# T

**Interpretation – appropriation means claim of sovereignty. Affirmatives must only defend sovereign claims on outer space by private entities as unjust.**

**Violation: they defend “the production of space debris” by private entities as unjust, which is extra-T and NOT appropriation**

**Private appropriation of extracted space resources is distinct from appropriation “of” outer space. Despite longstanding permission of appropriation of extracted resources, sovereign claims are still universally prohibited.**

Pershing, 19

Abigail D. Pershing, J.D. Candidate @ Yale, B.A. UChicago,’19, "Interpreting the Outer Space Treaty's Non-Appropriation Principle: Customary International Law from 1967 to Today," Yale Journal of International Law 44, no. 1

II. THE FIRST SHIFT IN CUSTOMARY INTERNATIONAL LAW’S INTERPRETATION OF THE NON-APPROPRIATION PRINCIPLE Since the drafting of the Outer Space Treaty, several States have chosen to reinterpret the non-appropriation principle as narrower in scope than its drafters originally intended. This reinterpretation has gone largely unchallenged and has in fact been widely adopted by space-faring nations. In turn, this has had the effect of changing customary international law relating to the non-appropriation principle. Shifting away from its **original blanket application** in 1967, States have carved out an exception to the non-appropriation principle, allowing appropriation of extracted space resources.53 This Part examines this shift in the context of the two branches of the United Nation’s customary international law standard: State practice and opinio juris. **A. State Practice** The earliest hint of a change in customary international law relating to the interpretation of the non-appropriation clause came in 1969, when the United States first sent astronauts to the moon. As part of his historic journey, astronaut Neil Armstrong collected moonrocks that he brought back with him to Earth and promptly handed off to the National Aeronautics and Space Administration (NASA) as U.S. property.54 Later, the USSR similarly claimed lunar material as government property, some of which was eventually sold to private citizens. 55 These first instances of space resource appropriation did not draw much attention, but they presented a distinct shift marking the beginning of a new period in State practice. Having previously been limited by their technological capabilities, States could now establish new practices with respect to celestial bodies. This was the beginning of a pattern of appropriation that slowly unfolded over the next few decades and has since solidified into the general and consistent State practice necessary to establish the existence of customary international law. Currently, the U.S. government owns 842 pounds of lunar material.56 There is little question that NASA and the U.S. government consider this material, as well as other space materials collected by American astronauts, to be government property.57 In fact, NASA explicitly endorses U.S. property rights over these moon rocks, stating that “[l]unar material retrieved from the Moon during the Apollo Program is U.S. government property.”5 The U.S. delegation’s reaction to the language of the 1979 Moon Agreement further cemented this interpretation that appropriation of extracted resources is a **permissible exception** to the non-appropriation clause of Article II. Although the United States is not a party to the Moon Agreement, it did participate in the negotiations.59 The Moon Agreement states in relevant part: Neither the surface nor the subsurface of the moon, nor any part thereof or natural resources in place, shall become property of any State, international intergovernmental or nongovernmental organization, national organization or nongovernmental entity or of any natural person.60 In response to this language, the U.S. delegation made a statement laying out the American view that the words “in place” imply that private property rights apply to extracted resources61—a comment that went **completely unchallenged**. That **all States seemed to accept this point**, even those bound by the Moon Agreement, is further evidence of a shift in customary international law.62

**Presume neg – all parties to the outer space treaty prohibit “appropriation” of resources by private entities.**

Durkee, 19

Melissa J. Durkee, J. Alton Hosch Associate Professor of Law, University of Georgia, ’19, "Interstitial Space Law," Washington University Law Review 97, no. 2 423-482

Those answering this question in the affirmative have access to a strong textual argument. Article II of the Outer Space Treaty specifically references "national" **appropriation**.17 9 The context surrounding that appears to confirm that the prohibition of "national" appropriation is directed at nations, as only a nation could have a legitimate "claim of sovereignty." 180 Moreover, "occupation" refers to old international legal doctrines that once allowed nations to claim territory based on occupation. The historical context within which the treaty was drafted supports this position, as the concern of the time was colonization, not commercial use of space resources. As for private parties, they are specifically anticipated by the treaty: **Article VI states that States Parties bear international responsibility for activities by "non-governmental entities" as well as governmental agencies**.' 8 1 The fact that they are anticipated by the treaty but not included in the Article II prohibition on appropriation suggests that the treaty intended to prohibit only national appropriation of outer space resources.18 2 Those claiming that the treaty prohibits both national appropriation and appropriation by private parties can marshal their own textual argument. Article VI defines "national activities in outer space" to include both "activities . .. carried on by governmental agencies" and those carried on by "non-governmental entities." 8 3 This definition of "national" must inform Article II's prohibition on "national" appropriation and thus extend to a nation's citizens **and commercial entities** as well as governmental activities. Moreover, a contrary interpretation defies logic: **if nations themselves may not claim property rights to outer space objects, they have no power to confer those rights on their nationals.**184

#### Negate –

#### 1] Limits – their interp explodes the topic to include affs about using space for any single purpose, like space-based solar power, helium and REMs on the Moon, space tourism, and climate adaptation satellites – explodes limits – topic lit is concerned with sovereignty over space and space colonization broadly, privileges the aff by stretching pre-tournament neg prep too thin and precludes nuanced case negs that rigorously test the aff

#### 2] Precision – Justifies the aff arbitrarily doing away with words in the resolution which allows affs about anything from public appropriation affs to airspace and many more which decks predictability – prefer our interp for topic relevance, the OST is the most prominent space non-appropriation agreement and topic debates should be relevant to the real world.

**Drop the debater – their abusive advocacy skewed our 1NC construction, allowing 1AR restart doesn't solve**

**Competing interps on T – A] topicality is a yes/no question, you can’t be reasonably topical B] norm-setting -- reasonability is arbitrary and invites judge intervention C] reasonability causes a race to the bottom of questionable argumentation D] “don’t be extra-t” isn’t an unprdictable bidirectional interp and is very simple to meet E] the point of the 1AR is to respond to the neg, make offense, and go for substance**

# K

#### The aff’s drive to prevent extinction is a form of masculine survivalism where gendered bodies become the unwilling tools to sustain humanity. You should refuse their obsession with patriarchal reproduction.

Mitchell, 15

(Audra Mitchell, Audra Mitchell is a settler scholar who lives and works on the Ancestral and treaty lands of the Neutral (Attawandaron), Haudenosaunee and Mississaugas of the New Credit (please see Honouring the Land). She currently holds the the Canada Research Chair in Global Political Ecology at Wilfrid Laurier University. From 2015-18 she held the CIGI Chair in Global Governance and Ethics at the Balsillie School of International Affairs Audra is an Associate Professor at Wilfrid Laurier University, Canada, 8-3-2015, "Gendering extinction," Worldly, <https://worldlyir.wordpress.com/2015/08/03/gendering-extinction/>, JKS)

The reproduction of survival/ the survival of reproduction

Extinction is almost always understood against the horizon of survival and the imperative to sustain it – at least for life forms deemed to be of value to humans. In many cases, this imperative takes the form of deliberate strategies for enforcing existence. Donna Haraway’s influential book When Species Meet devotes considerable attention to the logics, practices and politics of Species Survival Plans. These plans monitor and enforce reproduction amongst ‘endangered’ species, not least by collecting data on populations, genetic profiles and genetic materials to enable selective breeding. This strategy assumes that all organisms can, should, and can be made to exercise their reproductive capacities in order to resist extinction, and it actively mobilizes members of ‘endangered species’ into this project. In so doing, it helps to entrench norms regarding gender, sexuality and reproductive labour that are deeply entrenched in modern, Western human cultures. Attention to these programmes highlights an important way in which extinction is gendered in dominant scientific and policy frameworks. Specifically, strategic breeding programmes share in the belief that reproduction is an imperative for those capable of reproducing if ‘the species’ is at risk’. This belief is directly related to Western norms of the reproductive imperative for women. Indeed, Haraway points out that it is precisely “‘woman’s’ putative self-defining responsibility to ‘the species’ as this singular and typological female is reduced to her reproductive function”. In a similar sense, within SSPs and other strategies of enforced survival, entire life forms are reduced to their reproductive capacities. Moreover, programmes of enforced survival can, in the context of sexual reproduction, disproportionately burden female organisms with the task of avoiding extinction. This logic is particularly fraught in discussions of the possibility of human extinction, in which female fertility (captured in the standard policy language of ‘births per woman’) is framed simultaneously as a threat to survival, and the only hope for escaping extinction (see, for instance, Alan Weisman’s comments on this). In these ways, the securitization of survival entrenches the intersectional categories of gender, species and race discussed above. Dominant discourses of extinction and conservation also entrench and privilege sexual reproduction, in ways that entrench heteronormative assumptions and norms. This is reflected in the way that the subjects of extinction and conservation are framed. The standard object of conservation is the biological ‘species’, a term which is defined by the ability of organisms to reproduce sexually. As Myra Hird has pointed out, this conception of ‘species’ makes it appear as if sexual reproduction is the ‘best’ means of sustaining the existence of a life form. However, Hird’s work demonstrates that Earthly life forms actually engage in myriad forms of reproduction, from the free exchange of DNA between bacteria to the hermaphroditic practices of some fish. The upshot of these arguments is that Earthly life is sustained through a huge variety of reproductive activities that do not conform to biological understandings of life processes or species. Crucially, Hird argues that there is no necessary hierarchy between forms of reproduction. In Darwinian terms, all species that manage to survive are equally successful. However, by conflating survival with sexual reproduction, existing discourses of extinction embed hetero-normative frameworks that devalue other forms of reproduction. They also reduce reproduction to the imperative to survive, ignoring the myriad cultural, political, aesthetic, sensual and other dimensions of reproduction.

#### Framing space as a new province for “mankind” allows inequality to prevail – the aff using space as a scapegoat for existing problems creates a new world that reproduces structural imbalances and gendered dynamics in the formation of space law.

Steer, 20

(Cassandra Steer, Mission Specialist with the ANU Institute of Space (InSpace), and a Senior Lecturer at the ANU College of Law specialising in space law, space security and international law; (07-27-2020) “’The Province of all Humankind’ – A Feminist Analysis of Space Law”; https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3670381)//ckd

3. Law and Power in Space The unequal power dynamics of international law are made apparent through the critical lens provided by feminist and TWAIL approaches to international law. But even through slightly less critical lenses, many theories of international law-making will recognize that these processes respond to the demands of international relations at a given point in time, and to the shifts in power dynamics, as different issues or values come to the forefront (Boyle & Chinkin, 2007, p. 1; D’Aspremont, 2010). The assertions of objectivity and neutrality made by the traditional doctrine of sources are therefore laid bare in all sub-branches of international law, including space law. I have argued elsewhere that space law and space politics are determined by the same big players who dominate terrestrial geopolitics: in simple terms, the U.S. first, the EU second, with a counterweight from China and Russia (Steer, 2019, p. 756). As with any other area of international law and international relations, these powerful actors determine how issues are framed and what legal structures are (or are not) put in place. For example, in the year that the OST came into effect, Austria, Iran and Egypt proposed to the UN the establishment of a global space organisation, that could mimic the International Atomic Energy Agency, to monitor space activity and promote the spread of space technology to less-developed countries, in line with the notion that space should be for the benefit and in the interests of all (Moltz, 2014, p. 44). But because this was not in the interests of either of the super-powers, who had a monopoly over space and its governance and who were consumed with their race to the Moon, it did not gain any support from them. Another example is the functioning of the UN Committee on Peaceful Uses of Outer Space (COPUOS), the body under which all five core space treaties were successfully and rapidly negotiated during the Cold War. For many years now, COPUOS has been deadlocked on seeking multilateral solutions to current issues in space, such as the rising concern for weaponization, or access to and sale of natural resources in space. Part of the problem is that it is bound to make decisions by consensus – a process which was intended to ensure equality of all votes among nations, regardless of their relative power. But this only made sense at a time when there were fewer members, and a narrower range of concerns about activities in space, in the mid-twentieth century at the beginning of the space race (Lyall & Larsen, 2018, pp. 16–17). Over time, with more members, it has become more difficult to come to consensus on any issues, and even the adoption of the non-binding Guidelines for the Long-Term Sustainability of Outer Space Activities took over a decade to agree upon (Working Group on the Long-term Sustainability of Outer Space Activities, 2019; Martinez, 2018). Often commentators will point to the fact that there have been no new space treaties since 1979, as evidence that there is no international appetite for new treaties. However as I have previously argued, this represents only the view of certain influential players, namely the U.S. and the allies which are tethered to it, because they are dependent upon it for national security or economic reasons: countries like Australia, Canada, much of the EU and the U.K. (Steer, 2019, p. 756). When the U.S. takes a position, tethered allies will follow suit. Issues where the U.S. position has thoroughly dominated include the rejection of a proposed Treaty for the Prevention of the Weaponization of Outer Space (PPWT), and resolutions before the UN General Assembly on the Prevention of an Arms Race in Outer Space (PAROS). China and Russia have co-sponsored draft PPWT texts before the Conference on Disarmament, but the U.S. has consistently rejected them, due largely to the fact that these proposals come from its greatest opponents. In 2018, the U.S. was the only country to vote no to all four resolutions proposed at the UN General Assembly on PAROS (Report of the First Committee, 2018; Meyer, 2018), and in 2019, the U.S. opposed discussions in a dedicated UN Group of Government Experts on PAROS, where there was general agreement about the need for an arms control treaty for space (Patriota, 2019, p. 757; Steer, 2019). The U.S. position also clashed with the position of the EU on the tail end of the negotiating process working towards a non-binding International Code of Conduct for Outer Space Activities (ICoC) in 2015 (Proposal for an International Space Code of Conduct, Draft, 2014). Despite having supported the initiative at its inception in 2008, the U.S. was unable to force the inclusion of a provision on the right to use force in self-defence, and as a result decided to jettison it’s support (Johnson, 2014; Meyer, 2015). The ICoC also faced pushback from the Global South, but for different reasons. The ICoC had originated as an EU initiative, and in its earliest iterations many developing countries objected to the Euro-centric procedures and selection of issues. To its credit, the EU responded to these critiques with a series of open-ended consultations in various regions of the world, before inviting all members of the UN to attend an international negotiation process in 2015. However, the concerns about process had not been addressed to the satisfaction of Brazil, Russia, India, China and South Africa (BRICS), who stated jointly that “the elaboration of such an instrument should be held in the format of inclusive and consensus-based multilateral negotiations within the framework of the UN” (BRICS Joint Statement, 2015). These countries took the opportunity to assert some power over a process that is typically represented the power imbalance of international law and international relations, and as a result the EU process – and ultimately the ICoC – failed. These examples demonstrate the importance of taking into account the current realities of international relations and international law when seeking to govern space in the twenty-first century. As feminist critiques have shown, law cannot be separated from the political, cultural, economic, and historical context in which it plays out, and in which the nations and people exist who are affected by the law. Already in 1968, the Secretary of the UN at the time, U Thant, warned “that the space age is increasing the gap between the developed and developing areas of the world at an alarming rate” (Note by the Secretary General Report of the Committee on the Peaceful Uses of Outer Space, 1968, p. 10) It is clear from the processes outlined here that certain countries are unwilling to let the power imbalance remain the status quo. This should be applauded, because that status quo keeps many nations out of the space race altogether, and limits the benefits they receive from human activities in space, in spite of the promise of the OST that space shall be the province of all. It is clear, therefore, that the pretenses of international law as being neutral, objective, and universal are false, and that space law is as much an expression of power dynamics as is any other area of law. There is no equality between countries, despite the notion of formal equality as a value underpinning international law, and the status quo is determined by interests of a small handful of countries which have managed to institutionalize the power they held at the close of the Second World War. There is no equal access to space, nor is there distribution of the benefits derived from space, despite this being a promise of the OST. Space is far from being the “province of all mankind”. Indeed, space is even further from being the province of all humankind. Access to, benefits from, and governance over space is the province of an elite few, and within those few there is a gender imbalance which mirrors the geographical imbalance. At the time that the OST was drafted, not only were there no women at the negotiating table, but under the U.S. programme, women were excluded from being able to become astronauts. To become an astronaut, one had to be a military test pilot, a profession from which women were banned (Koren, 2017). There was a strong lobbying campaign, led by highly qualified women pilots, to convince NASA and the White House to allow women to become astronauts (Klein, 2017), and a clandestine “Women in Space” program was bankrolled by the pioneering pilot Jackie Cochran Electronic copy available at: https://ssrn.com/abstract=3670381 DRAFT July 2020 – Do Not Cite 24 (Weitekamp, 2004). In this program, a number of women were selected by Dr. Randolph Lovelace, a contractor to NASA who led the physical tests and training for astronauts, to undergo the exact same training as the men, because he suspected women would be better candidates for space travel, due to our generally lighter weights and lower need for oxygen. A higher percentage of women passed the tests than men, and many of the women performed better than the male trainee astronauts. However, despite the test results, the deeply engrained sexism of the time prevailed. Apparently Lovelace’s motives may have been focused on the need for women as secretaries and assistants in future long-term space habitations (Weitekamp, 2004). When “Women in Space” candidate Jerrie Cobb testified before a congressional subcommittee in 1962, she stated “we seek, only, a place in our nation’s space future without discrimination” (Klein, 2017), but astronaut John Glenn testified that creating a programme to train women astronauts would compromise the race to land on the Moon before the Soviets. Moreover, he argued “the men go off and fight the wars and fly the airplanes and come back and help design and build and test them. The fact that women are not in this field is a fact of our social order.” (Weitekamp, 2004; Klein, 2017). Ultimately the lobbying campaign failed, and the Women in Space program was shut down because NASA did not sponsor it. One year later, the first woman in space was a Soviet woman, Valentina Tereshkova, in March 1963. The Soviets had beaten the Americans in yet another milestone in the space race, ostensibly breaking the glass ceiling for women’s participation. However, she was not to be followed by another woman until 1982, when Svetlana Savitskaya flew on a mission to the Soviet Salyut Space Station. Upon her arrival, Savitskaya was handed an apron by her crewmates, who “joked” that she should get to work in the kitchen. Despite this rude welcome, she went on to perform a series of highly skilled engineering tasks for which she had been trained, including testing a tool for welding in space, and becoming the first woman to undertake a spacewalk (Lewis, 2018). Women are still vastly underrepresented in all STEM careers, and in the entire space sector generally, as well as at all international negotiating tables and in national law-making. It matters, then, a great deal, who has the power to determine the laws and norms applicable to human activity in space. If we are at all serious about the promises of the OST, then this power balance must shift. We must take into account the interests of many more players than just the most geopolitcally influential as we seek new space law and governance solutions to today’s and tomorrow’s space activities. It starts with making explicit that space is not at all “the province of all mankind”, let alone the province of all humanity.

#### The impact is hypermasculine war-making—claims of objectivity are patently flawed because they are based in gendered decision-making.

Sjoberg, 13

(Laura Sjoberg, associate professor of Political Science @ University of Florida, University of Chicago; Ph.D., University of Southern California School of International Relations; J.D. Boston College Law School, Gendering Global Conflict: Toward a Feminist Theory of War Chapter: “Relations International and War(s),” Gendered Lenses Look at War(s), googlebooks, JKS)

Feminist scholars have also interrogated the unitary nature of the state, pointing out that efforts to maximize the state's security interests often threaten the security of people inside the state. Specifically, as I discussed in the previous section, the state's most marginalized citizens are often made insecure by state security-seeking, making it clear that a state does not have a single interest in interstate interaction but many that conflict. J. Ann Tickner contends that "an explanation of the historical development of state sovereignty and state identities as they have evolved over time does indeed suggest deeply gendered constructions that have not included women on the same terms as men." This is because, according to Tickner:¶ From the time of their foundation, states have sought to control the right to define political identity. Since their legitimacy has constantly been threatened by the undermining power of subnational and transnational loyalties, states' survival and success have depended on the creation and maintenance of legitimating national identities; often these identities have depended on the manipulation of gendered representation. . . . Drawing on metaphors that evoke matrimonial and familial relations, the nation has been portrayed as both male and female. . . . The sense of community implicit in these family metaphors is deeply gendered in ways that not only legitimate foreign policy practices but also reinforce inequalities between men and women.”¶  ¶ Using these gendered metaphors, the state can, while shoring up its "national interest," both threaten the interest of marginalized citizens inside it and reinforce power inequalities among its groups. Catherine MacKinnon has explained that the "state's structures and actions are driven by and institutionalize strategy based on an epistemic angle of vision" that can "distinguish public from private, naturalize dominance as difference, hide coercion beyond consent, and conceal politics beyond morality.” These structures require a certain standard of behavior from some members of the state,” while suppressing the voices of others altogether.”¶ With these tools, the state can appear unitary by suppressing its diversity and presenting one concept of national interest, autonomous of and not necessarily representative of its citizens. In this understanding, the sovereign state can be "an extension of the separation-minded realist man, also autonomous to various degrees from the diverse 'domestic' interests he-it allegedly exists to protect.” Additionally, states are complicit with gender subordination when they fail to intervene in domestic violence, perpetuate a heterosexist bias in education, exercise discrimination in welfare policies, and operate on patriarchal laws.” ¶ In this conception, the unitary state is a misleading and malignant construction. Two implications for the process of state interaction follow; states that interact often promote unrepresentative interests, and those unrepresentative interests exclude gender, racial, and cultural minorities. In this sense, states' elites often make wars (or fail to) "representing" a limited group or groups among their populations, while claiming full representativeness, effectively rendering a significant portion of their supposed "constituency" invisible in the process of interacting with other states. Empirically, this means that there are a number of levels of interstate interaction, many of which are omitted from process-based notions of dyadic war theorizing. Normatively, it suggests that our conceptions of how states interact (and the content of those interactions) are problematically skewed.¶ Rationality in Interaction This skew is particularly evident in the assumption of rationality." The rationality assumption implies that the knower/actor can separate himself/herself from the “other” in interactions with that other. Feminists have argued that knowledge is always perspectival and political; therefore, states and their leaders’ decisions about how to interact with others are not rational, but informed by their situational and political biases. In this view, the rationality assumption may be seen as at once itself a political bias and obscuring other political biases. As Naomi Scheman argues, perceived rational cost-beneﬁt analysis about war-making and war-fighting should “always be seen as especially problematical when... constructed only by those in positions of privilege... [which provide] only distorted views about the world.”78 In this view, rational calculation is not an objective, attainable, and desirable end, but a partial representation of both interest and actors’ representation of those interests. In this way, through gender lenses, rationality has been seen as importantly incomplete, leaving out signiﬁcant (if not the most significant) factors that go into decision-making.79 In addition to understanding the rationality assumption as partial (and therefore unrepresentative), feminist research has pointed out links between rationality and mascuIinism.8° As Karen Jones notes, advocates of rationality as a guide for interstate interactions“ assume: 1. Available... conceptions of rationality and reason represent genuinely human norms and ideals; 2. The list of norms and ideals contained within available conceptions of rationality and reason are sufficiently complete; and 3. The external normative functions assigned to reason and rationality are unproblematic.82 Looking through gender lenses shows problems with each of these assumptions. Feminists have argued that “the identity of the modern subject-in models of human nature, citizenship, the rational actor, the knowing subject, economic man, and political agency-is not gender-neutral but masculine (and typically European and heterosexua|).”83 This impacts not only how we see the rational subject, but how we predict and understand his decisions, at the state level as well as at the individual level. According to Margaret Atherton, the possibility of rationality has “been used in a disturbing fashion to mark a gender distinction. We have, for example, on the one hand, the man of reason, and, on the other, the woman of passion.”84 In rationality assumptions, traits associated with masculinity are normalized and traits associated with femininity are excluded. The impact is compounded because (masculinized) rationality and its (feminized) alternatives are not on equal playing ﬁelds. As a result, Karen Jones notes that “women’s assumed deficiency in rationality” has been used to exclude both women and knowledge associated with femininity from accepted views of the world.85 The alleged gender neutrality of rationality, then, “is often a covert form of privileging maleness”85 and omission of “what has traditionally counted as ‘feminine.’”87 Still, adding women and values associated with femininity to current concepts of rationality is unlikely to create a gender-neutral concept of rationality.88 This is because, epistemologically, the sovereign rational subject constructs artificial gendered boundaries between rationality and emotion, male and female, and knower and known.89 Among states, those boundaries are not benign. Instead, they breed competition and domination that inspire and foster war(s) and conﬂict(s).90 This competition frequently relies on contrasting the state’s own masculinity to the enemy’s (actual or perceived) femininity. This cycle of genderings is not a series of events but a social continuum. In these gendered relationships, as Zillah Eisenstein argues, “gender differentiation will be mobilized for war and peace,” especially moving forward into the age of an American empire focused on manliness.9‘ Feminists have long argued that competitions between hegemonic masculinities and subordinate masculinities play a role in causing war(s).92 Hidden beneath the assumed independence, rationality, and unity of state interaction leading to war are gendered interstate interactions that cause, constitute, and relate to war and wars. Feminist scholars have recognized the extent to which the preeminence of masculine values dominates (particularly conﬂictual) accounts of interstate interactions, wherein “rational” interactions often become “a self-reproducing discourse of fear, suspicion, anticipated violence, and violence” in which “force is used to checkmate force.”93 Interstate interactions leading to wars often show the gendered nature of war narratives, war logics, and war languages, which produce (and reproduce) gendered cycles of violence.

#### The alternative is to reject the aff in favor of an ontological revisionism that deconstructs the myth of the masculine western subject. This is a politics that destabilizes the masculine subject by revealing how its false universality underwrites gender violence globally.

Youngs, 4

(Gillian, Professor of Digital Economy at the University of Brighton, Feminist International Relations: a contradiction in terms? Or: why women and gender are essential to understanding the world ‘we’ live in\*, International Affairs, 80, pgs 77-80, JKS)

This discussion will demonstrate, in the ways outlined above, the depth and range of feminist perspectives on power—a prime concern of International Relations and indeed of the whole study of politics. It will illustrate the varied ways in which scholars using these perspectives study power in relation to gender, a nexus largely disregarded in mainstream approaches. From feminist positions, this lacuna marks out mainstream analyses as trapped in a narrow and superficial ontological and epistemological framework. A major part of the problem is the way in which the mainstream takes the appearance of a pre- dominantly male-constructed reality as a given, and thus as the beginning and end of investigation and knowledge-building. Feminism requires an ontological revisionism: a recognition that it is necessary to go behind the appearance and examine how differentiated and gendered power constructs the social relations that form that reality. ¶ While it may be empirically accurate to observe that historically and contemporaneously men have dominated the realms of international politics and ¶ economics, feminists argue that a full understanding of the nature of those realms must include understanding the intricate patterns of (gendered) inequalities that shape them. Mainstream International Relations, in accepting that because these realms appear to be predominantly man-made, there is no reason to ask how or why that is the case, stop short of taking account of gender. As long as those who adhere to this position continue to accept the sufficiency of the appearances and probe no further, then the ontological and epistemological limitations will continue to be reproduced. ¶ Early work in feminist International Relations in the 1980s had to address this problem directly by peeling back the masculinist surface of world politics to reveal its more complex gendered (and racialized) dynamics. Key scholars such as Cynthia Enloe focused on core International Relations issues of war, militarism and security, highlighting the dependence of these concepts on gender structures—e.g. dominant forms of the masculine (warrior) subject as protector/conqueror/exploiter of the feminine/feminized object/other—and thus the fundamental importance of subjecting them to gender analysis. In a series of works, including the early Bananas, beaches and bases: making feminist sense of international politics (1989), Enloe has addressed different aspects of the most overtly masculine realms of international relations, conflict and defence, to reveal their deeper gendered realities.3 This body of work has launched a powerful critique of the taboo that made women and gender most invisible, in theory and practice, where masculinity had its most extreme, defining (and violent) expression. Enloe’s research has provided one of the most comprehensive bodies of evidence for the ontological revisionism required of mainstream International Relations, especially in relation to its core concerns. ¶ When Enloe claimed that ‘gender makes the world go round’,4 she was in fact turning the abstract logic of malestream International Relations inside out. This abstract logic saw little need to take theoretical and analytical account of gender as a social force because in practical terms only one gender, the male, appeared to define International Relations. Ann Tickner has recently offered the reminder that this situation persists: ‘During the 1990s, women were admitted to most combat positions in the U.S. military, and the U.S. president appointed ¶ the first female secretary of state, but occupations in foreign and military policy- making in most states remain overwhelmingly male, and usually elite male.’5 ¶ Nearly a decade earlier, in her groundbreaking work Gender in International Relations: feminist perspectives on achieving global security,6 she had asked the kinds of questions that were foundational to early feminist International Relations: ‘Why is the subject matter of my discipline so distant from women’s lived experiences? Why have women been conspicuous only by their absence in the worlds of diplomacy and military and foreign policy-making?’ Tickner, like Enloe, has interrogated core issues in mainstream International Relations, such as security and peace, providing feminist bases for gendered understanding of issues that have defined it. Her reflection on what has happened since Gender in International Relations was published indicates the prominence of tensions between theory and practice. ‘We may have provided some answers to my questions as to why IR and foreign policymaking remain male-dominated; but breaking down the unequal gender hierarchies that perpetuate these androcentric biases remains a challenge.’7 ¶ The persistence of the overriding maleness of international relations in practice is part of the reason for the continued resistance and lack of responsiveness to the analytical relevance feminist International Relations claims. In other words, it is to some extent not surprising that feminist International Relations stands largely outside mainstream International Relations, because the concerns of the former, gender and women, continue to appear to be subsidiary to high politics and diplomacy. One has only to recall the limited attention to gender and women in the recent Afghanistan and Iraq crises to illustrate this point.8 So how have feminists tackled this problem? Necessarily, but problematically, by calling for a deeper level of ontological revisionism. I say problematically because, bearing in mind the limited success of the first kind discussed above, it can be anticipated that this deeper kind is likely to be even more challeng- ing for those in the mainstream camp. ¶ The second level of ontological revisionism required relates to critical understanding of why the appearance of international relations as predominantly a sphere of male influence and action continues to seem unproblematic from mainstream perspectives. This entails investigating masculinity itself: the nature of its subject position—including as reflected in the collective realm of politics— and the frameworks and hierarchies that structure its social relations, not only in relation to women but also in relation to men configured as (feminized) ‘others’ ¶ because of racial, colonial and other factors, including sexuality. Marysia Zalewski and Jane Parpart directly captured such an approach as ‘the “man” question in international relations’.9 I would like to suggest that for those sceptical about feminist International Relations, Zalewski’s introductory chapter, ‘From the “woman” question to the “man” question in International Relations’, offers an impressively transparent way in to its substantive terrain.10 Reflecting critically on the editors’ learning process in preparing the volume and working with its contributors, both men and women, Zalewski discusses the various modifications through which the title of the work had moved. These included at different stages the terms ‘women’, ‘masculinity’ and ‘feminism’, finally ending with ‘the “man” question’—signalling once again, I suggest, tensions between theory and practice, the difficulty of escaping the concrete dominance of the male subject position in the realm of international relations. ¶ The project’s starting point revealed a faith in the modernist commitment to the political importance of bringing women into the position of subjecthood. We implicitly accepted that women’s subjecthood could be exposed and revealed in the study and practice of international relations, hoping that this would also reveal the nature of male dominance and power. Posing the ‘man’ question instead reflects our diminishing belief that the exclusion of women can be remedied by converting them into subjects.11 ¶ Adding women appeared to have failed to ‘destabilize’ the field; so perhaps critically addressing its prime subject ‘man’ head-on could help to do so. ‘This leads us to ask questions about the roles of masculinity in the conduct of international relations and to question the accepted naturalness of the abundance of men in the theory and practice of international relations’ (emphasis added).12 ¶ The deeper level of ontological revisionism called for by feminist Inter- national Relations in this regard is as follows. Not only does it press beyond the appearance of international relations as a predominantly masculine terrain by including women in its analysis, it goes further to question the predominant masculinity itself and the accepted naturalness of its power and influence in collective (most significantly state) and individual forms.

#### The K comes first - policies are constituted by and produce subjects, not blanket assessments of outcomes and impacts. The ROB is to interrogate the gendered nature of the 1AC as a research project.

Bacchi, 16

(Carol Bacchi, University of Adelaide, Adelaide, South Australia, Australia, (2016): Policies as Gendering Practices: Re-Viewing Categorical Distinctions, Journal of Women, Politics & Policy, DOI: 10.1080/1554477X.2016.1198207, JKS)

One important constitutive effect is how we are produced as subjects through the problematizations implicit in such texts, a process described as “subjectification” (Bacchi 2009, 16–17). For example, Foucault (1980) argues that specific problematizations of sexuality (e.g., sexuality as moral code, sexuality as biological imperative) create “subject positions” that enjoin people to become particular kinds of sexual subjects (see Howarth and Griggs 2012, 308). Marston and McDonald (2006) describe how individual subjects are produced in specific policy practices “as worker-citizens in workfare programs, as parent-citizens in child and family services or consumer-citizens in a managerial and marketized mixed economy of welfare” (3). Given the proliferation of practices, the formation of one’s subjectivity is an ongoing and always incomplete process: “the doer/subject/person is never fixed, finally as a girl or a woman or whatever, but always becoming or being” (Jones 1997, 267). Subjectification effects therefore are neither deter- mined nor predictable. People sometimes take up subject positions in ways that challenge hierarchical relations. For example, the discourse of rights creates as one possible positioning that of the human rights advocate. Moreover, as practices “through which things take on meaning and value” (Shapiro 1988, xi), policies have material (lived) effects, shaping the possibilities for people’s and peoples’ lives (Bacchi 2009, 16–18). Policies achieve these constitutive effects through discursive practices, which comprise the “conditions of emergence, insertion and functioning” of discourses (Foucault 1972b, 163), and hence bridge a material-symbolic distinction (Bacchi and Bonham 2014). A particular conception of power underpins an understanding of policies as constitutive practices. Power is conceptualized as productive rather than as simply repressive. Power is not considered to be something people possess (e.g., “he or she has power”) but as a capacity exercised in the production of subjects and objects (Heller 1996, 83). This productive or generative view of power does not conclude that power and resistance are necessarily equal in their effects, however. Such a conclusion would deny the hierarchies by which the organization of discourse takes effect (see Howarth and Griggs 2012, 310). This understanding of policy as constitutive of subjects and objects sits in sharp contrast to conventional views of the policy process, which, in the main, can be characterized as reactive. That is, in general, policy is considered to be a response to some condition that needs to be ameliorated or “fixed.” Policies are conceived as “reactions” to “problems.” By contrast, the understanding of policy offered in this article portrays policies as constitutive or productive of (what are taken to be) “problems,” “subjects,” and “objects” (Allan 2010, 14). It follows that it is no longer adequate to think in terms of conventional policy “outcomes,” understood as the results or “impacts” of government actions. New questions are required, such as the following: What does the particular policy, or policy proposal, deem to be an appropriate target for intervention? What is left out? How does the shape of the proposal affect how people feel about themselves and the issue? And how does it produce them as particular kinds of subjects?