Action theory precedes ethics. We need a basic account of what an action is before ethics can be sound. **Anscombe 58** writes[[1]](#footnote-1)

**That I owe the grocer** such-and-such **a sum would be one** of a set of **fact**s **which would be "brute" in relation to** the description **"I am a bilker."** "Bilking" is of course a species of "dishonesty" or "injustice." (Naturally the consideration will not have any effect on my actions unless I want to commit or avoid acts of injustice.) So far, in spite of their strong associations, I conceive "bilking," "injustice" and "dishonesty" in a merely "factual" way. That I can do this for "bilking" is obvious enough; "justice" I have no idea how to define, except that its sphere is that of actions which relate to someone else, but "injustice," its defect, can for the moment be offered as a generic name covering various species. E.g.: "bilking," "theft" (which is relative to whatever property institutions exist), "slander," "adultery," "punishment of the innocent." **In present-day philosophy an explanation is required how an unjust man is a bad man, or an unjust action a bad one**; to give such an explanation belongs to **ethics**; but it **cannot** even **be begun until we are equipped with a sound philosophy of psychology.** For the proof that an unjust man is a bad man would require a positive account of justice as a "virtue." This part of the subject-matter of ethics is, however, completely closed to us until we have an account of what type of characteristic a virtue is-a problem, not of ethics, but of conceptual analysis-and how it relates to the actions in which it is instanced: a matter which I think Aristotle did not succed in really making clear. For this **we** certainly **need an account at least of what a human action is at all, and how its description** as "doing such-and-such" **is affected by** its motive and by the **intention** or intentions in it; and for this an account of such concepts is required.

This justifies practical reason. Unity of action can only be explained by reason, not desire. **Rodl 2k** writes[[2]](#footnote-2)

**Calculation from desire does not yield a premise for instrumental reasoning because its conclusion represents a changeable state**, while an instrumental reasoning proceeds from a thought that represents something with the temporality of a movement. But the instrumental syllogism is a necessary form of practical reasoning, for practical reasoning arrives at a thought on which a movement may rest. And **if a movement rests on thought, then the unity of its phases**, which constitutes it as a movement, **must rest on thought.** So it does **if I reason [that]** from the same thought now, **“I want to do B. So let me do [X]”**, and then, “I want to do B. So let me do [Y]”, and so on. As “I want to do B” expresses the same thought all the while that I am doing B and until I have done it, **the unity of the phases of my doing B consists in the fact that they all hang on that thought. By contrast, if “I want to do B” represented a changeable state** I would not reason from the same thought, now to doing A1, and then to doing A2. In consequence, my doing A1 and my doing A2 would bear no unity. **These would not be phases of a movement, and I would not**, in doing A1 and A2, **be doing B.**

And, only practical reason is unconditionally binding. We can always question why our desires matter, but asking whether we have a reason to act for reasons would be self-defeating because the question itself concedes the authority of reasons.

Violations of freedom lead to self-contradiction. **Engstrom** writes[[3]](#footnote-3)

Given the preceding considerations, it’s a straightforward matter to see how **a maxim** of action **that assaults the freedom of others** with a view **to further**ing **one’s own ends results in a contradiction when we** attempt to **will it as a universal law** in accordance with the foregoing account of the formula of universal law. Such a maxim would lie in a practical judgment that deems it good on the whole to act to limit others’ outer freedom, and hence their self-sufficiency, their capacity to realize their ends, where doing so augments, or extends, one’s own outer freedom and so also one’s own self-sufficiency. 19In this passage, Kant mentions assaults on property as well as on freedom. But since property is a specific, socially instituted form of freedom, I have omitted mention of it to focus on the primitive case. Now on the interpretation we’ve been entertaining, applying the formula of **universal law involves considering whether** it’s possible for **every person**—every subject capable of practical judgment—to **share[s] the** practical **judgment asserting the goodness of** every person’s acting according to **the maxim** in question. Thus in the present case the application of the formula involves considering whether it’s possible for every person to deem good every person’s acting to limit others’ freedom, where practicable, with a view to augmenting their own freedom. **Since** here **all persons** are on the one hand **deem**ing **good both the limitation of others’ freedom and the extension of their own** freedom, while on the other hand, insofar as they agree with the similar judgments of others, also deeming good the limitation of their own freedom and the extension of others’ freedom, **they** are all **deem**ing **good both the extension and the limitation of both their own and others’ freedom.**

Thus, the standard is creating a system of equal freedom.

There are 3 additional warrants.

1. Equality. Human equality mandates a system of equal freedom.

**Ripstein 9** writes[[4]](#footnote-4)

Kant offers different formulations of innate right, each of which elaborates an aspect of the idea that **one person must not be subject to the choice of another**, which Kant glosses in terms of one person being a mere means for another. This familiar Kantian theme is explained in terms of the classic distinction, from Roman law, between persons and things. **A person is** a being **capable of setting its own purposes. A thing** is something that **can be used in** the **pursuit of** whatever **purposes the person who has it might have.** The classic example of a person being treated as a mere thing is the slave, for a slave is entirely at the disposal of his or her master. The slave’s problem is that he is subject to the master’s choice: the master gets to decide what to do with the slave and what the slave will do. The slave does not set his own ends, but is merely a means for ends set by someone else. To call it “the” problem is not too strong: if the other problems a slave has—low welfare, limited options, and so on—were addressed by a benevolent master, the relationship of slavery would perhaps be less bad, but it would not thereby be any less wrong. **The right to be your own master is neither a right to have things go well** for you **nor** a right to have **a wide range of options.** Instead, **it is explicitly contrastive and interpersonal**: to be your own master is to have no other master. It is not a claim about your relation to yourself, only about your relation to others. **The right to equal freedom,** then, **is** just the right that no person be the master of another. The idea of being your own master is also **equivalent to** an idea of **equality, since none has, simply by birth,** either **the right to command others** or the duty to obey them. **So the right to equality does not**, on its own, **require that people be treated in the same way** in some respect, such as welfare or resources, **but only that no person is the master of another.** Another person is not entitled to decide for you even if he knows better than you what would make your life go well, or has a pressing need that only you can satisfy.

Human equality is a basic assumption of any moral system. **Gosepath 11**[[5]](#footnote-5)

This fundamental idea of **equal respect for all persons** and of the equal worth or equal dignity of all human beings (Vlastos 1962) **is accepted as a minimal standard by all** leading **schools of** modern Western political and **moral culture. Any** political **theory abandoning this notion of equality will not be found plausible today. In a period in which metaphysical**, religious **and traditional views have lost their** general **plausibility** (Habermas 1983, p. 53, 1992, pp. 39-44), **it appears impossible to** peacefully **reach** a general **agreement** on common political aims **without accepting that persons must be treated as equals**. As a result, moral equality constitutes the ‘egalitarian plateau’ for all contemporary political theories (Kymlicka 1990, p.5).

2. Human Worth. Only a system of equal freedom respects the right of human beings to set their own purposes.

**Ripstein 9** writes[[6]](#footnote-6)

The same right to be your own master within **a system of equal freedom** also **generates** what Kant calls **a**n “internal **duty**” **of rightful honor, which “consists in asserting one’s worth as a human being in relation to others**, a duty expressed by the saying do not make yourself into a mere means for others but be at the same time an end for them.”14 Kant says that this duty can be “explained. as obligation from the right of humanity in our own person.” Kant’s characterization of this as an “internal duty” may seem out of place, given his earlier characterization of the Universal Principle of Right in terms of restrictions on each person’s conduct in light of the freedom of others. But the duty of rightful honor is also relational: it is a duty because it is a limit on the exercise of a person’s freedom that is imposed by the Universal Principle of Right. Just as the rights of others restrict your freedom, so that you cannot acquire a right to anything by acting in ways inconsistent with the innate right of another person, so, too, **the humanity in your own person restricts the ways in which you can exercise your freedom** by entering into arrangements with others. **Your innate right prevents you from being bound by others more than you can in turn bind them;** your duty of **rightful honor prevents you from making yourself bound by others** in those ways. Rightful honor does not warn you away from some juridical possibility that would somehow be demeaning or unworthy. You do not wrong yourself if you enter into a binding arrangement inconsistent with the humanity in your own person. Instead, your duty of rightful honor says that no such arrangement can be binding, so no other person could be entitled to enforce a claim of right against you that presupposes that you have acted contrary to rightful honor. Rightful honor does not demand that you behave selfishly, or refrain from helping another person with some particular project, or make another person’s ends your own. To do any of these things is just to adopt some particular purpose, and so is an exercise of your freedom. In later chapters, we will see that **rightful honor prevents you from giving up your capacity to set your own purposes**, and so prevents others from asserting claims of right that assume that you did. In private right your rightful honor prevents you from entering into an enforceable contract of slavery, even if you were to believe the arrangement to be to your advantage. In public right, it prevents officials from making arrangements on your behalf that are inconsistent with your innate right. **Rightful honor** also **provides the link from private right to public right by imposing a duty on each to leave the state of nature,** which Kant characterizes as a condition **in which everyone is subject to the choice of others.**

Human worth is the source of all value.

Christine **Korsgaard 96** writes[[7]](#footnote-7)

This is just a fancy new model of an argument that first appeared in a much simpler form, Kant’s argument for his Formula of Humanity. The form of relativism with which Kant began was the most elementary one we encounter - the relativity of value to human desires and interests. He started from the fact that when we make a choice we must regard its object as good. His point is the one I have been making - that being human we must endorse our impulses before we can act on them. Kant asked **what** it is that **makes** these **objects good**, and, rejecting one form of realism, he decided that the goodness wa**[i]s not in the objects themselves. Were it not for our desires** and inclinations, **we would not find** their **objects good.** Kant saw that **we take things to be important because they are important to us** - and he concluded that **we must therefore take ourselves to be important.** In this way, the value of humanity itself is implicit in every human choice. Ifnormative skepticism is to be avoided - **if there is any such thing as a reason for action** - **then humanity as the source of all reasons** andvalues **must be valued for its own sake.**

Put away Cummiskey. This notion of value precludes aggregation.

**Korsgaard 93** writes[[8]](#footnote-8)

The difference between these two interpretations of neutral value is naturally associated with two other differences. First, the two views will normally involve a different priority-ordering between subjective or relative and objective or neutral values. According to Objective Realism, subjective values are *derived from* objective ones: an individual comes to value something by perceiving that it has (objective) value. Our relation to values, on this account, is epistemological, a relation of discovery or perception. According to Intersubjectivism, objective values are derived or - better - constructed from subjective ones. Our individual, subjective interests become intersubjective values when, because of the attitude we take towards one another, we come to share each other’s ends. On this view, our relation to values is one of creation or construction. The second and related difference concerns the possibility of adding and subtracting value across the boundaries between persons. On an Intersubjectivist interpretation, **neutral reasons are shared, but they are always initially** subjective or **agent-relative reasons. So** on this view, **everything that is good or bad is so because it is good or bad *for* someone. This makes it natural** for an Intersubjectivist **to deny that values can be added** across the boundaries **between people. My happiness is good for me and yours is good for you, but the sum of these two values is not good *for* anyone**, and so the Intersubjectivist will deny that the sum, as such, is a value. But an Objective Realist, who thinks that the value is in the object rather than in its relation to the subject, may think that we can add. Two people’s happinesses, both good in themselves, will be better than one. **Since consequentialism depends upon the possibility that values may be added,** an Objective realist about value may be a consequentialist, while **an Intersubjectivist will not [be a consequentialist].**

3. The State of Nature. The right to freedom is the foundation of government authority. The state exists to create a system of equal freedom for all. This is the only legitimate use of state coercion and link turns social contract frameworks.

**Korsgaard 8** writes[[9]](#footnote-9)

Why is it permissible for others to force or coerce you to conform to the duties of justice? The Universal Principle of Justice in effect says that **the only restriction on freedom is consistency with the freedom of everyone else.** Anything that is consistent with universal freedom is just, and you therefore have a right to do it. If someone tries to interfere with that right, he is interfering with your freedom and so violating the Universal Principle of Justice. **Violations of** the Universal Principle of **Justice may be opposed by coercion for the** simple **reason that anything that hinders a hindrance to freedom is consistent with freedom**, and anything that is consistent with universal freedom is just. **It follows that rights are coercively enforceable.** Indeed, coercive enforceability is not something attached to rights; it is constitutive of their very nature (MPJ 6:232). To have a right just is to have the executive authority to enforce a certain claim. **This** in turn **is the foundation of** the executive or coercive authority of **the political state.**

Kant’s political philosophy is a social contract theory, in obvious ways in the tradition of Locke. But the differences are important. In Locke’s view, individuals have rights in the state of nature, and may enforce those rights. But **when each person** determines and **enforces his own rights the result is social disorder. Since** this **disorder is contrary to our interests, people join together into a political state**, transferring our executive authority to a government.

Ignore permissibility and presumption because moral uncertainty means we’ll always have a non-zero credence in the existence of morality, so there’s always a risk of offense in favor of one action.

I advocate that developing countries should accept the Precautionary Principle on resource extraction issues. I reserve the right to clarify.

The PP is key to solving environmental harms. We can’t afford to wait for scientific certainty. **SEHN 98** writes[[10]](#footnote-10)

What is the precautionary principle? A comprehensive definition of the precautionary principle was spelled out in a January 1998 meeting of scientists, lawyers, policy makers and environmentalists at Wingspread, headquarters of the Johnson Foundation in Racine, Wisconsin. **The Wingspread Statement** on the Precautionary Principle, **summarizes the principle** this way**: "When an activity raises threats of harm to the environment** or human health, **precautionary measures should be taken even if** some **cause and effect relationships are not fully established scientifically."** Key elements of the principle include taking precaution in the face of scientific uncertainty; exploring alternatives to possibly harmful actions; placing the burden of proof on proponents of an activity rather than on victims or potential victims of the activity; and using democratic processes to carry out and enforce the principle - including the public right to informed consent. Is there some special meaning for "precaution"? It's the common sense idea behind many adages: "Be careful." "Better safe than sorry." "Look before you leap." "First do no harm." What about "scientific uncertainty"? Why should we take action before science tells us what is harmful or what is causing harm? **Sometimes if we wait for proof it is too late**. Scientific standards for demonstrating cause and effect are very high. For example, smoking was strongly suspected of causing lung cancer long before the link was demonstrated conclusively - that is, to the satisfaction of scientific standards of cause and effect. By then, many smokers had died of lung cancer. But many other people had already quit smoking because of the growing evidence that smoking was linked to lung cancer. These people were wisely exercising precaution despite some scientific uncertainty. **Often a problem** - such as a cluster of cancer cases or global warming - **is too large**, its causes too diverse, or the effects too long term **to be sorted out with scientific experiments** that would prove cause and effect. It's hard to take these problems into the laboratory. Instead, **we have to rely on** observations, case studies or **predictions based on current knowledge.** According to the precautionary principle, when substantial scientific evidence of any kind gives us good reason to believe that an activity, technology or substance may be harmful, we should act to prevent harm. **If we always wait for scientific certainty, people may suffer and die, and damage to the natural world may be irreversible.** We have lots of environmental regulations. Aren't we already exercising precaution? In some cases, to some extent, yes. When federal money is to be used in a major project, such as building a road on forested land or developing federal waste programs, the planners must produce an "environmental impact statement" to show how it will affect the surroundings. Then the public has a right to help determine whether the study has been thorough and all the alternatives considered. That is a precautionary action. But most environmental regulations, such as the Clean Air Act, the Clean Water Act and the Superfund Law, are aimed at cleaning up pollution and controlling the amount of it released into the environment. They regulate toxic substances as they are emitted rather than limiting their use or production in the first place. These laws have served an important purpose - they have given us cleaner air, water and land. But they are based on the assumption that humans and ecosystems can absorb a certain amount of contamination without being harmed. We are now learning how difficult it is to know what levels of contamination, if any, are safe. Many of our food and drug laws and practices are more precautionary. Before a drug is introduced into the marketplace, the manufacturer must demonstrate that it is safe and effective. Then people must be told about risks and side effects before they use it. But there are some major loopholes in our regulations. If the precautionary principle were universally applied, many toxic substances, contaminants, and unsafe practices would not be produced or used in the first place. The precautionary principle concentrates on prevention rather than cure. How would **the p**recautionary **p**rinciple change that without bringing the economy to a halt? It **would encourage** the **exploration of** alternatives - better, safer, cheaper ways to do things- and the development of **"cleaner" products and technologies.** Sometimes simply slowing down in order to learn more about potential harm is the best alternative. **It would shift the burden of proof** from the public **to proponents of a technology.** The principle would ensure that the public knows about and has a say in the deployment of technologies that may be hazardous. **Proponents would have to demonstrate** through an open process **that** a **tech**nology **was safe or necessary and that no better alternatives were available.**

The PP solves econ collapse by promoting sustainable resource management.

**Raffensperger 4** writes[[11]](#footnote-11)

If you start with the premise that the foundation of an economy is capital, then you're going to do everything you can to protect capital. You'll see the differences in taxation -- in the United States, for example, we tax labor much more than capital and interest on capital, because we don't value labor very much. It's capital that is the big economic driver. That's one view. I believe by contrast that **it is really our common resources** -- the air, the water, the street in front of my house, the library, the public schools, the national parks, the public health (not my individual health, but public health) -- **that is the generative ground of the economy. Without clean air,** without **clean water,** without **the ocean front**, without all of those other things that I mentioned, **the economy would collapse**. **Without** the **roads, for example, we couldn't move** our **farm products to market. So the commons** and the common resources are the basis of the economy, the foundation of America and they **must be protected.**

The PP recognizes our obligation to future generations.

**Raffensperger 4** writes[[12]](#footnote-12)

The Hawaiian and other state constitutions, as well as a lot of common law, say that **states have a responsibility to manage** natural **resources** and common assets **as a matter of the public trust** -- these are to be held in trust **for** this and **future generations.** In a lawsuit, Hawaii was challenged on how it was applying this constitutional provision. Hawaii said that in order to manage the commons and the common wealth, we've got to use the Precautionary Principle. **If we're going to pass** the **natural resource** -- in this case water -- **on to our children** in as good as shape as we got it, **we're going to have to act in the face of uncertainty. So** you get a longer timeframe, you get an argument against privatization, and **you get a requirement to use the P**recautionary **P**rinciple**.**

**Contention 1** is Equal Freedom

Sub-point A is the original community of land.

Environmental protection is a material prerequisite to a system of equal freedom.

**Ataner 12** writes[[13]](#footnote-13)

[Brackets in original.] My second line of argument in rejecting the claim that unowned lands are freely destructible, i.e., the view that our freedoms over and against the natural environment are unlimited, is as follows. Given, as we have seen above, Kant’s claims pertaining to humanity’s possession of the earth ab initio being an “original possession in common” or an “original community of land in general”, I deny that the natural environment can ever be thought of as truly res nullius, or, more appropriately, that land can be terra nullius in some absolute sense. This claim, while I cannot fully develop it here, rests simply on Kant’s general conception of land, which has unusual, often overlooked, implications within his overall framework. Briefly put, as we have seen, Kant claims that **our possession in common of the finite** surface of the **earth is a** (**material**) **precondition of** (the possibility of) our collective coexistence under Right, or, relatedly, that the unity of all places on the earth’s finite surface is a condition of the possibility of **a united will among a plurality of unavoidably interacting persons**. (For, as we have already noted, **if** the surface of **the earth were infinite and unbounded, we would not necessarily come into contact** with each other**; hence, the united will**, the sole condition pursuant to which rightful relations among all can be established, **would carry no normative necessity**. As Edwards puts it succinctly, if somewhat obscurely, **Kant’s “idea of original community [of land]** is a conceptual representation that **picks out the objective correlate of** the idea of **universal will**.”) The upshot of Kant’s line of reasoning, essentially, is that, as a collective, we inhabit the surface of the earth (and, by extension, the natural environment) in a manner parallel to the way in which we inhabit our bodies as individuals: in order to exist as free persons, we have to subsist as individuals in finite bodies; **in order to** co-exist as free persons under conditions of Right dictated by a united will (the only possible way in which we can **co-exist as mutually free persons**, mediated by the dictates of practical reason in its external aspect and the idea of the social contract, etc.), **we have to subsist collectively within a finite** (confined) **space**, namely upon the spherical surface the earth that unites all lands upon it. In either case, freedom as such can only have reality under certain material, empirical (pre)conditions. But, if the integrity of our finite bodies is necessary to our individual freedom, then we have to also admit that the integrity of the finite surface of the earth (and by extension, the natural environment) is essential to our collective co-existence as free persons. For, imagine **if each of us were free to destroy some bit of the finite** surface of the **earth**; in that case, **it would**, in principle, **be permissible to destroy all** surfaces **of the earth.** However, **if we**, through collective cumulative action, **were to destroy the earth’s (finite) surface, we would have** nothing, **no space**, **to subsist** up**on**, either collectively or individually. As such, it is hardly coherent to say that the destruction of portions of the surface of the earth must be permissible under laws of freedom; and, the incoherence of the destruction of land (as a matter of Right) in this regard is exactly parallel to the incoherence of suicide (as a matter of Virtue).

Sub-point B is property rights.

A system of equal freedom would protect property rights, requiring environmental protection of owned land. **Ataner 12** writes[[14]](#footnote-14)

Now, at this stage I reiterate my basic claim, per the environmentalist agenda, which is that the destruction of owned objects is outside the scope of owners’ legitimate freedoms. My rationale for this claim is as follows. As we have seen, Kant (along with Hegel) insists that **property ownership must be possible** as a matter of Right**; otherwise our freedom**, our capacity to act effectively in the world, **would be radically inhibited**. This simply follows from the Juridical Postulate, pursuant to which any unowned object (res nullius) must be available for acquisition. But if property is so utterly crucial to freedom, if the rightful use of evidently usable things is so very vital to our ability to have actual presence and effective agency in the world, then the **destruction of** evidently **usable things** (even where they are already owned) **would** appear to **contradict** the core logic, **the** underlying **rationale**, **of property**, **for** the simple reason that **destruction renders usable things no longer usable**. The logic of freedom (the “laws of freedom”) as applied to property rights suggests that **ownership** of things **is supposed to enhance** the **freedom** of owners**; otherwise, as Ripstein notes, they would have rightful use only of their** own **bodies, which** in itself **is** a **severely limited** means of effecting one’s purposes. **In this vein,** the destruction of one’s own finite, non-renewable resources is patently self-contradictory: for example, **it is** simply **not rational for a land-owner to destroy** (for example, to permanently poison or flood or irradiate) the **land** he **[they] inhabit**s. Would not such a land-owner, to use Kant’s own language, “be putting usable objects [namely his own land] beyond any possibility of being used” and would he not, in other words, “annihilate [it, the land] in a practical respect and make them into res nullius”? We can also make our point with a series of questions: If “[f]reedom requires that you be able to have usable things fully at your disposal, to use as you see fit, and so to decide which purposes to pursue with them”,131 then is not the destruction of usable things in contradiction with the requirements of freedom? **How are you supposed to pursue** any **further purposes if you have made it your purpose to destroy** the **things within which you pursue your purposes?** Clearly, given the Kantain perspective on the meaning of property, the (permanent) destruction of finite, non-renewable natural resources, such as land, is incoherent: one simply cannot invoke the right of property, or the freedoms that it is supposed to enable, to justify destroying such resources. Similarly, suppose Hegel is right to say that property permits the suppression of the “pure subjectivity of personality”, or that in possessing property I become “an actual will”, or that property “gives my will existence”, such that “not until he has property does the person exist as reason”. In that case, wouldn’t the destruction of property result in a failed actualization of the will? Suppose, again, we have a land-owner who wishes to poison his lands, rendering them unfit for future use: is such a person actualizing his will freely and effectively, or is he undercutting his own (future) ability to act freely and effectively? I maintain that, for both Kant and Hegel, the destruction of property holdings, especially of finite depletable resources, is fundamentally incompatible with the core rationale of property as a freedom-maximizing institution. Put differently, the destructive, dissipating or **non-sustainable use of** finite, depletable **natural resources, especially land, constitutes** a **transgression of freedom because such** use **is radically inconsistent with** the **conditions under which** alone **“the greatest use of freedom” is possible.** That is, Kant’s core tenet regarding the necessity of property acquisition as a function of our extended freedom in the world dictates that the character of usable things as usable, as means fit for the realization of human purposes, must be maintained in perpetuity.

Sub-point c is future generations.

Rational agents have a duty to protect future generations by promoting life-sustaining conditions. **Godofsky 10** writes[[15]](#footnote-15)

While the natural right to life entails a duty not to cause the death of another, the right to survival requires the physical conditions needed to sustain that life. To be a human being is to act and intend to survive, whereas animals and plants survive through instinct, reflex and learned behaviors. **By acting** and intending **to survive through free will, human beings employ reason** to preserve their lives. **According to Kant,** **this establishes our infinite worth** and our ability to claim rights and possess obligatory duties. Ian Barbour argues that the fundamental equality of persons is derived from the “common nature of persons as rational beings” and the “universality of basic human capacities” which have been established to allow human beings to assert their natural right to survival (2006:113). **We can also expect that future human beings will engage in rational**, deliberate **action to preserve their existence** collectively as we currently do. **Present people can assume moral responsibility for future people, then, because we are united** as a species **through our capacity for rational agency**, rather than through a contractual, reciprocal relationship. Present people can use rational thought to identify what living conditions are necessary for future survival because we share evident physiological and biological interests as a distinct species. I reject Stephen Gardiner‟s claim that “future generations have no control over what the present generation does with that capacity…they could not in principle have any such control. They are not around to present a claim, nor to represent their interests…they have no bargaining power” (Gardiner 2002:403). In fact, Golding claims that “future generations are members of our moral community because…our social ideal is relevant to them, given what they are and their conditions of their life” (1972:361). Therefore, we can tie the natural right to survival to the fact that **we can distinguish the basic conditions of living using rational deliberation to realize our present “social ideal,”** even if this social ideal becomes more and more obscure as generations become more distant. Although future generations are certainly not able to consent to a social contract, they do have a natural right to survival using rational agency to do so. This establishes the moral obligation of present generations to treat them and their interests with equal consideration. These future people cannot make claims according to a social contract, but as Golding notes, “have a claim…whether or not [they] make the claim, demands, or [are] even able to make a claim” because we recognize them as members of our moral community with “an entitlement upon [them] to receive what is claimed from me” (1972:360). Therefore, while we do not necessarily *owe* future generations such moral consideration, we are morally obliged to act *with regard* to them (Hubin 1976:71). Although Golding defines it as “a conception of the good life for man,” in this argument is related to the natural right to survival and the conditions needed to do so (1972:360). That being said, “the potential for agency and autonomy that is attributed to future generations mandates the recognition of their rights to a natural world that is not destroyed and eroded either in the quantum of its resources or in their richness and diversity” (Jayal 2003:301). To ensure this right, **present generations must create a social ideal based on** physical, **life-sustaining circumstances that will provide future generations with** the **opportunity to live a healthy life and fulfill their central interests.** According to John Rawls, “the different temporal position of persons and generations does not in itself justify treating them differently” (1973:295). Thus, we have a duty to ensure the survival of future generations and must act to protect this right.

Our obligation to protect future generations from environmental destruction is a litmus test for any moral theory. **Bickham 81** writes[[16]](#footnote-16)

There exists today in philosophy a question of our ethical obligations to future generations. Several different aspects of this question render it philosophically unusual. For one thing the substantive answer to the question is not in dispute. **Were someone to suggest seriously that we have no ethical obligations to future generations and** mean **by this that we need take no care for what living conditions on the planet will be in a hundred years** - that whether there would exist then, say, a lethal level of radioactivity in the atmosphere, it would be no concern of ours - **we should regard that individual as lacking one of the most basic of human ethical sensibilities.** Of course we have some serious responsibility for the future, though this does not commit us to the more particular position that we have ethical obligations to future generations. The question does not, thus, require an answer at the general level, nor am I prepared here to demarcate specifically the content of our responsibility for the future, though I shall treat of others' attempts to do so. I am interested rather in why this question should seem so mysterious at this time as to generate a dispute or issue within the philosophical community. Thus my focus will be interior to philosophy. I hope to show how the assumptions involved in raising this question in this way make it difficult for us to address the new realities with which the question is concerned. Why is this question a current one in philosophy? From a somewhat sociological perspective it is significant that John Rawls in A Theory of Justice, perhaps the most influential ethical treatise of the seventies, is the first person who seems to have dealt with the question in its current form.' I shall examine Rawls' position in detail later, but basically he treats justice among generations as involving each generation's passing on to the next a suitable accumulation of intellectual, economic, and educational "capital" so that the next can have the werewithal to continue or to establish just institutions, as well as support a reasonable standard of living.2 While the immense philosophical popularity of A Theory of Justice brought the current question to the attention of the philosophical community, most philosophers writing of the issue of ethical obligation to future generations since Rawls have seen the problem in an environmental rather than an economic context? It is clear that **our relatively new capacity for** possibly **permanent devastation of the environment has created a new ethical situation which requires a reassessment of our responsibility to the future.** Environmental pollution itself is nothing new. I am sitting a quarter of a mile from a river which has contained no life for about 80 years due to pollution from mine acid waste. In my county virtually every marketable tree was cut down between 1895 and 1915. But **until now there** just **have not been enough people nor** an **advanced enough tech**nology **to threaten a large environment with permanent destruction** or impairment. Trees grow back and mine acid waste pollution can be stopped, though it is expensive to do so. But we simply do not know how to render radioactive waste from power plants nonradioactive, or to replace the ozone layer in the atmosphere should this become depleted, or to develop an effective, economical replacement for iron. It is quite simple. **We did not have** the **responsibility for the future that we do now before we had the capacity to destroy it**. As I said earlier, our responsibility for the future in a broad sense is well recognized. What is not understood is how this responsibility is to be rationally grounded in an ethical theory. But it is becoming clear to ethicists that **the question of our obligations to the future can be seen as a litmus test for an ethical theory.** No theory can really be adequate to the contemporary situation which cannot found such obligations on its own principles. The problem is that each of the major, current ethical theories has difficulty doing this. I shall examine briefly the deontological theory and at more length the utilitarian and contractarian theories to illustrate why this is so.

**Aff gets RVIs** on I meets and counter-interps because

(a) 1AR timeskew means I can’t cover theory and still have a fair shot on substance.

(b) no risk theory would give neg a free source of no risk offense which allows him to moot the AC.

Neg burden is to defend a competitive post-fiat advocacy. Offense-defense is key to fairness and real world education. This means ignore skepticism.

**Nelson 8** writes[[17]](#footnote-17)

And **the truth-statement model** of the resolution **imposes an absolute burden of proof on the aff**irmative: if the resolution is a truth-claim, and the afﬁrmative has the burden of proving that claim, in so far as intuitively we tend to disbelieve truthclaims until we are persuaded otherwise, the afﬁrmative has the burden to prove that statement absolutely true. Indeed, one of the most common theory arguments in LD is conditionality, which argues it is inappropriate for the afﬁrmative to claim only proving the truth of part of the resolution is sufﬁcient to earn the ballot. Such a model of the resolution also gives the negative access to a range of strategies that many students, coaches, and judges ﬁnd ridiculous or even irrelevant to evaluation of the resolution.

If the **neg**ative **need only** prevent the affirmative from proving the truth of the resolution, it is logically sufficient to negate to **deny our ability to make truth-statements or** to **prove** normative **morality does not exist** or to deny the reliability of human senses or reason. Yet, even though most coaches appear to endorse the truth-statement model of the resolution, they complain about the use of such negative strategies, even though they are a necessary consequence of that model. And, moreover, **such strategies** seem fundamentally unfair, as they **provide the neg**ative **with functionally inﬁnite ground**, as there are a nearly inﬁnite variety of such skeptical objections to normative claims, while continuing to bind the afﬁrmative to a much smaller range of options: advocacy of the resolution as a whole.

Instead, it seems much more reasonable to treat the resolution as a way to equitably divide ground: the affirmative advocating the desirability of a world in which people adhere to the value judgment implied by the resolution and the negative advocating the desirability of a world in which people adhere to a value judgment mutually exclusive to that implied by the resolution. By making the issue one of desirability of **[Under] competing world-views** rather than of truth, the affirmative gains access to increased flexibility regarding how he or she chooses to defend that world, while the **neg**ative **retains equal flexibility while being denied** access to those **skeptical arguments** indicted above. Our ability to make normative claims is irrelevant to a discussion of the desirability of making two such claims. Unless there is some significant harm in making such statements, some offensive reason to reject making them that can be avoided by an advocacy mutually exclusive with that of the affirmative such objections are not a reason the negative world is more desirable, and therefore not a reason to negate. Note this is precisely how things have been done in policy debate for some time: a team that runs a kritik is expected to offer some impact of the mindset they are indicting and some alternative that would solve for that impact. A team that simply argued some universal, unavoidable, problem was bad and therefore a reason to negate would not be very successful. It is about time LD started treating such arguments the same way.

**Such a model** of the resolution has additional benefits as well. First, it **forces both debaters to offer offensive reasons to prefer** their worldview, thereby further **enforcing a parallel burden structure.** This means debaters can no longer get away with arguing the resolution is by definition true of false. The “truth” of the particular vocabulary of the resolution is irrelevant to its desirability. **Second, it is intuitive. When people evaluate** the truth of **ethical claims, they consider their implications in the real world.** They ask themselves whether a world in which people live by that ethical rule is better than one in which they don’t. Such debates don’t happen solely in the abstract. We want to know how the various options affect us and the world we live in.

I’m willing to clarify or alter my advocacy in cross-ex.

Err aff on theory. There was a 5% neg side bias at Strake Jesuit based on prelims and elims according to Joy of Tournaments. This also means presume aff if presumption matters.

Finally, the neg must defend one unconditional advocacy. Conditionality is bad because it makes the neg a moving target which kills 1AR strategy. He’ll kick it if I cover it and extend it if I undercover it, meaning I have no strategic options. Also, it’s unreciprocal because I can’t kick the AC.

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