# Woodward Round 2 1N vs. Marlbourgh P

## 1

#### Don’t be fooled by the aff’s claims to anti-capitalism—all they do is trade globalist capitalist exploitation for mercantilist capitalist exploitation. Private entities don’t need to appropriate themselves if they can rely on the colonial state to do it for them; the aff only dooms us to replicate the logic of the railroad, where the colonial state did the appropriating of indigenous lands to hand them over for financialization as a way to reinforce whiteness. Gal 21

The Interstellar Railroad, or Speculation and Shareholder Whiteness in the Space Economy Réka Patrícia Gál April 14, 2021

Indeed, **Musk has** carefully **positioned his company as a space transportation company, and has explicitly compared the SpaceX project to building the Union-Pacific Railroad — for space** (Robertson 2016). The colonial comparison is not surprising (Cowen 2020). **Proponents of space colonization have long drawn parallels to the colonization of the Americas, enthusiastically representing frontier pioneering and imperialist expansionism as imperative to US American national identity** (Billings 2007). The explicit comparison to North American railroad construction hints at a specific trend of space colonization advocacy that is focused on stimulating commercial space operations. **The industrialist argument is that just as the construction of the transcontinental railroad was best undertaken by private entrepreneurs who were incentivized by the government with land grants and subsidies, the US American government should similarly aid private entrepreneurs** **in the establishment of the New Space industry** (Mazlish 1965, Launius 2014, McCurdy 2019a). In fact, from the founding of SpaceX up to 2012, the additional government funding provided to SpaceX raised returns on investment by more than two percent--this is approximately the same return that a nineteenth century investor might have expected to gain if the railroad company they invested in received federal land grant subsidies (McCurdy 2019b, 48). **Looking at the transcontinental railroad and current space colonial initiatives in parallel can therefore provide a helpful analytic for understanding, and struggling against, such a colonial expansion.** What questions and conceptual understandings can thinking of commercial space travel alongside the transcontinental railroad generate? I am particularly interested in thinking this analogy through some of the concepts advanced by Manu Karuka in his recent monograph Empire’s Tracks (2019). Karuka argues that **the construction of the transcontinental railroad was foundational to the development of the modern US colonial state, which grew in tandem with finance capitalism and the modern corporation.** Karuka’s systematic analysis unveils two central concepts that are useful for understanding the outer spatial analogies. First, that the financial speculation accompanying the gold rush was foundational to the establishment of the settler society’s extractive social order. And second, that the logic of corporate shareholding has served, and continues to serve, as the core vehicle upholding the white supremacist social order. While SpaceX stocks are not publicly available yet, numerous venture capital firms have invested in the aerospace company, with some key investors being Peter Thiel’s Founders Fund, Google, and the Bank of America (McCurdy 2019a). **A landscape of speculation enfolds over the lonesome weightlessness of outer space as these powerful companies are investing towards capitalizing on future shareholding profits.** A future, which has been called into question by numerous people, because, as Shannon Stirone has put it simply: “Mars is a hellhole. [...] Mars will kill you.” Stirone explains that Mars has a very thin atmosphere and no magnetic field, which means that it has extremely high radiation, and no breathable air. All the while, the surface of the planet is −63 °C, and dust storms are extremely common. These concerns, however, continue to be ignored in favor of high-risk investment. The corporate expansion into outer space is coated in a language of equality – of providing equal access to the wonders of outer space for all. An example of this is the recent private mission into space entitled Inspiration4, which developed in cooperation with the online payments startup Shift4Payments, and is currently raffling a seat to a random winner. The lottery acts as aspirational evidence of equal opportunity: Musk claims that these private missions are necessary to eventually make it possible for “everyone” to go to space (Chang, 2021). But **Musk’s vision of making space travel affordable through economies of scale can only be made possible by creating initial demand through aspirational marketing. Just as railroad companies, aided by government grants and loosened regulations, facilitated the westward expansion of European colonists over Indigenous lands, so ought the colonization of Mars create a pastoral utopia in which inspiration and creativity for all abound.** Exactly how a trip to a Martian colony could be paid by anyone was revealed in recent Tweets by Musk in which he has reinvented indentured servitude for extraplanetary colonization (McKay 2020). **Territorial expansion, based on financial speculation, facilitated by corporations and using unfree imported laborers is exactly what Karuka unveils about the logics of railroad colonialism**. He explains, As investors became increasingly disconnected from the sources of their revenue, financial profits seemed to arise through agreements between individuals, seemingly separated from, even independent of, the sweat of specific bodies in specific places. With the maturation of the modern corporation in the wake of emancipation, investors imagined financial accumulation as autonomous from labor, whiteness as autonomous from blackness and indigeneity. (2019, 150) Here I want to hone in on Karuka’s key concept of shareholder whiteness. Karuka explains that slaveholders maintained their economic advantages after the emancipation of slaves by excluding Black people, the Chinese workers who constructed the railroad, and the Indigeous peoples whose lands they occupied, from corporate ownership. According to Karuka, “**Racism is an effect, not a cause, of imperialism**. [...] Whiteness is fiction, not a biological reality, [...] Finance capital and whiteness ripened through a historical elaboration of relationships between imperial corporations and colonial states, forging and sustaining continental imperialism” (Karuka 2019, 150). The extension into the cosmos has already been theorized by scholars as a way to allow for the unfettered continuation of capitalist accumulation, and the New Space companies of the last decade have repeatedly claimed humanity’s extension into the cosmos as an inevitable consequence of “progress” (Dickens 2007; Valentine 2012; Klinger 2017). **With little left on Earth to be financialized, companies are turning outer space itself into an asset. I could hardly think of a better example of fictitious capital that would produce such profound alien-ation from the act of production**. Whether we are thinking of asteroid mining, space settlements, or simply private space voyages, the shareholders are, and will continue to be, removed from production on our planet, but will in the event of space colonization also be separated from it by several atmospheric layers, hatches, pressurized rooms, and spacesuits. Karuka writes, **“the future of the corporation presupposes the future of the colonial state, and the law of the corporation colonizes the future”** (2019, 153), and his analysis of the role of the modern corporation in the establishment of the US colonial state proves to be an entirely-too fitting prediction of a future neoliberal space dystopia**. The particular colonial expansion perpetrated through the railroad was achieved through “blending the economic and military functions of the state”** (Karuka 2019, xiv). The policing of racial and territorial borders was at the heart of imperial expansion as the colonizing states guarded reservation borders as sites of containment. **It also allowed the states to enforce the rules of colonial market relations on occupied Indigenous lands. To this day, the militaries of the US naval empire serve the vital functions of presenting their interests at sea. This produces another apt analogy when we consider the same mercantilist logic is being extended into space with the recent development of the United States Space Force, a new branch of the Armed Forces that is meant to facilitate, and ultimately guard, the supremacy of the United States in outer space.** **Rather than produce a new world or a vastly different future, interstellar-railroad-colonialism seems to aim, at best, to re-entrench and, at worst, to** exacerbate **the ongoing inequalities that exist on Earth**. This is especially true for conditions produced in and through colonial relations. Space exploration is explicitly settler-colonial**.** It projects the same logic of terra nullius into outer space that was used as a justification for the appropriation and colonization of the North American lands that were inhabited by various Indigenous nations, while also reproducing existing colonial relations on Earth through the expansion of space colonization infrastructure. For example, the observatories, telescopes, and other space exploration related buildings continue to be erected on Indigenous lands all over Earth, from Hawaiʻi, through French Guiana all the way to Aolepān Aorōkin Ṃajeḷ (Marshall Islands) (Smiles 2020; Prescod-Weinstein et al. 2020; Durrani 2019). As his Tweet about indentured servitude in space shows, Musk is already counting on the extension of the (likely racialized) material exploitative practices from Earth to outer space. But this is also the one major difference between railroad colonialism and space colonization: while the colonial expansion in North America was articulated as the colonizing European’s ongoing fight against the sovereignty of the Indigenous peoples of Turtle Island**, the fight over territory in outer space might not be fought against extraterrestrial natives. Instead, it will likely continue to be fought against the sovereignty of Indigenous peoples on Earth, and in space, against other spacefaring nations, such as China and India.** As such, what remains open for me is to what extent shareholder whiteness remains the same, or transforms with this move of the corporation into outer space. Will whiteness remain the currency of the future, or will the shareholder privilege of the future turn towards something else, something new yet equally insidious? How does shareholder whiteness function under a global economy? And more importantly, what tools for resistance can we learn from those who struggled against colonial expansion and specifically, the transcontinental railroad? Can we break with the logics of finance capital, empire, and whiteness in interstellar space, and speculate towards a better future?

#### Settlerism is an everyday process shaped by affective investments in institutions that claim jurisdiction over native land. Legal and political action is inextricably dependent on the elimination of the native.

Mark Rifkin, PhD, Director of the Women's and Gender Studies Program and Professor of English at the University of North Carolina, Greensboro. “Settler common sense.” Settler Colonial Studies, 2013 Vol. 3, Nos. 3–4, 322–340, <http://dx.doi.org/10.1080/2201473X.2013.810702>. JJN

In Walden (1854), Henry David Thoreau offers a vision of personhood divorced from the state, characterizing his experience of “Nature” during his time at Walden Pond as providing him with a sense of his own autonomous embodiment and a related set of ethical resources that enable him to reject the demands of contemporary political economy.1 The invocation of “Nature” appears to bracket the question of jurisdiction, opening into a different conceptual and phenomenological register that displaces the problem of locating oneself in relation to the boundaries of the state. However, the very feeling that one has moved beyond geopolitics, that one has entered a kind of space that suspends questions of sovereignty or renders them moot, depends on the presence of an encompassing sovereignty that licenses one’s access to that space. If the idea of “Nature” holds at bay the question of jurisdiction so as to envision a kind of place for cultivating a selfhood that can oppose state logics/politics, it also effaces the ways that experience/vision of personhood itself may arise out of the legal subjectivities put in play by the jurisdictional claiming/clearing of that space as against geopolitical claims by other polities, specifically Native peoples. Thoreau offers an example of how settlement – the exertion of control by non-Natives over Native peoples and lands – gives rise to modes of feeling, generating kinds of affect through which the terms of law and policy become imbued with a sensation of everyday certainty. This affective experience productively can be characterized as an instantiation of what more broadly may be characterized as settler common sense. The phrase suggests the ways the legal and political structures that enable non-Native access to Indigenous territories come to be lived as given, as simply the unmarked, generic conditions of possibility for occupancy, association, history, and personhood. Addressing whiteness in Australia, Fiona Nicoll argues that “rather than analysing and evaluating Indigenous sovereignty claims…, we have a political and intellectual responsibility to analyse and evaluate the innumerable ways in which White sovereignty circumscribes and mitigates the exercise of Indigenous sovereignty”, and she suggests that “we move towards a less coercive stance of reconciliation with when we fall from perspective into an embodied recognition that we already exist within Indigenous sovereignty”. 2 Addressing the question of how settlement as a system of coercive incorporation and expropriation comes to be lived as quotidian forms of non-Native being and potential, though, may require tactically shifting the analytical focus such that Indigenous sovereignties are not at the center of critical attention, even as they remain crucial in animating the study of settler colonialism and form its ethical horizon. “An embodied recognition” of the enduring presence of settler sovereignty, as well as of quotidian non-Native implication in the dispossession, effacement, and management of indigeneity, needs to attend to everyday experiences of non-relation, of a perceptual engagement with place, various institutions, and other people that takes shape around the policies and legalities of settlement but that do not specifically refer to them as such or their effects on Indigenous peoples. In order to conceptualize the mundane dynamics of settler colonialism, the quotidian feelings and tendencies through which it is continually reconstituted and experienced as the horizon of everyday potentiality, we may need to shift from an explicit attention to articulations of Native sovereignty and toward an exploration of the processes through which settler geographies are lived as ordinary, non-reflexive conditions of possibility. In Marxism and Literature, Raymond Williams argues for the necessity of approaching “relations of domination and subordination” as “practical consciousness” that saturat[es] … the whole substance of lived identities and relationships, to such a depth that the pressures and limits of what can ultimately be seen as a specific economic, political, and cultural system seem to most of us the pressures and limits of simple experience and common sense.3 Understanding settlement as, in Williams’s terms, such a “structure of feeling” entails asking how emotions, sensations, psychic life take part in the (ongoing) process of realizing the exertion of non-Native authority over Indigenous peoples, governance, and territoriality in ways that saturate quotidian life but are not necessarily present to settlers as a set of political propositions or as a specifically imperial project of dispossession. In the current scholarly efforts to characterize settler colonialism, the contours of settlement often appear analytically as clear and coherent from the start, as a virtual totality, and in this way, the ongoing processes by which settler dominance actively is reconstituted as a set of actions, occupations, deferrals, and potentials slide from view. We need to ask how the regularities of settler colonialism are materialized in and through quotidian non-Native sensations, inclinations, and trajectories. Moreover, administrative initiatives and legalities become part of everyday normalizations of state aims and mappings but in ways that also allow for an exceeding of state interests that potentially can be turned back against the state, giving rise to oppositional projects still given shape and momentum by the framings that emerge out of the ongoing work of settler occupation – such as in Walden. The essay will close with a brief reading of Thoreau’s text that illustrates how its ethical framing emerges out of, and indexes, everyday forms of settler feeling shaped by state policy but not directly continuous with it. 1. The figure of the vanishing Indian still remains prominent within US popular and scholarly discourses, both explicitly and implicitly. Within this narrative, Native peoples may have had prior claims to the land, but they, perhaps tragically, were removed from the area, or died out, or ceased to be “really” Indian, or simply disappeared at some point between the appearance of the “last” one and the current moment, whenever that may be.4 As against this tendency, scholars who seek to track the workings of settler colonialism face an entrenched inattention to the ways non-Native conceptions and articulations of personhood, place, property, and political belonging coalesce around and through the dispossession of Native peoples and normalization of (the) settler (-state’s) presence on Native lands. Insistence on the systemic quality of such settler seizures, displacements, identifications responds to this relative absence of acknowledgment by emphasizing its centrality and regularity, arguing that the claiming of a naturalized right to Indigenous place lies at the heart of non-Native modes of governance, association, and identity. However, such figurations of the pervasive and enduring quality of settler colonialism may shorthand its workings, producing accounts in which it appears as a fully integrated whole operating in smooth, consistent, and intentional ways across the socio-spatial terrain it encompasses. Doing so, particularly in considering the exchange between the domains of formal policy and of everyday life, may displace how settlement’s histories, brutalities, effacements, and interests become quotidian and common-sensical. Looking at three different models, I want to sketch varied efforts to systemize settler colonialism, highlighting some questions that emerge when they are read in light of issues of process and affect. In Settler Colonialism and the Transformation of Anthropology, Patrick Wolfe argues, “Settler colonies were (are) premised on the elimination of native societies. The split tensing reflects a determinate feature of settler colonization. The colonizers come to stay – invasion is a structure not an event.” 5 Offering perhaps the most prominent definition of settler colonialism, Wolfe’s formulation emphasizes the fact that it cannot be localized within a specific period of removal or extermination and that it persists as a determinative feature of national territoriality and identity. He argues that a “logic of elimination” drives settler governance and sociality, describing “the settler-colonial will” as “a historical force that ultimately derives from the primal drive to expansion that is generally glossed as capitalism” (167), and in “Settler Colonialism and the Elimination of the Native,” he observes that “elimination is an organizing principle of settler-colonial society rather than a one-off (and superceded) occurrence”, adding, “Settler colonialism destroys to replace.” 6 Rather than being superseded after an initial moment/period of conquest, however, colonization persists since “the logic of elimination marks a return whereby the native repressed continues to structure settler-colonial society” (390), and “the process of replacement maintains the refractory imprint of the native counter-claim” (389). Yet, when and how do projects of elimination and replacement become geographies of everyday non-Native occupancy that do not understand themselves as predicated on colonial occupation or on a history of settler-Indigenous relation (even though they are), and what are the contours and effects of such experiences of inhabitance and belonging? In characterizing settlement as a “structure”, “logic”, and a “will”, Wolfe seeks to integrate the multivalent aspects of ongoing processes of non-Native expropriation and superintendence, but doing so potentially sidesteps the question of how official governmental initiatives and framings become normalized as the setting for everyday non-Native being and action in ways that cannot be captured solely by reference to “the murderous activities of the frontier rabble” (392–3).

#### The alternative is to make space for indigenous futurist reimagining of space. It’s a prerequisite to any reconceptualization of land ownership and requires the capability to appropriate space making it mutually exclusive to the aff. The aff reinforces the settler view of relation to land with their flattened understanding of appropriation. Cornum 15.

https://thenewinquiry.com/the-space-ndns-star-map/

**For indigenous futurism**, technology is inextricable from the social. **Human societies are part of a network of wider relationships with objects**, animals, geological formations and so on. **To grasp our relationship with the non-human world here on Earth, we must also extend our understanding of how Earth relates to the entirety of the cosmos.** We live on just one among millions of planets, each an intricate and delicate system within a larger, increasing complex structure. For the indigenous futurist endeavor, striving to understand the ever-multiplying connections linking us to the beginning of the universe and its constant expansion also entails unraveling the intricate relations that make up our Earthly existence. Zainab Amadahy, who identifies as a person of mixed black, Cherokee and European ancestry, grounds her writing practice in illuminating and understanding networks of relationships: “I aspire to write in a way that views possible alternatives through the lens of a relationship framework, where I can demonstrate our connectivity to and interdependence with each other and the rest of our Relations.” **Her** 1992 novel ***The Moons of Palmares*** examines the relationships, both harmful and collaborative, between indigenous peoples and descendants of slaves in an outer space setting that merges histories of the Black Atlantic with the colonial frontier. In a provocative bit of plotting, she casts an indigenous character, Major Eaglefeather, as an oppressive foreign force in the lives of an outer space labor population that has shaped its society in remembrance of black slave resistance in North/South America and the Caribbean. The story **follows Major Eaglefeather’s decision to reject his ties to the corporate state and support a rebel group of laborers**. The name Palmares is taken from a real-world settlement founded by escaped slaves in 17th-century Brazil, which is also known to have incorporated indigenous peoples and some poor, disenfranchised whites. In a chronicle written in the late 17th century, these *quilombos* are described as networks of settlements that lived off the land and were supplemented by raids on the slave plantations where the inhabitants were formerly held**. It is said that in Palmares the king was called Gangasuma, a hybrid term meaning “great lord” composed of the Angolan or Bandu word *ganga* and the Tupi word *assu*. The word succinctly captures the mixture of cultures that banded together in Palmares to live together on the margins of a colonialist, slave-holding society. While Palmares was eventually destroyed in a military campaign, it lives on as a legend of slave rebellion and utopian possibility that Amadahy finds well suited for her outer space story about collaborative resistance to state power and harmful resource extraction processes. Outer space, perhaps because of its appeal to our sense of endless possibility, has become the imaginative site for re-envisioning how black, indigenous and other oppressed people can relate to each other outside of and despite the colonial gaze.** Amadahy’s work is crucial for a critical understanding of the space NDN. **The space NDN cannot allow him or herself to fall into the patterns of domination and kyriarchy that have for too long prevailed here on Earth as well as speculative narratives of outer space. Afrofuturists have looked to space as the site for black separatism and liberation. If the space NDN is truly committed to being responsible to all our relations, it is imperative for our futurist vision to be in solidarity with and service to our fellow Afrofuturist space travelers. Our collective refusal of colonial progress (namely, our destruction) means we must chart other ways to the future that lead us and other oppressed peoples to the worlds we deserve.** *The Moons of Palmares* works toward this end by revealing the strong connections between indigenous and black histories, narratives and ways of living. **Indigenous futurism is indebted to Afrofuturism: Both forms of futurism explore spaces and times outside the control of colonial powers and white supremacy.** These alternative conceptions of time reject the notion that all tradition is regressive by narrating futures intimately connected to the past. SF and specifically the site of outer space give writers and thinkers the imaginative room to envision political and cultural relationships and the future decolonizing movements they might nourish. This focus on relationship, especially as posited by Amadahy, also accounts for those forms of indigeneity that persist among peoples either stolen from their lands or whose lands have been stolen from them. As the writer Sydette Harry recently posted on Twitter, “Black people are displaced indigenous people.” However, because of the processes of forced relocation and slavery and continuing anti-black racism, black people are often denied claims to indigeneity. There is also a pernicious erasure of black NDNs in America and Canada. **In exploring outer space, black authors are also able to assert their own relationship to land both on Earth and in the cosmos.** The Black Land Project (BLP), while not an explicitly futurist organization, fosters the kind of relationships to land on Earth that futurist authors and thinkers envision in outer space. In a recent podcast, *Blacktracking through Afrofuturism*, BLP founder and director Mistinguette Smith discusses how walking over the routes of the Underground Railroad brought forth alternate dimensions and understandings of time outside the settler paradigm of ownership. These are aspects of relating to land that the Afrofuturist and the space NDN (identities which can exist in the same person) bring with them on their travels. This focus on relationship rather than a strict idea of location speaks to the way in which the space NDN can remain secure in their indigenous identity even while rocketing through dark skies far from their origins**.** This is not to demean the work of land protectors and defenders who risk serious repercussions for resisting corporate and state encroachment on indigenous territories. **The space NDN supports those who are able and choose to remain on the land, while also hoping to broaden understandings of indigeneity outside simple location**. **Locations of course are never simple. It is the settler who wishes to flatten the relation between place and people by claiming land through ownership. Projecting themselves forward into faraway lands and times, the space NDN reveals the myriad ways of**

#### The role of the ballot is to center indigenous scholarship and resistance-- Any ethical commitment requires that the aff place themselves in the center of Native scholarship and demands.

Carlson 16

(Elizabeth Carlson, PhD, is an Aamitigoozhi, Wemistigosi, and Wasicu (settler Canadian and American), whose Swedish, Saami, German, Scots-Irish, and English ancestors have settled on lands of the Anishinaabe and Omaha Nations which were unethically obtained by the US government. Elizabeth lives on Treaty 1 territory, the traditional lands of the Anishinaabe, Nehiyawak, Dakota, Nakota, and Red River Metis peoples currently occupied by the city of Winnipeg, the province of Manitoba, (2016): Anti-colonial methodologies and practices for settler colonial studies, Settler Colonial Studies, DOI: 10.1080/2201473X.2016.1241213, JKS)

Arlo Kempf says that ‘where anticolonialism is a tool used to invoke resistance for the colonized, it is a tool used to invoke accountability for the colonizer’.42 Relational accountability should be a cornerstone of settler colonial studies. I believe settler colonial studies and scholars should ethically and overtly place themselves in relationship to the centuries of Indigenous oral, and later academic scholarship that conceptualizes and resists settler colonialism without necessarily using the term: SCT may be revelatory to many settler scholars, but Indigenous people have been speaking for a long time about colonial continuities based on their lived experiences. Some SCTs have sought to connect with these discussions and to foreground Indigenous resistance, survival and agency. Others, however, seem to use SCT as a pathway to explain the colonial encounter without engaging with Indigenous people and experiences – either on the grounds that this structural analysis already conceptually explains Indigenous experience, or because Indigenous resistance is rendered invisible.43 Ethical settler colonial theory (SCT) would recognize the foundational role Indigenous scholarship has in critiques of settler colonialism. It would acknowledge the limitations of settler scholars in articulating settler colonialism without dialogue with Indigenous peoples, and take as its norm making this dialogue evident. In my view, it is critical that we not view settler colonial studies as a new or unique field being established, which would enact a discovery narrative and contribute to Indigenous erasure, but rather take a longer and broader view. Indigenous oral and academic scholars are indeed the originators of this work. This space is not empty. Of course, powerful forces of socialization and discipline impact scholars in the academy. There is much pressure to claim unique space, to establish a name for ourselves, and to make academic discoveries. I am suggesting that settler colonial studies and anti-colonial scholars resist these hegemonic pressures and maintain a higher anti-colonial ethic. As has been argued, ‘the theory itself places ethical demands on us as settlers, including the demand that we actively refuse its potential to re-empower our own academic voices and to marginalize Indigenous resistance’.44 As settler scholars, we can reposition our work relationally and contextually with humi- lity and accountability. We can centre Indigenous resistance, knowledges, and scholarship in our work, and contextualize our work in Indigenous sovereignty. We can view oral Indigenous scholarship as legitimate scholarly sources. We can acknowledge explicitly and often the Indigenous traditions of resistance and scholarship that have taught us and pro- vided the foundations for our work. If our work has no foundation of Indigenous scholarship and mentorship, I believe our contributions to settler colonial studies are even more deeply problematic.

## 2

#### 1] Interp – Unjust refers to a negative action – it means contrary.

Black Laws No Date "What is Unjust?" <https://thelawdictionary.org/unjust/> //Elmer

Contrary to right and justice, or to the enjoyment of his rights by another, or to the standards of conduct furnished by the laws.

#### 2] Violation – The Aff is a positive action – it creates a new concept for Space i.e. the treating of Space as a “Global Commons”.

#### 3] Standards –

#### a] Precision – they eliminate a topical stasis point, justifying the aff talking about anything which explodes neg prep burden and nullifies any engagement. Nowhere does the resolution prescribe active action, so there’s no basis for reasonable negative ground – hold the line.

#### b] Ground – wrecks Neg Generics – we can’t say appropriation good since the 1AC can create new views on Outer Space Property Rights that circumvent our Links since they can say “Global Commons” approach solves.

#### 4] TVA – just defend that space appropriation is bad.

#### a] Fairness is a voter – debate’s a game that requires fair evaluation and . EDU rigorous testing – otherwise we can’t test if your arguments are true

#### b] Topicality is drop the debater – dropping the arg is the same as dropping them. Deter future abuse

#### c] Use Competing Interps – 1] Topicality is a yes/no question, you can’t be reasonably topical and 2] Reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation.

#### d] [No RVIs 1] Logic - It doesnt make sense to win for proving that you were fair [2] Chilling Effect - they are just gonna read prepped counterinterps and always win the round

e. DTD

## Case, 1:45

### Plan/Solvo

#### They have no framing so you vote under the NC’s ROB

#### IV on fiat abuse, their aff is essentially like this: Heres the problem, lets fiat its solvency with a different actor but not describe the actual logistic possibility or steps that would be taken to establish a global common. That’s infinitely unfair since NOTHING like it exists in the status quo.

#### [1] Global commons necessitates private appropriation i.e. if its for everyone then it allows people to privately go to space and use it.

#### [2] It is impossible to have a democracy with one government with states coming together, i.e. you cant expect states like North Korea to work internationally and sustain the democracy

#### [3] The k is a prior question to engaging in democratic governance as they structurally preclude indigenous people

#### [4] The K links here too, what’s the point of cleaning up outer space if you cruelly subjugate the indigenous

#### [5] Their view of preventing nuclear war reframes set col. It’s the same logic set col uses like I need to prevent extinction, and so they colonize even more leading to things like climate change and more

#### [6] Alt solves case by getting rid of the billionaire capabilities in space and letting indigenous reimagine it. It solved debri as indigenous care about their ecosystem and life style to solve.

### Advantage 1

#### [1] Debris crashes and Kessler syndrome is overrated, space is just way too big, Debri hitting is 0.01% VON FANGE 17

**Daniel von Fange writes in 2017** [Daniel von Fange, 5-21-2017, "Kessler Syndrome is Over Hyped”, [http://braino.org/essays/kessler\_syndrome\_is\_over\_hyped/]//DDPT](http://braino.org/essays/kessler_syndrome_is_over_hyped/%5d//DDPT) DOA: Feb 19, 2022

Kessler Syndrome is overhyped. A chorus of online commenters great any news of upcoming low earth orbit satellites with worry that humanity will to lose access to space. I now think they are wrong. What is Kessler Syndrome? Here’s the popular view on Kessler Syndrome. Every once in a while, a piece of junk in space hits a satellite. This single impact destroys the satellite, and breaks off several thousand additional pieces. These new pieces now fly around space looking for other satellites to hit, and so exponentially multiply themselves over time, like a nuclear reaction, until a sphere of man-made debris surrounds the earth, and humanity no longer has access to space nor the benefits of satellites. It is a dark picture. Is Kessler Syndrome likely to happen? I had to stop everything and spend an afternoon doing back-of-the-napkin math to know how big the threat is. To estimate, we need to know where the stuff in space is, how much mass is there, and how long it would take to deorbit. The orbital area around earth can be broken down into four regions. Low LEO - Up to about 400km. Things that orbit here burn up in the earth’s atmosphere quickly - between a few months to two years. The space station operates at the high end of this range. It loses about a kilometer of altitude a month and if not pushed higher every few months, would soon burn up. For all practical purposes, Low LEO doesn’t matter for Kessler Syndrome. If Low LEO was ever full of space junk, we’d just wait a year and a half, and the problem would be over. High LEO - 400km to 2000km. This where most heavy satellites and most space junk orbits. The air is thin enough here that satellites only go down slowly, and they have a much farther distance to fall. It can take 50 years for stuff here to get down. This is where Kessler Syndrome could be an issue. Mid Orbit - GPS satellites and other navigation satellites travel here in lonely, long lives. The volume of space is so huge, and the number of satellites so few, that we don’t need to worry about Kessler here. GEO - If you put a satellite far enough out from earth, the speed that the satellite travels around the earth will match the speed of the surface of the earth rotating under it. From the ground, the satellite will appear to hang motionless. Usually the geostationary orbit is used by big weather satellites and big TV broadcasting satellites. (This apparent motionlessness is why satellite TV dishes can be mounted pointing in a fixed direction. You can find approximate south just by looking around at the dishes in your northern hemisphere neighborhood.) For Kessler purposes, GEO orbit is roughly a ring 384,400 km around. However, all the satellites here are moving the same direction at the same speed - debris doesn’t get free velocity from the speed of the satellites. Also, it’s quite expensive to get a satellite here, and so there aren’t many, only about one satellite per 1000km of the ring. Kessler is not a problem here. How bad could Kessler Syndrome in High LEO be? Let’s imagine a worst case scenario. An evil alien intelligence chops up everything in High LEO, turning it into 1cm cubes of death orbiting at 1000km, spread as evenly across the surface of this sphere as orbital mechanics would allow. Is humanity cut off from space? I’m guessing the world has launched about 10,000 tons of satellites total. For guessing purposes, I’ll assume 2,500 tons of satellites and junk currently in High LEO. If satellites are made of aluminum, with a density of 2.70 g/cm3, then that’s 839,985,870 1cm cubes. A sphere for an orbit of 1,000km has a surface area of 682,752,000 square KM. So there would be one cube of junk per .81 square KM. If a rocket traveled through that, its odds of hitting that cube are tiny - less than 1 in 10,000. So even in the worst case, we don’t lose access to space. Now though you can travel through the debris, you couldn’t keep a satellite alive for long in this orbit of death. Kessler Syndrome at its worst just prevents us from putting satellites in certain orbits. In real life, there’s a lot of factors that make Kessler syndrome even less of a problem than our worst case though experiment. Debris would be spread over a volume of space, not a single orbital surface, making collisions orders of magnitudes less likely. Most impact debris will have a slower orbital velocity than either of its original pieces - this makes it deorbit much sooner. Any collision will create large and small objects. Small objects are much more affected by atmospheric drag and deorbit faster, even in a few months from high LEO. Larger objects can be tracked by earth based radar and avoided. The planned big new constellations are not in High LEO, but in Low LEO for faster communications with the earth. They aren’t an issue for Kessler. Most importantly, all new satellite launches since the 1990’s are required to include a plan to get rid of the satellite at the end of its useful life (usually by deorbiting) So the realistic worst case is that insurance premiums on satellites go up a bit. Given the current trend toward much smaller, cheaper micro satellites, this wouldn’t even have a huge effect. I’m removing Kessler Syndrome from my list of things to worry about.

#### [2] Thousands of satellites and a half-million objects in space now and only 15 collisions have ever happened ALBRECHT AND GRAZIANI 16.

**Mark Albrecht and Paul Graziani of Space news in 2016** [Mark Albrecht and Paul Graziani, 5-9-2016, "Op-ed," SpaceNews, [https://spacenews.com/op-ed-congested-space-is-a-serious-problem-solved-by-hard-work-not-hysteria/]//DDPT](https://spacenews.com/op-ed-congested-space-is-a-serious-problem-solved-by-hard-work-not-hysteria/%5d//DDPT) DOA: Feb 19, 2022

There are over a half million pieces of human-made material in orbit around our planet. Some are the size of school buses, some the size of BB gun pellets. They all had a function at some point, but now most are simply space debris littered from 100 to 22,000 miles above the Earth. Yet, all behave perfectly according to the laws of physics. Many in the space community have called the collision hazard caused by space debris a crisis. Popular culture has embraced the risks of collisions in space in films like Gravity. Some participants have dramatized the issue by producing graphics of Earth and its satellites, which make our planet look like a fuzzy marble, almost obscured by a dense cloud of white pellets meant to conceptualize space congestion. Unfortunately, for the sake of a good visual, satellites are depicted as if they were hundreds of miles wide, like the state of Pennsylvania (for the record, there are no space objects the size of Pennsylvania in orbit). Unfortunately, this is the rule, not the exception, and almost all of these articles, movies, graphics, and simulations are exaggerated and misleading. Space debris and collision risk is real, but it certainly is not a crisis. So what are the facts? On the positive side, space is empty and it is vast. At the altitude of the International Space Station, one half a degree of Earth longitude is almost 40 miles long. That same one half a degree at geostationary orbit, some 22,000 miles up is over 230 miles long. Generally, we don’t intentionally put satellites closer together than one-half degree. That means at geostationary orbit, they are no closer than 11 times as far as the eye can see on flat ground or on the sea: That’s the horizon over the horizon 10 times over. In addition, other than minute forces like solar winds and sparse bits of atmosphere that still exist 500 miles up, nothing gets in the way of orbiting objects and they behave quite predictably. The location of the smallest spacecraft can be predicated within a 1,000 feet, 24 hours in advance. Since we first started placing objects into space there have been 11 known low Earth orbit collisions, and three known collisions at geostationary orbit. Think of it: 135 space shuttle flights, all of the Apollo, Gemini and Mercury flights, hundreds of telecommunications satellites, 1,300 functioning satellites on orbit today, half a million total objects in space larger than a marble, and fewer than 15 known collisions. Why do people worry?

#### [3] Private appropriation is key to active debris removal, also known as ADR, the only real, long-term solution to debris, RHIMBASSEN 19

Maria Lucas-Rhimbassen\*, Cristiana Santos\*, George Antony Long\*\*, Lucien Rapp\* 2019, “Conceptual model for a profitable return on investment from space debris as abiotic space resource” https://chaire-sirius.eu/documents/c798f8-eucass-fp0602-1906190421.pdf

Indeed, **new technological initiatives evolving around ADR confirm the possibility of recycling space debris and transforming them into fuel**. Such initiatives come from, among others, the public sector (e.g. DARPA), spin-offs such as Russian Space Systems stemming from public agencies, which announced successful developments earlier in 2019, and **the private sector, such as the Australian start-up Neumann Space, which is among the first actors to look into the technology from a business model angle. Policy and legal limitations include, but are not limited to, the fact that space debris, regardless of their partial or total dysfunctionality, are under the jurisdiction and control of the State having registered it** (registry or mon commonly referred to as the launching State [4]). **Registry State jurisdiction and control can only be transferred to another State, not to a private entity**. Indeed, Article VIII of the Outer Space Treaty of 1967 (OST) decrees that the nationally registering launching State retains “jurisdiction and control” of any launched spacecraft or component part. Article VIII reads, in relevant pat, as follows: “A State Party to the Treaty on whose registry an object launched into outer space is carried shall retain jurisdiction and control over such object, and over any personnel thereof, while in outer space or on a celestial body. Ownership of objects launched into outer space, including objects landed or constructed on a celestial body, and of their component parts, is not affected by their presence in outer space or on a celestial body or by their return to the Earth [5]”. **Under Article VIII, the owner (operator) of a satellite or space object retains its ownership rights at all time [6]. Likewise, title to a satellite as well as any component part of a satellite always remains with the owner as space law does not provide for any divesting of title. Therefore, no actor other than the Registry State or owner has the right to rendez-vous a decommissioned satellite or consent to the extraction or recycling of each particular piece of space debris. This circumstance bars the rush to space debris and lessens the expectations of economic incentives in that respec**t. Other policy limitations include the perceived or real dual nature (civil and military) of ADR and consequently a reluctance from the Department of Defence (DoD) to facilitate/enforce military ADR which might add tensions to the already “congested, contested and competitive” space domain. Furthermore**, policy was adopted by no other than NASA to limit its own ADR capacity for several reasons, budget being one of them: “While these small research and development grants are a step in the right direction, NASA has also decided to set strict limits on its investment in carrying research and development of ADR technologies forward. In June 2014, NASA formally adopted a policy to limit its ADR efforts to basic research and development of the technology up to, but not including, on-orbit technology demonstrations. It is believed that the main reason for this limitation was an unwillingness by NASA to take on a potentially costly major new initiative without additional funding** from Congress [7]”. Our paper will try to reconcile these divergences and propose a model taking into account legal, policy and economic needs, all the more since the Technology Readiness Level (TRL) seems to take a maturing path. The stakes reside into boosting the Demand Readiness Level (DRL), still on the rocks, by ensuring a constructive, prosperous and thriving market, especially at a time when cleaning space is becoming an emergency for maintaining the security of critical space infrastructure [8]. Our model will essentially rely on the space insurance (both property and liability) as the nexus for an innovative solution from the legal, policy and economic standpoints. Our rationale is to upgrade, from a top-down approach, the on-orbit property insurance regime from optional to compulsory, and the onorbit liability regime from fault-based to absolute (or strict as in environmental law), getting thus rid of the difficult burden of proving fault in orbit, which is still required within the Convention on International Liability for Damage Caused by Space Objects of 1972 (Liability Convention). As of now, property and liability insurance are required in some States only at the launching phase. Since all objects launched into space are under the ultimate liability of the Registry or “launching” State in case of harming a third party, some States require further liability insurance caps. However, currently, on-orbit property insurance remains only optional and liability kicks in if fault is established and proven, which is difficult, which may deter OOS efforts and ADR initiatives such as recyclers.

### Advantage 2

#### [1] The Mccormick 21 evidence is a link. They view appopriation as inherently capitalist and ignroe its creative potential, like an artist appopriating his canvas.

#### [2] No reason that settlements in outer space is inherently bad, theres no one there so it’s not imperialist!

#### [3] They don’t get a spillover claim, No reason they get to solve ALL of neoliberalism. All these impacts are specific to earth, not outer space. Too many alt causes

#### [4] States are inherently Capitalist i.e. they structurly exclude people take their lands and exploit resources