### 1

#### **Interp: Debaters must not defend the hypothetical implementation of an explicit actor or action**

#### Is means is Definition of is (Entry 1 of 4) present tense third-person singular of BE **dialectal present tense** first-person and third-person singular **of BE** dialectal present tense plural of BE

Webster ND Definition of IS," Merriam Webster, <https://www.merriam-webster.com/dictionary/is> IS

#### Dialectical present tense means logical coherence which implies no implementation

Your Dictionary ND, "Dialectical Meaning," No Publication, <https://www.yourdictionary.com/dialectical> Cho

The definition of dialectical is a discussion that includes logical reasoning and dialogue, or something having the sounds, vocabulary and grammar of a specific way of speaking. An example of something dialectical is a Lincoln Douglass style of debate, where both parties argue a point in a logical order. Of, or pertaining to dialectic; logically reasoned through the exchange of opposing ideas.

#### “BE” is a linking verb, not an action verb so implementation is incoherent

Grammar Monster ND "Linking Verbs," Grammar Monster, <https://www.grammar-monster.com/glossary/linking_verbs.htm> CHO [Brackets for Clarity]

What Are Linking Verbs? (with Examples) A linking verb is used to re-identify or to describe its subject. A linking verb is called a linking verb because it links the subject to a subject complement (see graphic below). Infographic Explaining Linking Verb A linking verb tells us what the subject is, not what the subject is doing. Easy Examples of Linking Verbs In each example, the linking verb is highlighted and the subject is bold. Alan [George] is a vampire. (Here, the subject is re-identified as a vampire.) Alan is thirsty. (Here, the subject is described as thirsty.)

A picture containing text, sign

Description automatically generated



#### Unjust means unjust adjective US /ʌnˈdʒʌst/ **not morally right; not fair**: New laws will protect employees against unjust dismissals. (Definition of unjust from the Cambridge Academic Content Dictionary © Cambridge University Press)

That’s Cambridge Dictionary ND [“Meaning of unjust in English” Cambridge Dictionary, [https://dictionary.cambridge.org/us/dictionary/english/unjust]](https://dictionary.cambridge.org/us/dictionary/english/unjust%5d)

#### Violation: They cannot defend hypothetical implementation and use the state – or they are Extra-T

#### Voter for limits and ground - imprecisely includes thousands of affs that expand appropriation and deprives us of the public regs counterplan - makes it impossible to be neg

#### Grammar - very idea of a topic rests on the assumption that words have stable meanings and relationships - precision internal link turns every piece of aff offense

#### Phil Ed – creates better ethical subjectivity and critical thinking that o/ws on uniqueness to LD. Switch to policy and read the PTD aff on the water topic – solves all your offense

#### TVA: Read a phil aff that affirms that private appropriation is unjust

### 2

#### Interp - If the Affirmative specifies “Appropriation that produces Debris” – they must clearly de-lineate a clear parameter and definition for what “produces Debris” constitutes.

#### Violation – they don’t. They will outline particular examples BUT that doesn’t meet since they haven’t produced a metric or brightline for determining what type of appropriation is banned by the Plan.

#### Three Implications:

#### 1] The term “debris” itself is meaningless in international agreements – impossible to come to consensus – independently means you Vote Negative on Presumption since the Plan does nothing since everyone will deny they produce “Debris”.

Munters 16 Ward Munters 2016 "Space debris conundrum for international law makers" <https://room.eu.com/article/space-debris-conundrum-for-international-law-makers> (Leuven Centre for Global Governance Studies, Belgium)//Elmer

A fundamental and abstract legal matter in this regard, that appears almost too simple and too basic to present an obstacle, is the question: what is space debris? Technical definitions used by scientists and engineers, as well as in the technical and non-binding Space Debris Mitigation Guidelines [3] of the United Nations Committee on the Peaceful Uses of Outer Space (UN COPUOS) focus unvaryingly on the non-functional nature of debris: space debris are all man-made objects, including fragments or elements thereof, in Earth orbit or re-entering into Earth’s atmosphere that are non-functional. However, this definition, intuitive as it may be, cannot easily be construed into an international legal definition. The existing space law treaties simply do not mention ‘space debris’ anywhere. The closest related, applicable and rather vague term in the treaties is that of ‘space object’. The treaties apply this term to any object launched into space to determine important legal consequences such as which State has sole jurisdiction and control over the object, which State can register the object or which States are liable for damage caused by the object in space or on Earth. Nevertheless, the treaties do not define what exactly is a ‘space object’ and, more importantly, they do not consider the functional or non-functional nature of the space object in applying these important legal consequences to it. Therefore, international space law does not contain any provisions that could form the basis for a legal distinction between valuable spacecraft and supposedly worthless space debris. Faced with this legal uncertainty, the majority of legal experts appear to agree that even if a satellite were to become non-functional or to catastrophically break up into separate fragments, these will still constitute a ‘space object’ for the purposes of the treaties and carry with them all legal ramifications thereof. The Outer Space Treaty declares that any State that has registered a space object shall retain legal and de facto jurisdiction and control over that object. As a piece of space debris is considered a ‘space object’ for legal purposes, even if the State were to lose de facto control over the space object when it becomes non-functional or uncontrollable, it retains sole legal jurisdiction and control as per the treaty. Therefore, it is uncertain whether space objects, their component parts or fragments thereof can legally be abandoned or considered abandoned, irrespective of their non-functional status. This notion is reinforced by the fact that space faring States have hitherto not expressed a right to abandon their non-functional satellites in space. This sheds severe doubt on the possibility of introducing a legal regime of ‘salvage’, similar to maritime law, whereby actors other than the State of registry could freely remove pieces of debris that pose a threat in Earth orbit.

#### 2] Shiftiness and Ground – without anything de-lineated in the 1AC – it can become as limiting or under-limiting as they deem strategic given the 1NC which makes Negative prep impossible since they will always shift the ground of “what produces debris”. Fairness is a voter since its necessary for Debate to continue to occur.

#### 2] Real World- Policy makers will always specify how the mandates of the plan should be endorsed. It also means zero solvency, absent spec, states can circumvent the Aff’s policy since there is no delineated way to enforce the affirmative which means there’s no way to actualize any of their solvency arguments.

#### CX checks is arbitrary and unlimiting – allows them to change from round-to-round which ruins pre-round prep since we can’t predict it.

### 3

#### The meta-ethic is procedural moral realism.

#### This entails that moral facts stem from procedures while substantive realism holds that moral truths exist independently of that in the empirical world. Prefer procedural realism –

#### [1] Collapses – the only way to verify whether something is a moral fact is by using procedures to warrant it.

#### [2] 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.

#### [3] Is/Ought Gap – we can only perceive what is, not what ought to be. It’s impossible to derive an ought statement from descriptive facts about the world, necessitating a priori premises.

#### Practical Reason is that procedure. To ask for why we should be reasoners concedes its authority since it uses reason – anything else is nonbinding and arbitrary. That hijacks their framework since you need reason to evaluate any relevant consequences.

#### Moral law must be universal—our judgements can’t only apply to ourselves any more than 2+2=4 can be true only for me – any non-universalizable norm justifies someone’s ability to impede on your ends. Reject Extinction outweighs- aggregation is nonsensical since a] it impedes on one persons ends for another and b] assumes everyone values the same thing.

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

#### Prefer –

#### [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.

#### [3] TJFs and they outweigh since it precludes engagement on the framework layer – Prefer non extinction intent based frameworks

#### For Resource disparities- 1] Our framework ensures big squads don’t have a comparative advantage since debates become about quality of arguments rather than quantity - their model crowds out small schools because they have to prep for every unique advantage under each aff, every counterplan, and every disad with carded responses to each of them

#### 2] Predictability – every individual engages within freedom and twhen going to school or using public infrastructure which means it’s the one political engagement everyone is aware of.

#### 3] Political Education – politicians have to understand the categorical imperative and the process of deontology in order to know what powers they have and what they have to provide citizens. E.g. german governments prove

#### 4] Resolvability – other debates create a mess of weighing and link turns, but using Kant is easily resolvable because it becomes a question of whether or not it violates

#### 5] 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.

6]

#### No new 1AR framework justifications – Anything else kills 1NC strategy since I premised my engagement off a lack of it in the 1AC – It also justifies overloading the 2NR with new arguments.

#### Negate

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

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

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

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

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

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