### 1AR – Moen

#### Their scholarship is hateful and a reason to lose the round—their author endorsed pedophilia and actively advocated for pedophilic content.

Moen 15 [Moen, O. M. (Professor of Ethics at Oslo Metropolitan University). “The ethics of pedophilia”. Etikk I Praksis - Nordic Journal of Applied Ethics, 9(1), 111-124. 2015-05-09. Accessed 2/2/2022. <https://www.ntnu.no/ojs/index.php/etikk_i_praksis/article/view/1718> //CHO]

If my arguments in this article are sound, then being a pedophile—in the sense of having a sexual preference for children—is neither moral nor immoral. Engagement in adult-child sex is immoralbecause it exposes children to a significant risk of serious harm, butit is perhaps not always blameworthy to the extent that we intuitively assume. Finally, the enjoyment of fictional stories and computer-generated graphics with pedophilic content is, in and of itself, morally acceptable. If these conclusions are correct, what practical implications follow? A central implication is that in dealing with pedophilia, our aim should not be to find outlets for our disgust and outrage, but rather, to minimize what is the real problem: harm to children. On the least revisionist side, the aim of reducing harm provides us with a good justification for upholding current bans on adult-child sex and child pornography. There are, however, also a number of more revisionist implications. One revisionist implication is that we should stop the outright condemnation of pedophiles. Condemning pedophiles for being pedophiles is unjust, and non-offending pedophiles, rather than deserving condemnation for their pedophilia, deserve praise for their admirablewillpower.4 Possibly, today’s condemnation also prevents pedophiles from telling health professionals about their attraction to children, and insofar as detection and counseling can help prevent abuse, this is very unfortunate. To prevent harm to future children, we would also be well advised to start teaching high school students not just what to do in case they are victims of sexual abuse (which, thankfully, we have started telling them over the last few decades), but also what to do in case they themselves are pedophiles. A certain percentage of high school students either are or will become pedophiles, and currently they are not given any advice on how to handle their sexuality. The production, distribution, and enjoyment of texts and computer-generated graphics with pedophilic content should almost certainly be made legal. Until or unless it can be shown that such texts and graphics lead to more adult-child sex, the justification for today’s widespread ban is weak.

#### Drop the debater—academic spaces have way too many sympathizers who ignore violence against children, and every act must be challenged in the most unflinching terms because anything else reinforces the epistemic bias in favor of rationalizing disgusting behavior.

Grant 18 [Alec Grant (Independent Scholar, retired from the Uiversity of Brighton where he was a Reader in Narrative Mental Health). “Sanitizing Academics and Damaged Lives” Mad In The UK, 12 April 2018. https://www.madintheuk.com/2018/12/sanitizing-academics-and-damaged-lives/ //WWDH]

Academics who sympathize with paedophilia constitute its intellectual public relations arm. Their role is to make child-adult sex presentable, more acceptable to the public, fit for polite society, sugar-coated, glossed with a scholarly veneer, sanitized. Snapshots of sanitizing academic activity from the last 40 years show how this seeps into and contaminates public policy, education and practice in insidious ways. This is done via the workings of power, privilege, perverse cronyism, and, as Pilgrim (2018) argues, as a result of widespread moral stupor and denial. It’s astonishing that this happens in the face of the psychological and development features of complex post-trauma which are often a consequence of child sexual abuse. By pathologizing adult survivors, often with the ‘Borderline Personality Disorder’ (BPD) tag, mainstream psychiatric business-as-usual plays out its role in suppressing the truth about the consequences of paedophilia among adult survivors. Pilgrim (2018) reminds us that care and mutuality are core ethical features of all sexual practices. As someone who was for many years associated with cognitive therapy, I’m interested in ‘cognitive, or thought distortions’, which are used by people in rationalising their behaviour in self-serving ways. We know from Pilgrim and many other writers, researchers and practitioners about the rationalisations of perpetrators of child sexual abuse and exploitation. They include: Children are not victims but willing participants; They want it; They enjoy it; It’s about friendship; It’s about love; It helps children develop and mature. According to Pilgrim (2018), the ‘heyday’ period of academic versions of such rationalisations was the 1970s. 1977 was the year of an unsuccessful lobby by French intellectuals to defend intergenerational sex. Included among these were the otherwise well-respected philosophers Jean-Paul Sartre, Simone de Beauvoir, Jaques Derrida, Roland Barthes and Michel Foucault. These figures were at the forefront of the use of academic authority to lobby governments to liberalise and decriminalise adult-child sexual contact. In 1978, Foucault took part in a France-Culture broadcast with two other gay theorists, Hocquengham and Danet, to discuss the legal aspects of sex between adults and children. They wanted a repeal of the law preventing this because they took the view that in a liberal (they really meant libertarian) society, sexual preferences generally should not be the business of the law. Foucault, Hocquengham and Danet made the following assertions: that children can, and have the capacity to, consent to such relations without being coerced into doing so; that abuse and post-abuse trauma isn’t real; that the law is part of an oppressive and repressive heteronormative social control discourse which unfairly targets sexual minorities; that children don’t constitute a vulnerable population; that children can and are capable of making the first move in seducing adults (they introduced here the category of ‘the seducing child’); that the laws against sexual relations between children and adults actually function to protect children from their own desires, making them an oppressed and repressed group; that – in the language of the sociologist Stanley Cohen – international public horror about sexual relations between adults and children is a form of moral panic which feeds into constructing the ‘paedophile’ as a folk devil, in turn provoking public vigilantism; that sex between adults and children is actually a trivial matter when compared with ‘real crimes’ such as the murder of old ladies; that many members of the judiciary and other authority figures and groups don’t actually believe paedophilia to be a crime; and that consent should be a private contractual matter between the adult and the child. Fast forward to 1981. The Paedophile Information Exchange (PIE) has been active for seven years. This was a pro-paedophile activist group, founded in the UK in 1974 and officially disbanded in 1984. The group, an international organisation of people who traded in obscene material, campaigned for the abolition of the age of consent. Dr Brian Taylor, the research director and member of PIE, and sociology lecturer at the University of Sussex produced the controversial book Perspectives on Paedophilia, which had the aim of enlightening social workers and youth workers about the benefits of paedophilia. Taylor, who identified as gay, advocated ‘guilt-free pederasty’ (sexual relations between two males, one of whom is a minor). He argued that people generally are hostile to paedophilia only because they don’t understand it, and If they did wouldn’t be so against it. So it was simply a matter of clearing up prejudice and ignorance.

# 1AC

## 1AC – Rawls vs Karan

### 1AC: Framework

#### **Justice requires that private entities don’t infringe on basic rights, liberties or opportunities**

Shelby 11 Tommie Shelbie [Professor of Philosophy @ Harvard], Winter 2011, "Justice & Racial Conciliation: Two Visions" American Academy of Arts & Sciences ,http://www.tommieshelby.com/uploads/4/5/1/0/45107805/racial\_conciliation.pdf DOA 1.19.22 CHO

The Civil Rights Act (1964) and the Voting Rights Act (1965) helped to break through the legal barriers to black inclusion in American social life, to curb discrimination, and to empower blacks politically. King thus proclaimed in Where Do We Go from Here? (1967) that many whites had come to accept racial equality, at least in principle, and to reject de jure segregation and discrimination. Nevertheless, troubling racial disparities–in income, education, wealth, employment, health, and poverty–caused by continuing discrimination and centuries of gross mistreatment and abuse, remained unaddressed. He argued that racist opposition was not the only reason these disparities had yet to be met with an adequate response. An equally if not more difficult obstacle was that most whites, even many who rejected racism, resisted racial justice measures that might have a personal cost. As King wrote, “The great majority of Americans . . . are uneasy with injustice but unwilling yet to pay a significant price to eradicate it.”3 In response to this resistance, King reminded us that meaningful attempts to bring about a just society have unavoidable costs. Quality education for all children, decent and well-paying jobs for adults, and the eradication of slums for the benefit of the poor require great resources. King was committed to the fundamental ideals of racial equality and integration. He understood the former as a demand of social justice that could be described in terms of two principles. First, each citizen, regardless of his or her race, should enjoy equal civic standing and the equal protection of the law. Justice does not permit second-class citizenship on the basis of race. Second, government should ensure that no one’s basic rights are curtailed or general life prospects reduced because of the racial prejudice of others. It is not enough that the state refrain from treating some citizens as if they were civic inferiors unworthy of equal concern and respect. Private individuals and associations must be made to follow suit, at least when individuals’ basic liberties or vital socioeconomic opportunities are at issue. Moving toward racial equality required a concrete policy of desegregation. The primary goal of desegregation was to abolish the unfair exclusions and prohibitions of Jim Crow, a social system that gave whites privileges and advantages they did not merit, deprived blacks of rights and opportunities they deserved, and generally stigmatized black people as inferior. To end discrimination in housing, education, employment, and lending, nondiscrimination laws needed to be enacted and scrupulously enforced. In the political sphere, achieving racial equality meant granting blacks the unfettered right to vote and hold political office.

#### **That necessitates a Rawlsian framework of systemic injustice that uses philosophical abstraction** for understanding material inequities.

Roberts interviews Shelby 18 Neil Roberts, (Political science at Williams) 1-2-2018, "Race, Injustice, and Philosophy: An Interview with Tommie Shelby," AAIHS, <https://www.aaihs.org/race-injustice-and-philosophy-an-interview-with-tommie-shelby/> DOA 1.19.21 CHO

Roberts: You examine the “dark ghetto,” explore the moral and political outlooks undergirding architects of American ghetto communities, highlight the Moynihan Report’s limits, and pose the problem of the existence of ghettos—asymmetrically pertaining to Blacks—as an issue of justice, and invoke W.E.B. Du Bois, John Rawls, and Nas to rethink this problem. In the process, you contrast two ways of studying the dark ghetto: the “medical” model and “systemic-injustice” model. Why should we distinguish these latter frameworks and engage with the aforementioned thinkers? Shelby: The medical model of social-scientific policy making, which attempts to solve social problems through narrowly targeted interventions, marginalizes questions of political morality that should not be ignored. The framework has three main pitfalls. There is the tendency to hold alterable features of society as fixed and then to suggest minor changes that leave an overall unjust system intact. This often leads to seeing resistance to the status quo as mere pathology or dysfunction. There is also the tendency to view unjustly disadvantaged people as in need of assistance but not as moral and political agents in their own right. And there is the tendency to focus solely on the problems of the poor (or to see the poor themselves as the problem) and therefore to lose sight of (or obscure) the numerous ways the privileged benefit from and are complicit in maintaining an unjust social structure. The systemic-injustice framework I defend aims to avoid these pitfalls. Du Bois’s The Philadelphia Negro (1899) is the first sophisticated social-scientific book on race and urban poverty in America (though he called U.S. ghettos “slums”), and it exemplifies the medical model of social reform. Du Bois fuses liberal technocratic intervention with Black elite noblesse oblige—a tendency he never fully abandoned despite his increasing radicalism in later years. Rawls provides, to my mind, the most comprehensive, compelling, and developed philosophical theory of justice we have. His theory is much more egalitarian than many have appreciated (for instance, he rejects welfare-state capitalism), and despite the theory’s abstractness, it has great relevance for thinking about the ghetto. His idea of the “basic structure” as the central unit of evaluation and his emphasis on fair cooperation among equals in particular have had a large impact on my thinking. Nas is an exemplar of a form of expressive resistance to ghettoization that I call “impure dissent”—and he is also on any defensible top-five list of MC’s.

#### Thus the standard is *consistency with the Systemic Injustice model.* Actions by private entities are unjust if they infringe on other agents’ rights or liberties.

#### Prefer additionally

#### 1 – Starting point – every other ethical FWK relies on a conception of what is just or unjust before describing how to create an ethical system that maximizes those outcomes or prevents infringement on it. Any normative or ethical system requires an epistemology of values as the grounding wire. Anything else is impact justified and circular which collapses.

#### 2 –Equality is a prereq to moral evaluations – anything else justifies moral exclusion – psychology proves. Winter and Leighton 99

Deborah DuNann Winter and Dana C. Leighton. Winter [Psychologist that specializes in Social Psych, Counseling Psych, Historical and Contemporary Issues, Peace Psychology. Leighton: PhD graduate student in the Psychology Department at the University of Arkansas. Knowledgable in the fields of social psychology, peace psychology, and Justice and intergroup responses to transgressions of justice] “Peace, conflict, and violence: Peace psychology in the 21st century.” Pg 4-5

Finally, to recognize the operation of structural violence forces us to ask questions about how and why we tolerate it, Those outside our group lie outside our scope of justice. Injustice that would be instantaneously confronted if it occurred to someone we love or know is barely noticed if it occurs to strangers or those who are invisible or irrelevant. We do not seem to be able to open our minds and our hearts to everyone, so we draw conceptual lines between those who are in and out of our moral circle. Those who fall outside are morally excluded, and become either invisible, or demeaned in some way so that we do not have to acknowledge the injustice they suffer. Moral exclusion is a human failing, but Opotow argues convincingly that it is an outcome of everyday social cognition. To reduce its nefarious effects, we must be vigilant in noticing and listening to oppressed, invisible, outsiders. Inclusionary thinking can be fostered by relationships, communication, and appreciation of diversity. Like Opotow, all the authors in this section point out that structural violence is not inevitable if we become aware of its operation, and build systematic ways to mitigate its effects. Learning about structural violence may be discouraging, overwhelming, or maddening, but these papers encourage us to step beyond guilt and anger, and begin to think about how to reduce structural violence. All the authors in this section note that the same structures (such as global communication and normal social cognition) which feed structural violence, can also be used to empower citizens to reduce it. In the long run, reducing structural violence by reclaiming neighborhoods, demanding social justice and living wages, providing prenatal care, alleviating sexism, and celebrating local cultures, will be our most surefooted path to building lasting peace.

#### 3 – Embodiment

#### A] Reconciliation of ideal equality of agency creates a frame of reference that condemns desire and impulse

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

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

#### B] Neuroscience – Abstraction creates empathy and activates egalitarian moral reasoning pathways that curtail ethical egoism.

FeldmanHall 12 FeldmanHall, Oriel et al. “Differential neural circuitry and self-interest in real vs hypothetical moral decisions.” Social cognitive and affective neuroscience vol. 7,7 (2012): 743-51. doi:10.1093/scan/nss069 CHO

This study examined the moral dynamic of self-gain vs other-welfare during real and hypothetical conditions. Our behavioral results show that moral decisions with real consequences diverge from hypothetical moral choices, verifying the ‘hypothetical bias’ effect (Kang et al., 2011). Compared with imagining their moral actions, people who make moral decisions under real conditions keep more money and inflict more pain on another subject. Although the research exploring real moral action is limited (Moll et al., 2006; Baumgartner et al., 2009; Greene and Paxton, 2009), our results stand in stark contrast to findings demonstrating that people act more morally than they think they will (Teper et al., 2011). Our results also contradict the accumulated research illustrating a basic aversion to harming others (Greene et al., 2001; Cushman et al., 2012). We contend that this is likely due to the fact that many of the moral scenarios used within the moral literature do not pit the fundamental motivation of not harming others (physically or psychological) against that of maximizing self-gain (Haidt, 2007). Accordingly, our findings reveal that engaging the complex motivations of self-benefit—a force endemic to many moral decisions—can critically influence moral action. Our fMRI results identify a common neural network for real and hypothetical moral cognition, as well as distinct circuitry specific to real and imagined moral choices. Moral decisions—regardless of condition—activated the insula, MCC and dorsal TPJ, areas essential in higher order social processes, such as empathy (Singer et al., 2004). This neural circuitry is well instantiated in the social neuroscience literature and fits with the findings that moral choices are influenced by neural systems whose primary role is to facilitate cooperation (Rilling and Sanfey, 2011). The TPJ has been specifically implicated in decoding social cues, such as agency, intentionality and the mental states of others (Young and Saxe, 2008). For example, TPJ activation correlates with the extent to which another’s intentions are taken into account (Young and Saxe, 2009) and transiently disrupting TPJ activity leads to interference with using mental state information to make moral judgments (Young et al., 2010). Although there is a large amount of research indicating that the TPJ codes for our ability to mentalize, there is also evidence that the TPJ activates during attentional switching (Mitchell, 2008). In addition, one study revealed that patients with lesions to the TPJ do not show domain-specific deficits for false belief tasks (Apperly et al., 2007). Although these differential findings suggest that the specific functionality of the TPJ remains unclear, we propose that TPJ engagement during real and imagined moral decisions suggests a similar mentalizing process is at play in both real and hypothetical moral decision-making: when deciding how much harm to apply to another, subjects may conscript a mental state representation of the Receiver, allowing them to weigh up the potential consequences of their decision. This neural finding reinforces the role of the TPJ—and thus the likely role of mental state reasoning and inference—in moral reasoning. However, we also found distinct neural signatures for both real and imagined moral decisions. In line with the literature, hypothetical moral decisions were specifically subserved by activations in the PCC and mPFC—regions also implicated in prospection, by which abridged simulations of reality are generated (Gilbert and Wilson, 2007). Although the overall pattern of brain activation during these hypothetical moral decisions replicates the moral network identified in previous research (Greene et al., 2001), the fact that the PCC and mPFC are activated both during prospection and during hypothetical moral decision-making implies that this region is recruited for a wide spectrum of imagination-based cognition (Hassabis and Maguire, 2009). Thus, either hypothetical moral decisions and imagination share a similar network or hypothetical moral decisions significantly rely on the imperfect systems of prospection and imagination. Further research exploring whether the PCC and mPFC are specific to hypothetical moral decisions, or recruited more generally for imagining future events, would help clarify their roles within the moral network. In contrast, real moral decisions differentially recruited the amygdala. These results are consistent with the vast literature implicating the amygdala in processing social evaluations (Phelps, 2006), emotionally relevant information (Sander et al., 2003) and salient stimuli (Ewbank et al., 2009). Research on moral cognition further implicates amygdala activation in response to aversive moral phenomena (Berthoz et al., 2006; Kedia et al., 2008; Glenn et al., 2009); however, this finding is not systematically observed in moral paradigms (Raine and Yang, 2006). In line with the literature, it is possible that in the Real PvG task the amygdala is coding the aversive nature of the moral decision; however, distress ratings indicated that both conditions were perceived as equally aversive. Accordingly, an alternative interpretation is that the amygdala is monitoring the salience, relevance and motivational significance (Mitchell et al., 2002) of the real moral choice space. Decisions, which produce real aversive consequences (i.e. lose money or harm another), are far more salient and meaningful than decisions that do not incur behaviorally relevant outcomes. The amygdala is also commonly recruited for decisions which rely on social signals to emotionally learn positive and negative associations (Hooker et al., 2006). It is possible that the amygdala activation found for real moral decisions is signaling reinforcement expectancy information of both the positively (self-benefit) and negatively (harm to another) valenced stimuli (Blair, 2007), which then subsequently guides behavior (Prevost et al., 2011). This theory not only accounts for the differential behavioral findings between the real and hypothetical conditions but also it is consistent with the more general theoretical consensus regarding human moral cognition (Moll et al., 2005), which emphasizes how lower order regions like the amygdala modulate higher order rational processes (Dalgleish, 2004). Our fMRI results further indicate that there are dissociable neural mechanisms underlying selfish and pro-social decisions. In the Real PvG, decisions that maximized financial benefit (selfish decisions) correlated with activity in the OFC, dlPFC and dACC—regions that support the integration of reward and value representations (Schoenbaum and Roesch, 2005), specifically monetary gain (Holroyd et al., 2004) and loss (Bush et al., 2002). Furthermore, the dACC was found to negatively correlate with empathic concern scores and positively correlate with self-reported similarity ratings in the Real PvG task. Together, this suggests that the dACC may be monitoring conflicting motive states (Etkin et al., 2011). However, the dACC has been further implicated in a variety of other functions, including emotion regulation (Etkin et al., 2011), and weighing up different competing choices (Mansouri et al., 2009). Thus, it is equally plausible that the dACC is processing the conflicting negative emotions involved with choosing to harm another for self-gain (Amodio and Frith, 2006). In the PvG task, the morally guided choice is to give up the money to prevent harm to another. Unlike selfish decisions, such pro-social decisions showed significantly greater activation in the rACC/mPFC and right temporal pole, demonstrating that the nature of real moral decisions can be predicted by dissociable networks within the PFC. The rACC/mPFC is a structure engaged in generating empathic feelings for in-group members (Mathur et al., 2010) and for coding feelings of altruistic guilt and distress during theory of mind tasks (Fletcher et al., 1995). Clinical data have also shown that lesions to this area stunt moral emotions, such as compassion, shame and guilt, and contribute to overall deficits in emotional processing (Mendez and Shapira, 2009). In fact, research has demonstrated the rACC/mPFC as a region that responds specifically to the aversion of not harming others (Young and Dungan, 2011). Based on this, we propose that the rACC/mPFC activation found for pro-social decisions could be attributed to the empathic response generated by the emotional aversion (distress) of harming another—a key motivational influence and proximate mechanism of altruistic behavior. Theorists have pointed to the importance of studying moral cognition in ecological valid and consequence-driven environments (Casebeer, 2003; Moll et al., 2005). Our results illustrate that specific regions of the moral network subserve moral choices—regardless of whether they are real or imagined. However, we also found a divergence between real moral behavior and hypothetical moral intentions—which was reflected in the recruitment of differential neurobiological systems. Thus, if morality is a domain where situational influences and the impact of imminent, real consequences can sway our decisions, then it is crucial that cognitive neuroscience investigate moral decision-making under real conditions. This seems especially relevant in light of this new neurobiological evidence, supporting what the philosopher Hume presciently noted—‘the most lively thought is still inferior to the dullest sensation’ (Hume, 1977).

#### Impact Calc

#### 1] Injustice is defined as

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

absence of justice: violation of right or of the rights of another : UNFAIRNESS 2: an unjust act : WRONG

#### Two impacts

#### A] The sole aff burden is to prove that the appropriation of private entities in the squo is unjust

#### 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

#### “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

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 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



#### B] Side constraint – the resolution is a question of whether a particular system violates justice i.e. rights of fairness. That means that the aff doesn’t and shouldn’t defend anything beyond this question. The Neg burden is to prove that private appropriation in the squo doesn’t violate any rights and thus is just and fair.

#### 2] Reject Consequentialism

#### A] Post-hoc ergo propter hoc – just because X happened after Y is not sufficient to say that Y was caused by X.

#### B] Post-fiat consequences are irrelevant because we don’t advocate for a shift from the status quo which means impacts are NUQ

#### C] Actor Spec – there’s no actor OR action in the rez which means that its purely a question of systemic justice

#### D] Util is a theory of practical decision making and consequently fails as a theory of justice – it just doesn’t negate the rez

Austin 15 Michael W. Austin (PHD, professor in philosophy at Eastern Kentucky University), 6-8-2015, "What's Wrong With Utilitarianism?," Psychology Today, <https://www.psychologytoday.com/us/blog/ethics-everyone/201506/whats-wrong-utilitarianism> CHO

However, there are some weaknesses in this theory. Utilitarianism's primary weakness has to do with justice. A standard objection to utilitarianism is that it could require us to violate the standards of justice. For example, imagine that you are a judge in a small town. Someone has committed a crime, and there has been some social unrest resulting in injuries, violent conflict, and some rioting. As the judge, you know that if you sentence an innocent man to death, the town will be calmed and peace restored. If you set him free, even more unrest will erupt, with more harm coming to the town and its people. Utilitarianism seems to require punishing the innocent in certain circumstances, such as these. It is wrong to punish an innocent person, because it violates his rights and is unjust. But for the utilitarian, all that matters is the net gain of happiness. If the happiness of the many is increased enough, it can justify making one (or a few) miserable in service of the rest. Utilitarianism requires that one commit unjust actions in certain situations, and because of this it is fundamentally flawed. Some things ought never to be done, regardless of the positive consequences that may ensue.

#### 3] Bindingness is irrelevant – no ought in the resolution means its solely a question of whether something IS bad as opposed to what we should do. The alternative is a moral hazard because it would justify doing whatever you wanted which would result in repugnant behavior.

### 1AC: Contentions

#### 1] Fairness – private appropriation is constitutively an unjust enterprise

#### A] Private space colonization is not value-neutral but is facilitated by the cosmic elite that exacerbates existing structures of inequality.

Parker 09 [Martin Parker (Professor of Organization and Culture at the University of Leicester School of Management). “Capitalists in Space”. The Sociological Review (Vol. 57, No: s1, 83-97). 2009. Accessed 1/2/2022. <https://journals.sagepub.com/doi/10.1111/j.1467-954X.2009.01818.x> //Xu]

Dickens and Ormrod summarize these economically and political libertarian arguments as generally falling into five broad themes – the freedom of the individual; the centrality of growth for humankind and the requirement for access to unlimited resources; the inspirational effects on the rest of mankind; the inherent nature of human curiosity; and the possibility of peace on earth as a result of all the above (2007: 165 passim). In other words, we have wars and conflict on earth because there are too many people competing for scarce resources and being unable to express their curiosity and need for freedom. It's not a big jump from a defence of the frontier, as the only place where authentic humanity can be found, to a defence of the free market. This is a familiar translation, with freedom having both a spatial and an economic character. So, within the space libertarian community, there is much talk of deals with various companies – the media, venture capitalists speculating on future income, sponsors who want publicity and so on. In 2002, the libertarian Cato Institute of Washington DC published an edited collection entitled Space: The Free Market Frontier, which included a contribution from Dennis Tito (Hudgins, 2002). According to these authors, NASA is now the problem, and needs to be moved out of the way or convinced that commercialisation is the only way, and not relying on tax payers' dollars. NASA must become an organization that doesn't administer or regulate space, but assists in opening it up for private markets. This is a dramatic turnaround from a government-funded organization renowned for its arrogance and intellectual superiority. Even the Russians have shown the sort of entrepreneurial zeal more akin to American capitalism' (Kemp, 2007: 50) The rhetoric of the pioneer, and of the frontier, suggests that ordinary honest citizens will be able to stake their claims. However, as Dickens and Ormrod argue, these self-described space pioneers are not ordinary people, but members of a kind of ‘cosmic elite’ (2007: 4). Reading Kemp's description of the sort of people who are investing in these companies, it is easy to see what they mean (2007: 5). Added to Richard Branson are the founders of Amazon.com, Microsoft, Pay Pal, Compusearch and a smattering of games designers and hotel magnates. The entry level costs are huge, and the risks are gigantic. Even the people who might be travelling as space tourists will have to be very wealthy indeed. Virgin Galactic are currently asking $200,000 per flight, which is an expensive five minutes. Dickens and Ormrod's materialist analysis of the space industries concludes that off-earth capitalism is pretty much like capitalism on earth, in the sense that it runs into periodic crises that need to be fixed by the development and exploitation of new markets. These ‘fixes’ are necessarily temporary, but the promise of the ‘outer spatial fix’ is that it (potentially) opens a variety of ways in which capitalism might be extended beyond the boundaries of the earth. Adopting some ideas from the geographer David Harvey, they argue that the commodification of space allows for various circuits of capital to be re-imagined and a hegemonic model of neo-liberalism to spread skywards. The relation between the military industrial complex and the war state is crucial in this regard, with space technologies including surveillance satellites, missile guidance, and the ‘weaponization’ of space being obvious gains. This much is clear from NASA onwards. However, the link between (for example) military satellites and communications and monitoring devices is clearly a very close one. Hence, access to the military high ground also means access to surveillance and media power over the entire planet, and this goes for both states and ‘defence’ companies. A further circuit is that of space tourism, clearly a domain only accessible to the hyper-rich, but further markets include the exploitation of materials from the moon, asteroids or planets; solar energy; off-earth manufacturing; colonies and terraforming projects. All of these would come with their attendant spin-off industries, such as clearing up space junk, provisioning off-planet habitats, accounting and legal services, security and so on.

#### B] its apriori unequal because there is a finite amount of territory. Exclusively owning territory means other agents can’t own it which is not equal.

#### 2] The appropriation of outerspace requires private disinvestment of social funds on earth that could be used for welfare programs instead.

Loyd 15. Jenna M. 2015. "Whitey on the Moon: Space, Race, and the Crisis of Black Mobility." In Montegary, Liz and Melissa White, eds. Mobile Desires: The Politics and Erotics of Mobility Justice. Palgrave Pivot, 41-52. CHO recut

But Watts is a country which lies, psychologically, uncounted miles further than most whites seem at present willing to travel. (Pynchon, 1966) From the days of chattel slavery until today, the concept of travel has been inseparably linked in the minds of our people with the concept of freedom. (Robeson, 1988, original emphasis) In the 1960 presidential election, candidate John F. Kennedy invoked moon exploration to displace the salience of religious division by focusing on unifying issues, including the spread of Communism that was ‘fester[ing] only 90 miles from the coast of Florida’ and crises in family farms, hunger, and unaffordable medical care that ‘know no religious barrier.’ The real problem was ‘an America with too many slums, with too few schools, and too late to the moon and outer space.’ This listing of ‘real issues which should decide this campaign’ suggested urgent, yet equally solvable, concerns. The space race ratified a national challenge, suggesting that returning the gaze from this ‘new frontier’ to domestic problems was the next step for technoscientific progress. When Dr Martin Luther King spoke of the moon in 1967, he was a world away from Kennedy’s Cold War hopefulness (Jordan, 2003). He delivered his final speech, ‘Where Do We Go From Here?: Chaos or Community?’, to the Southern Christian Leadership Conference (SCLC) on the ten-year anniversary of the organization’s formation following the Montgomery bus boycott. Despite the gains of the civil rights move- ment, King concluded, ‘the Negro still lives in the basement of the Great Society.’ He went on to question the consonance between scientific and social progress that had seemed so central to Kennedy’s understanding of the nation: Today our exploration of space is engaging not only our enthusiasm but our patriotism.... No such fervor or exhilaration attends the war on poverty.... Without denying the value of scientific endeavor, there is a striking absurdity in committing billions to reach the moon where no people live, while only a fraction of that amount is appropriated to service the densely populated slums. If these strange views persist, in a few years we can be assured that when we set a man on the moon, with an adequate telescope he will be able to see the slums on earth with their intensified congestion, decay and turbulence. King concluded his remarks by asking: ‘On what scale of values is this a program of progress?’ (King, as cited in Gilroy, 1991 [1987], pp. 345–346). Spectacular Cold War images of space travel drew on and renovated a constellation of meanings associated with mobility that inform US national identity, including celebratory narratives of continental exploration, limitless possibility, and freedom. Kennedy did not see any conflict between mastering space travel and meeting domestic needs – each a concrete signification of American capitalist providence in the Cold War period. King’s speech marks both of these registers. His imagined telescopic view of the earth traverses an expansive scale of human possi- bility, but under Pax Americana, King finds that ‘common humanity’ is an ideological vision papering over the reality of grave economic and racial divisions. Even before a man (much less The Man) was on the moon, liberal and radical social critics alike were deploying a rhetorical device I call lunar criticism – ‘If we can put a man on the moon, we can do X, Y, or Z’ – to question US national priorities and narratives of progress. Liberal iterations of lunar criticism suggested that the gap between promise and practice could be bridged as part of fulfilling the national creed. Radical social critics argued that what appeared to be an incidental gap was in fact a racialized conflict. Reaching the moon began to look less like a virtuous American project than a white American project that furthered Black economic exploitation and abandonment. The space race as a spectacle of freedom and (white) upward mobility must be held in tension with the deepening ‘urban crisis’ (Beauregard, 2003). As both a powerful discourse and material geography, the urban crisis was constituted through Cold War investments in suburban housing, freeways, and defense industry construction, relative disinvestment in central cities, and through militarized, counter-insurgency responses to the urban unrest of the 1960s (Loyd, 2014). Yet, the interrelations between these spaces have been obscured through enduring spectacular productions of capitalist suburban hyper-mobility and ‘ghetto’ immobilization and backwardness (Siddiqi, 2010). As novelist Thomas Pynchon dissected, ‘Watts’ was another country to white Americans, represent- ing a psychological distance that white Americans were disinclined to travel. This chapter situates radical iterations of lunar criticism within the context of urban crisis and on the cusp of what Jodi Melamed, following Howard Winant, calls the post-World War II ‘racial break’ after which ‘state-recognized US antiracisms replaced white supremacy as the chief ideological mode for making the inequalities that global capitalism generated appear necessary, natural, or fair’ (Melamed, 2011, p. xvi). By contrast, race-radical antiracisms ‘have made visible the continued racialized historical development of capitalism and have persistently foregrounded antiracist visions incompatible with liberal political solutions to destructively uneven global social-material relations’ (p. xvii). In the spectacular treatment of urban uprisings, the space called the ‘ghetto’ ideologically and tactically cohered the problems of urban crisis, which were actually metropolitan (urban-suburban) in form and imperial in process. To develop this argument, I analyze the work of Gil Scott-Heron whose poetry, songs, and writing exemplify the race-radical tradition. His poem ‘Whitey on the Moon’ delivers a radical antiracist critique of the US space program that ties otherworldly investments to ongoing histories of Black forced im/mobility and immiseration. To that end, this essay responds to the call within the new mobilities scholar- ship to examine the ‘role of past mobilities in the present constitution of modern notions of security, identity and citizenship’ (Cresswell, 2012, p. 646). I begin by situating mobilities within post-war militarized spectacle and racial politics. I then move to an analysis of how race-radical lunar criticism grappled with the dialectics of urban crisis, which included the simultaneous deployment of rhetorics of mobility and new means of social control and state power. I conclude by exploring how Scott-Heron’s race-radical vision offers insights into contemporary mobilizations for mobility justice. Cold War spectacles of (upward) mobility What sort of national spectacle was the moon when King spoke? Spectacle tends to be understood as an ideological mask or distortion of reality, but Shiloh Krupar usefully conceptualizes spectacle as ‘a tactical ontology – meaning a truth-telling, world-making strategy’ (2013, p. 10). Indeed, in Blank Spots on the Map (2009), Trevor Paglen shows how NASA was the visible institutional face of an expansive and largely secret Cold War military geography. Krupar and Paglen show how US militarization has developed through institutional apparatuses and personnel that create a world of plausible appearances. Visuality and material landscapes are interconnected such that hypervisibility (that is, the space race) is a technological apparatus simultaneously creating unseen spaces of waste and sacrifice. Thus, spectacle is a tool of reification and division that works by disconnecting spaces and categories – delineating human from nature, valued from abjected – that are actually produced together. Caren Kaplan’s work on the visual logic of modern war-making connects such spectacles to the mobility of states and imperial citizens. Air power is an iteration of the cosmic view, a ‘unifying gaze of an omniscient viewer of the globe from a distance’ (Kaplan, 2006, p. 401). Kaplan ties this viewpoint – which claims universality, neutrality, and freedom ‘from bounded embeddedness on earth’ – to Euro-American colonization (Kaplan, 2006, p. 402; also see Cosgrove, 1994). Modern military ‘air power is seamlessly linked to the cosmic view through its requirements for a unified, universal map of the globe that places the home nation at the center on the ground and proposes an extension of this home to the space above it, limitlessly’ (Kaplan, 2006, p. 402). The upshot, according to Kaplan, is that the mobility of air power simultaneously produces an imagination of fixed sovereign territories. Indeed, for Kaplan, modern war is paradoxical in that it ‘requires the movements of large armies and instigates the mass displacement of refugees, yet it also polices borders and limits freedom of movement’ (p. 396). I take these theories of spectacle to suggest that the Cold War space race produced a modern, white, upwardly mobile subject that obscured the simultaneous co-production of an immobilized, unfree population confined to a knowable, tactical domestic space. That is, the militarization of the ‘cosmic view’ facilitates not only abstract targets of foreign war, but also targets of domestic state and state-sanctioned violence and confinement. The militarized logic of the ‘home front’ both coercively compels a patriotic citizen subject and obscures the racial, gender, class, and other social divides within the nation that belie the state’s claim to national unity (Lutz 2002; Young 2003; Loyd 2011). As the United States faced vulnerability to charges of racism during the Cold War, a cultural project of racial liberalism enabling mobility of the US empire would simultaneously entail efforts to confine Black mobility and dissident thought. For example, Rachel Buff (2008) shows how the US government deployed the terror of deportation as a means of disrupting political organizing. In the immediate post-World War II era, both W. E. B. Du Bois and Paul Robeson were barred from foreign travel for their views on peace, nuclear abolition, and decolonization (Kinchy, 2009; Robeson, 1988). The experience, no doubt, contributed to the observation that the Robeson epigraph makes on the race-radical desire for free mobility. Race-radical lunar criticism The United States would not make its lunar touch down until 1969 (after Kennedy’s and King’s assassinations), but King found a moon landing a more plausible future than a Second Reconstruction. And it was more plausible. By the time of his speech, long, hot summers of urban uprisings punctured the image of freedom and opportunity that the United States projected around the world. Moreover, the War on Poverty, while less than three years old, was virtually dead letter. The 1966 midterm elections ushered in legislators who claimed a mandate to terminate the War on Poverty and urban social investments. The ‘great rat debate’ of 1967 captured the level of political polarization as Congress quibbled over a miserly sum of ‘no more than $16.5 million to combat rodent infestations in ghetto neighborhoods.’ A year later, the Los Angeles Times observed, ‘[r]ats are still coexisting with the poor as comfortably as ever’ (Abramson, 1968). It is within this context that Gil Scott-Heron’s ‘Whitey on the Moon’ makes landing in 1970 on his first album, Small Talk at 125th and Lennox. The poem’s narrative arc is wryly humorous and brief, delivered in less than two minutes, with a simple drum accompaniment common in street poetry. Scott-Heron tells the story of sister Nell, who has been attacked by a rat even as Neil Armstrong lands on the moon: A rat done bit my sister Nell with Whitey on the moon. Her face and arms began to swell and Whitey’s on the moon. I can’t pay no doctor bills, but Whitey’s on the moon. Ten years from now I’ll be payin’ still while Whitey’s on the moon. Debts for Nell’s medical treatment, which would not have been incurred were there basic tenant rights and public health investments, will extend into the foreseeable future as costs for rent, food, and taxes will continue to rise to pay for the voyage. The final line of the song offers a sardonic resolution to the outlandish situation. When the next doctor bills arrive, he will forward them ‘air mail special to Whitey on the moon.’ Marvin Gaye’s 1971 song ‘Inner City Blues (Make Me Wanna Holler)’ likewise links high taxes and inflation to an imperial project that results in the devastation of Black lives: ‘Markets, moon shots, spend it on the have-nots/Money, we make it, ‘fore we see it, you take it.’ Scott-Heron and Gaye flip racist narratives of the welfare queen as responsible for poverty, naming instead state neglect and the theft of Black wealth. Their songs reclaim the value being appropriated to a desirable national project that denies it rests on Black expropriation and death. In this reading, the moon counters temporalities and spatialities of racial liberalism that rendered white supremacy as historical and anachronistic by insisting that American white supremacy is part of the modern geopolitical order. Visual artist Faith Ringgold also depicted this reality in her 1969 paint- ing of an American flag entitled ‘Flag for the Moon: Die Nigger.’ The word ‘die’ reads across the block of stars in the flag’s upper left corner. The stripes of the flag are formed by elongated black letters aligned from the bottom to the top edge of the flag, spelling out the word ‘nigger’ between the customary 13 red stripes. The painting’s message is three-fold: the use of black paint in place of white draws attention to the negative space between the lines to illustrate the tense interrelation between the invis- ibility of white supremacy and Black people to the history of the United States. Ringgold indicts the act of placing the flag on the moon as sending a spectacular message underscoring the abandonment of Black needs. Yet, the painting’s reference to H. Rap Brown’s Die, Nigger, Die! suggests the immediate tension between structural racism and the possibility for liberatory Black politics and identity (Patton, 1998, p. 198). ‘Whitey on the Moon’ is often cited as an expression of afrofuturism, which Mark Dery defines as a genre of Black social thought concern- ing ‘culture, technology, and things to come’ (Dery, as cited in Nelson, 2002, p. 9). For Kodwo Eshun, afrofuturism provides a ‘resource for speculation’ that traces the ‘potentiality of space and distance within the high-pressure zone of perpetual racial hostility’ (Eshun, 2003, p. 299). He explains that afrofuturism ‘uses extraterrestriality as a hyper- bolic trope to explore the historical terms, the everyday implications of forcibly imposed dislocation, and the constitution of Black Atlantic subjectivities: from slave to negro to coloured...to black to African to African American’ (pp. 298–299). In an afrofuturist reading, radical lunar criticism uses the vast physi- cal distance of the earth to the moon to imagine alternative futures to the gaping racial divides in earthly living conditions and well-being. As Stevphen Shukaitis suggests, ‘the imaginal machine based around space imagery is made possible by its literal impossibility. In the sense that this possibility cannot be contained or limited, it becomes an assemblage for the grounding of a political reality that is not contained but opens up to other possible futures that are not foreclosed through their pre-given definition’ (2009, p.107). Given the coloniality of the cosmic view and the simultaneous construction of Black ‘placelessness and constraint’ (McKittrick, 2011, p. 948), I suggest that Scott-Heron’s lunar criticism is not so much concerned with the otherworldly as a space for imagining the earthly impossible, but for assembling earthly sites of decolonization and liberation. Scott-Heron’s race-radical critique explores what Katherine McKittrick calls ‘spaces of encounter that hold in them useful anticolonial practices and narratives’ (2011, p. 950). He offers a theory of militarized spectacle in which juxtaposition, or division, falls way to connection, to shared production. He shows how a landscape of rat-infested housing produces the man on the moon – through taxes and a vanishing horizon of medical debt – and names the spectacle obscuring this process ‘Whitey.’ In contrast to liberal iterations of lunar criticism, which suggested that solving poverty was possible within the terms of American capitalism, Scott-Heron linked American capitalism to the production of poverty, militarism, environmental devastation, and human abandonment. These themes found in ‘Whitey on the Moon’ are consistent across his work, and include persistent criticism of spectacular popular culture and consumerism, war and state violence (‘No Knock,’ ‘King Alfred’s Plan,’ ‘Did You Hear What They Said?,’ ‘H20 Gate Blues,’ ‘B Movie’), concern for children’s well being (‘Speed Kills,’ ‘Who Will Save the Children?’), the threat of nuclear destruction and climate change (‘We Almost Lost Detroit,’ ‘South Carolina (Barnwell),’ ‘Spacesong’), drugs and habituation to other people’s suffering (‘Billy Green Is Dead,’ ‘Angel Dust,’ ‘Home is Where the Hatred Is’), and structural unemployment (‘Who Will Pay Reparations on My Soul?’). Scott-Heron’s poems link histories of forced mobility to the development of blues consciousness and revolution, exemplifying what Clyde Woods (2000) calls a ‘blues epistemology.’ Indeed, Scott-Heron described himself as a ‘bluesologist’ (Ward, 2011), pursuing the science of the blues, offering a diagnostic that the ‘I ain’t got no money blues, I ain’t got no job blues, I ain’t got no woman blues’ are the same things (Mugge, 1982). For Woods, the blues ‘has been used repeatedly by multiple genera- tions of working-class African Americans to organize communities of consciousness....It was used to confront the daily efforts of plantation powers to erase African American leadership and the memory of social progress. ... The blues and its extensions are actively engaged in providing intellectually brutal confrontations with the “truths” of working-class African American life. It draws on African American musical practices, folklore, and spirituality to re-organize and give a new voice to working- class communities facing severe fragmentation’ (2005, p. 1008). The economic and racial forces of displacement and fragmentation were not distant from Scott-Heron. He was born in Chicago and spent much of his childhood living with his grandmother in the small town of Jackson, Tennessee. He saw the African American section of Jackson demolished to build the new highway between Memphis and Nashville before moving at the age of 13 with his mother to New York City (Scott- Heron, 2012). They first lived with his uncle in the Bronx and later in the Robert Fulton Houses in Chelsea. From there, he rode the subway for over an hour to Fieldston, a private high school in the Bronx. After his first year of college at Lincoln University in Oxford, Pennsylvania, which he chose to attend because Black writers and leaders such as Langston Hughes, Kwame Nkrumah, and Thurgood Marshall studied there, he took a leave of absence to complete his first novel, The Vulture. The book was published in 1970, the same year as his first album (and book of poetry), Small Talk at 125th and Lennox, which also debuted the well-known poem ‘The Revolution Will Not Be Televised.’ Scott-Heron’s blues offered an anticolonial vision of race-radical revo- lutionary consciousness, evident on the album From South Africa to South Carolina (1975), which ties together nuclear colonialism in South Carolina with apartheid in South Africa. Claudrena Harold (2011) observes that, ‘Scott-Heron’s descriptions of “down home” routinely moved beyond the geographical borders of the former Confederacy and into the transna- tional terrain commonly referred to as the Global South.’ ‘Delta Man,’ for example, traces the development of revolutionary consciousness along the sites of the plantation and Great Migration, from the Mississippi Delta during slavery, to Nebraska following the Civil War, and then to the inner city. The bridge between each of these places – ‘revolution outta be where I’m comin’ from’ – shuttles possibility between sites of forced mobility. The history lessons found in ‘Spacesong’ and ‘Who’ll Pay Reparations on My Soul?’, moreover, speak of white settler dispossession of Native inhabitants. Such an expansive internationalist, decolonial desire tempers the feeling of despair otherwise dominant in ‘Winter in America.’ The song was written in 1975 at a moment when the possibility of the Black freedom and peace movements had been betrayed, leaving ‘nobody fight- ing ‘cause nobody knows what to save.’ Within an internationalist blues epistemology, however, the hopeful suggestion is that spring can still be found in movements outside of the United States (Peddie, 2011, 122). Mobilizing urban crisis The militarization of the urban crisis was accompanied by an ideological project to enclose the racialized ‘Black ghetto’ as a place separate from modern white suburbia, reifying it as a space of dangerousness that may be subject legitimately to exceptional rules and abandoned. The great rat debate contributed to this ideological crystallization. Southern Democrats and Republican opponents of the bill used innuendo (‘rats of the two-legged variety’ and ‘rats of the four-legged variety’) to tie the bill to race and rioting in Newark (Strickland, 1969, p. 342). Another congressman mockingly referred to it as the ‘civil “rats” bill’ (McLaughlin, 2011, p. 542). ‘Whitey on the Moon,’ by turn, revealed the truth that state abandonment is not just an afterthought, but a productive absence directly abetted by state violence. In drawing together the exploration of the moon with the extraction of value from and suppression of Black freedom movements, race-radical lunar criticism rejected the bifurcated militarized spectacle of limitless space and anachronistic ghetto confinement. Indeed, Scott-Heron offers a documentary trace of the new ‘great confinement’ that was then in the making (de Giorgi, 2006). In ‘No Knock,’ Scott-Heron invites listeners to take an incredulous interpretation of new legislation that enabled the police to enter a dwelling without notice: Long rap about “No Knock” being legislated for the people you’ve always hated in this hell hole that you/we call home. “No Knock,” the Man will say to keep this man from beating his wife. “No Knock,” the Man will say to protect people from themselves. His poem ‘King Alfred’s Plan’ discusses a Nixon plan for preventive detention that would create a caged future in the absence of Black political unity. ‘Locked in cages, pens, hemmed in shoulder to shoulder arms outstretched for just a crust of bread...Let us unite out of love and not hate / Let us unite on our own and not because of barbed wire death.’ As race-radical lunar criticism illustrates, the material and ideological struggle over urban crisis constituted a space for grappling with intersecting structures of white racial rule and empire, namely whether and how they could be democratically reconstructed. This offers a cultural trace of the shift from military Keynesianism to post-Keynesian militarism that Ruth Wilson Gilmore (1998) names as the conjuncture for the sharp expansion of the carceral state. In contrast to the ‘symbiotic’ progression from ‘ghetto’ to prison confinement offered by Wacquant (2001), race-radical lunar criticism illustrates both the tremendous contests over shifting forms of unfreedom and their situatedness within a broader crisis of imperialism that anticolonial and ‘domestic’ freedom struggles provoked. The uneven geography that the warfare-welfare state produced was the grounds of struggle over the costs and harms of militarization. Investments in defense were widespread but concentrated in New South and New West sites in the so-called Sunbelt, what Markusen and colleagues (1991) dubbed the Gunbelt. This unevenness was not only regional, but also shaped patterns of development at the metropolitan scale (Loyd, 2014). This social and spatial struggle was deeply racialized and gendered. For this reason, it is misleading to interpret the space race as a form of militarization that uniformly trumps basic needs, as liberal versions of spending priorities suggest. Conflicts over who would pay for the costs of empire and militarization were mediated through strug- gles over racism that took a spectacular form, splitting inner city from suburb in ways that obscured the intersections among race, class, and gender. The Black welfare mother was enlisted as the spectacular figure of national disorder, even though most welfare recipients were white and most Great Society spending supported middle class suburban homes. Scott-Heron’s retort to this scapegoating restored the racial economic context within which Black families and communities struggled for freedom. Cross-class welfare rights and peace movements questioned military Keynesianism, meaning that they increasingly rejected the wages of empire and believed that a democratic reconstruction of US society was possible only by ending its wars. Conclusion: race-radical lunar criticism for the prison home front As a sublime symbol of progress, exploration, and national purpose, the moon represented a material symbol of upward mobility and possibility for the nation. The Cold War space race as spectacle cohered an ideological understanding of upward mobility and progress. This spectacle, moreover, was not simply a mode of visuality, but also built material spaces of the economically buoyant Sunbelt-Gunbelt and fostered confinement of Black central city spaces and dislocation of residents from industries being developed elsewhere. Urban crisis, then, was fundamentally a crisis over Black ‘upward’ mobility in terms of movement through space (that is, the Great Migration and moving beyond confines of racial ghettos) and claims to political power and presence in public spaces. Race-radical lunar criticism defied the Cold War spectacle that would split the world in two, the nation into Black and white, American or failed American, by illustrating the relationships between the ghetto and suburb, the ghetto and empire. Critical interpretations of the relationship between racialized poverty and wealth, as offered through Black lunar criticism, did not disappear, but were submerged within a discourse that naturalized Black confinement in ghetto and prison spaces while obscuring the consolidation of political and economic forces responsible for a new, multiscalar regime of mobility and immobility. The political and cultural contest over this lived and ideological space of urban crisis underscores the uncertain future of the prison resolution. With mass incarceration in question from the left and right, race-radical lunar criticism offers some guidance for understanding how the present crisis may be resolved in favor of mobility justice. Scott-Heron’s song ‘Alien (Hold Onto Your Dreams)’ criticizes divide and conquer tactics, and ties the trajectories of transnational Latino/a migrants to African American histories of forced mobility. Moreover, Scott-Heron’s dialectical blues understanding of the politics of space suggests that dismantling the United States’ unprecedented carceral state will hinge not so much on comparing rates of spending on confinement versus welfare but on analyzing their interconnection and on developing political unity and (even) love. The peaceful promise of outer space – displacing the Man from the moon – remains tied to liberatory, decolonial projects on earth.

#### 3] Consent – the appropriation of outer space was not consented to and is a coercive relationship

#### A] The launch site in Boca Chica created an uneven distribution of resources by disrespecting the right to privacy and property which was unjust [[1]](#footnote-1)

Olivia Solon from NBC reported in December that

, Dec. 8, 2021,, "Disgruntled neighbors and dwindling shorebirds jeopardize SpaceX expansion," NBC News, https://www.nbcnews.com/tech/tech-news/disgruntled-neighbors-dwindling-shorebirds-jeopardize-spacex-expansion-rcna7792 CHO

Celia Johnson, a retired social worker in her mid-70s, can still vividly describe childhood trips to the slender, sandy beach in Boca Chica Village, Texas. There she and her family spent their days running into crashing waves and collecting shells while feasting on sandwiches and watermelon. “My dad couldn’t afford to take us to the movies,” Johnson said. “That was our entertainment.” Thirty years ago, Johnson made sure to pass that dream on to her children by buying a three-bedroom brick ranch for her to retire there. Then she bought a second ranch house nearby to rent out to support her in retirement. For years, she spent her winters in Boca Chica, mainly driving from Michigan to escape the cold and welcome the ocean air that brought relief to her asthma. “It was so peaceful, and at night it was so dark you could see a billion stars,” she said. “You are surrounded by nothing but nature. The beach was pristine and there were tons of different species of birds.” But the idyll was disrupted when SpaceX, the aerospace company, came to town in 2014 to build a commercial spaceport. The company’s presence, while welcomed by local politicians lured by the promise of taxable income and employment opportunities, has become a nightmare for many residents and wildlife conservationists attempting to protect the sensitive habitat surrounding the development. Since SpaceX started construction in late 2015 and testing rockets in 2019, explosions have showered debris across previously unspoiled tidal flats and blown out residents’ windows, including Johnson’s. Rare species of birds like the piping plover and mammals have dwindled, and intense periods of construction and testing have closed off public access to the beach for more days than were authorized by the Federal Aviation Administration, which has federal oversight of the development. The company has also installed bright floodlights to illuminate the road and construction site. “You can’t see the stars anymore,” Johnson said. Now, the FAA is reviewing SpaceX’s plans to significantly expand the spaceport to allow for launches of the largest rocket known to man, an expansion that has alarmed many residents, environmentalists and wildlife conservationists. SpaceX declined to respond to a detailed list of questions and allegations that it is lowballing homeowners and harming the environment, stating that the company did not have anyone available. “As you can imagine, it’s an incredibly demanding time for the team,” according to an unsigned email from SpaceX’s communications team. Neither Elon Musk, who founded the company and is its chief executive, nor his chief of staff responded to a request for comment. Mushroomed scope When SpaceX pitched its spaceport, dubbed Starbase, to residents and environmentalists in 2012, the company described a modest facility with a “small, eco-friendly footprint” that would launch a maximum of one rocket per month, according to a SpaceX presentation delivered at the time, seen by NBC News. Over time, however, the project has mushroomed to accommodate the development of a new type of launch vehicle, Starship, which at 21 stories tall and with 29 rocket engines will be the largest space vehicle and rocket system known to man. Early this year, Musk announced his desire to turn Starbase and Boca Chica Village into a city with a private spaceport to the moon, Mars and beyond. The accompanying expansion plan, whose environmental impact, outlined in a 150-page draft assessment, is currently being reviewed by the Federal Aviation Authority. It includes the construction of a 250-megawatt power plant -- capable of generating enough power for 100,000 homes -- desalination plant, and liquid natural gas plant. If approved, the expanded Starbase would pave the way for humans to travel to and potentially live on Mars, but would make Boca Chica Village uninhabitable for humans and many animals due to the tenfold increase in the testing of rocket components and launches, and the associated risk of “anomalies” -- a space industry euphemism for explosions. “We are interested in space exploration like many other people and are not trying to be obstructionist,” said Mike Parr, president of the American Bird Conservancy, which has been monitoring the decline of bird species around the spaceport. “But the scope of the project has changed and it feels like a bait and switch.” SpaceX has bought out many of the villagers, offering them money for their homes that the company said in letters to the owners were three times an independently appraised valuation. But some villagers have said these offers are too low to buy an equivalent property away from the blast zone. Some residents felt pressure to accept SpaceX’s offer, which came with the looming threat of eminent domain. Residents like Celia Johnson and Maria Pointer, whose home now forms part of the SpaceX property, said that threat was communicated verbally by a real estate intermediary representing SpaceX. Eminent domain allows the government -- in this case the county through the Cameron County Spaceport Development Corp. -- to seize their property. Cameron County did not respond to a request for comment. Johnson, whose silvery-gray schnauzer Flash accompanies her everywhere, held out. The offer for her home was $150,000. She said that was insultingly low, based on valuations of inferior properties without ocean views. She would need about three times that much to buy a similar oceanfront property nearby. She had dreamed of leaving the two Boca Chica homes to her sons. “That dream was destroyed by Elon Musk,” she said, noting that since SpaceX arrived, Cameron County changed its rules around how it handled residents’ utilities. Before, they could stop water deliveries and shut off electricity if they were away during the summer months. Now, however, residents must either pay to maintain utilities even if they are not there -- which Johnson said costs about $150 per month -- or risk being permanently disconnected, as happened with her rental home. Without access to water, owners lose their occupation license, which allows the county to condemn the property. “I worked double jobs and whatever was required so that one day I would have a good retirement,” she said. “Then here comes SpaceX and they take my income away.” Blame game Some of SpaceX’s displaced neighbors are more sanguine. Pointer, a retired navigation officer in the Alaska Marine Highway System, said that she and her husband, Ray, decided to make “lemonade out of lemons” after the SpaceX development subsumed their Boca Chica home. “When they first came to town I kind of welcomed it. I like technology. We loved the Apollo program, the moonwalks and felt like it was going to help Brownsville. We didn’t feel like they were going to impede on us except maybe a bit of noise,” she said. “They never mentioned they’d work 24/7 around the clock and have lights so bright you couldn’t sleep without plywood boards on your windows.” The disturbance took a toll on the Pointers, who were both suffering from serious health issues. Ray had cancer and Maria was dealing with paralysis on one side of her body due to a latent spinal deformity. Neither could sleep because of the noise and the lights. “We were walking zombies half the time,” she said. Maria started documenting the construction of the spaceport and launch vehicles outside her bedroom window, in the early days with her Samsung smartphone camera and in the last few years with a Blackmagic Pocket Cinema Camera, posting photos and videos to social media. “If I’m going to be an independent lens, I’m going to show you what I see,” she said. “If there are birds dying and they are dropping down to the side of me from overpressures, I get to film it. I don’t get to fix it.” Economic incentives When SpaceX was first shopping around for locations for its private commercial spaceport in 2011, it negotiated tax breaks and other sweeteners with local and state officials in Florida, Georgia, Puerto Rico and Texas. By 2014, Texas won the company’s business and associated promise of jobs and economic development. State and local officials offered Musk’s company about $20 million in financial incentives, including a 10-year county property tax abatement, legal protection from noise complaints and laws altered to close the public beach at Boca Chica during launches, as reported by The Dallas Morning News in 2014. While the project has brought construction jobs to the Brownsville area, one of the poorest urban areas in the United States, according to the U.S. Census Bureau, many community activists question whether it’s bringing sustainable economic development. “How many of these jobs are long term? Most of the folks are doing contracting work,” said Michelle Serrano, a Brownsville resident and activist. “Is this going to have a sustainable economic impact for our community, or is it more trickle-down economics?” In a document outlining SpaceX’s environmental and community impacts on the region, submitted to the FAA this year as part of the licensing process, the company states that the proposed development would employ up to 450 full-time workers, many of whom would move to the area from elsewhere, depending on when the expansion is approved. More than a quarter of those in Cameron County, where the spaceport is, live below the poverty threshold, which is more than twice the national average, according to Census Bureau data. The document suggests that the main benefit to the community will come from trickle-down effects from SpaceX workers spending part of their earnings on housing, goods and services in the area. Transient SpaceX workers would also spend money on hotels, food and rental vehicles. “While the population under the poverty threshold may not directly benefit through employment and income, it may indirectly benefit as regional economic health is improved through the proposed increase in employment for commercial space exploration activity,” it states. “Even if it does result in some local hires, it doesn’t undo the destruction in the community,” said Bekah Hinojosa, another community activist, pointing to the regular closures of the “poor people’s beach” and the displacement of those living in Boca Chica Village. Hinojosa pointed to comments made by Musk in 2018, during a news conference after the launch of SpaceX’s reusable Falcon Heavy vehicle. The billionaire was asked by a reporter how soon flights would be going to the moon or Mars. Musk said that test flights would need to take place first, most likely in Boca Chica, “because we’ve got a load of land with nobody around and so if it blows up, it’s cool,” he said. The comments grated on some of Boca Chica’s residents, who have dealt with shattered windows and debris strewn across the beach and wildlife refuges after these explosions. Hinojosa went further, characterizing Musk’s position as “environmental racism.” Musk has an estimated personal wealth of about $310 billion and is the world’s richest man, according to Bloomberg. “We’re a poor community and a people of color community,” she said, “But he’s trying to erase us and claim that we’re not there.” Environmental impact Musk’s comments also irked conservationists tasked with protecting the wildlife in the surrounding area, one of America’s most biologically diverse coastal wetlands. “Musk is a very smart man. But he either was ignorant of the ecology out there or he felt his project was so much more important that it really didn’t matter what he did to the area,” said local environmentalist Jim Chapman. Chapman said he is alarmed to see rocket tests and launches taking place in such a “fragile and biologically important area,” adding that while tidal flats “are not very exciting to look at to the casual observer,” there’s a “whole web of life out there,” from algae to tiny crustaceans, that a food chain of birds and animals rely upon. “This is a very important area for migratory birds as it’s a huge stopover area,” said Jared Margolis, a senior attorney at the Center for Biological Diversity, who submitted comments to the FAA questioning the legality of the SpaceX expansion. “Even a power plant would be concerning. But here you have giant rockets powered by methane that tend to explode, causing debris and noise impact, and we want to make sure the impacts are mitigated.” While the SpaceX launch site is relatively small, covering about 75 acres, it’s sandwiched between delicate, protected tidal flats, wetlands and a much-loved public beach. Not only does the area provide a habitat for migratory birds, including endangered species such as piping plovers and red knots, it’s also one of the only places where the Kemp’s ridley sea turtle, the most critically endangered sea turtle in the world, comes ashore to nest. Amid the constant construction noise, truck traffic, enormous floodlights over the site and debris from explosions, some species have already dwindled at an alarming rate, said David Newstead, director of the Coastal Bird Program for the Coastal Bend Bays & Estuaries Program, a nonprofit group that works to protect the area's bays and estuaries. Newstead conducted a study of the local population of piping plovers, sparrow-sized shorebirds that nest and feed in coastal sand and are protected under the Endangered Species Act. He found that the population halved from 2018 to 2021, correlating closely with the intensity of SpaceX operations in the area. In addition to the piping plover, the FAA has identified at least nine other endangered species that would be adversely affected by the SpaceX expansion, including the red knot shorebird, northern aplomado falcon, Gulf Coast jaguarundi (a rare wildcat), ocelot and five types of sea turtle. There are also plenty of unknown impacts to small mammals, reptiles and the marine worms the shorebirds forage from the sediment because of the reverberations through the land from launches and construction activity, Newstead added. When one of the Starship prototypes exploded above the launchpad in March, it threw rocket debris five miles away, to the jetties at the southern tip of South Padre Island, as documented by local news media at the time. That prototype had just three Raptor engines. The Starship that SpaceX hopes to get approval to launch from Boca Chica will have at least 29 of them. Starship prototypes near Boca Chica Village , Texas, on Sunday. Verónica G. Cárdenas for NBC News “Nobody has ever put a wildlife preserve in this type of habitat through this type of experiment,” he said. Mitigation efforts Reagan Faught, the regional director of the Texas Parks and Wildlife Department, whose land is adjacent to the SpaceX development, said that his agency has worked closely with SpaceX to improve scheduling and communication around the closing of the state highway and access to the public beach. In September, the agency signed a memorandum of agreement with SpaceX committing to develop protocols to respond to events such as rocket “anomalies," including outlining efforts to retrieve debris and restore the sensitive public lands. “We want a good neighborly relation with them, and they want to do the same with us so we can work together with sensible and reasonable approaches to solving these issues,” Faught said, although he noted that the respective missions of the organizations “may not always align.” Several environmental groups who submitted public comments to the FAA in response to SpaceX’s expansion plans argue that the agency would be violating several laws if it fails to require a more thorough analysis of the company’s environmental impacts in Boca Chica, through a rigorous environmental impact statement, and a clearer plan for mitigating those impacts. Those laws include the National Environmental Policy Act (NEPA), which requires that federal agencies prepare an environmental impact statement for all “major federal actions significantly affecting the quality of the human environment,” and the Endangered Species Act. The FAA has until the end of December to review the public comments and determine whether to approve SpaceX to issue a “Finding of No Significant Impact” (FONSI) or a Notice of Intent to prepare an Environmental Impact Statement. A FONSI would allow the launch licensing process to proceed, meaning SpaceX could start testing its giant rockets in early 2022, as long as a review by the U.S. Fish and Wildlife Service, also due by the end of December, shows that the project won’t put any endangered species in jeopardy of extinction. But if a full environmental impact statement is needed, launches from Boca Chica could be delayed for years. If the FAA does issue a FONSI, environmental groups could sue the agency. But SpaceX would still be able to proceed with the expansion unless an injunction were obtained. In a public comment written to the FAA on behalf of the Center for Biological Diversity, Jared Margolis described the FAA’s decision not to prepare an environmental impact statement for the SpaceX expansion as “arbitrary, capricious and in clear violation of NEPA.” He added that it “calls into question whether the agency truly understands the scope of what SpaceX plans to do at the Boca Chica site, and the incredible environmental harm that is likely to occur, and indeed has already occurred.” A beach in Boca Chica Village, Texas. Verónica G. Cárdenas / Bloomberg via Getty Images file Another public comment, submitted by a group of 11 environmental nonprofits including the Sierra Club, Defenders of Wildlife and the Surfrider Foundation, and obtained by NBC News includes a letter sent from the Fish and Wildlife Service, obtained through an earlier public records request by Margolis, that calls on the FAA to carry out another environmental impact statement. “Due to operations by SpaceX, the Fish and Wildlife Service’s ability to maintain the biological integrity, diversity and environmental health of refuge resources ... has been significantly diminished at the Boca Chica tract,” the letter states. FAA spokesperson Steven Kulm said the agency was “committed to complying with the requirements” of NEPA and that the environmental review is “one aspect of this process.” He noted that the FAA had previously warned SpaceX that launch towers and structures that it is building cannot skirt the FAA’s environmental review. Laury Marshall, a spokeswoman for U.S. Fish and Wildlife, said that the agency continues to work with the FAA and SpaceX to “identify ways to further minimize possible effects to listed species from spaceport operations” by “restricting or changing lighting, noise and activity timing.” Residents like Celia Johnson are resigned to their fate that sooner or later they will have to move to make way for Elon Musk’s interplanetary ambitions. They can refuse to take SpaceX’s buyouts and drag out the eminent domain process, something legal experts like Clay Beard, an attorney at the Texas law firm Dawson & Sodd, who is familiar with the project but not representing any residents, said might yield them more compensation but won’t prevent the condemnation of their properties. Eventually, however, they’ll have no choice but to leave. “The only thing I hope for is that Elon will come around and make us a decent offer for the house,” Johnson said. “I don’t need anything bigger, I don’t expect to be a millionaire. I just want to buy another house like the one I have now near the beach.”

#### B] When the Thirty Meter Telescope at Maunakea was proposed, private companies built a telescope without the consent of the original owners[[2]](#footnote-2)

[5] [Kailee Yoshimura (undergraduate student at the University of Hawaiʻi at Hilo, where she studies Cell, Molecular, and Biomedical Sciences with a Chemistry minor. She works as a research assistant in Dr. Abhijit A. Date’s lab at the College of Pharmacy at the University of Hawaiʻi at Hilo, where she maintains a cancer cell lab. Kailee is also a remote research intern in Dr. Antentor Hinton’s lab at Vanderbilt University and a summer AMGEN fellow at Stanford University School of Medicine). “Astronomers want the Thirty Meter Telescope on a sacred Hawaiian summit. But who is it for?”. Massive Science. June 20, 2021. Accessed 1/3/22. <https://massivesci.com/articles/opinion-hawaii-telescope-tmt-imperialism-astronomy/> //Xu]

The location and conditions of Maunakea are significant to astronomers thanks to its high elevation, dry weather, and the greatest number of cloud-free nights of any mountain in the world. Being in the middle of the Pacific Ocean, its location gives astronomers the ability to see both the northern and southern sky. A proposed telescope, the Thirty Meter Telescope (TMT), will be 34,000 square feet and sit 18 stories tall and produce images 12 times sharper than the Hubble Space Telescope. An international non-profit partnership, called TMT International Observatory, or TIO, is in charge of the telescopes design, construction, and operations. The TIO partnership consists of universities from Canada, China, Japan, India, and the US planning to explore the beginning of our universe, the physics of the early universe, and dark matter with this telescope. TMT will create additional jobs and revenue for the University of Hawaiʻi, but is this enough to overlook the religious, cultural, and environmental importance of Maunakea? American presence within the Hawaiian Islands, for the past century to the present day, suppresses the Native Hawaiian culture and population through imperialistic expansion, creating anger and distrust of some Western practices, including science. Hawaiʻi, as a whole, can provide a plethora of answers to the growing curiosity about the world, but only if the people and culture are understood and respected. The violence of the colonists who viewed Hawaiʻi as an opportunity to exploit, profit, and conquer echoes within the islands today. The Kingdom of Hawaiʻi was a sovereign nation recognized by European powers and the United States. In 1893, the Kingdom had over 90 embassies and consulates throughout the world. The Kānaka Maoli, the Hawaiian people, were educated through the oldest public school system west of the Mississippi, founded by the sovereign monarch, King Kamehameha III. As the population and profits from the sugar industry grew in the Hawaiian Kingdom, greed and imperviousness quickly transformed into treason. In 1893, a coup d’etat, supported by the United States, was organized by 13 foreign businessmen calling themselves the “Committee of Safety.” The Committee of Safety forced Queen Liliuʻokalani, the last reigning monarch of Hawaiʻi, to abdicate. To avoid bloodshed and with the promise of releasing imprisoned citizens, Liliuʻokalani signed the abdication papers, abolishing the Kingdom. Following that, the people of the Hawaiian Kingdom were forced to abandon their native tongue and culture and learn the English language and American ideologies. It wasn’t until the 1960s that a resurgence of the Hawaiian language and culture revived what had been suppressed for nearly 70 years; the language, traditions, and the stolen Kingdom of the Kānaka Maoli will never be forgotten. Astronomy is an integral part of wayfinding throughout the Pacific and is used in various everyday Hawaiian practices, such as the Hawaiian calendar, plant cultivation, and fish spawning. It is important to know that Kānaka Maoli worked in harmony with the environment without the notion of ownership or superiority. This concept is expressed in the Hawaiian proverb, “He aliʻi ka ʻāina; he kauwā ke kanaka” (“The land is chief; man is its servant”). Owning land is a Western idea, one that has no equivalent in the Hawaiian culture. From the first arrival of Westerners to the Hawaiian Kingdom until today, this balance between the land and the Kānanka Maoli has been destabilized. With well over half of the total land area in the state of Hawaiʻi owned by non-natives, the Hawaiian population is forced to watch sacred lands fall into the ownership of foreigners who disregard their culture and beliefs. Maunakea is where the earth and sky meet. It is a dormant volcano, a physical place where religious and cultural practices transpire. It’s seen as an ancestor of the Hawaiian people. A kuahu lele (alter) sits at the summit, symbolizing the connection between Akua (the creator) and ancestral ties to creation. It is also the home of nā Akua (deities) and nā ʻAumakua (ancestors) and a burial ground for high-ranking Hawaiian chiefs and Kahuna (priests). This place is the pinnacle of the Hawaiians’ connection to their past, a place that is now threatened and could be harmed in the future.

### 1AC – Underview

#### Pics don’t negate a whole rez aff

#### A] Strat Skew – they moot the entire AC and force a 1ar restart creating a 13-7 time skew - kills reciprocity and fairness which is a voter since it’s constitutive of a competitive activity.

#### B] Textuality – Pics don’t negate our general thesis since the validity of a resolution isn’t negated by exceptions.

**Nebel 19** Jake Nebel [Jake Nebel is an assistant professor of philosophy at the University of Southern California and executive director of Victory Briefs.] , 8-12-2019, "Genericity on the Standardized Tests Resolution," Briefly,<https://www.vbriefly.com/2019/08/12/genericity-on-the-standardized-tests-resolution/> SM CHO recut

Both distinctions are important. Generic resolutions can’t be affirmed by specifying particular instances. But, since generics tolerate exceptions, plan-inclusive counterplans (PICs) do not negate generic resolutions. Bare plurals are typically used to express generic generalizations. But there are two important things to keep in mind. First, generic generalizations are also often expressed via other means (e.g., definite singulars, indefinite singulars, and bare singulars). Second, and more importantly for present purposes, bare plurals can also be used to express existential generalizations. For example, “Birds are singing outside my window” is true just in case there are some birds singing outside my window; it doesn’t require birds in general to be singing outside my window. So, what about “colleges and universities,” “standardized tests,” and “undergraduate admissions decisions”? Are they generic or existential bare plurals? On other topics I have taken great pains to point out that their bare plurals are generic—because, well, they are. On this topic, though, I think the answer is a bit more nuanced. Let’s see why. 1.1 “Colleges and Universities” “Colleges and universities” is a generic bare plural. I don’t think this claim should require any argument, when you think about it, but here are a few reasons. First, “Eight colleges and universities ought not consider standardized tests in undergraduate admissions decisions. Maybe other colleges and universities ought to consider them, but not the Ivies. Therefore, in the United States, colleges and universities ought not consider standardized tests in undergraduate admissions decisions.” That is obviously not a valid argument: the conclusion does not follow. Anyone who sincerely believes that it is valid argument is, to be charitable, deeply confused. But the inference above would be good if “colleges and universities” in the resolution were existential. By way of contrast: “Eight birds are singing outside my window. Maybe lots of birds aren’t singing outside my window, but eight birds are. Therefore, birds are singing outside my window.” Since the bare plural “birds” in the conclusion gets an existential reading, the conclusion follows from the premise that eight birds are singing outside my window: “eight” entails “some.” If the resolution were existential with respect to “colleges and universities,” then the Ivy League argument above would be a valid inference. Since it’s not a valid inference, “colleges and universities” must be a generic bare plural. Second, “colleges and universities” fails the upward-entailment test for existential uses of bare plurals. Consider the sentence, “Lima beans are on my plate.” This sentence expresses an existing statement that is true just in case there are some lima beans on my plate. One test of this is that it entails the more general sentence, “Beans are on my plate.” Now consider the sentence, “Colleges and universities ought not consider the SAT.” (To isolate “colleges and universities,” I’ve eliminated the other bare plurals in the resolution; it cannot plausibly be generic in the isolated case but existential in the resolution.) This sentence does not entail the more general statement that educational institutions ought not consider the SAT. This shows that “colleges and universities” is generic, because it fails the upward-entailment test for existential bare plurals. Third, “colleges and universities” fails the adverb of quantification test for existing bare plurals. Consider the sentence, “Dogs are barking outside my window.” This sentence expresses an existential statement that is true just in case there are some dogs barking outside my window. One test of this appeals to the drastic change of meaning caused by inserting any adverb of quantification (e.g., always, sometimes, generally, often, seldom, never, ever). You cannot add any such adverb into the sentence without drastically changing its meaning. To apply this test to the resolution, let’s again isolate the bare plural subject: “Colleges and universities ought not consider the SAT.” Adding generally (“Colleges and universities generally ought not consider the SAT”) or ever (“Colleges and universities ought not ever consider the SAT”) result in comparatively minor changes of meaning. (Note that this test doesn’t require there to be no change of meaning and doesn’t have to work for every adverb of quantification.) This strongly suggests what we already know: that “colleges and universities” is generic rather than existential in the resolution. Fourth, it is extremely unlikely that the topic committee would have written the resolution with the existing interpretation of “colleges and universities” in mind. If they intended the existential interpretation, they would have added explicit existential quantifiers like “some.” No such addition would be necessary or expected for the generic interpretation since generics lack explicit quantifiers by default. The topic committee’s likely intentions are not decisive, but they strongly suggest that the generic interpretation is correct, since it’s prima facie unlikely that a committee charged with writing a sentence to be debated would be so badly mistaken about what their sentence means (which they would be if they intended the existential interpretation). The committee, moreover, does not write resolutions for the 0.1 percent of debaters who debate on the national circuit; they write resolutions, at least in large part, to be debated by the vast majority of students on the vast majority of circuits, who would take the resolution to be (pretty obviously, I’d imagine) generic with respect to “colleges and universities,” given its face-value meaning and standard expectations about what LD resolutions tend to mean.

### 1AC – OFF 1

#### Interp: If debaters read disclosure theory, they must not violate their own interps.

#### Violation-

#### Missing Longhorn Octas, Quarters Emory Octas, Marx Octas

#### Ther interp says all round-reports –

**“Interp: Debaters must disclose round reports on the 2021-22 NDCA LD wiki for every round they have debated this season. Round reports disclose which positions (AC, NC, K, T, Theory, etc.) were read/gone for in every speech.”**

#### you broke a new Cancer DA vs max and Hospital pic vs me

A screenshot of a computer

Description automatically generated with medium confidence

#### Prefer

#### 1)Norming- not being consistent with your own norms specifically for disclosure means that you are never able to set norms because you don’t even follow your norms. Even if you don’t do this for other shells, disclosure is specifically important because the impacts are based on out of round impacts for the entirety of the debate community, even if other shells are bidirectional. Ow a)constitutive of theory debate b)prereq – constrains vailidity of their practice

#### 2)Reciprocity- when I go to round, I make sure that I meet your disclosure interps and the fact that you don’t meet yours means there is a reciprocal burden which has created a structural skew against me. This is specifically true for disclosure because it means that they had access to my strategies and I didn’t. OW on predictability since I assumed that they would meet their burden which means I could’ve been doing other things instead of hunting down the aff advocacy.

#### 3] Co-opts their disclosure benefits

#### Drop the debater – a] deter future abuse and b] we didn’t read this against an argument.

#### Competing interps – [a] reasonability is arbitrary and encourages judge intervention since there’s no clear norm, [b] it creates a race to the top where we create the best possible norms for debate.

#### No RVIs on 1AC theory – a] it gives the 1NC 7 minutes to dump on the shell which the 4 minute 1AR cannot come back from, b] it encourages the 1NC to go all in on theory which leads to maximal substance crowdout, c] 1AR is too short to win theory and substance so 1AC theory has to be no risk

### 1AC – OFF 2

#### Karan’s Round Report disclosure practices are a voting issue –

#### They’ve disclosed Valley R1 and St Marks r2 marking the judge tab as “terrible”





#### Specifically only targeting Black and Brown trans gender minorities and calling judges “terrible” is racist, elitist and hypermasculine a reason to DTD

#### Ask yourself – why put this on the wiki?

1. [↑](#footnote-ref-1)
2. [Kailee Yoshimura (undergraduate student at the University of Hawaiʻi at Hilo, where she studies Cell, Molecular, and Biomedical Sciences with a Chemistry minor. She works as a research assistant in Dr. Abhijit A. Date’s lab at the College of Pharmacy at the University of Hawaiʻi at Hilo, where she maintains a cancer cell lab. Kailee is also a remote research intern in Dr. Antentor Hinton’s lab at Vanderbilt University and a summer AMGEN fellow at Stanford University School of Medicine). “Astronomers want the Thirty Meter Telescope on a sacred Hawaiian summit. But who is it for?”. Massive Science. June 20, 2021. Accessed 1/3/22. <https://massivesci.com/articles/opinion-hawaii-telescope-tmt-imperialism-astronomy/> //Xu] [↑](#footnote-ref-2)