it in explicitly Kantian terms—**citizens could not give themselves a law that turned them into mere objects.**

#### Thus, I defend the resolution as a general principle: Resolved: The appropriation of outer space by private entities is unjust.

### Offense

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

Chiara Cordelli 2016, University of Chicago, Political Science <https://www.law.berkeley.edu/wp-content/uploads/2016/01/What-is-Wrong-With-Privatization_UCB.pdf> //Dulles VN

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.

#### 2] 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).

#### 3] 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 – there could be other agents there, and it can’t be deemed an agents property lest agents have a rational conception of it.

### Advantage

#### New investments coming and companies are launching – economic incentives make it alluring. Tosar 20

Tosar 20 [(Borja Tosar, reporter) “Asteroid Mining: A New Space Race,” OpenMind BBVA, May 18, 2020, <https://www.bbvaopenmind.com/en/science/physics/asteroid-mining-a-new-space-race/>] TDI

This is not science fiction. There are now space mining companies, such as [Planetary Resources,](https://www.consensys.space/pr) which has already launched several mini-satellites to test several of its patents. Other companies like [Asteroid Mining Corporation](https://asteroidminingcorporation.co.uk/) or [Trans Astronautica Corporation,](https://www.transastracorp.com/) although still far from their goal, are already attracting millions of dollars of private investment interested in being on the front line of a possible future space business. Is asteroid mining possible? This new space race already began back when the Hayabusa missions successfully returned a few grams of an asteroid’s regolith, so the technology to harvest asteroid material exists, we just have to change the scale. It is no longer a technological problem. Is it economically viable? We are increasingly dependent on rare elements (such as those in the palladium group), which are expensive to exploit on Earth and come with a high environmental cost, so the sum of these two factors could make it profitable to travel to the asteroids to extract these raw materials. Astrophysicist Neil deGrasse argues that [the planet’s first trillionaire will undoubtedly be a space miner.](https://www.cnbc.com/2015/05/01/build-the-economy-here-on-earth-by-exploring-space-tyson.html)

#### Asteroid mining spikes the risk of satellite-dust collisions. Scoles 15

Scoles 15 [(Sarah Scoles, freelance science writer, contributor at Wired and Popular Science, author of the books Making Contact and They Are Already Here) “Dust from asteroid mining spells danger for satellites,” New Scientist, May 27, 2015, <https://www.newscientist.com/article/mg22630235-100-dust-from-asteroid-mining-spells-danger-for-satellites/>] TDI

NASA chose the second option for its [Asteroid Redirect Mission](http://www.nasa.gov/content/what-is-nasa-s-asteroid-redirect-mission/), which aims to [pluck a boulder from an asteroid’s surface](https://www.newscientist.com/article/dn27243-rock-grab-from-asteroid-will-aid-human-mission-to-mars) and relocate it to a stable orbit around the moon. But an asteroid’s gravity is so weak that it’s not hard for surface particles to escape into space. Now a new model warns that debris shed by such transplanted rocks could intrude where many defence and communication satellites live – in geosynchronous orbit. According to [Casey Handmer](http://www.caseyhandmer.com/) of the California Institute of Technology in Pasadena and Javier Roa of the Technical University of Madrid in Spain, 5 per cent of the escaped debris will end up in regions traversed by satellites. Over 10 years, it would cross geosynchronous orbit 63 times on average. A satellite in the wrong spot at the wrong time will suffer a damaging high-speed collision with that dust. The study also looks at the “catastrophic disruption” of an asteroid 5 metres across or bigger. Its total break-up into a pile of rubble would increase the risk to satellites by more than 30 per cent ([arxiv.org/abs/1505.03800](http://arxiv.org/abs/1505.03800)).

#### Space dust wrecks satellites and debris exponentially spirals. Intagliata 17

Intagliata 17 [(Christopher Intagliata, MA Journalism from NYU, Editor for NPRs All Things Considered, Reporter/Host for Scientific American’s 60 Second Science) “The Sneaky Danger of Space Dust,” Scientific American, May 11, 2017, <https://www.scientificamerican.com/podcast/episode/the-sneaky-danger-of-space-dust/>] TDI

When tiny particles of space debris slam into satellites, the collision could cause the emission of hardware-frying radiation, Christopher Intagliata reports. Aside from all the satellites, and the space station orbiting the Earth, there's a lot of trash circling the planet, too. Twenty-one thousand [baseball-sized chunks](https://www.scientificamerican.com/article/orbital-debris-space-fence/) of debris, [according to NASA](https://www.orbitaldebris.jsc.nasa.gov/faq.html). But that number's dwarfed by the number of small particles. There's hundreds of millions of those. "And those smaller particles tend to be going fast. Think of picking up a grain of sand at the beach, and that would be on the large side. But they're going 60 kilometers per second." Sigrid Close, an applied physicist and astronautical engineer at Stanford University. Close says that whereas mechanical damage—like punctures—is the worry with the bigger chunks, the dust-sized stuff might leave more insidious, invisible marks on satellites—by causing electrical damage. "We also think this phenomenon can be attributed to some of the failures and anomalies we see on orbit, that right now are basically tagged as 'unknown cause.'" Close and her colleague Alex Fletcher modeled this phenomenon mathematically, based on plasma physics behavior. And here's what they think happens. First, the dust slams into the spacecraft. Incredibly fast. It vaporizes and ionizes a bit of the ship—and itself. Which generates a cloud of ions and electrons, traveling at different speeds. And then: "It's like a spring action, the electrons are pulled back to the ions, ions are being pushed ahead a little bit. And then the electrons overshoot the ions, so they oscillate, and then they go back out again.” That movement of electrons creates a pulse of electromagnetic radiation, which Close says could be the culprit for some of that electrical damage to satellites. The study is in the journal Physics of Plasmas. [Alex C. Fletcher and Sigrid Close, [Particle-in-cell simulations of an RF emission mechanism associated with hypervelocity impact plasmas](http://aip.scitation.org/doi/full/10.1063/1.4980833)]

#### Earth observation satellites key to warming adaptation. Alonso 18

Alonso 18 [(Elisa Jiménez Alonso, communications consultant with Acclimatise, climate resilience organization) “Earth Observation of Increasing Importance for Climate Change Adaptation,” Acclimatise, May 2, 2018, <https://www.acclimatise.uk.com/2018/05/02/earth-observation-of-increasing-importance-for-climate-change-adaptation/>] TDI

Earth observation (EO) satellites are playing an increasingly important role in assessing climate change. By providing a constant and consistent stream of data about the state of the climate, EO is not just improving scientific outcomes but can also inform climate policy. Managing climate-related risks effectively requires accurate, robust, sustained, and wide-ranging climate information. Reliable observational climate data can help scientists test the accuracy of their models and improve the science of attributing certain events to climate change. Information based on projections from models and historic data can help decision makers plan and implement adaptation actions. Providing information in data-sparse regions Ground-based weather and climate monitoring systems only cover about 30% of the Earth’s surface. In many parts of the world such data is incomplete and patchy due to poorly maintained weather stations and a general lack of such facilities. EO satellites and rapidly improving satellite technology, especially data from open access programmes, offer a valuable source information for such data-sparse regions. This is especially important since countries and regions with a lack of climate data are often particularly vulnerable to climate change impacts. International efforts for systematic observation The importance of satellite-based observations is also recognised by the international community. Following the recommendations of the World Meteorological Organization’s (WMO) Global Climate Observing System (GCOS) programme, the UNFCCC strongly encourages countries that support space agencies with EO programmes to get involved in GCOS and support the programme’s implementation. The Paris Agreement highlights the need for and importance of effective and progressive responses to the threat of climate change based on the best available scientific knowledge. This implies that climate knowledge needs to be strengthened, which includes continuously improving systematic observations of the Earth’s climate. To meet the need of such systematic climate observations, GCOS developed the concept of the Essential Climate Variable, or ECV. According to WMO, an ECV “is a physical, chemical or biological variable or a group of linked variables that critically contributes to the characterization of Earth’ s climate.” In 2010, 50 ECVs which would help the work of the UNFCCC and IPCC were defined by GCOS. The ECVs, which can be seen below, were identified due to their relevance for characterising the climate system and its changes, the technical feasibility of observing or deriving them on a global scale, and their cost effectiveness. The 50 Essential Climate Variables as defined by GCOS. One effort supporting the systemic observation of the climate is the European Space Agency’s (ESA) Climate Change Initiative (CCI). The programme taps into its own and its member countries’ EO archives that have been established in the last three decades in order to provide a timely and adequate contribution to the ECV databases required by the UNFCCC. Robust evidence supporting climate risk management Earth observation satellites can observe the entire Earth on a daily basis (polar orbiting satellites) or continuously monitor the disk of Earth below them (geostationary satellites) maintaining a constant watch of the entire globe. Sensors can target any point on Earth even the most remote and inhospitable areas which helps monitor deforestation in vast tropical forests and the melting of the ice caps. Without insights offered by EO satellites there would not be enough evidence for decision makers to base their climate policies on, increasing the risk of maladaptation. Robust EO data is an invaluable resource for collecting climate information that can inform climate risk management and make it more effective.

#### Warming causes extinction and it’s try or die. Spratt 19

David Spratt, Research Director for Breakthrough National Centre for Climate Restoration, Ian Dunlop, member of the Club of Rome, formerly an international oil, gas and coal industry executive, chairman of the Australian Coal Association, May 2019, “Existential climate-related security risk: A scenario approach,” <https://docs.wixstatic.com/ugd/148cb0_b2c0c79dc4344b279bcf2365336ff23b.pdf>, //recut hzheng

An existential risk to civilisation is one posing permanent large negative consequences to humanity which may never be undone, either annihilating intelligent life or permanently and drastically curtailing its potential. With the commitments by nations to the 2015 Paris Agreement, the current path of warming is 3°C or more by 2100. But this figure does not include “long-term” carbon-cycle feedbacks, which are materially relevant now and in the near future due to the unprecedented rate at which human activity is perturbing the climate system. Taking these into account, the Paris path would lead to around 5°C of warming by 2100. Scientists warn that warming of 4°C is incompatible with an organised global community, is devastating to the majority of ecosystems, and has a high probability of not being stable. The World Bank says it may be “beyond adaptation”. But an existential threat may also exist for many peoples and regions at a significantly lower level of warming. In 2017, 3°C of warming was categorised as “catastrophic” with a warning that, on a path of unchecked emissions, low-probability, high-impact warming could be catastrophic by 2050. The Emeritus Director of the Potsdam Institute, Prof. Hans Joachim Schellnhuber, warns that “climate change is now reaching the end-game, where very soon humanity must choose between taking unprecedented action, or accepting that it has been left too late and bear the consequences.” He says that if we continue down the present path “there is a very big risk that we will just end our civilisation. The human species will survive somehow but we will destroy almost everything we have built up over the last two thousand years.”11 Unfortunately, conventional risk and probability analysis becomes useless in these circumstances because it excludes the full implications of outlier events and possibilities lurking at the fringes.12 Prudent risk-management means a tough, objective look at the real risks to which we are exposed, especially at those “fat-tail” events, which may have consequences that are damaging beyond quantification, and threaten the survival of human civilisation. Global warming projections display a “fat-tailed” distribution with a greater likelihood of warming that is well in excess of the average amount of warming predicted by climate models, and are of a higher probability than would be expected under typical statistical assumptions. More importantly, the risk lies disproportionately in the “fat-tail” outcomes, as illustrated in Figure 1.