## OFF

### 1

#### Interpretation – appropriation means taking possession of something

Dictionary ND, Dictionary.com, “appropriation”, <https://www.dictionary.com/browse/appropriation>, DD AG

the act of appropriating or taking possession of something, often without permission or consent.

#### Appropriation of outer space is the exercise of exclusive control.

**Trapp 13** (TIMOTHY JUSTIN TRAPP, JD Candidate @ UIUC Law, ‘13, TAKING UP SPACE BY ANY OTHER MEANS: COMING TO TERMS WITH THE NONAPPROPRIATION ARTICLE OF THE OUTER SPACE TREATY UNIVERSITY OF ILLINOIS LAW REVIEW [Vol. 2013 No. 4])//DebateDrills AY

The issues presented in relation to the nonappropriation article of the Outer Space Treaty should be clear.214 The ITU has, quite blatantly, created something akin to “property interests in outer space.”215 It allows nations to exclude others from their orbital slots, even when the nation is not currently using that slot.216 This is directly in line with at least one definition of outer-space appropriation.217 [\*\*Start Footnote 217\*\*Id. at 236 (“**Appropriation of outer space**, **therefore, is ‘the exercise of exclusive control or exclusive use’ with a sense of permanence, which limits other nations’ access to it.**”) (quoting Milton L. Smith, The Role of the ITU in the Development of Space Law, 17 ANNALS AIR & SPACE L. 157, 165 (1992)). \*\*End Footnote 217\*\*]The ITU even allows nations with unused slots to devise them to other entities, creating a market for the property rights set up by this regulation.218 In some aspects, this seems to effect exactly what those signatory nations of the Bogotá Declaration were trying to accomplish, albeit through different means.219 Though the legitimacy of such a regime may be questionable, it remains in effect, showing that it is at least tolerable under the edict of the nonappropriation article of the Outer Space Treaty.220 There must, therefore, be something about the ITU that differentiates it from something like the Bogotá Declaration.221 The most immediate difference is the character of the body promulgating the regulation. The Bogotá Declaration is an agreement between eight countries claiming rights to all space above them.222 The ITU’s regulations are promulgated under the auspices of the U.N.223 While the Bogotá Declaration is an international agreement, it is still a very limited cooperation.224 The ITU, through the U.N., comprises the largest possible cooperation of international actors, giving it an international character as opposed to simply a multinational character.225 Furthermore, the allocation of orbital slots by the ITU is a response to the limited character of geostationary orbits.226 While the Bogotá Declaration was probably promulgated in response to a few nations’ fears that they may be excluded from the space arena,227 **the allocation system of the ITU is a measure to make sure that the GEO resource is efficiently managed for the use of all mankind**.228

#### Violation: they defend lunar heritage sites, which is not about possession

#### Standards:

#### Limits: there are infinitely many combinations that entities could send into space AND resources they can use. That explodes neg prep – it’s impossible for me to research every possible technology and resource, from type of satellite to type of mineral.

#### TVA solves – just read your aff as an advantage to the whole rez. We aren’t stopping them from reading new FWs, mechanisms, or advantages. PICs don’t solve – it’s ridiculous to say that neg potential abuse justifies the aff making it impossible for me to win

#### Fairness and education are voters – debate’s a game that needs rules to evaluate it and education gives us portable skills for life like research and thinking.

#### Drop the debater because drop the arg is functionally the same

#### Use competing interps – a) reasonability invites arbitrary judge intervention since we don’t know your bs meter, b) collapses to competing interps – we justify 2 brightlines under an offense defense paradigm just like 2 interps.

#### No RVIs – a) illogical – you shouldn’t win for being fair – it’s a litmus test for engaging in substance, b) norming – I can’t concede the counterinterp if I realize I’m wrong which forces me to argue for bad norms, c) chilling effect – forces you to split your 2AR so you can’t collapse and misconstrue the 2NR, d) topic ed – prevents 1AR blipstorm scripts and allows us to get back to substance after resolving theory

### 2

#### The meta ethic is practical reason.

#### 1] Is-ought gap – empiricism can only observe what is since that’s the only thing in our perception, not what ought to be, but it’s impossible to derive an ought from descriptive premises which requires a priori premises to form morality.

#### 2] Empirical uncertainty– evil demon could deceive us, dreaming, simulation, and inability to know other’s experiences makes empiricism an unreliable basis for universal ethics.

#### 3] Infallibility – practical reason is the only unescapable authority because to ask why we should be reasoners is to concede authority to reason since the question itself uses reason – anything else is nonbinding and arbitrary.

#### Reason requires that maxims we act upon must be universalizable – any reasoner would know that two plus two equals four because there is no a priori distinction between agents so norms must be universally valid.

#### And willing an action that violates the freedom of others is a contradiction – if I decide to kill someone, that action is not universalizable because that would justify other people killing me too.

#### Thus, the standard is respecting freedom. Prefer additionally –

#### 1] Performativity—freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place.

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

#### 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

### 3

#### Interp – debaters may not theoretically justify their framework.

#### Violation – []

#### Prefer –

#### 1] Clash – TJFs encourage boring theory debates about whether Util is accessible – they ignore the potential for dense philosophical discussion and opt for a cheap way out. Phil ed uniquely outweighs because phil ed only comes from rounds with in-depth framework clash.

#### 2] Strat Skew – you could concede all the substantive framework justifications in the 1AR and just go for the TJF which moots the substance in the 1NC by up layering the framework debate – makes negating impossible because they can concede vast swaths of framework justifications in a 15 second extension in the 1AR.

#### Fairness because debate’s a game and education because it’s the only portable skill from debate. Drop the debater – a) Deters future abuse, b) Rectifies time loss, c) DTA encourages baiting – Debaters could fill their cases w/ abusive args, baiting theory and then just drop the argument in the next speech and go for under covered substance

#### Competing interps – a) It fosters the best norms through encouraging the fairest rule b) Reasonability collapses by debating the brightline

### 4

#### No 1AR theory – a) 1ar theory means it’s game over for the 2nr because of the 2ar collapse – the negative will inevitably undercover something, b) I can respond to 1ar only once which both kills resolvability and kills reciprocity since they can respond to 1nc shells twice.

#### Reasonability on 1ar theory – 7 minutes of the 1nc means they will always find there’s something abusive we did – reasonability’s key to incentivizing in-depth discussion rather than a 2ar collapse on theory.

#### Drop the arg on 1ar theory – 1ar theory is incentivized to restart the debate and avoid the 1n. Drop the arg solves because if one position the 1nc was abusive, then ignoring it in the 2ar allows evaluation of substance.

#### RVIs on 1ar theory – anything thing else puts me in a double bind because I’ll either overcover substance and undercover theory or vice versa which makes negating impossible – RVIs solve by creating another route to the ballot to compensate.

### 5

#### Interp – affirmatives must demonstrate how they engage efforts to advocate the plan BEYOND scenario planning or embody methods of solvency against violence discussed in the AFF.

**Reid-Brinkley 20** [Shanara Reid-Brinkley 2020, “The Future is Black: Afropessimism, Fugitivity, and Radical Hope in Education”, Edited by Carl Grant, Ashley Woodson, Michael Dumas, https://books.google.com/books?id=SMHyDwAAQBAJ&pg=PR5&source=gbs\_selected\_pages&cad=2#v=onepage&q&f=false//WY]

What lies in the wake" of competitive policy debate? How are Black debaters doing wake work? In the following section I take two examples from the National Debate Tournament Final Round to demonstrate wake work in competitive debate. Next, I ana-lyze the central argument in the final round characterizing the current clash of civilizations in debate and the ramifications of building community in debate. The final round of the 2017 National Debate Tournament was not just a com- petition, **it was a referendum on the notion of a universal community** and the **structural exclusions and fairness issues that characterize** the traditions and **norms of competitive practice**. Georgetown is affirmative in the debate and of fer a federal policy toward Alaska as an example of a specific proposal to combat catastrophic climate change. Based on the norms of competition, Georgetown presents a coherent affirmative argument providing an effective stasis point for fair deliberation of the climate change resolution. After the affirmative's speech Rutgers is allowed to cross-examine the speaker. Devane Murphy asks, “When is the first life saved as a result of the afffirmative]?” (2017). While Georgetown admits that a debate round cannot save lives directly, they argue that discuss- ing climate change policy is a valuable academic conversation. Rutgers then asks a series of questions about Georgetown's relationship as individuals to the people and places targeted by the federal policy they suggest: “Do you know any people in the arctic? Do you know any communities in the arctic? Can you name a family in the arctic?” (Murphy, 2017). While Georgetown answers no to these questions, they argue that a focus on debaters as individuals rather than the policy option they have presented is a distraction from the stasis point they have set for the debate. Using Afropessimism as a heuristic for engaging the resolution, debaters like Rutgers, reject any affirmation of the United States Federal Government. For these students, the federal government is always an unethical actor. In as much as the resolutional statement requires the affirmative to posit federal govern- ment action as an ethical response to public need, **the vast majority of Black debaters refuse to take such a position.** To combat this refusal to follow com- petitive norms, the Framework argument developed to confront the disruption of the normative form and content of policy debate competition. Framework debaters (mostly White and non-Black POCs) argue that if a team violates the norms of common practice they reject the normative stasis points for delibera-tion destroying the educational benefits of policy debate. Framework has operated as a strategic tool of capture and exclusion of Black thought in competitive debate. However, as "the holds multiply" so too does Black innovation. Rutgers' strategy in the final round took the form of the traditional Framework argument, but using Black thought **to revise the content and turn it against the norms of traditional debate**. Black Framework, Rutgers' strategy, argued that the affirmative **must embody their politics and demonstrate how they directly engage in** efforts to reduce climate change. Rutgers' argues that Georgetown is disconnected from their politics which is why they can advocate a policy that may affect the people of the Arctic while having little knowledge of those people or their lives. This kind of orientation toward policy action is dangerous, encouraging what Rutgers refers to as **“ascetic tourism"** by which debaters role-playing policy advocates “tour [the] trauma of various populations without ever acting to alleviate the harm” (Murphy, 2017). When Georgetown seeks further clarification of Black Framework, Rutgers' responds: "We provided an interpretation of what we think debate should look like, the same way in which when you're negative and you read my affirmative and you say we should not be able to do what we do. Very simple” (Murphy, 2017). Georgetown often runs the traditional Framework argument against Black Debate teams who fall outside their interpretation of a fair stasis point for debate about the resolution. Rutgers' turns the tables on Georgetown argu- ing that the traditional form of policy debate produces poor policy advocates and that Black Debate practice which centers embodied political practice is a superior method of training political advocates**.** Black Framework is an exam- ple of political theorizing from the hold. It operates from the perspective that anti-blackness is the stage upon which all political deliberation is played and then strategically identifies a tactic and an exigency for disruption.Rutgers capitalizes on the growing middle majority of judges who agree that Black Debate practice is an effective training tool for political advocacy. The use of Black Framework flips the script; it is a jarring (re)performance of the acts of exclusion that Black debaters have faced for decades. It took the form of Framework, paired with Black content, to argue that the neo-liberal norms of civil society would no longer get a free pass as the base frame for political negotiation. Rutgers turned a mirror on debate and offered a reflection of itself haunted by the specter of Black death. Arguing Black Framework was an act of bringing out the dead.

#### They violate.

#### First, ascetic tourism – reading the 1AC absent direct efforts to challenge communal violence posits them as tourists to violence. Benefits to scenario planning don’t disprove the violation.

#### Second, revitalization of stasis – our offense isn’t just “going beyond scenario planning” BUT specification of such since it revitalizes stasis and forces research beyond traditional norms.

#### Third, Effects T – words holding potential for action proves scenario planning could affect action, which still links since it still posits them as tourists over violence, and is infinitely regressive – anything could affect each other.

#### Competing interps –a) reasonability is arbitrary and bites judge intervention, b) competing interps is a race to the top where the best norm wins the debate.

## Case

### 1NC – AT: Util

#### 1] Calculative regress—util would require we calculate how much time to spend on our calculations and so on—means we’re never ever to take productive actions.

#### 2] Act util collapses to rule util—people who always try to act in the right way make mistakes and would never be able to make decisions—only rule util solves, where we have the rule that is most likely to, in most instances, do more good. That rule is the NC—protection of freedom is a good base line because without direct violation of each other’s sovereignty, we’re way less likely to do harm to them.

#### 3] Valuing a state of affairs concerning a person assumes we value that person in the first place—you wouldn’t care about a person being sad if you didn’t value that person—means util presupposes deontological obligations to respect humanity

#### 4] Util’s repugnant—it can’t ever recognize things as intrinsically bad—even things like slavery and rape could be obligatory to have some chance of a greater future good

#### 5] Can’t aggregate—people have different conceptions of pleasure and pain—there are people like masochists who enjoy physical pain

### 1NC – AT: Advantage

#### Massive alt causes – no reason why other forms of appropriation wouldn’t trigger the link to any of their impacts.

#### They conveniently forgot the last paragraph of this evidence.

Sample 19 Ian Sample 7-19-2019 “Apollo 11 site should be granted heritage status, says space agency boss” <https://www.theguardian.com/science/2019/jul/19/apollo-11-site-heritage-status-space-agency-moon> (PhD at Queens Mary College 1-22-2022 amrita

But **Wörner believes heritage can go too far**. “I would say let’s limit it to the important ones,” he said. “**If** you define each and **everything** on Earth **as heritage**, you **cannot move** and it will be the same on the moon. We should not make heritage the brake for the future.”

#### YOUR AUTHOR CONCLUDES WE SHOULD STILL ALLOW COMMERCIALIZATION OF THE MOON AND HERITAGE SITES – GG!

OSTP 18 Office of Science and Technology Policy March 2018 “PROTECTING & PRESERVING APOLLO PROGRAM LUNAR LANDING SITES & ARTIFACTS” (The Office of Science and Technology Policy is a department of the United States government, part of the Executive Office of the President, established by United States Congress on May 11, 1976, with a broad mandate to advise the President on the effects of science and technology on domestic and international affairs.)//Elmer recut amrita

While **commercial** robotic **missions create risks** to the protection of lunar scientific and heritage sites, **the U.S. Gov**ernment fully **supports commercialization of the space sector and** commercial robotic missions to **the Moon**. Therefore, the risks to damage lunar heritage sites must be balanced against other national and international interests. The **lunar heritage sites can be protected**, at a reasonable cost, **while** still **fostering commercial space activities** and government-sponsored missions back **to the Moon**. There are approximately a dozen U.S. and foreign companies at various stages of planning lunar robotic missions. These include the five GLXP finalists and other companies from the United States, Japan, India, Israel Germany, and other countries.

#### Squo solves. 1] OST bans territorial claims which solves. 2] The One Step bill and NASA have heritage guidelines to protect buffer zones

Alice Gorman, 7-17-2019, "We need to protect the heritage of the Apollo missions," Conversation, https://theconversation.com/we-need-to-protect-the-heritage-of-the-apollo-missions-117007//el

Attempts at protection The Outer Space Treaty of 1967 forbids making territorial claims in space. Applying any national heritage legislation to a place on the Moon could be interpreted as a territorial claim. The US states of California and New Mexico have placed the Apollo 11 artefacts left on the Moon on a heritage list. They can do this because, under the treaty, the US legally owns the artefacts. But this does not protect the site itself. NASA has established a set of heritage guidelines for its sites on the Moon. The guidelines propose buffer zones around these areas, inside which no-one should enter. They make recommendations for approaching the sites to minimise dust disturbance. In May 2019, a bill called the One Small Step to Protect Human Heritage in Space Act was introduced to the US Congress. Its purpose is: To require any Federal agency that issues licences to conduct activities in outer space to include in the requirements for such licences an agreement relating to the preservation and protection of the Apollo 11 landing site, and for other purposes. But the bill applies only to Apollo 11 and does not have similar requirements for the five other Apollo landing sites. It also applies only to US missions. It’s a step in the right direction, but there is still much more to be done.