## **1**

#### *Ethics must begin a priori*

#### [A] Uncertainty – evil demon could deceive us and inability to know others experience make empiricism an unreliable basis for universal ethics. Outweighs since it would be escapable since people could say they don’t experience the same.

#### [B] Constitutivism – The meta-ethic is bindingness. Morality faces regress where we can continue asking “why.” Practical reason is the only unescapable authority because to ask why I should be a reasoner concedes it’s authority since you’re actively reasoning.

#### That justifies universality – a] any non-universalizable norm justifies someone’s ability to impede on your ends b] Only universalizable reason can effectively explain the perspectives of agents – that’s the best method for combatting oppression.

Farr 02 Arnold Farr (prof of phil @ UKentucky, focusing on German idealism, philosophy of race, postmodernism, psychoanalysis, and liberation philosophy). “Can a Philosophy of Race Afford to Abandon the Kantian Categorical Imperative?” JOURNAL of SOCIAL PHILOSOPHY, Vol. 33 No. 1, Spring 2002, 17–32.

**One** of the most popular **criticism**s **of Kant’s moral philosophy is that it is too formalistic.**13 That is, the universal nature of the categorical imperative leaves it devoid of content. Such a principle is useless since moral decisions are made by concrete individuals in a concrete, historical, and social situation. This type of criticism lies behind Lewis Gordon’s rejection of any attempt to ground an antiracist position on Kantian principles. The rejection of universal principles for the sake of emphasizing the historical embeddedness of the human agent is widespread in recent philosophy and social theory. I will argue here on Kantian grounds that **although a distinction between the universal and the concrete is** a **valid** distinction, **the unity of the two is required for** an understanding of human **agency.** The attack on Kantian formalism began with Hegel’s criticism of the Kantian philosophy.14 The list of contemporary theorists who follow Hegel’s line of criticism is far too long to deal with in the scope of this paper. Although these theorists may approach the problem of Kantian formalism from a variety of angles, the spirit of their criticism is basically the same: The universality of the categorical imperative is an abstraction from one’s empirical conditions. **Kant is** often **accused of making the moral agent an abstract, empty**, noumenal **subject. Nothing could be further from the truth. The Kantian subject is** an embodied, empirical, concrete subject. However, this concrete subject has a dual nature. Kant claims in the Critique of Pure Reason as well as in the Grounding that human beings have an intelligible and empirical character.15 It is impossible to understand and do justice to Kant’s moral theory without taking seriously the relation between these two characters. The very concept of morality is impossible without the tension between the two. By “empirical character” Kant simply means that we have a sensual nature. We are physical creatures with physical drives or desires. **The** very **fact that I cannot simply satisfy my desires without considering the rightness** or wrongness **of my actions suggests that my empirical character must be held in check** by something, or else I behave like a Freudian id. My empiri- cal character must be held in check **by my intelligible character**, which is the legislative activity of practical reason. It is through our intelligible character that **we formulate principles that keep our** empirical **impulses in check.** The categorical imperative is the supreme principle of morality that is constructed by the moral agent in his/her moment of self-transcendence. What I have called self-transcendence may be best explained in the following passage by Onora O’Neill: In restricting our maxims to those that meet the test of the categorical imperative we refuse to base our lives on maxims that necessarily make our own case an exception. The reason why a universilizability criterion is morally signiﬁcant is that it makes our own case no special exception (G, IV, 404). In accepting the Categorical Imperative we accept the moral reality of other selves, and hence the possibility (not, note, the reality) of a moral community. **The Formula of Universal Law enjoins no more than that we act only on maxims that are open to others also.**16 O’Neill’s description of the universalizability criterion includes the notion of self-transcendence that I am working to explicate here to the extent that like self-transcendence, universalizable moral principles require that the individ- ual think beyond his or her own particular desires. The individual is not allowed to exclude others **as** rational **moral agents** who have the right to act as he acts in a given situation. For example, if I decide to use another person merely as a means for my own end I must recognize the other person’s right to do the same to me. I cannot consistently will that I use another as a means only and will that I not be used in the same manner by another. **Hence,** the **universalizability** criterion **is a principle of consistency and** a principle of **inclusion.** That is, in choosing my maxims **I** attempt to **include the perspective of other moral agents.**

#### Prefer:

#### Normativity outweighs: a] Obligations – lack of it doesn’t generate stable ethics so it permits anything except the one thing it condemns b] Collapses – injustices need universal ideal principles to ground them and explain why they are wrong which otherwise justifies skep since no external reason to follow ethics c] Necessity – every arg presupposes ability to set and pursue ends which collapses to my framework d] Is/Ought Gap – description of injustices only tells us what exists, not how to properly fix it or act with it which leaves all harms unresolved.

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

#### Negate:

#### [1] A model of freedom 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.

#### [2] Not defending the topic is non-universalizable b/c if nobody defended the topic than a topic wouldn’t have even been created in the first place which is a contradiction in conception. That outweighs – their indicts are reliant on empiricism but that relies on some conception of coherence.

## 2

#### Interpretation: If the Aff differs from a truth testing model, they must specify a role of the ballot and clarify how the round will play out under that role of the ballot in the text of the 1AC. To clarify, the aff must:

a] Clarify how offense links back to the role of the ballot, such as whether post-fiat offense or pre-fiat offense matters.

b] Clarify what theoretical objections do and do not link to the aff, such as whether the aff comes before theory.

c] Clarify how to weigh and compare between competing advocacies i.e. determined by the flow or another method of engagement.

#### Violation: You don’t specify what it means to “best methodologically engage in creative withdrawal”

#### 1] Vote neg for prep and clash – Not knowing how offense functions makes it impossible to engage the aff since I need to know how parts of the case operate to make comparative interacts that link. This ensures I read something relevant to your method, knowing how to weigh gives us an explicit standard for what is relevant which allows greater discussion on the Aff.

#### 2] Cx doesn’t check – the time in between is when I should be prepping, taking all this time just to figure out if a certain piece of offense links or 1nc strat is viable ensures I’ll never have a shot until cx is over. You can’t use your ROB to exclude my shell. My shell allows you to read your aff, it just functionally constrains it to make yours more engageable.

#### Fairness is a voter, debate is a competitive activity – a] it determines engagement in your method which turns your ROTB b] The AC wasn’t in the scope of my prep burden so presume their args false c] A ballot won’t actualize their method since what we read doesn’t change subjectivity but it can determine the direction of good norms so a risk of theory outweighs any of the Aff d] Every argument presupposes fairness and it being evaluated fairly. If they deny fairness hack against them – that’s the most unfair e] Procedurals outweigh – structural fairness can be compensated for in different substantive ways while procedural fairness denies access to the space entirely

#### Drop the debater: Theory indicts the aff, I couldn’t have engaged and it’s the only thing to drop.

#### Use Competing Interps: a] race to the top for the best norm b] reasonability links to our offense.

#### No RVIs: a] Illogical – being topical doesn’t mean you should win, it’s just a burden. b] If theory’s bad and you vote on impact turns – you’re voting on theory.

## **3**

#### The role of the ballot is vote for the debater who best proves the truth or falsity of the resolution.

- pre and post fiat offense matter

- theory would constrain truth testing

- weighing is done by determining what proves the rez more true

#### 1] Constitutivism: The ballot says vote aff or neg based on a topic – five dictionaries define affirm[[1]](#footnote-1) as to prove true and negate[[2]](#footnote-2) as to deny the truth of which means it’s constitutive and jurisdictional – that’s a meta constraint on anything since the judge voting aff if they affirm better and neg the contrary proves that it’s an independent voter and means hack against them if they contest it. Answers collapse to truth testing since they require truth value. I’ve disagreed with the AFF so I’ve met my burden.

#### 2] Neg definition choice – the aff should have defined stuff in the 1ac because it was in the rez so it’s predictable, new ones moot 7 minutes and kills 1NC strategy since I engaged on a lack of your definition.

#### Negate:

#### [1] In order to say I want to fix x problem, you must say that you want x problem to exist, since it requires the problem exist to solve, which makes any moral attempt inherently immoral.

#### [2] To go anywhere, you must go halfway first, and then you must go half of the remaining distance ad infinitum – thus, motion is impossible because it necessitates traversing an infinite number of spaces in finite time.

#### [4] Merriam webster defines space as

https://www.merriam-webster.com/dictionary/space

one of **the degrees between or above or below the lines of a musical staff**

#### But degrees on a musical staff cant be appropriated by private entities so the resolutions incoherent

#### [5] Merriam webster defines private as

a **person of low rank in** any of **various organizations** (such as a police or fire department)

<https://www.merriam-webster.com/dictionary/private>

#### But the appropriation of outer space by a person of low rank entities is incoherent because a person of low rank doesn’t have that authority

## Case

1. *Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true* [↑](#footnote-ref-1)
2. <http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate> [↑](#footnote-ref-2)