## 1

#### Permissibility and presumption negate – the resolution indicates the aff has to prove an obligation, and permissibility would deny the existence of an obligation making it impossible to prove a statement is unjust

#### Ethics must begin a priori and the meta-ethic is bindingness.

#### [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 skep since obligations are predicated on ignorantly accepting rules. Only reason solves since asking “why reason?” requires reason which is self-justified.

#### That means we must universally will maxims— any non-universalizable norm justifies someone’s ability to impede on your ends.

#### Thus, the standard is consistency with the categorical imperative.

#### Prefer –

#### [1] All other frameworks collapse—non-Kantian theories source obligations in extrinsically good objects, but that presupposes the goodness of the rational will.

#### [2] Theory – Frameworks are topicality interps of the word ought so they should be theoretically justified. Prefer on

#### a. 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.

#### b. clarity of weighing

#### [3] No 1AR Framework: It moots 7 minutes of the 1NC and exacerbates the AFF infinite prep time so I should be able to compensate by choosing. They justify substantive skews by shifting frame of offense.

#### Negate:

#### [1] Banning private space appropriation inhibits the sale and use of spacecraft and fuel- that’s a form of restricting the free economic choices of individuals

**Richman 12**, Sheldon. “The free market doesn’t need government regulation.” Reason, August 5, 2012. // AHS RG

Order grows from market forces. But where do **market forces** come from? They **are the result of human action. Individuals select ends and act to achieve them by adopting suitable means.** Since means are scarce and ends are abundant, **individuals economize in order to accomplish more rather than less.** And they always seek to exchange lower values for higher values (as they see them) and never the other way around. In a world of scarcity, tradeoffs are unavoidable, so one aims to trade up rather than down. (One’s trading partner does the same.) **The result of this**, along with other **features of human action**, and the world at large **is what we call market forces. But really, it is just men and women acting rationally in the world.**

#### [2] Acquisition of property can never be unjust – to create rights violations, there must already be an owner of the property being violated, but that presupposes its appropriation by another entity.

Feser 1, (Edward Feser, 1-1-2005, accessed on 12-15-2021, Cambridge University Press, "THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION | Social Philosophy and Policy | Cambridge Core", Edward C. Feser is an American philosopher. He is an Associate Professor of Philosophy at Pasadena City College in Pasadena, California. [https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1)[brackets](https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1)%5bbrackets) for gen lang]//phs st

There is a serious difficulty with this criticism of Nozick, however. It is just this: There is no such thing as an unjust initial acquisition of resources; therefore, there is no case to be made for redistributive taxation on the basis of alleged injustices in initial acquisition. This is, to be sure, a bold claim. Moreover, in making it, I contradict not only Nozick’s critics, but Nozick himself, who clearly thinks it is at least possible for there to be injustices in acquisition, whether or not there have in fact been any (or, more realistically, whether or not there have been enough such injustices to justify continual redistributive taxation for the purposes of rectifying them). But here is a case where Nozick has, I think, been too generous to the other side. Rather than attempt —unsatisfactorily, in the view of his critics—to meet the challenge to show that initial acquisition has not in general been unjust, he ought instead to have insisted that there is no such challenge to be met in the first place. Giving what I shall call “the basic argument” for this audacious claim will be the task of Section II of this essay. The argument is, I think, compelling, but by itself it leaves unexplained some widespread intu- itions to the effect that certain specific instances of initial acquisition are unjust and call forth as their remedy the application of a Lockean proviso, or are otherwise problematic. (A “Lockean proviso,” of course, is one that forbids initial acquisitions of resources when these acquisitions do not leave “enough and as good” in common for others.) Thus, Section III focuses on various considerations that tend to show how those intuitions are best explained in a way consistent with the argument of Section II. Section IV completes the task of accounting for the intuitions in question by considering how the thesis of self-ownership itself bears on the acqui- sition and use of property. Section V shows how the results of the previ- ous sections add up to a more satisfying defense of Nozickian property rights than the one given by Nozick himself, and considers some of the implications of this revised conception of initial acquisition for our under- standing of Nozick’s principles of transfer and rectification. II. The Basic Argument 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

#### Interpretation: If the affirmative debater reads a new advantage and framework, then they must disclose the advantage area and standard or ROB text of the aff they are reading to the negative debater before the round.

#### Violation: They didn’t – see screenshots.

A screenshot of a phone

Description automatically generated with medium confidence

#### Vote Neg:

#### [1] Limits – there are hundreds of thousands of different advantage areas and frameworks they could read. Allowing the aff to break new explodes the prep burden of the 1NC, especially because it is impossible to predict any infinite number of affs they could read. Kills engagement – Their interp requires the neg to bifurcate their prep between tons of aff’s while the aff focuses on just one, meaning the 1NC is destroyed by 1ar frontlines since they have dozens of times more prep and will always be better able to defend the aff. Also means we cannot truth test the aff which is why the shell logically comes prior and they don’t get to weigh it. Saying whole res doesn’t solve – [a] the neg prep will be generic at best, which means the aff wrecks us on advantage specifity, [b] they’ll just uplayer with framework and invalidate all 1NC offense which we can’t predict, [c] absent an understanding of the nature of the advantage we don’t know what links – ie disads, kritiks, etc. Turns aff flex, even if affirming is harder you shouldn’t be able to eliminate 99 percent of neg prep. My interpretation is key to me being able to have any shot at engaging which outweighs on magnitude. It’s like fighting someone without knowing their Devil Fruit – you would get destroyed.

#### [2] Argument quality: [a] plan text disclosure discourages cheap shot aff’s with fringe authors and shoddy solvency. They had a month to prep – the neg is entitled to some research time to make sure the AFF is inherent, topical, and controversial. Otherwise bad AFF’s can win on purely surprise factor, which is a bad model b/c it encourages finding the most fringe surprising case possible instead of a well researched and defensible aff. [b] Link turns critical thinking – having time to prep against the specificity of the aff leads to the best, most fleshed out responses – otherwise we’re pigeonholed into generic Ks that don’t answer the aff. Thinking on your feet doesn’t solve – we can’t cut good evidence against the aff in 6 minutes and the aff always beats us on that evidence debate.

#### [3] Inclusion – new affs are a huge source of anxiety since debaters have less than 10 minutes to generate an entire 1NC – uniquely harms disabled debaters who suffer from anxiety or processing disorders. Outweighs on specificity – you actively harmed a disabled person this round. Inclusion outweighs – debate had to be inclusive for you to debate.

#### Drop the debater – a] deter future abuse and set better norms for debate

#### Fairness – [a] you assume the judge fairly evaluates arguments, [b] debate is a game that requires objective evaluation.

#### Competing interps – [a] reasonability is arbitrary and encourages judge intervention since there’s no clear norm, [b] it creates a race to the top where we create the best possible norms for debate.

#### No RVIs – a] illogical, you don’t win for proving that you meet the burden of being fair, logic outweighs since it’s a prerequisite for evaluating any other argument, b] Baiting – good theory debaters bait the rvi with an abusive strategy which disinscnteiviizes checking abuse

## Case

### framework

#### [1] The appeal to util makes debate unsafe, since the logic of “the end justifies the means” can justify *any* reprehensible action.

**Anderson** Anderson, Kerby. [National Director of Probe Ministries International] “Utilitarianism: The Greatest Good for the Greatest Number.” *Probe*, 2004**. RP**

One problem with utilitarianism is that its leads to an ‘end justifies the means’ mentality. If any worthwhile end can justify the means to attain it, a true ethical foundation is lost. But we all know that the end does not justify the means. If that were so,then Hitler could justify the Holocaust because the end was to purify the human race. Stalin could justify his slaughter of millions because he was trying to achieve a communist utopia. The end never justifies the means. The means must justify themselves. A particular act cannot be judged as good simply because it may lead to a good consequence. The means must be judged by some objective and consistent standard of morality. Second, utilitarianism cannot protect the rights of minorities if the goal is the greatest good for the greatest number. Americans in the eighteenth century could justify slavery on the basis that it provided a good consequence for a majority of Americans. Certainly the majority benefited from cheap slave labor even though the lives of black slaves were much worse. A third problem with utilitarianism is predicting the consequences. If morality is based on results, then we would have to have omniscience in order to accurately predict the consequence of any action. But at best we can only guess at the future, and often these educated guesses are wrong. A fourth problem with utilitarianism is that consequences themselves must be judged. When results occur, we must still ask whether they are good or bad results. [Further][,] [u]tilitarianism provides no objective and consistent foundation to judge results because results are the mechanism used to judge the action itself. Inviolability is intrinsically valuable.

**Vote them down – this abhorrent discourse promotes terrible ideologies in the debate space.**

#### Discourse in round comes first – educators must take a stance against oppression in the activity – we can’t separate the flow from our performance.

**Vincent:** – (Christopher [Debate Coach, former college NDT debater] “Re-Conceptualizing Our Performances: Accountability In Lincoln Douglas Debate”

Charles Mills argues that “the moral concerns of African Americans have centered on the assertion of their personhood, a personhood that could generally be taken for granted by whites, so that blacks have had to see these theories from a location outside their purview.” For example, I witnessed a round at a tournament this season where a debater ran a utilitarianism disadvantage. His opponent argued that this discourse was racist because it ignores the way in which a utilitarian calculus has distorted communities of color by ignoring the wars and violence already occurring in those communities. In the next speech, the debater stood up, conceded it was racist, and argued that it was the reason he was not going for it and moved on, and still won the debate. This is problematic because it demonstrates exactly what Mill’s argument is. For the black debater this argument is a question of his or her personhood within the debate space and the white debater was not held accountable for the words that are said. Again for debaters of color, their performance is always attached to their body which is why it is important that the performance be viewed in relation to the speech act. **Whites are allowed to take for granted the impact their words have on the bodies in the space. They take for granted this notion of personhood and ignore the concerns of those who do not matter divorced from the flow.** It is never a question of “should we make arguments divorced from our ideologies,” it is a question of is it even possible. It is my argument that our performances, regardless of what justification we provide, are always a reflection of the ideologies we hold. Why should a black debater have to use a utilitarian calculus just to win a round, when that same discourse justifies violence in the community they go back home to? **Our performances and our decisions in the round, reflect the beliefs that we hold when we go back to our communities. As a community we must re-conceptualize this distinction the performance by the body and of the body by re-evaluating the role of the speech and the speech act**. It is no longer enough for judges to vote off of the flow anymore. **Students of color are being held to a higher threshold to better articulate why racism is bad**, which is the problem in a space that we deem to be educational. It is here where I shift my focus to a solution. **Debaters must be held accountable for the words they say in the round. We should no longer evaluate the speech. Instead we must begin to evaluate the speech act itself. Debaters must be held accountable for more than winning the debate. They must be held accountable for the implications of that speech**. As educators and adjudicators in the debate space we also have an ethical obligation to foster an atmosphere of education. **It is not enough for judges to offer predispositions suggesting that they do not endorse racist, sexist, homophobic discourse, or justify why they do not hold that belief, and still offer a rational reason why they voted for it. Judges have become complacent in voting on the discourse,** if the other debater does not provide a clear enough role of the ballot framing, or does not articulate well enough why the racist discourse should be rejected. Judges must be willing to foster a learning atmosphere by holding debaters accountable for what they say in the round. **They must be willing to vote against a debater if they endorse racist discourse.** They must be willing to disrupt the process of the flow for the purpose of embracing that teachable moment. The speech must be connected to the speech act. **We must view the entire debate as a performance of the body, instead of the argument solely on the flow**. Likewise, judges must be held accountable for what they vote for in the debate space. If a judge is comfortable enough to vote for discourse that is racist, sexist, or homophobic, they must also be prepared to defend their actions. We as a community do not live in a vacuum and do not live isolated from the larger society. That means that judges must defend their actions to the debaters, their coaches, and to the other judges in the room if it is a panel. Students of color should not have the burden of articulating why racist discourse must be rejected, but should have the assurance that the educator with the ballot will protect them in those moments. **Until we re-conceptualize the speech and the speech act, and until judges are comfortable enough to vote down debaters for a performance that perpetuates violence in the debate space, debaters and coaches alike will remain complacent in their privilege**. As educators we must begin to shift the paradigm and be comfortable doing this. As a community we should stop looking at ourselves as isolated in a vacuum and recognize that the discourse and knowledge we produce in debate has real implications for how we think when we leave this space. Our performances must be viewed as of the body instead of just by it. As long as we continue to operate in a world where our performances are merely by bodies, we will continue to foster a climate of hostility and violence towards students of color, and in turn destroy the transformative potential this community could have.

#### Additionally:

#### [a] Reversibility: once oppressive rhetoric is used it cannot be taken back

#### [b] Norm setting: we are part of a larger debate community with extensive norms – letting bad discourse be rampant kills the community

#### [c] Competition: debate is an educational competition with no place for offensive rhetoric – that kills access to the lasting benefit debate provides

#### [2] Induction fails—past experiences have no effect on causality; the proposition that the moon comes up every night is not warranted by the fact that the moon appeared in the night sky last night. Induction is circular because it relies on the assumption that nature will hold uniform and we could only reach that conclusion through inductive reasoning based on observation of past events.

#### Takes out their offense since its predicated on using past experiences.

#### [3] Aggregation fails—suffering is not additive; our concern for other people is motivated by awareness for what they experience, not by attaching an objective value to them. Suffering is only experienced by individuals; there is no being that experiences the combined suffering of many people, just like many headaches don’t add up to a migraine. This denies consequentialism’s premise that suffering can be quantified and compared.

#### [4] Util cannot explain me taking an entirety of an action because states of affairs could change at any point in time so I need to make a new judgment at each point in the action. Each phase of the action can be subdivided because it occurs in time so util requires a judgment at each infinitesimally small portion of the action. But, there’s no difference between it and any other action at that scale because it’s just an imperceptible movement so no action is forbidden under util.

#### [5] No impact to anything – the universe is infinite. Triggers permissibility because every action adds the same impact to infinite impact.

Bostrom 11 [Nick Bostrom (Professor, Faculty of Philosophy & Oxford Martin School Director, Future of Humanity Institute Director, Oxford Martin Programme on the Impacts of Future Technology University of Oxford) “Infinite Ethics” Analysis and Metaphysics, Vol. 10 (2011): pp. 9-59] // SJ MC

In the standard Big Bang model, assuming the simplest topology (i.e., that space is singly connected), there are three basic possibilities: the universe can be open, flat, or closed. Current data suggests a flat or open universe, although the final verdict is pending. If the universe is either open or flat, then it is spatially infinite at every point in time and the model entails that it contains an infinite number of galaxies, stars, and planets. There exists a common misconception which confuses the universe with the (finite) “observable universe”. But the observable part—the part that could causally affect us—would be just an infinitesimal fraction of the whole. Statements about the “mass of the universe” or the “number of protons in the universe” generally refer to the content of this observable part; see e.g. [1]. Many cosmologists believe that our universe is just one in an infinite ensemble of universes (a multiverse), and this adds to the probability that the world is canonically infinite; for a popular review, see [2]. The “many worlds” of the Everett version of quantum physics, however, would not in any obvious way amount to the relevant kind of infinity; both because whether the “world”-count reaches infinity or merely a large finitude might be an artifact of convenient formalism rather than reflecting of physical reality, and also because the ethical significance of each Everettian “world” should, plausibly, be weighted by its associated measure (amplitude squared), which is a normalized; see e.g. [3].

### advantage

#### Plan gets circumvented. It gets funneled through public private partnerships with space agencies.

**Davenport 20** (Christian Davenport covers NASA and the space industry for The Washington Post's Financial desk. He joined The Post in 2000 and has served as an editor on the Metro desk and as a reporter covering military affairs. He is the author of "The Space Barons: Elon Musk, Jeff Bezos and the Quest to Colonize the Cosmos". “A dollar can’t buy you a cup of coffee but that’s what NASA intends to pay for some moon rocks”. December 3, 2020.)

**NASA** **announced** Thursday **that several companies had won contracts to mine the moon** and turn over small samples to the space agency for a small fee. In one case, a company called Lunar Outpost bid $1 for the work, a price NASA jumped at after deciding the Colorado-based robotics firm had the technical ability to deliver. “You’d be surprised at what a dollar can buy you in space,” Mike Gold, NASA’s acting associate administrator for international and interagency relations, said in a call with reporters. But the modest financial incentives are not the driver of the program. Nor to a large extent is the actual lunar soil. NASA is asking for only small amounts — between 50 and 500 grams (or 1.8 ounces to about 18 ounces). While there would be scientific benefits to the mission, **it’s** really **a tech**nology **development program, allowing companies to practice extracting resources from the lunar surface** and then selling them. It would also establish a legal precedent that would pave the way for companies to mine celestial bodies in an effort blessed by the U.S. government to help build a sustainable presence on the moon and elsewhere. To do that, **NASA** says it **needs its astronauts**, like the western pioneers, to “live off the land,” **using the resources in space instead of hauling them from Earth**. The moon, for example, has plenty of water in the form of ice. **That’s not only key to sustaining human life, but** the hydrogen and oxygen in water **could also be used as rocket fuel, making the moon a potential gas station in space** that could help explorers reach farther into the solar system. **Asteroids also have significant resources, particularly precious metals that could be used for in-space manufacturing.** While the prospect of large mining and manufacturing facilities in orbit is still many years away, NASA wants to use the mining program as a small step toward that goal. NASA is now trying to return astronauts to the moon under its Artemis program for the first time since 1972. Unlike its predecessor, Apollo, where the astronauts visited the lunar surface for a short while before coming home, the Artemis program would create a permanent presence on and around the moon. “**The ability to extract and utilize space resources is the key to achieving this objective of sustainability**,” Gold said. “We must learn to generate our own water, air and even fuel. Living off the land will enable ambitious exploration activities that will result in awe-inspiring science and unprecedented discoveries.” In 2015, then-President Barack Obama signed a law that allowed private companies the right to own the resources they mined in space. Under the program announced Thursday, NASA said the materials would be transferred from the private companies to NASA. **The effort would not violate the 1967 Outer Space Treaty**, NASA officials have said, which prohibits nations from claiming sovereignty over a celestial body. NASA Administrator Jim Bridenstine previously likened the policy to the rules governing the seas. “We do believe **we can extract and utilize the resources of the moon, just as we can extract and utilize tuna from the ocean**,” he said earlier this year. As part of its lunar exploration mission, NASA has been working to get countries around the world to adopt what it calls the Artemis Accords, a legal framework that would govern behavior in space and on celestial bodies such as the moon. The rules would allow private companies to extract lunar resources and create safety zones to prevent conflict and ensure that countries act transparently about their plans in space, while sharing their scientific discoveries. The mining announcement came during the same week that China landed a spacecraft on the moon, extracted resources and then lifted off from the lunar surface in an effort to return the sample to Earth. Instead of developing and sustaining a big government sample-return mission, **NASA is taking another approach by partnering with the private sector**. “If you step back and think about how really amazing it is that NASA can essentially piggyback on the private-sector space capabilities to perform this mission, it would not have been possible 10 years ago,” said Phil McAlister, the director of NASA’s commercial spaceflight division. **In addition to Lunar Outpost, the other companies chosen for NASA’s** program **are**: **ispace Japan and Europe**, which would each charge $5,000 for the material; **and Masten Space Systems of California**, would charge $15,000. All of the companies would already be on the moon, according to NASA, conducting other missions. McAlister said Lunar Outpost would be ferried to the moon by the lunar lander known as Blue Moon being developed by Jeff Bezos’s Blue Origin. (Bezos owns The Washington Post.) The company later clarified that it was looking at a number of landers to get it to the lunar surface, and not just Blue Origin’s. The ispace companies would fly on a Japanese lander, McAlister said, and Masten, already part of another NASA lunar contract, would use its own Masten XL-1 lander.