## 1

#### A. Interpretation – The affirmative must have an explicit text in the AC clarifying their advocacy.

#### B. They don’t have an advocacy text

#### C. Standards

#### 1. Reciprocity- You have access to specific turns and arguments to the nc because I’ve clarified what I defend, but I’m left in the dark hoping that my nc links. Also have access to args about the flaws in my advocacy text but I don’t, means cx doesn’t check because I can’t read the actual wording or grammar of the plan. Key to fairness to make sure both of us have reciprocal access the same args. Not having an advocacy text turns the aff at the highest layer bc having unclear strategies to defeat capitalism makes it impossible to know what to do and combat it effectively.

#### 2. Stable Advocacy- my interp is key to prevent 1ar shifts because your advocacy has been written down in the form of a text that I can hold you to throughout the round. Otherwise, the 1ar has huge interpretive leeway in clarifying what they actually defend and gives them the opportunity to re-clarify their advocacy to get out of DA’s and turns. Key to fairness because absent this, our responses can be arbitrarily excluded.

#### Fairness is a voter – its intrinsic to competitive activities like debate; the judge has to vote on who did the better debating. Controls i/l to other arguments bc they presuppose fair evaluation.

#### Drop the debater to deter future abuse and to create a good norm for debate.

#### Prefer competing interps because reasonability has no bright line and invites more judge intervention, reasonability collapses to competing interps, chills good theory debate and incentivizes more abuse, and time tradeoff I spent decent time reading this shell.

#### No RVI because you can easily go all in for the shell and spread me out, you can just read own theory and weigh, and it incentivizes tricky debaters to bait me into theory of something they prepped out so they get the RVI and win.

## 2

#### Permissibility and presumption negate – (a) the resolution indicates the aff has to prove an obligation, and permissibility would deny the existence of an obligation (b) Statements are more often false than true because any part can be false. This means you negate if there is no offense because the resolution is probably false.

#### Morality must be grounded in a priori truth to guide action, otherwise everyone would have different ethical codes and follow different rules. And, truth exists independent of human experience since certain things can be self-proving, i.e. a triangle has three sides. This is the difference between a priori and a posteriori. Things that are true by observation are just true by a matter of chance. For example, the cat may be on the mat, but we can also conceive of a world in which the cat is not on the mat. In contrast, we can’t conceive of a world in which a triangle does not have three sides since it is tautologically true. Reject a posteriori truth since they are just arbitrary states of being, not constitutive of ethics.

#### Also:

#### [1] Uncertainty – our experiences are inaccessible to others which allows people to say they don’t experience the same, however a priori principles are universally applied to all agents.

#### [2] Bindingness – I can keep asking “why should I follow this” which results in relatvism since obligations are predicated on ignorantly accepting rules. Only reason solves since asking “why reason?” requires reason which concedes its authority and equally proves agency as constitutive.

#### And, a priori truth has to apply to everyone: (a) absent universal ethics, morality becomes arbitrary and fails to guide action, which means that ethics is rendered useless, (b) it’s a tautological contradiction any non-universal norm justifies someone’s ability to impede on your ends, which also means universalizability acts as a side constraint on all other frameworks.

**Siyar 99** Jamsheed Aiam Siyar: Kant’s Conception of Practical Reason. Tufts University, 1999**:**

Now, **when I represent my end as to be done, I represent it as binding me to certain courses of action**, precluding other actions, etc. **Thus, my ends function as constraints for me in that they determine what I can** or must **do** (at least if I am to be consistent). I may of course give up an end such as that of eating ice cream at a future point; yet while I have the end, I must see myself as bound to do what is necessary to realize it.35 Thus, I must represent my ends as constraints that I have adopted, constraints that structure the possible space of choice and action for me. Further, given that my end is rationally determined, I take it to be generally recognizable that my end functions as a rationally determined constraint. That is, I take it that other subjects can also recognize my end as an objective constraint, for I take it that they as well as myself can cognize its determining grounds—the source of its objective worth—through the exercise of reason. Indeed, **in representing an end, I** in effect **demand recognition for it from other subjects: since the end functions as an objective though self-imposed constraint for me**, I must demand that this constraint be recognized as such. The thought here is simply that **if I am committed to some end,** e.g. my ice cream eating policy, I must act in certain ways to realize it. In this context, **I cannot be indifferent to the** attitudes and **actions of others, for these may either help or hinder my pursuit of my end. Hence, if I am** in fact **committed to realizing my end,** i.e. if I represent an end at all, **I must demand that the worth of my end**, its status as to be done, **be recognized by others.**

#### 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.

#### Freedom follows

#### [1] Its impossible to will a violation of freedom, since it necessarily entails a violation of your own freedom thus violating your will.

#### [2] We could not hold agents responsible for their actions if we did not assume them to have the freedom to control their actions for themselves.

**And the universality of freedom justifies a libertarian state.**

**OTTESON 9 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

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 with a libertarian state of non-interference.

#### Prefer the standard:

#### [1] Resource Disparities- a focus on evidence and statistics privileges debaters with the most preround prep which excludes lone-wolfs who lack huge evidence files. A debate under my framework can easily be won without any prep since huge evidence files aren’t required.

#### [2]Past experiences have no effect on causality or internal link to continuity, i.e. raining yesterday doesn’t mean rain today.

### Offense

#### I negate: resolved: The appropriation of outer space by private entities is unjust.

#### Libertarianism mandates a market-oriented approach to space—that negates

Broker 20 [(Tyler, work has been published in the Gonzaga Law Review, the Albany Law Review and the University of Memphis Law Review.) “Space Law Can Only Be Libertarian Minded,” Above the Law, 1-14-20, <https://abovethelaw.com/2020/01/space-law-can-only-be-libertarian-minded/>] TDI

The impact on human daily life from a transition to the virtually unlimited resource reality of space cannot be overstated. However, when it comes to the law, a minimalist, dare I say libertarian, approach appears as the only applicable system. In the words of NASA, “2020 promises to be a big year for space exploration.” Yet, as Rand Simberg points out in Reason magazine, it is actually private American investment that is currently moving space exploration to “a pace unseen since the 1960s.” According to Simberg, due to this increase in private investment “We are now on the verge of getting affordable private access to orbit for large masses of payload and people.” The impact of that type of affordable travel into space might sound sensational to some, but in reality the benefits that space can offer are far greater than any benefit currently attributed to any major policy proposal being discussed at the national level. The sheer amount of resources available within our current reach/capabilities simply speaks for itself. However, although those new realities will, as Simberg says, “bring to the fore a lot of ideological issues that up to now were just theoretical,” I believe it will also eliminate many economic and legal distinctions we currently utilize today. For example, the sheer number of resources we can already obtain in space means that in the rapidly near future, the distinction between a nonpublic good or a public good will be rendered meaningless. In other words, because the resources available within our solar system exist in such quantities, all goods will become nonrivalrous in their consumption and nonexcludable in their distribution. This would mean government engagement in the public provision of a nonpublic good, even at the trivial level, or what Kevin Williamson defines as socialism, is rendered meaningless or impossible. In fact, in space, I fail to see how any government could even try to legally compel collectivism in the way Simberg fears. Similar to many economic distinctions, however, it appears that many laws, both the good and the bad, will also be rendered meaningless as soon as we begin to utilize the resources within our solar system. For example, if every human being is given access to the resources that allows them to replicate anything anyone else has, or replace anything “taken” from them instantly, what would be the point of theft laws? If you had virtually infinite space in which you can build what we would now call luxurious livable quarters, all without exploiting human labor or fragile Earth ecosystems when you do it, what sense would most property, employment, or commercial law make? Again, this is not a pipe dream, no matter how much our population grows for the next several millennia, the amount of resources within our solar system can sustain such an existence for every human being. Rather than panicking about the future, we should try embracing it, or at least meaningfully preparing for it. Currently, the Outer Space Treaty, or as some call it “the Magna Carta of Space,” is silent on the issue of whether private individuals or corporate entities can own territory in space. Regardless of whether governments allow it, however, private citizens are currently obtaining the ability to travel there, and if human history is any indicator, private homesteading will follow, flag or no flag. We Americans know this is how a Wild West starts, where most regulation becomes the impractical pipe dream. But again, this would be a Wild West where the exploitation of human labor and fragile Earth ecosystem makes no economic sense, where every single human can be granted access to resources that even the wealthiest among us now would envy, and where innovation and imagination become the only things we would recognize as currency. Only a libertarian-type system, that guarantees basic individual rights to life, liberty, and the pursuit of happiness could be valued and therefore human fidelity to a set of laws made possible, in such an existence.

#### Property rights in space can be consistent with international law

Simberg 12 [(Rand, MSE in technical management from West Coast University, recognized as an expert in space transportation by the Office of Technology Assessment) “Homesteading the Final Frontier A Practical Proposal for Securing Property Rights in Space,” Competitive Enterprise Institute, April 2012, <https://cei.org/wp-content/uploads/2012/04/Rand-Simberg-Homesteading-the-Final-Frontier.pdf>] TDI

But is it true that any recognition of off-planet property claims is de facto a violation of the Outer Space Treaty? Not necessarily. For instance, one could argue that the existence of the Moon Treaty is in and of itself a refutation of the notion that the Outer Space Treaty outlaws private property in space, or else there would be no need for another treaty that essentially explicitly does so. And there is at least one potential loophole that could be exploited by appropriately worded legislation. There are two key assumptions in the legal argument used by opponents of off-planet property claims: 1) that the recognition by a government would only recognize claims by its own citizens; and 2) that it would defend them by force. That need not necessarily be so. Under the treaty, it would in fact be possible for a government, or group of governments, to recognize the property claims of anyone who met specified conditions, regardless of their citizenship or nationality. Such cooperation would obviate the need for physical force to defend claims. The argument that the treaty permits individual property rights was actually made from the very beginning. In 1969, two years after the treaty went into force, the late distinguished space-law professor, Stephen Gorove, noted that under it, “[A]n individual acting on his own behalf or on behalf of another individual or a private association or an international organization could lawfully appropriate any part of outer space, including the [M]oon and other celestial bodies.”32 This clearly provides support for the concept of individual claims off planet under Article II.

## Case