### 1NC---OFF

#### Our interpretation is that the affirmative should defend the hypothetical enactment of a Topical plan.

#### Appropriation of outer space” by private entities refers to the exercise of exclusive control of space.

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

The issues presented in relation to the nonappropriation article of the Outer Space Treaty should be clear.214 The ITU has, quite blatantly, created something akin to “property interests in outer space.”215 It allows nations to exclude others from their orbital slots, even when the nation is not currently using that slot.216 This is directly in line with at least one definition of outer-space appropriation.217 [\*\*Start Footnote 217\*\*Id. at 236 (“Appropriation of outer space, therefore, is ‘the exercise of exclusive control or exclusive use’ with a sense of permanence, which limits other nations’ access to it.”) (quoting Milton L. Smith, The Role of the ITU in the Development of Space Law, 17 ANNALS AIR & SPACE L. 157, 165 (1992)). \*\*End Footnote 217\*\*]The ITU even allows nations with unused slots to devise them to other entities, creating a market for the property rights set up by this regulation.218 In some aspects, this seems to effect exactly what those signatory nations of the Bogotá Declaration were trying to accomplish, albeit through different means.219

#### Outer Space is considered anything that sits above the Earth’s atmosphere

Betz 21 [(Eric Betz, Science & tech writer for @Discovermag, @Astronomymag and others), “The Kármán Line: Where does space begin?”, Astronomy, https://astronomy.com/news/2021/03/the-krmn-line-where-does-space-begin, March 5, 2021] SS

These days, spacecraft are venturing into the final frontier at a record pace. And a deluge of paying space tourists should soon follow. But to earn their astronaut wings, high-flying civilians will have to make it past the so-called Kármán line. This boundary sits some 62 miles (100 kilometers) above Earth's surface, and it's generally accepted as the place where Earth ends and outer space begins.

#### Private entities are non-governmental corporations

UpCounsel ND [(UpCounsel is an interactive online service that makes it faster and easier for businesses to find and hire legal help solely based on their preferences. “Private Entity: Everything You Need to Know”, UpCounsel, https://www.upcounsel.com/private-entity#importance-of-private-entities, No Date] SS

A private entity can be a partnership, corporation, individual, nonprofit organization, company, or any other organized group that is not government-affiliated. Indian tribes and foreign public entities are not considered private entities.

Unlike publicly traded companies, private companies do not have public stock offerings on Nasdaq, American Stock Exchange, or the New York Stock Exchange. Instead, they offer shares privately to interested investors, who may trade among themselves.

#### They obviously do not meet – they don’t defend the appropriation of outer space by private enteties is unjust

#### Failing to defend topical action decimates the quality of debate for two reasons—

#### Vote NEG---allowing the AFF to pick any grounds for debate makes NEG engagement impossible, by skirting the resolutions stasis point making prep and research useless. The lack of a plan also means the AFF can shift their advocacy in later speeches instead of being tied to a particular text, which obviates refutation.

#### Two impacts:

#### 1---Fairness:

#### A predictable limit is the only way to give the NEG a chance to win---radical AFF choice shifts grounds for debate and puts the AFF far ahead. Pre-tournament NEG prep is structurally around topical plans as points of offense, which means anything other than a topical plan favors the AFF.

#### Fairness is an intrinsic good---debate is a game and requires effective competition between both sides---the only way for any benefit to be produced from debate is if the judge can make a decision between two sides who have a relatively equal chance to prepare for a common point of debate.

#### 2---Idea Testing:

#### A clear, well-defined resolution is critical to allow the NEG to refute the AFF in an in-depth fashion---this produces iterative testing and improvement, where we learn to improve our arguments based on our opponents’. Responding to T with “but our discussion’s important” makes the topic a first-order question sidestepping deliberative testing, which breeds dogmatic group polarization and trades argumentation for power.

#### Yes voter--

#### Yes brighline---stasis point of the resolution is the brighline for what fairness---but the ballot should always prioritize futurism

Yes quatifiable---rob is to vote for the debater who made it more fair

Structure vs procedural –ballot an only resolve

Even if its unwualitfable still able to way

You do ---competing

#### Fairness is not a voter, 4 warrants 1) Fairness is relative—everyone has a different conception of what is fair 2) There is no brightline for how much fairness is enough to vote on 3) Fairness can’t be quantified—we have no mechanism for measuring it 4) Fairness is uncontrollable—it’s affected by external factors like coaching staff, team funding, and debate camp—3 implications: a) fairness isn’t possible so you can’t vote off it, b) even if fairness matters you don’t know what to do because you can’t take into account all the factors.

#### Switch side debate is preferable and solves -- it forces debaters to consider a controversial issue from multiple perspectives which prevents ideological dogmatism. Even if they prove the topic is bad, our argument is that the process of preparing and defending proposals is an educational benefit of engaging it. Read the k on the neg as a reason why appropriation of space is bad.

#### The TVA solves – Read the aff as an impact of the implementation of a plan that says what their space flight card bad card says - all solves enough of their offense for a risk of ours to outweigh-any reasons it doesn’t solve is our point beause there should be some role for the negative.

#### Fairness is a voter – debate is a game and is the terminal impact to debate. Fairness is an intrinsic good – debate is a game and requires effective competition – they follow speech times and order, but DELIBERATELY subvert the resolution -- the only benefit from debate is if the judge can make a decision between two sides over one topic.

#### I couldn’t contest the aff to begin with – they can’t apply the aff against T since that assumes their aff was legitimate to begin with. They don’t get access to claims that weren’t contestable by me so presume neg.

#### Competing interps on T – You have to win that your interp is net better, which cultivates better grounds for clash. Reasonability dissolves the brightline for T because it says we can be “almost” topical.

#### Reasonability leads to a race to the bottom

#### Arbitrary and infinitely regressive

### 1NC---OFF

#### States ought to establish or expand an international public trust obligation towards celestial protection.

#### Counterplan solves global space sustainability.

**Babcock ’19** — Hope M. Babcock, Professor of Law, Georgetown University Law Center, B.A., Smith College, L.L.B., Yale University; (2019; “ARTICLE: THE PUBLIC TRUST DOCTRINE, OUTER SPACE, AND THE GLOBAL COMMONS: TIME TO CALL HOME ET”; University of Michigan Libraries, Nexis Uni; *Syracuse University Law Review*, Vol. 69; //LFS—JCM)

[\*259] The doctrine also appears to be infinitely malleable. Original uses of the doctrine were restricted to only that "aspect of the public domain below the low-water mark on the margin of the sea and the great lakes, the waters over those lands, and the waters within rivers and streams of any consequence," 520and covered only traditional uses of those lands, like fishing and navigation. 521 Over time, the scope and application of the doctrine broadened to protect more public resources and different uses. 522 Thus, the doctrine expanded to protect new trust resources, such as dry sand beaches, inland lakes, groundwater, dry riverbeds, and wildlife, 523and passive uses of those resources, like scientific study. 524The original link to navigable water and tidelands disappeared. 525 Supporters of the [\*260] doctrine successfully advocated that it be applied to "wildlife, parks, cemeteries, and even works of fine art," 526 while arguing more recently its application to the atmosphere. 527

A doctrine that imposes a perpetual duty on the sovereign to preserve trust resources, prevents their alienation for private benefit, assures public access to them, and can be invoked by anyone seems particularly useful as a management tool in outer space. 528The fact that public access to trust resources is so central to the doctrine makes it reflective, not contradictory, of international space law's bar against appropriation of outer space and of the principle of space being the "province of all mankind." 529 It avoids the problems of alienation and exclusion associated with any of the management approaches associated with some form of private property and requires neither the creation of a new administrative authority nor the presence of a close-knit group of like-minded people. 530 Members of the public, both rich and poor, can invoke and enforce the doctrine as easily as the sovereign. 531 It is cost effective to the extent that no separate apparatus is required to implement it, and the doctrine has shown itself to be highly adaptable and innovative as different needs arise. 532 It could also fill the gap in international law with respect to managing celestial property. Therefore, of all the management approaches studied here, the PTD seems the most suited to keep order in space until a regulatory regime is imposed.

However, the doctrine provides no incentives for development of trust resources; rather, it might be used to limit or curtail that development, making it an imperfect, perhaps even counter-productive solution by itself to the extent that such development might be [\*261] beneficial. 533Modifying the doctrine to allow limited use of private property management approaches, like tradable development claims, might buffer that effect - a form of overlapping hybridity between one type of property, a commons, and a management regime from another, private property, enabled by application of the PTD.

Conclusion

"Only a legal system that accommodates both the human need for resources and the necessary preservation of mankind's common heritage can fulfill these criteria."534 The future is now with regard to the development of outer space and its resources - it is no longer a question of whether humans will engage in these activities, but how soon they will. Technically advanced countries and private commercial enterprises are probing outer space and preparing for landing on an asteroid or the moon to extract their resources. 535Speculators are selling deeds to the moon's surface and preparing to exploit the tourism potential that space offers. 536 But, the legal framework for managing these initiatives is almost nonexistent. 537International treaties came into being before all this activity began in earnest and national laws that might apply are stunted by jurisdictional quandaries like the absence of national boundaries in outer space. 538Thus, there is an urgency to figure out how to control what happens in outer space before its resources are irreparably damaged or permanently monopolized by powerful countries and individuals.

In the absence of regulation, much of the current debate centers on what property regime should be applied in outer space. 539The assumption is that by only allowing private property rights in space, countries and commercial enterprises will undertake the risks and costs of space development. 540However, unless international space law changes, it may prevent this from happening. If it changes, strong management controls will be necessary to prevent destruction or over-consumption of celestial resources, as well as monopolization and competitive behavior by participants, which could lead to hostilities and inequities.

[\*262] This Article examines various private property regimes, including those of less than full fee ownership, to see if any would avoid the conflict with the international prohibition on appropriation of outer space and its resources. It concludes that none will because each retains the right to exclude and each is insensitive to the treaties' equity concerns. In contrast, considering outer space to be common is consistent with international space law in both respects.

Hypothesizing that private property in outer space may yet prevail, this Article investigates different private property management approaches, such as the right of first possession, lotteries, and tradable development rights, to see if any would be cost effective, easy to implement and equitable, and would also prevent over-consumption, monopolization or the slide into rivalrous behavior. The Article concludes that each comes up short in some respect. Social norms as a management tool for property held in common, although compliant with international law, are also not up to the task. Instead, although ancient, the PTD, with its malleability, easy and cost-effective implementation and enforcement, non-consumption principle, and consistency with the goals that animate international space treaties, seems best suited to the task of protecting the public's interests in the global commons that is outer space as it has done for centuries in Earth-bound commons.

But, as its principal terrestrial use has been to protect trust resources from development, the doctrine needs some modification to encourage development of celestial resources. Hence, this Article suggests that modifying the PTD to allow the application of private property management tools, like tradable development rights, will not only allow development, but also will assure that when it happens, it will not be just profitable for a few, but will also be sustainable and equitable.

### 1NC---OFF

#### The 1AC’s research never should have been published—proliferating it only serves to disempower those strategies and reveal it to the state which causes external crackdowns

**Ruzicka 16** (Michal Ruzicka; Forschungszentrum Menschenrechte, Universität Wien, Hörlgasse; 2016; “*Unveiling what should remain hidden: ethics and politics of researching marginal people*;” Österreichische Zeitschrift für Soziologie volume 41, 147–164)

A gradual turning point in my research came after I realized that our relationship based on mutual trust became deeper, allowing Koloman to openly discuss with me the details of his and his family’s social and economic life. From one point, Koloman had no trouble providing me with details about his past (how he got to prison etc.) and present experience, especially with regard to how he managed his family’s finances; by that time, he had already lost eligibility to receive State unemployment benefits. I acquired a new perspective on how people like Koloman do things in order to manage their lives on a day-to-day basis, especially by utilizing marginal economic resources available to them either directly on the street or via social networks, mostly in the context of the underground economy. Koloman often openly explained to me how things work on the street, how one has to behave in order to utilize the most viable resources. Along with strategies to make the “right impression” in the eyes of the State – a police officer or a social worker most commonly in this case – I learned about the tactical role which certain strategies (which would be seen by the dominant society as false promises, overt lies, theft, threat or even open violence) played in managing the insecure, rare and constantly fleeting resources in the shadow areas of the underground economy. Koloman never got involved in organized crime, preserving his pride as a lone wolf who is really good in what he does: exploiting economic resources, often at the expense of other actors in the social game. I came to feel that I started to better understand Koloman’s own perspective on the world which led me, among other things, to stop perceiving his actions as resulting from his cultural membership, but rather as his own practical strategies and tactics that he himself had learned to utilize in order to be successful in the street economy. Based on my extensive experience with Koloman’s family, I realized that there is a certain “core” of informal practices and tactics that not only give a new meaning to what Koloman did on an everyday basis, but that would give me a new understanding of what it is like to live on the margins. New data and new forms of understanding motivated me to reconsider the complex relationship that existed between my method and data, and between ethical and political considerations. For instance, I was struggling between my ethnographic curiosity (“wow – amazing data!”) and my own ethical beliefs (“I just cannot publish this data”). My biggest fear was to unwittingly become an informant to the disciplining State apparatus, providing an informational base that could potentially be used against the interests of my informants. Besides that, I was personally reluctant to being over-involved in the underground economy. I understood that there was a multiplicity of perspectives and ethical considerations that perhaps should be taken into account if I decided to continue my research: 1. Koloman’s own moral convictions of what is right and wrong. 2. My own moral convictions of what is right and wrong. 3. The wider society’s moral convictions of what is right and wrong, together with hegemonic stereotypes used to justify Roma marginalization. 4. The scientific community demanding research results to be reported, allowing data to be available for peer review. At first, I did not find the fact that these perspectives exist in mutual conflict to be problematic. Only later did I realize that I have a problem: what to do with the data that at the same time served to “explain” a social phenomenon, yet their nature was that they must remain hidden to the observer, especially to the agents of the State. The problem was that, in a sense, I also was the State’s agent: a professional scientist paid by the State to provide and publish “data” on what it means to live on the margins as a poor Roma under post-socialismFootnote1. Not only my research, but also my data turned political. I knew that the data – if disclosed openly – could serve as a fuel for the anti-Roma discourse by conforming the general stereotype of Gypsies as “smart liars”, “cunning pretenders” or “thieves”. I became obsessed with imaginary scenarios of how my data could possibly be politically used against those who have trusted me most, my informants. How to say enough without saying too much? The tension between the scientific imperative to “do research and present your results” and the ethical imperative “never cause harm to your informants” was clearly not easily resolved at this point. As I was thinking my way through the plethora of moral dilemmas and ethical considerations stemming from recent developments in my research, I came to realize that my research was not only about the relationship between my informants and myself. Rather, other powerful actors were to be included into how I perceived the issue: the dominant society (with its pre-constructed notions and stereotypes about the Roma) as well as the State with its primary agenda to preserve the social and political status quo by means of disciplining those who are perceived as a threat to the symbolic order of the dominant society (Sibley 1995). This consideration eventually led me to integrate the relationship between the marginal (marginalized Roma in my case) and the central (the State and its institutions) into my research on conditions that make the enduring Roma marginality possible.

#### The alternative is to embrace *Invisibility* as a tactical choice to prevent discursive cooption by *hegemonic forces*—like debate.

**Ruzicka 16** (Michal Ruzicka; Forschungszentrum Menschenrechte, Universität Wien, Hörlgasse; 2016; “*Unveiling what should remain hidden: ethics and politics of researching marginal people*;” Österreichische Zeitschrift für Soziologie volume 41, 147–164)//Garfield-Ben

Marginal people navigate their everyday lives on the fringes of the dominant socio-economic system, often having to deal with the stigma attached to their social (and/or ethnic) status. Being deprived of full access to resources which are otherwise accessible to members of the society at large, lacking skills and knowledge to be perceived by the distributors of social recognition, as well as having limited access to social services, marginal people have to rely on irregular, precarious and often unpredictable sources of income. The economic strategies of marginal people can be seen as “open” in the sense that these people must be ready to make use of such opportunities and resources (both material, social and informational) as soon as they emerge (Day et al. 1999). Life on the margins consists mainly of waiting and waiting again for the right opportunity. Koloman’s life may appear to the outside observer as slow, if not ‘boring’ (it is he himself who describes his life as boring). In fact, ‘not much has happened, you know’ is the most common answer I received at any time when asking what has changed since our last encounter. Such a statement reflects the nature of things most of the time: ‘nothing has happened’ in the sense that no big changes have occurred in Koloman’s family’s life. Often, however, I was quite surprised to find rather dramatic changes taking place rather suddenly: Koloman finding a new apartment to rent for his family, or his unexpectedly leaving the city for an expedient job that ‘you know, just suddenly appeared’ … To put it in another words: in his life, Koloman usually waits. Unhappy with his and his family’s current living situation, Koloman waits for an opportunity: an opportunity that is unpredictable, since it often pops up suddenly, unannounced and unanticipated. In this sense, Koloman relies not on the limited amount of recognized forms of capital (money, education or skills utilizable in the labor market), but rather on resources embedded in social capital that he is not aware of yet: a friend offering a part-time job at a construction site, an acquaintance suggesting a risky but relatively profitable ‘deal’, or another random resource which could be utilized to make Koloman’s family’s life more bearable. Koloman’s case corroborates the observation that life on the margins operates by means of “isolated actions, blow by blow …,” leading marginal people to “vigilantly make use of the cracks that particular conjunctions open in the surveillance of the proprietary powers” (de Certeau 1984, p. 37). After I turned my attention to how Koloman manages the unpredictable resources and opportunities, I realized the importance of “impression management” for his relative success not only in the underground economy. I have no objective way to assess Koloman’s craft to induce the right impression in the right people, yet this skill has astonished me so many times: making a great impression in the eyes of the landowner, his children’s schoolteacher, the social worker responsible for assessing the needs of his mother-in-law, the judge in his eldest son’s court case … and the list could go on. Not only Koloman, but also other Roma families living on the margins whom I have come to know, often unemployed and thus depending on irregular and unpredictable sources of income, are forced to rely on irregular sources of income: from actively searching for materials to be collected, recycled (and/or repaired) and then sold, to exchanging services for cash (mostly by providing cheap unskilled labor, or more informal services), to passively waiting for the “right moment” to utilize their personal skills to effectively act and then disappear without being noticed. The craft of impression management and the art of becoming “invisible” come hand in hand. These forms of economic strategies remain relatively under-researched, perhaps due to the fact that they have been morally condemned by both the dominant society and the State apparatus (along with those researchers who, fearing that their research could contribute to their informants’ bad reputation, simply “ignore” such practices). This includes such arts and crafts as “impression management” in the presence of utilizable resources, beggary, or even thievery (Horváthová 1964, p. 330; Sutherland 1975, p. 28). Having their lives relatively determined by their disadvantaged position with regard to social and economic resources embedded within the dominant social and economic system, marginal people are nevertheless still a part of it and are never completely “excluded”. Stigmatized by both their ethnicity and economic strategies, these people never find themselves completely “outside” the socio-economic system. Living on the margins of a system means not to live outside of it, but on its fringes – in the shadow area where formal social control is relatively weaker. Limited access to the recognized forms of capital does not rule out having access to irregular and “morally questionable” resources (i. e. those which are “morally questionable” from the perspective of the members of the dominant society). The relational perspective on the State and its marginals (i. e. the mutual relationship between the center and its periphery) allows us to recognize that marginal people are never totally “excluded”; their life is possible only by means of utilizing marginal and often stigmatized (but never fully “excluded”) resources. In other words, marginal people can be fully understood only once we recognize how they are actually embedded within the dominant system, albeit marginally. That is exactly why the Roma “cannot be understood in isolation from the wider society of which they have always formed a part” (Bloch 1997, p. xiv). People without a fixed and secure position in society, such as the Roma, “maintain their autonomy by adapting to the dominant culture” in the sense that they “have successfully stayed apart from the larger society because that society provides their economic base” (Sibley 1981, p. 14; see also Sway 1984). In other words, there is a “paradox of Gypsy ethnicity” to be explained: “how Gypsies keep themselves distinct while appearing to assimilate” (Silverman 1988, p. 273; see also Okely [1983] 1992). Marginal people who are economically dependent on the dominant society which at the same time excludes them must make sure to give the “right impression” in the eyes of the beholder. Koloman is very keen on how he and his actions appear to the people “who have power” (by “people in power”, he means State agents such as policemen, social workers and other state bureaucrats, teachers, landlords, doctors and – perhaps – also ethnographers). Koloman recognizes that his family depends to a certain degree on the impression they produce in these agents. People who are almost constantly subjected to the controlling and disciplining gaze of the State are simply forced to develop methods of “impression management” (Gmelch 1986, p. 313–314; Silverman 1982; for an analytic frame of studying strategies of impression management, see Goffman 1969), enabling themselves always to wear the proper “mask” when on “stage” (Goffman 1959). People selling “street newspapers” develop techniques to make themselves more visible without “annoying” the by-walkers too much, so do beggars who have mastered techniques to arouse compassion in bystanders. Koloman also has particular strategies and techniques that “work” in the sense that they deliver positive results: making the right impression and thus actualizing potential resources. Making the right impression, or having the process of impression management under control, is a solution to the problem of how to appear in the eyes of the (always possibly exclusionary) beholder. Another solution would be to “become invisible”, i. e. to produce a discontinuity between appearance on the outside, and autonomy and sense of identity on the inside. Because of their marginal status, “the Rom have developed one set of rules for behaviour in obtaining economic and political gain from the gaje and another set of rules for the same behaviour with their own people” (Sutherland 1975, p. 20). Both the gadje and the State (especially when they meet in the figure of the policeman, the teacher, the social worker, the journalist or the landlord) are always potentially threatening forces. In minatorial situations, and in those in which “impression management” is out of the question, marginal people can resort to “becoming invisible” as an ultimate means of deflecting the gaze of the State’s disciplinary agents. With regard to “becoming invisible” as the everyday strategy of marginalized people, a particular case might help to illustrate the main point here. Academic interest has for some time focused on researching Roma migrations, especially those from the East to the countries of Western Europe (Guy 2003; Lee 2000; Matras 2000; Guy et al. 2004). Recent Roma migration has generally been perceived and researched as “a way of solving the economic problems” (Uherek 2004, p. 91), or as a means of escaping socio-economic and political problems, such as discrimination, or as an escape from serious interpersonal conflict (Weinerová 2004, p. 114). Vašečka and Vašečka (2003) mainly regard modern Roma migration as a result of disillusionment and the degradation of the socio-economic status of the “Romani socialist-style middle class” (Vašečka and Vašečka 2003, p. 37), which are again basically economic motives. Prónai in his article on Gypsy migration in Hungary (2004) states that the motivation for migration among the Hungarian Gypsies has been economic, but often with some political considerations as well (Prónai 2004, p. 126). Matras’ conclusions on the overall motives and causes of recent Roma migrations are in accord with those of the above-mentioned authors, as he sees such migrations to be motivated by reasons of economic or personal security (Matras 2000, p. 37–38). Without questioning the importance or validity of such claims, my own ethnographic experience led me to a slightly different conclusion regarding the possible causes of contemporary flows of Roma migration (see Ruzicka 2009). I refused to “fit” my research experience and my data into the pre-established categories of economically and politically motivated migration, as I realized that it is perhaps impossible to generalize Roma migrations under one analytical umbrella (Grill 2011, p. 81). To avoid the pitfall of pre-established categories, I proposed another category: that of “invisible migration.” Current research, I argue, has focused mostly on the “visible” forms of Roma migrations – receiving the highest level of media coverage, they become visible on account of the strongest social and political interest (Clark and Campbell 2000). Not only does such a perspective conform to the image of the overall Gypsy history as a history of “forced migration” – a history of “exodus” (Kendrick 2004; Clébert 1967, p. 46). It also presents Roma migration as being caused by some exogenous forces. In my own ethnographic research, I observed forms of migration that did not fit into the category of labor or political migration, nor was I able to see any exogenous forces that would limit the choices of my informants. Due to the particular political development in former Czechoslovakia, and due to the State’s policy of “liquidation of Gypsy settlements” in the 1960 s and 1970 s, parts of Roma families from the Gypsy settlements in Eastern Slovakia moved to Czech industrial cities to seek better housing and employment opportunities (Jurová 1996). Other parts of these families sometimes refused to be moved, remaining in their settlements. Kin-based social networks, now stretching between the Czech and Slovak states, have often been maintained for decades and presently serve as a kin infrastructure facilitating forms of Roma migration. Applied to migration such kin-based networks have also been used for such “endogenous” reasons as gathering and maintaining resources or identifying suitable spouses (for details, see Ruzicka 2009). Due to the fact that these forms of Roma migration have been going unnoticed by the dominant society (i. e. not arousing anti-Gypsy sentiments, nor stimulating any form of media coverage, not to speak of academic research), I referred to them in terms of “invisible migration.” A further interpretation might be that such “invisibility” has been a conscious strategy of the marginalized people who at once need to gather resources available through their kin networks, while remaining hidden from the gaze of the outsider (Williams 1982). There are forms of migration that go unnoticed by the State and by “outsiders”, i. e. by members of the dominant society (bureaucrats, policemen, ethnographers etc.) who are always seen as possessing the power to endanger one’s security or chances for success. Marginal people navigate their everyday lives with limited resources, constantly being scrutinized and subjected to the omnipresent gaze of the state institutions and members of the dominant societies. Being subjected to various forms of formal and informal social control, these people must maintain the right impression by subjecting themselves to the formal and informal demands, while at the same time keeping distance from them in order to preserve their own identity, sense of self-worth, and cultural autonomy. A certain compromise between submission to those in power and keeping distance from them is thus a crucial determinant of the craft of living on the margins. Marginal people apply contextual tactics rather than explicitly and deliberately planned strategies to navigate their lives through the space of limited resources, constantly being observed by agents of social control. In other words, these tactics are used to “maneuver ’within the enemy’s field of vision’ … and within enemy territory” (de Certeau 1984, p. 36–37). The art of “correct” impression management, along with the craft of going unnoticed, invisible, and remaining hidden, is one of the most important forms of the “art of the weak” (de Certeau 1984, p. 37). The problem arises when these smart tactics, these “weapons of the weak” (Scott 1985), seen as the last resort in their own terms, suddenly become transparent, visible and unveiled, exposed to the panoptical eye of the State and its’ servants.

### 1NC---OFF

#### Space colonization prevents the condemnation of humanity

Gonzalo Munevar 19 (Gonzalo Munevar is the Emeritus Professor at Lawrence Technical University, 4/19/19, accessed 1/17/22, “Deflecting Existential Risk with Space Colonization”, https://filling-space.com/2019/04/19/deflecting-existential-risk-with-space-colonization/)AGabay

Why do you argue that “failure to move into the cosmos would condemn us to **oblivion**”? By having a **significant presence** in the solar system in the next few thousands of years and beyond, we will be in a better position to deflect **asteroids** and **comets** that might bring the end of **humanity**, and much other Earth **life**, in a **horrible** **collision**. And if perchance one such catastrophe proves **inevitable** (e.g. a rogue planet passing through the solar system), humanity would still survive by having **colonized** Mars and other bodies, as well as by having built artificial space colonies of the type advocated by Gerard O’Neill. Once the sun begins to turn into a **red giant** in a few billion years, we must have long moved into the outer solar system. In the very long run, we have to move into **other solar systems**. Relativistic-speed starships would be nice, but they are not necessary for the task of moving humanity to the stars. We can reach them, slowly but surely, by propelling some of our space colonies away from the **sun**, carrying perhaps millions of human beings. They would **take advantage** of the many resources to be found in the **Oort Cloud**, and then of equivalent clouds in other solar systems. Even interstellar space has resources to offer. Nuclear energy, probably fusion, would likely be required. It may take us tens of thousands of years, but in the cosmic time scale, that is but a blink in the eye. What are these catastrophic threats? Are there any records of catastrophic events happening before humans appeared on Earth? I have already mentioned collisions with asteroids and comets. Although the **active geology** of our planet tends to erase the record of many collisions, we can find a well-preserved record on the Moon and Venus, the two closest bodies to Earth. On the 600-million-years-old Venusian surface, the spacecraft Magellan discovered about one thousand impact craters at least twice the diameter of meteor craters on Earth. This impact record makes it **reasonable** to estimate a **catastrophic impact** on Earth every half a **million** **years** or so. Collisions with bodies of 5 km across would happen, on the average, every 20 million years. Apart from the Alvarez asteroid (crater near Yucatan) that led to the **extinction** of the **dinosaurs** and the majority of species on Earth 65 million years ago, there have been at least two more impacts by asteroids 10 km or larger in the last 300 million years.

#### Space Colonization outweighs---here’s everyone’s favorite Bostrom card!

Nick Bostrom 3 (Nick Bostrom is a Swedish-born philosopher at the University of Oxford known for his work on existential risk, the anthropic principle, human enhancement ethics, superintelligence risks, and the reversal test, 2003, accessed 12/22/21, “Astronomical Waste: The Opportunity Cost of Delayed Technological Development”, <https://www.nickbostrom.com/astronomical/waste.html)AGabay>

As I write these words, suns are illuminating and heating empty rooms, unused energy is being flushed down black holes, and our great common endowment of negentropy is being irreversibly degraded into entropy on a cosmic scale. These are resources that an advanced civilization could have used to create value-structures, such as sentient beings living worthwhile lives. The rate of this loss **boggles the mind**. One recent paper speculates, using loose theoretical considerations based on the rate of increase of entropy, that the loss of potential **human** **lives** in our own galactic supercluster is at least ~**10^46** per century of **delayed colonization**.[1] This estimate assumes that all the lost entropy could have been used for productive purposes, although no currently known technological mechanisms are even remotely capable of doing that. Since the estimate is meant to be a lower bound, this radically unconservative assumption is undesirable. We can, however, get a lower bound more straightforwardly by simply counting the number or stars in our galactic supercluster and multiplying this number with the amount of **computing power** that the resources of each star could be used to generate using technologies for whose feasibility a strong case has already been made. We can then divide this total with the estimated amount of computing power needed to simulate one human life. As a rough approximation, let us say the Virgo Supercluster contains 10^13 stars. One estimate of the computing power extractable from a star and with an associated planet-sized computational structure, using advanced molecular nanotechnology[2], is 10^42 operations per second.[3] A typical estimate of the human brain’s processing power is roughly 10^17 operations per second or less.[4] Not much more seems to be needed to simulate the relevant parts of the environment in sufficient detail to enable the simulated minds to have experiences indistinguishable from typical current human experiences.[5] Given these estimates, it follows that the potential for approximately **10^38** human **lives** is lost every century that colonization of our local supercluster is delayed; or equivalently, about **10^29** potential human lives per second. While this estimate is conservative in that it assumes only computational mechanisms whose implementation has been at least outlined in the literature, it is useful to have an even more conservative estimate that does not assume a non-biological instantiation of the potential persons. Suppose that about 10^10 biological humans could be sustained around an average star. Then the Virgo Supercluster could contain 10^23 biological humans. This corresponds to a loss of potential equal to about 10^14 potential human lives per second of delayed colonization. What matters for present purposes is not the **exact numbers** but the fact that they are **huge**. Even with the most **conservative** **estimate**, assuming a biological implementation of all persons, the potential for one hundred trillion potential **human** **beings** is lost for every second of **postponement** of **colonization** of our supercluster.[6]

### 1NC---OFF

#### Interpretation: the aff must disclose the aff. To clarify, disclosure must occur on the 2021-22 NDCA wiki an hour before round.

#### Violation: they didn't; see ss

A screenshot of a phone

Description automatically generated with medium confidence

Standards:

#### 1. Prep and Clash—two internal links—

#### a. Neg Prep—4 minutes of prep is not enough to put together a coherent 1nc or update generics—30 minutes is necessary to learn a little about the affirmative and piece together what 1nc positions apply and cut and research their applications to the affirmative which is k2 fairness.

#### b. Aff Quality—plan text disclosure discourages cheap shot affs. If the aff isn't inherent or easily defeated by 20 minutes of research, it should lose—this will answer the 1ar's claim about innovation—with 30 minutes of prep, there's still an incentive to find a new strategic, well justified aff, but no incentive to cut a horrible, incoherent aff that the neg can't check against the broader literature.

#### 2. Rigorous Scrutiny — we were deprived of the opportunity to research and prepare a response to the case. Secrecy undermines rejoinder and prevents meaningful testing which is the only unique impact to debate.

Cross apply paradigm issues

3. **Quality engagement – having quality arguments in the debate space is necessary to decide who is the better debater and not who has the better prep.**

**4. Time skew - i spend time on theory and now have to try to spread my case which means that im at a disadvantage because i can’t get to all the cards**

**5. Topic Education – Disclosure enables both sides to research the event, debate is a game, but a biproduct is education, we debate for the educational experience we receive, disclosure enables this.**

### Case

#### Vote neg---

#### a---Pornotroping---the 1AC speaks on instances of queering without any material ways to solve it---that makes the violence fungible, which turns the case

#### b---This is offense. Symbolically affirming their method despite its lack of ties to material resistance strengthens power.

Rigakos and Law, 9—Assistant Professor of Law at Carleton University AND PhD, Legal Studies, Carleton University (George and Alexandra “Risk, Realism and the Politics of Resistance,” Critical Sociology 35(1) 79-103, dml)

McCann and March (1996: 244) next set out the ‘justification for treating everyday practices as significant’ suggested by the above literature. First, the works studied are concerned with proving people are not ‘duped’ by their surroundings. At the level of consciousness, subjects ‘are ironic, critical, realistic, even sophisticated’ (1996: 225). But McCann and March remind us that earlier radical or Left theorists have made similar arguments without resorting to stories of everyday resistance in order to do so. Second, everyday resistance on a discursive level is said to reaffirm the subject’s dignity. But this too causes a problem for the authors because they:

query why subversive ‘assertions of self’ should bring dignity and psychological empowerment when they produce no greater material benefits or changes in relational power … By standards of ‘realism’, … subjects given to avoidance and ‘lumping it’ may be the most sophisticated of all. (1996: 227)

Thus, their criticism boils down to two main points. First, everyday resistance fails to tell us any more about so-called false consciousness than was already known among earlier Left theorists; and second, that a focus on discursive resistance ignores the role of material conditions in helping to shape identity.

Indeed, absent a broader political struggle or chance at effective resistance it would seem to the authors that ‘powerlessness is learned out of the accumulated experiences of futility and entrapment’ (1996: 228). A lamentable prospect, but nonetheless a source of closure for the governmentality theorist. In his own meta-analysis of studies on resistance, Rubin (1996: 242) finds that ‘discursive practices that neither alter material conditions nor directly challenge broad structures are nevertheless’ considered by the authors he examined ‘the stuff out of which power is made and remade’. If this sounds familiar, it is because the authors studied by McCann, March and Rubin found their claims about everyday resistance on the same understanding of power and government employed by postmodern theorists of risk. Arguing against celebrating forms of resistance that fail to alter broader power relations or material conditions is, in part, recognizing the continued ‘real’ existence of identifiable, powerful groups (classes). In downplaying the worth of everyday forms of resistance (arguing that these acts are not as worthy of the label as those acts which bring about lasting social change), Rubin appears to be taking issue with a locally focused vision of power and identity that denies the possibility of opposing domination at the level of ‘constructs’ such as class.

Rubin (1996: 242) makes another argument about celebratory accounts of everyday resistance that bears consideration:

[T]hese authors generally do not differentiate between practices that reproduce power and those that alter power. [The former] might involve pressing that power to become more adept at domination or to dominate differently, or it might mean precluding alternative acts that would more successfully challenge power. … [I]t is necessary to do more than show that such discursive acts speak to, or engage with, power. It must also be demonstrated that such acts add up to or engender broader changes. In other words, some of the acts of everyday resistance may in the real world, through their absorption into mechanisms of power, reinforce the localized domination that they supposedly oppose. The implications of this argument can be further clarified when we study the way ‘resistance’ is dealt with in a risk society.

Risk theorists already understand that every administrative system has holes which can be exploited by those who learn about them. That is what makes governmentality work: the supposed governor is in turn governed – in part through the noncompliance of subjects (Foucault, 1991a; Rose and Miller, 1992). For example, where employees demonstrate unwillingness to embrace technological changes in the workplace, management consultants can create:

a point of entry, but also a ‘problem’ that their ‘packages’ are designed to resolve. … In short, consultants readily constitute certain forms of conduct as ‘resistance to technology’ as this gives them some purchase on its reform by identifying a space in which expertise can be brought to bear in the exercise of power. Resistance consequently plays the role of continuously provoking extensions, revisions and refinements of those same practices which it confronts. (Knights and Vurdubakis, 1994: 80)

This appears to be a very different kind of resistance from that contemplated by Rubin, but perhaps not so different from that of the authors whom he and McCann and March critique: those whose analysis ends at the discursive production of noncompliance. Instead, the above account is of a resistance that almost invariably helps power to work better. A conclusion in the present day that ominously foreshadows the futuristic, dystopic risk assemblage described by Bogard (1996).

Another example of the ‘resolution’ of resistance proposed above is the institution of a tool library described by Shearing (2001: 204–5). In this parable, a business deals with the issue of tool theft on the part of workers by installing a ‘lending library’ of tools instead of engaging in vigorous prosecution and jeopardizing worker morale. While the parable is meant to indicate a difference between actuarial and more traditional (moral) forms of justice, it also demonstrates how an act that may be considered ‘resistant’ is incorporated without conflict into the workplace loss-prevention scheme – an eminently preferable, ‘forward-looking’ solution within the logic of risk management. The same is possible in the case of more discursive forms of resistance. If I do not see myself as a Guinness man, for example, market researchers will do their best to adapt Guinness to the way I do see myself (Miller and Rose, 1997). The end result, of course, is that I purchase the beer. As manifested in a form of justice (Shearing and Johnston, 2005), it always consolidates, tempers emotions, cools the analysis, reconciles factions, and always relentlessly moves forward, assimilating as it grows. In this sense, therefore, Bogard’s ‘social science fiction’ actually pre-supposes and logically extends Shearing’s (2001) rather cheery and benevolent rendering of risk thinking. In this context of governmentality theory – as self-described and lauded for its political non-prescription by its own pundits – the acts or attitudes described as resistant are, in the end, absorbed by those who govern. Resistance as an oppositional force – that pushes against or has the potential to take power – is theoretically and politically neutralized. In the neutralization process, power is reproduced.

So, along with McCann and March’s observations that everyday resistance adds little to our understanding of false consciousness and that it denies the role of material factors in shaping identity, we can add Rubin’s two main criticisms of everyday resistance: it relies on an inaccurate understanding of power, and acts of resistance which supposedly emancipate actually may reinforce domination. All four of these criticisms demand the same thing: to know what is really going on, to get an adequate grasp of the social.

#### c---Debatability---they provide no concrete or new strategy that hasn’t already been done---that makes them undebatable because we can never predict what the 2AC spin will be---vote neg on presumption

#### Psychoanalysis is not empirical and has no explanatory power --- prefer social science because it can explain events based on causal relationships.

Slava Sadovnikov 7, York University, "Escape from Reason: Labels as Arguments and Theories", Dialogue XLVI (2007), 781-796, philpapers.org/archive/SADEFR.pdf

The way McLaughlin shows the rosy prospects of psychoanalytical social theory boils down to this: there are people who labour at it. He reports on Neil Smelser’s lifelong elaborations of psychoanalytical sociology, which prescribed the use of Freudian theories. Then he presents a “powerful” psychoanalytical theory of creativity of Michael Farrell, commenting on how the theorist “usefully utilizes psychoanalytic insights,” though McLaughlin does not specify them. He correctly expects that I might not view his examples as scientiﬁc. Their problems begin well before that. First, due to their informative emptiness, or tautological character, all they amount to is rewordings of everyday assumptions. Second, due to their vagueness these accounts are compatible with any outcomes; in other words, they lack explanatory and predictive power. The proposed ideas are too inarticulate to subject to intersubjective criticism, and to call them empirical or scientiﬁc theories would be, no matter how comforting, a gross misuse of words. ¶ On the constructive side, a psychoanalytic theorist may be challenged to unambiguously formulate her suppositions and specify conditions of their disproof, to leave out what we already well know and smooth out internal inconsistencies, and revise the theories in view of easily available counter-examples and competing accounts. Only after having done this can one present candidate theories to public criticism and thus make them part of science, and fruitfully discuss their further reﬁnements. Another suggestion is not to label them “powerful theories,” “classics,” or anything else before their real scrutiny begins. ¶ That criticism and disagreement are indispensable for science is not a “Popperian orthodoxy,” although Popper does champion this idea; it is the pivot of the tradition (which we owe to the Greeks) which identiﬁes rationalism with criticism. 4 McLaughlin ostensibly bows to the critical tradition but does not put it to use. Instead of critical evaluation of the theories in question he writes of “compelling case,” “powerful analytic model,” and “useful conceptual tool.” ¶ On the methodological side of the issue, we should inquire into the mode of thinking common to Fromm and all adherents of conﬁrmation-ism. The trick consists in mere replacement of familiar words with new, more peculiar ones; customary expressions are substituted by “instrumental intimacy,” “collaborative circles,” and “idealization of a self-object.” Since the new, funnier, and pseudo-theoretical tag does the job of naming just as well, it “shows how” things work. The new labels in the cases criticized here do not add anything to our knowledge; nor do they explain. We have seen Fromm routinely abuse this technique. The vacuity of Fromm’s explanations by character type was the central point in my analysis of Escape , yet McLaughlin conveniently ignores it and, like Fromm, uses the method of labelling as somehow supporting his cause. ¶ The widely popular practice of mistaking new labels for explanations has been exposed by many methodologists in the history of philosophy, but probably the most famous example of such critique comes from Molière. In the now often-quoted passage, his character delivers a vacuous explanation of opium’s property to induce sleep by renaming the property with an offhand Latinism, “virtus dormitiva.” The satire acutely points not only at the impostor doctor’s hiding his lack of knowledge behind foreign words, but also at the emptiness of his alleged explanation. (Pseudo-theoretical literature is boring precisely because of its “dormitive virtue,” its shufﬂing of labels without rewarding inquiring minds.) ¶ Let me review notable criticisms of this approach in the twentieth century by Hempel, Homans, and Weber leaving aside their forerunners. This problem was discussed in the famous debate between William Dray and Carl Hempel. Dray argues, contra the nomological account of explanation, that historians and social scientists often try to answer the question, “What is this phenomenon?” by giving an “explanation-by-concept” (Dray 1959, p. 403). A series of events may be better understood if we call it “a social revolution”; or the appropriate tag may be found in the expressions “reform,” “collaboration,” “class struggle,” “progress,” etc.; or, to take Fromm’s suggestions, we may call familiar motives and actions “sadomasochistic,” and any political choice save the Marxist “escape from freedom.”¶ Hempel agrees with Dray that such concepts may be explanatory, but they are so only if the chosen labels or classiﬁcatory tags refer to some uniformities, or are based on nomic analogies. In other words, our new label has explanatory force if it states or implies some established regularity (Hempel 1970, pp. 453-57). For example, you travel to a foreign country and, strolling along the street, see a boisterous crowd. Your guide may explain the crowd with one of several term

s: that it is the local soccer team’s fans celebrating its victory, or it is a local religious festival, or a teachers’ strike, etc. The labels applied here—celebration, festival, strike— have explanatory value, because we know that things they refer to usually manifest themselves in noisy or unruly mass gatherings.¶ If, on the other hand, by way of explaining the boisterous crowd the guide had invoked some hidden social or psychological forces, or used expressions such as embodiment, mode of production, de-centring, simulacra, otherness, etc., its causes would remain obscure. If she had referred to psychoanalytic “character types” (say, Fromm’s authoritarian, anal, or necrophiliac types), the explanation would not make much sense either. Nothing prevents us nevertheless from unconditionally attaching all these labels to any event. The mistake McLaughlin and conﬁrmationists persistently make is in thinking that labelling social phenomena alone does theoretical and explanatory work. 5 George Homans observed the prevalence of this trick some decades ago:¶ Much modern sociological theory seems to us to possess every virtue except that of explaining anything. . . . The theorist shoves various aspects of behavior into his pigeonholes, cries “Ah-ha!” and leaves it at that. Like magicians in all times and places, the theorist thinks he controls phenomena if he is able to give them names, particularly names of his own invention. (1974, pp. 10-11)

#### Prioritize space policy scenario-planning – this is an impat turn to the aff

Adams, et al, 18—Lecturer in Urban Planning in the School of Geography, Earth and Environmental Sciences at the University of Birmingham (David, with Peter Larkham, Professor of Planning at Birmingham City University, and Dan Sage, Senior Lecturer in Human Resource Management and Organisational Behaviour at Loughborough University, “Planners in space?,” Town & Country Planning, 87 (8), pp.307-315, dml)

Writing some 40 years ago and against a background of the ‘limits to growth’ debate of the 1970s, Millward called for geographers, planners and other social scientists to explore seriously the possibility of moving to off-Earth space settlements.35 Although there is now a growing social science perspective on the possibilities and limits of future space visions, there are further opportunities for planners, geographers, architects and others involved with the design and management of places to respond to these debates, assimilating them into existing approaches, or creating new research areas specifically relating to the space ‘frontier’.

One practical suggestion is that planners and geographers – perhaps working alongside engineers and architects – might study the feasibility of designing new Earth-based space launch megastructures. This would involve working through the possibility of improved space launches, including the impact on the surrounding population and environment, the proximity to major industrial and population centres, and the capability of existing power networks.

Moreover, and considering the bleak scenarios outlined above, there are obvious parallels with how architect-planners, engineers, politicians, industrialists and leading scientists saw the urgent need to rebuild as an opportunity to reform or improve cities that before the Second World War had been suffering from different urban ailments.36 Infused by the image of a tabula rasa, the prospect of large-scale rebuilding offered the possibility to architect-planners to transform war-damaged cities and project their sometimes-radical visions of future cities.

Discussions around possible space futures could, for example, unpick the way in which the sometimes lavish mid-20th century reconstruction plans offered a vehicle to boost the personal and strategic ambitions of politicians and other key decisionmakers.37 Are there lessons for entrepreneurial space enterprises in the way that powerful elites had to wrestle with bureaucratic frameworks, financial constraints, the peculiarities of a particular site, the availability of materials, the talent of architects, the desires of landowners, and, of course, the perspectives of inhabitants?

Some in the planning and design community are also beginning to raise concerns over recent plans for the human inhabitation of Mars (and exploration of space, in a more general sense). For example, some are anxious that the ambitions set out by organisations such as Mars City Design® for human habitation on the ‘red planet’ represent an opportunity for architects and designers to project their visions on to a ‘blank slate’.5

This is a familiar story for planners. Since the mid-to-late-20th century, it has become almost commonplace to blame the ‘metaphysical fancies’38 of prominent white, middle-class, male experts for creating ‘alien’ spatial and temporal circuits of production, exchange and consumption that did much to eliminate spontaneity from urban life. Efforts to plan were from ‘high and afar’, informed by the empirical-analytical approaches of scientists, bureaucrats and engineers involved in the creation of large-scale rebuilding projects, and helping to realise a capitalist city in full flow.

But not all reconstruction plans projected capitalist visions of the future, and some reconstruction proposals were heavily idealistic but also pragmatic. The motivations among those potential space settlers will likely differ from those agencies and space advocates pushing for the creation of permanent off-Earth settlement. So exploring the ‘cracks in the concrete’ of earlier planning visions,7 as individuals subverted ‘utopian’ narratives of the future urban environment to suit their own ends, might help to develop any discussion about human settlement of space.

Second, while there are flaws in the argument about the vital, innate need to travel, there is an opportunity to nurture the human desire to cultivate a sense of inquisitiveness and fulfilment. Or to paraphrase Alfred North Whitehead, ‘physical wandering is important’, but ‘greater still is the power of [humankind’s] adventures of thought’ into ‘uncharted seas of adventure’.39

Ancient human migration brought people into contact with different customs of various cultures, philosophies, and political and social systems.1 It is, therefore, valuable to consider these perspectives to gain further insight into our own beliefs, perspectives and actions.

Increased exploration of space would present a clear opportunity to further knowledge about the universe, which would stimulate human curiosity and potentially lead to some unpredictable social, economic and environmental discoveries, but would also help humankind to reflect on current and near-future Earth-based practices. Moreover, it is often said that people act and live out the past in the present. And planning tools such as maps, images, diagrams and future scenarios can certainly influence present and future action; but they can also shape how we think about the past.40

At some indeterminate point beyond the future horizon, people may be living in outer space and on other worlds, and since differing cultures stem in part from environmental conditions, it is possible that these individuals will be greatly different from earlier cultures, planning efforts, contexts, perceptions and attitudes. Hence, if a new age of space exploration marks our opportunity to ‘start afresh’, then there is the obvious possibility of examining capitalism, along with other economic models, and legal frameworks. Given that there will be long communication delays that may make MarsEarth governance cumbersome, regulatory and administrative functions will need to hold authority over new lands, efficiently administer public policy and urban planning, and take responsibility to create a society in space – a theme much explored in popular science fiction.26

Changes to civilisation in terms of technology, culture and everyday life make a strict interpretation of history something of an unreliable guide to speculative spatial imaginaries. For instance, development in satellite technology and space probes may significantly advance our knowledge and understanding of the universe, thus limiting the need for physical human wanderings. Nevertheless, there are several fundamental questions that planners might explore regarding the purpose of the colony, the motivations of colony founders, the possible location of the settlement relative to the Earth and Sun, and the size and characteristics of the object on which colonists wish to settle.

Various academic works, popular histories, films and novels detail the why, when and how of frontier development, while the location of settlements and the links between regions are well established areas of enquiry for social scientists. In this sense, an exploration of the processes, agents and agency that create, shape and reshape urban form would help inform wider discourse on future space trajectories.41 However, planners, geographers and urban historians, for example, could enrich discussions on space by drawing on earlier research into the conditions necessary for permanent human settlement, and the economic, social and environmental contexts in which human habitation thrives or fails (i.e. the functions of defence, shelter, trade, and community).42

Although the design of a space colony would have to work within engineering and technological constraints, there are concerns that an eclectic mix of architectural styles would result in a ‘Disney-like’ settlement.5 What key planning principles might guide development? Could ‘established’ planning concepts of visionary urbanists such as Howard and his Garden City, Burnham’s view on the rebuilding of Chicago, Le Corbusier’s radiant city, Frank Lloyd Wright and his suburban city, and Abercrombie and Forshaw’s plans for London’s city-region be brought into dialogue with emerging visions for life beyond Earth’s limits?

At the micro-scale, investigation of the geometric properties of earlier urban forms would also contribute to any wider understanding of the processes shaping urban form. There are many studies of urban components (streets, blocks, plots, buildings, land uses, agriculture, public spaces, services, and infrastructure) that could inform debates about future colony design. Moreover, planners’ interpretation of computational approaches and big data would also allow modelling of future off-Earth urban patterns at different spatial and temporal scales.

And, at some point in the future, following the establishment of a colony, how will the insertion of new structures or other features affect the characteristics of a settlement? How might we manage fragile ‘historic’ areas like the Apollo 11 landing site when there are pressures to develop?5 This may stimulate a careful analysis of past examples of how to achieve the organic arrangement of the urban fabric, land uses, densities and human interactions to create a rich, diverse urban experience.

Perhaps the most enticing prospect is that any plans to colonise asteroids, planets or even stars may be led by genetically ‘improved’ humans, cyborgs, or forms of artificial intelligence. This then opens up a completely new set of ways to think about planning in ‘post-human’ worlds.

Conclusion

Countless others have sought to dampen some of the more excited claims made about increased human encounters with space. There is no unifying intellectual consensus around the feasibility of moving large numbers of people off Earth: there is a lack of safe, attractive, reliable and cheap modes of transport to break through Earth’s atmosphere; for many, potentially world-changing space visions belong in the realm of science fiction, or are best left to the work of cosmologists, engineers, or those in the natural sciences; and many feel that any economic case and the recent wave of enthusiasm will eventually subside.

More fundamentally, the importance of these points to those in the planning community might seem a matter of debate: if there are flaws in the messages typically presented by supporters of space exploration, so what? Planning, like other social sciences, contains a vibrant and eclectic mix of different schools of thought, where competing ideas jostle for prominence. Consequently, any bold call for radical changes to research agendas that contribute more to contemporary or near-future debates about space would require significant adjustments in bureaucratic structures, the attitudes of educators, research councils, conference organisers, learned societies, and the editorial boards of prominent journals. Simply put, for many social scientists, the potential economic, environmental and human impact of space exploration remains outside the ambit of other more pressing Earthly matters.

Although the idea of focusing on space might invoke feelings of indifference, resistance or even enmity in some, this article does at least set out potential areas that may provoke interest from planners. The key message, though, besides thinking through the practical implications and possibilities of developing new launch sites, new satellites and off-Earth trade links, is that thinking about space stimulates the enabling and motivational facets of the imagination.7

This involves a mental shift away from being immersed in the present in our perceptions, perspectives and views. It certainly offers an opportunity to review earlier planning ‘imaginaries’, to use these ideas to set out new kinds of places beyond Earth, but also as a way of reflecting on how off-Earth innovations might benefit the ways in which planners and others approach the task of tackling some of the sustainability challenges here on Earth. There may be some truth in deGrasse Tyson’s34 view that ‘nothing spurs cross-pollination of ideas like space exploration’; hence there is opportunity here for imaginative planning ideas to penetrate the discussions on space that might otherwise be reserved for entrepreneurs or cosmologists. Perhaps this needs to happen before the boarding gates open…

#### Making demands on the state exposes its failures and builds political engagement for change.

Kanter ’11 (Arlene; 4/25/11; Director of the College of Law’s Disability Law and Policy Program at Syracuse University's College of Law; Columbia Human Rights Law Review, “THE LAW: WHAT’S DISABILITY STUDIES GOT TO DO WITH IT OR AN INTRODUCTION TO DISABILITY LEGAL STUDIES,” p. 446-449)

IV. CONCLUSION Disability Studies has emerged within the academy as a new multi-disciplinary field. It requires us to consider how society excludes people with disabilities, not because of their own limitations, but because of the way in which society itself is structured and operates. From this viewpoint, it is not as if there are no differences among people who are Deaf, or blind, or have other impairments; nor does this view deny the suffering and pain that people with disabilities experience. Instead, Disability Studies allows us to explore how to mitigate or even eliminate the social outcomes of differences with an awareness of the role that power plays in shaping the development of laws and legal rights. Disability Legal Studies, then, presents to the law and legal education both challenges and opportunities. It **challenges legal scholars** to critically view the place of disability within the legal system and the legal academy, as well as society generally. By viewing law through the lens of Disability Studies, it challenges us to **examine disability**, like race, gender, class, and sexuality, as a social and political construct, derived from a **history of stigmatization** and exclusion. It also challenges us to consider the complex ways in which our system of laws, government, **social structures, institutions, culture**, and customs contribute to the disablement of persons in our own society and in societies throughout the world. Disability Legal Studies also presents opportunities. As part of the larger field of Disability Studies, Disability Legal Studies, provides legal scholars the tools to develop a disability **critique of the law** and to explore the role and manifestations of ableism in social practices and institutions that "portray people with disabilities as [\*478] useless, marginal, abnormal, a burden on society, and perhaps most offensively, as living a life that is not worth living." n240 It also provides the context in which to deconstruct and **reconstruct the meaning of disability** through investigating the social construction of disability as well as the power structure that supports and enhances ableism. Disability Legal Studies, therefore, has much to offer the law and legal education. It provides theoretical tools as well as advocacy strategies to challenge our cultural norms that have resulted in the creation of legal, physical, and attitudinal barriers to inclusion of people with disabilities in society. As such, it has the potential to expose us and our students to new areas of academic inquiry. In addition to questions posed by Disability Studies such as, what does it mean to be normal? Disability Legal Studies poses further questions, such as: How does and should the law respond to differences among us? How can we challenge the privilege afforded to the able-bodied norm within the legal system? "Who decides the answers to these questions? And what do the answers reveal?" n241 A first step in responding to these questions is to increase the visibility of people with disabilities within the academy itself. n242 At [\*479] Syracuse University, we are working to nurture Disability Studies as a multi-disciplinary field, to increase the number of students, faculty, and staff with disabilities within our community, and to require the university to improve access and accommodations, with the goal of creating a community of inclusion for all. Much work still needs to be done. But such efforts are **well worth it**. With such changes, our universities, as well as society as a whole, will **benefit from the participation** of people with disabilities in our classrooms, our neighborhood, and in our lives.

#### Death outweighs – ontologically destroys the subject

**Paterson 3** – Department of Philosophy, Providence College, Rhode Island (Craig, “A Life Not Worth Living?”, Studies in Christian Ethics, [http://sce.sagepub.com](http://sce.sagepub.com/))

Contrary to those accounts, I would argue that it is death per se that is really the objective evil for us, not because it deprives us of a prospective future of overall good judged better than the alter- native of non-being. It cannot be about harm to a former person who has ceased to exist, for no person actually suffers from the sub-sequent non-participation. Rather, **death** in itself **is** an **evil** to us because it **ontologically destroys the** current existent subject — it is the ultimate in metaphysical lightening strikes.80 The evil of death is truly an ontological evil borne by the person who already exists, **independent**ly **of** **calculations about** **better** **or** **worse** possible **lives**. Such an evil need not be consciously experienced in order to be an evil for the kind of being a human person is. Death is an evil because of the change in kind it brings about, a change that is destructive of the type of entity that we essentially are. Anything, whether caused naturally or caused by human intervention (intentional or unintentional) that drastically interferes in the process of maintaining the person in existence is an objective evil for the person. What is crucially at stake here, and is dialectically supportive of the self-evidency of the basic good of human life, is that death is a radical interference with the current life process of the kind of being that we are. In consequence, death itself can be credibly thought of as a ‘primitive evil’ for all persons, regardless of the extent to which they are currently or prospectively capable of participating in a full array of the goods of life.81  In conclusion, concerning willed human actions, it is justifiable to state that any intentional rejection of human life itself cannot therefore be warranted since it is an **expression of an ultimate disvalue** for the subject, namely, the destruction of the present person; a radical ontological good that we cannot begin to weigh objectively against the travails of life in a rational manner. To deal with the sources of disvalue (pain, suffering, etc.) we should not seek to irrationally **destroy** the person, **the very source** and condition **of all human possibility**.82

#### Futurism is key to action which is good.

Kurasawa 04 - Fuyuka Kurasawa, prof of sociology at York U, 2004 (Constellations, p. 455-456)

In the twenty-first century, the lines of political cleavage are being drawn along those of competing dystopian visions. Indeed, one of the notable features of recent public discourse and socio-political struggle is their negationist hue, for they are devoted as much to the prevention of disaster as to the realization of the good, less to what ought to be than what could but must not be. The debates that preceded the war in Iraq provide a vivid illustration of this tendency, as both camps rhetorically invoked incommensurable catastrophic scenarios to make their respective cases. And as many analysts have noted, the multinational antiwar protests culminating on February 15, 2003 marked the first time that a mass movement was able to mobilize substantial numbers of people dedicated to averting war before it had actually broken out. More generally, given past experiences and awareness of what might occur in the future, given the cries of ‘never again’ (the Second World War, the Holocaust, Bhopal, Rwanda, etc.) and ‘not ever’ (e.g., nuclear or ecological apocalypse, human cloning) that are emanating from different parts of the world, the avoidance of crises is seemingly on everyone’s lips – and everyone’s conscience. From the United Nations and regional multilateral organizations to states, from non-governmental organizations to transnational social movements, the determination to prevent the actualization of potential cataclysms has become a new imperative in world affairs. Allowing past disasters to reoccur and unprecedented calamities to unfold is now widely seen as unbearable when, in the process, the suffering of future generations is callously tolerated and our survival is being irresponsibly jeopardized. Hence, we need to pay attention to what a widely circulated report by the International Commission on Intervention and State Sovereignty identifies as a burgeoning “culture of prevention,”3 a dynamic that carries major, albeit still poorly understood, normative and political implications. Rather than bemoaning the contemporary preeminence of a dystopian imaginary, I am claiming that it can enable a novel form of transnational socio-political action, a manifestation of globalization from below that can be termed preventive foresight. We should not reduce the latter to a formal principle regulating international relations or an ensemble of policy prescriptions for official players on the world stage, since it is, just as significantly, a mode of ethico-political practice enacted by participants in the emerging realm of global civil society. In other words, what I want to underscore is the work of farsightedness, the social processes through which civic associations are simultaneously constituting and putting into practice a sense of responsibility for the future by attempting to prevent global catastrophes. Although the labor of preventive foresight takes place in varying political and socio-cultural settings – and with different degrees of institutional support and access to symbolic and material resources – it is underpinned by three distinctive features: dialogism, publicity, and transnationalism. In the first instance, preventive foresight is an intersubjective or dialogical process of address, recognition, and response between two parties in global civil society: the ‘warners,’ who anticipate and send out word of possible perils, and the audiences being warned, those who heed their interlocutors’ messages by demanding that governments and/or international organizations take measures to steer away from disaster. Secondly, the work of farsightedness derives its effectiveness and legitimacy from public debate and deliberation. This is not to say that a fully fledged global public sphere is already in existence, since transnational “strong publics” with decisional power in the formal-institutional realm are currently embryonic at best. Rather, in this context, publicity signifies that “weak publics” with distinct yet occasionally overlapping constituencies are coalescing around struggles to avoid specific global catastrophes.4 Hence, despite having little direct decision-making capacity, the environmental and peace movements, humanitarian NGOs, and other similar globally-oriented civic associations are becoming significant actors involved in public opinion formation. Groups like these are active in disseminating information and alerting citizens about looming catastrophes, lobbying states and multilateral organizations from the ‘inside’ and pressuring them from the ‘outside,’ as well as fostering public participation in debates about the future. This brings us to the transnational character of preventive foresight, which is most explicit in the now commonplace observation that we live in an interdependent world because of the globalization of the perils that humankind faces (nuclear annihilation, global warming, terrorism, genocide, AIDS and SARS epidemics, and so on); individuals and groups from far-flung parts of the planet are being brought together into “risk communities” that transcend geographical borders.5 Moreover, due to dense media and information flows, knowledge of impeding catastrophes can instantaneously reach the four corners of the earth – sometimes well before individuals in one place experience the actual consequences of a crisis originating in another. My contention is that civic associations are engaging in dialogical, public, and transnational forms of ethico-political action that contribute to the creation of a fledgling global civil society existing ‘below’ the official and institutionalized architecture of international relations.6 The work of preventive foresight consists of forging ties between citizens; participating in the circulation of flows of claims, images, and information across borders; promoting an ethos of farsighted cosmopolitanism; and forming and mobilizing weak publics that debate and struggle against possible catastrophes. Over the past few decades, states and international organizations have frequently been content to follow the lead of globally-minded civil society actors, who have been instrumental in placing on the public agenda a host of pivotal issues (such as nuclear war, ecological pollution, species extinction, genetic engineering, and mass human rights violations). To my mind, this strongly indicates that if prevention of global crises is to eventually rival the assertion of short-term and narrowly defined rationales (national interest, profit, bureaucratic self-preservation, etc.), weak publics must begin by convincing or compelling official representatives and multilateral organizations to act differently; only then will farsightedness be in a position to ‘move up’ and become institutionalized via strong publics.7 Since the global culture of prevention remains a work in progress, the argument presented in this paper is poised between empirical and normative dimensions of analysis. It proposes a theory of the practice of preventive foresight based upon already existing struggles and discourses, at the same time as it advocates the adoption of certain principles that would substantively thicken and assist in the realization of a sense of responsibility for the future of humankind. I will thereby proceed in four steps, beginning with a consideration of the shifting socio-political and cultural climate that is giving rise to farsightedness today (I). I will then contend that the development of a public aptitude for early warning about global cataclysms can overcome flawed conceptions of the future’s essential inscrutability (II). From this will follow the claim that an ethos of farsighted cosmopolitanism – of solidarity that extends to future generations – can supplant the preeminence of ‘short-termism’ with the help of appeals to the public’s moral imagination and use of reason (III). In the final section of the paper, I will argue that the commitment of global civil society actors to norms of precaution and transnational justice can hone citizens’ faculty of critical judgment against abuses of the dystopian imaginary, thereby opening the way to public deliberation about the construction of an alternative world order (IV).

#### Reducing the future to reproduction is reductionist – fantasies of immortality are inevitable – the case is a da to the alt

Feit 2005 (Mario, “Extinction anxieties: same-sex marriage and modes of citizenship” theory and event, 8:3, projectmuse)

Warner is thus concerned with the purity of the queer alternative, which he sees under attack by virtue of the persistence of the reproductive narrative's extension to non-biological reproduction.101 Those "extrafamilial intimate cultures" should not be understood in the terms of that which they replace, namely biological reproduction. Those alternative spaces are to be pried loose from biological reproduction; their representations should also be freed from the metaphors of reproduction. Warner's demand for purity goes further  --  he hopes for a culture cleansed from the reproductive imaginary altogether. The reproductive narrative would become archaic. It would no longer be used to conceive of relations to mortality, cultural production and the building of a future. In other words, lesbians and gay men must not appropriate reproductive metaphors for their own relation to mortality, sexuality and world-making. Same-sex marriage must be avoided.102 It would link queer life to the kinship system's relation to mortality and immortality. It turns out to be, at least for Warner, a misguided response to mortality. Warner takes the heteronormative promise of immortality via reproduction too seriously  --  too seriously in the sense that he thinks that by resisting reproductive imaginations one resists fantasies of immortality. However, Bauman's point about strategies of immortality is precisely that **all aspects** of human culture are concerned with immortality. Indeed, Bauman's argument focuses on cultural production in the widest sense, whereas he considers sexual reproduction "unfit for the role of the vehicle of individual transcendence of death" because procreation secures species "immortality at the expense of the mortality of its individual members."103 In other words, fantasies of immortality may exist outside the reproductive paradigm  --  and Irving's attempt to find vicarious immortality may not be reducible to a heteronormative strategy of consolation. These juxtapositions of Bauman and Warner complicate the latter's sense that any attempt to imagine a future by definition implicates one in heteronormativity. Put more succinctly, giving up on reproductive relations to the future does not constitute the break with fantasies of immortality Warner makes it out to be. Indeed, there are other ways  --  nonheteronormative ways  --  in which we equate world-making, i.e. citizenship, with vicarious immortality. The queer dream of immortality may not rely on reproduction. But it, too, is a way of coping with mortality by leaving a mark on the world, by leaving something behind that transcends generations. In Warner's and Butler's critiques of marriage it is quite clear that a culture that they are invested in, that they helped to build, is one that they want to see continue. They take same-sex marriage so personally, because queer culture is so personally meaningful. If my argument is correct, this personal meaningfulness exceeds the meaning that Butler and Warner consciously attribute to it. That neither of them argues that the preservation of queer culture is about vicarious immortality is beside the point. As Zygmunt Bauman emphasizes, the immortalizing function of culture is highly successful insofar it remains opaque to those participating in the making of this culture.104 In raising the question of how much queer critics of marriage are themselves invested in strategies of immortality, of a nonheteronormative kind, I thus hope to contribute to a reflection on the anxieties driving the queer critique of marriage. Attending to anxieties about mortality, I believe, will help move the same-sex marriage debate among queer theorists away from concerns with transcending death and towards a more complex awareness of the challenges of political strategies for plural queer communities.

the undermining of any form of communitarian politics.