# Woodward Round 4 1N vs. Marlbourgh Jen

## 1

#### The 1AC’s perception of property and limitation of appropriation obliterates the subject’s transcendence of the mind, leaving them without freedoms. Property isn’t a totalizing relation that limits others access, instead it is the name for territorialized relations between the subject and their material world. Appropriation of outer space allows the subject to escape natural confines and attain freedom from their Earth prison, BUCHANAN “99

Buchanan, Ian. "Deleuze and Cultural Studies". *A Deleuzian Century?*, edited by Ian Buchanan, New York, USA: Duke University Press, 1999, pp. 103-118. [https://doi.org/10.1515/9780822395973-006 last accessed Jan 2 //](https://doi.org/10.1515/9780822395973-006%20last%20accessed%20Jan%202%20//) LHP HP

According to Deleuze, association both transcends and differs frorn the imagination, which is to say, it affects the imagination. "We can now see the special ground of empiricism: nothing in the mind transcends human nature, because it is human nature that, in its principles, transcends the mind; nothing is ever transcendental." This is the basis of what Deleuze de scribes as the "coherent paradox" of Hume's philosophy: "It offers a subjectivity which transcends itself, without being any less passive." 11 The subject, in other words, is constituted in the given but also able to transcend the given. This is possible because the relation between the imagination and the principles of associatio.n operating there is dynamicP Association, then, far from being a product, which would involve an unnecessary hypostatization, is in fact "a rule of the imagination and a manifestation of its free exercise." As such, association at once guides the imagination (thereby giving it uniformity) and constrains it. It is through this relation that the imagination becomes human nature: "The mind, having become nature, has acquired now a tendency." 13 The notion of tendency is anthropological and, in this sense, humanist, since it posits an individual composed of social codes (and thus available to interrogation via those codes). But it is not fully humanist: the subject it posits is a fragmented one. Although the subject is said to have transcended itself, that does not rnean it is a transcendental subject. It does not stand outside what it organizes or makes coherent; rather, organization and coherence-made possible by the principles of association-take place in the subject, which is why the subject is fragmented. As the site of the instance of coherence referred to as subjectivity, the subject is not the principle of totalization that would supply that coherence. "Ernpirical subjectivity is constituted in the mind under the influence of principles affecting it; the mind therefore does not have the characteristics of a preexisting subject." 14 It transcends itself to the extent that the mind becomes a subject.15 "In Hume's empiricisrn, genesis is always understood in terms of principles, and itself as a principle." The subject, therefore, can only be apprehended via its constitutive principles - which must be external in order to be apprehended in themselves - and chief among these is habit: "Habit is the constitutive root of the subject." 16 The paradox of habit is that it is formed by degrees (therefore cons tituted, not constitutive) and a preformed principle of nature (therefore constitutive, not constituted). But as Deleuze shows, this implies no contradiction: the subject invents the very norms and general rules it lives by. Despite appearances, habit is not the same thing as habitus, not as Bourdieu understands the term anyway. In his formulation, habitus is an acquired "system of generative schemes" with "an infinite capacity for generating products-thoughts, perceptions, expressions and actions-whose lirnits are set by the historically and socially situated conditions of its production."18 The transcendental ernpirical subject, in contrast to Bourdieu's conception, is as much the product of self-invention as it is the consequence of conforrning to an existing structure. To put it another way, in the given the subject is without agency; he or she is simply one particle among many and must rnove and sway with the ebb and flow of the social tide. To gain agency, the subject must transcend the given. How the subject does this is perhaps the most vital question we can ask of Deleuze's version of empiricism. It is the process of appropriation that enables the passively synthesized subject to become active-to self-fashion, as it were.19 By "appropriation" 1 mean precisely what Deleuze describes in reference to Artaud as the necessary effort to think. This concept of appropriation posits "uses" as creative acts. It is through the practices of everyday life-the rnultiplicity of "uses" to which social structures, the regulatory bodies that shape culture and cultural cornrnodities, the already appropriated and about to be appropriated items that combine with desire to produce a culture, are put-that the passively formed subject becornes active. The value of this pivotaI "mechanism" to cultural studies is that it is liberating, enabling the subject to particularize the universaI and, as a result, to put the so-called normative institutions which ordinarily govern his or her existence to his or her own use. Appropriation is therefore a path to freedom. 108 Jan Buchanan Prisons provide an excellent test case for this hypothesis. If it can be shown that freedom is possible, via appropriation, in a place so purposively unfree as a prison, then we can be sure that freedorn is always possible. The crucial problem for our the ory is that circumstances cannot be ignored or relegated to a secondary role. There would be nothing profound in the clairn that freedom is possible even in Auschwitz, say, if circurnstances are totally ignored. The gas chambers, the crematoria, the electrified-wire fences, the irnpossibly small bunks, the desperate lack offood, the wooden clogs that permit only clumsy hobbling-none of these circumstantial elements can be discounted or dismissed.20 But, by the sarne token, none can be said to be decisive either or we will be forced to conclude that freedom in this situation is impossible. If the prisoner is an other, then what rnust be found is a means of expressing, simultaneously, otherness as an insular identity with its own sovereign power and otherness as a deplorable state of oppression. This is, in fact, the principal utility of appropriation as an analytic rnodel: by not defining the Self in relation to an Other, it enables cultural studies to express the everyday as a dynamic and complex series of interlocking relations between existing forms and current uses (i.e., between passive forrns and active transforrnations), allowing us to theorize concomitantly-despite the law of noncontradiction-oppression and resistance. Such a facility, in turn, enables us to apprehend the fact that an imprisoned person can simultaneously conform to an imposed "foreign" order and subvert that order.21 Because the social structure defining the parameters of people's lives-oppressed or otherwise-has to be enunciated by thern in order to be actualized, it is always available to appropriation. The passively formed subject is always becoming active. When, for example, Arthur Koestler's Rubashov (in Darkness at Noon) is taken into custody, the given ofhis everyday lifè is radically altered.22 He undergoes what Deleuze and Guattari call an "incorporeal" transformation and becornes a political prisoner.23 When Rubashov says "1" in prison, he realizes the potential of the prison to turn hirn into a prisoner. In saying "1 am a prisoner," he actualizes his imprisonrnent as the given of his daily existence, but, in order to do that, he has to appropriate the language of incarceration. This is an uncertain enterprise: while appropriation can certainly be shown to lead to freedom, the freedom it results in is not constant; rather, it varies according to degrees of intensity, that is, there are diflerent modalities of freedom (a problern 1 will return Deleuze and Cultural Studies lOg to). In this respect, the interrogation scene that takes up much of the third section of the novel is revelatory. At this moment in his detention, Rubashov is able to regain agency by appropriating his interrogation, and subsequent confession, to his own existentially motivated purposes. What this means, in effect, is that while the prison and its regulations define the circurnstances of Rubashov's existence, they do not fully determine the conditions for his freedom. It becomes possible to say, now, that one is not free in prison, but that one can nevertheless achieve freedom there.

#### This is a direct violation of the subject infinite potential. Each individual is dictated to have a certain identity only when they are surrounded by stable structures that force the individual to understand themselves in a single way. Conversion therapy takes the homosexual subject and denies their method of expressing themselves. We can only harness our potential when we become able to interact with new spaces, like discovering ones passion and breaking rules that dictate how one might live, DELEUZE and GUITARRI 88

[Deleuze, Gilles, and Félix Guattari. *A thousand plateaus: Capitalism and schizophrenia*. Bloomsbury Publishing, 1988. Pg 53-55] // this is a printed book carded by LHP HL on Jan 2, 2022

Forms relate to codes and processes of coding and decoding in the parastrata; substances, being formed matters, relate to territorialities and movements of deterritorialization and reterritorialization on the epis-trata. In truth, the epistrata are just as inseparable from the movements that constitute them as the parastrata are from their processes. Nomadic waves or flows of deterritorialization go from the central layer to the periphery, then from the new center to the new periphery, falling back to the old center and launching forth to the new.16 The organization of the epistrata moves in the direction of increasing deterritorialization. Physical particles and chemical substances cross thresholds of deterritorialization on their own stratum and between strata; these thresholds correspond to more or less stable intermediate states, to more or less transitory valences and existences, to engagements with this or that other body, to densities of proximity, to more or less localizable connections. Not only are physical particles characterized by speeds of deterritorialization—Joycean tachyons, particles-holes, and quarks recalling the fundamental idea of the "soup"—but a single chemical substance (sulfur or carbon, for example) has a number of more and less deterritorialized states. The more interior milieus an organism has on its own stratum, assuring its autonomy and bringing it into a set of aleatory relations with the exterior, the more deterritorialized it is. That is why degrees of development must be understood relatively, and as a function of differential speeds, relations, and rates. Deterritorialization must be thought of as a perfectly positive power that has degrees and thresholds (epistrata), is always relative, and has reterritorialization as its flipside or complement. An organism that is deterritorialized in relation to the exterior necessarily reterritorializes on its interior milieus. A given presumed fragment of embryo is deterritorialized when it changes thresholds or gradients, but is assigned a new role by the new surroundings. Local movements are alterations. Cellular migration, stretching, invagination, folding are examples of this. Every voyage is intensive, and occurs in relation to thresholds of intensity between which it evolves or that it crosses. One travels by intensity; displacements and spatial figures depend on intensive thresholds of nomadic deterritorialization (and thus on differential relations) that simultaneously define complementary, sedentary reterritorializations. Every stratum operates this way: by grasping in its pincers a maximum number of intensities or intensive particles over which it spreads its forms and substances, constituting determinate gradients and thresholds of resonance (deterritorialization on a stratum always occurs in relation to a complementary reterritorialization).17 As long as preestablished forms were compared to predetermined degrees, all one could do was affirm their irreducibility, and there was no way of judging possible communication between the two factors. But we see now that forms depend on codes in the parastrata and plunge into processes of decoding or drift and that degrees themselves are caught up in movements of intensive territorialization and reterritorialization. There is no simple correspondence between codes and territorialities on the one hand and decodings and deterritorialization on the other: on the contrary, a code may be a deterritorialization and a reterritorialization a decoding. Wide gaps separate code and territoriality. The two factors nevertheless have the same "subject" in a stratum: it is populations that are deterritorialized and reterritorialized, and also coded and decoded. In addition, these factors communicate or interlace in the milieus. On the one hand, modifications of a code have an aleatory cause in the milieu of exteriority, and it is their effects on the interior milieus, their compatibility with them, that decide whether they will be popularized. Deterritorializations and reterritorializations do not bring about the modifications; they do, however, strictly determine their selection. On the other hand, every modification has an associated milieu that in turn entails a certain deterritorialization in relation to the milieu of exteriority and a certain reterritorialization on intermediate or interior milieus. Perceptions and actions in an associated milieu, even those on a molecular level, construct or produce territorial signs (indexes). This is especially true of an animal world, which is constituted, marked off by signs that divide it into zones (of shelter, hunting, neutrality, etc.), mobilize special organs, and correspond to fragments of code; this is so even at the margin of decoding inherent in the code. Even the domain of learning is defined by the code, or prescribed by it. But indexes or territorial signs are inseparable from a double movement. Since the associated milieu always confronts a milieu of exteriority with which the animal is engaged and in which it takes necessary risks, a line of flight must be preserved to enable the animal to regain its associated milieu when danger appears (for example, the bull's line of flight in the arena, which it uses to regain the turf it has chosen).18 A second kind of line of flight arises when the associated milieu is rocked by blows from the exterior, forcing the animal to abandon it and strike up an association with new portions of exteriority, this time leaning on its interior milieus like fragile crutches. When the seas dried, the primitive Fish left its associated milieu to explore land, forced to "stand on its own legs," now carrying water only on the inside, in the amniotic membranes protecting the embryo. In one way or the other, the animal is more a fleer than a fighter, but its flights are also conquests, creations. Territorialities, then, are shot through with lines of flight testifying to the presence within them of movements of deterritorialization and reterritorialization. In a certain sense, they are secondary. They would be nothing without these movements that deposit them. In short, the epistrata and parastrata are continually moving, sliding, shifting, and changing on the Ecumenon or unity of composition of a stratum; some are swept away by lines of flight and movements of deterritorialization, others by processes of decoding or drift, but they all communicate at the intersection of the milieus. The strata are continually being shaken by phenomena of cracking and rupture, either at the level of the substrata that furnish the materials (a prebiotic soup, a prechemical soup ...), at the level of the accumulating epistrata, or at the level of the abutting parastrata: everywhere there arise simultaneous accelerations and blockages, comparative speeds, differences in deterritorialization creating relative fields of reterritorialization.

#### The Alternative is to interrogate the stable concept of the subject in favor of alignment with the Body without Organs, to allow the subject to exist in society independent of social constructs such as gender, class, and nationality that have previously composed the stable subject, SMITH 18

[Smith, Daniel. "What is the body without organs? Machine and organism in Deleuze and Guattari." *Continental Philosophy Review* 51.1 (2018): 95-110.] This is a team purchased PDF accessed Jan 1, 2022 // LHP HL

As scholars have noted, the body without organs (sometimes abbreviated to BwO) is a somewhat confusing term, because it does not describe ‘‘a body deprived of organs,’’ as the term seems to indicate, but rather ‘‘an assemblage of organs freed from the supposedly ‘natural’ or ‘instinctual’ organization that makes it an organism.’’43 As Deleuze and Guattari put it, for the body without organs, the ‘‘enemy’’ is not the organs, but the organism, the particular arrangement and configuration of the organs.44 The body without organs is supposed to designate all of those things that an organic body could do, but that it is prevented from doing because of its homeostatic self-regulation processes. The body without organs is the full set of capacities or potentialities of a body prior to its being given the structure of an organism, which only limits and constrains what it can do: it is ‘‘what remains when you take everything away.’’45 As they ask in A Thousand Plateaus: Is it really so sad and dangerous to be fed up with seeing with your eyes, breathing with your lungs, swallowing with your mouth, talking with your tongue, thinking with your brain, having an anus and larynx, head and legs? Why not walk on your head, sing with your sinuses, see through your skin, breathe with your belly?46 The injunction here is to use our bodies and our organs in ways which are not in thrall to the overarching plan of the organism, to put them to work doing things other than those for which they were designed. In short, to treat them as machines capable of producing ‘‘events.’’ The organism, then, can be defined as being a certain way in which the body without organs is ‘‘captured,’’ one which restricts its capacities, and constrains it: ‘‘the BwO howls: ‘They’ve made me an organism! They’ve wrongfully folded me! They’ve stolen my body!’’’47 Of course, ‘‘organisms’’ are not the only way in which the body without organs can be ‘‘captured,’’ and in A Thousand Plateaus, Deleuze and Guattari analyse a number of other ‘‘strata’’ which impose their own forms on it and limit its capacities.48 The fact that there are other ‘‘strata’’ helps to explain their otherwise puzzling comment that the body without organs is not an ideal, unattainable point, but something we are attaining all the time.49 One example is the human face, the subject of an entire chapter of A Thousand Plateaus. It is clear that the face is not wholly subordinated to organic functions: we use it to express our emotions, we treat it as an aesthetic object, we use it for communication, and so on. In fact, if one believes the early Levinas, the human face opens us to the very possibility of ethics.50 All of these functions have nothing to do with the head qua organism, and would not have been made possible had the face not first been ‘‘freed’’ from its relation with the organic body and its place within this hierarchy of its system. It is in this sense that the face ‘‘removes the head from the stratum of the organism,’’ and thereby frees it to be used in different ways.51 Thus, rather than following the conservative tendencies of the organism that always pull it back towards the statistically normal, relegating everything that falls beyond this range to the register of the ‘‘pathological,’’ Deleuze and Guattari recommend a kind of experimentation whose ultimate goal is the event, that is, the production of something new. And as we saw in the first section, the production of an event changes even the thing that produced the event in the first place, so that the organic body will not remain the same after it has made itself into a body without organs. We humans are able to carry out this kind of experimentation because, as Canguilhem notes, we are fortunate enough to have a surfeit of organs: ‘‘too many kidneys, too many lungs, too much parathyroid, too much pancreas, even too much brain, if human life were limited to the vegetative life.’’52 Pathological states thus arise not when we use our bodies in ways that make us deviate from the statistical norm, or when we make use of our organs in ways which take them beyond the range of possibilities considered ‘‘normal’’ by the organism, but only when our ‘‘experimentation’’ goes too far, reaching the point where, instead of increasing our capacities, it reduces them, and prevents us from creating something new.53 Now that we have explored Deleuze and Guattari’s modifications to the concepts of ‘‘machine’’ and ‘‘organism,’’ let us briefly summarize our findings. Whereas we usually think that machines are defined by their substance, that is, the way in which they are constructed, the form which they take, Deleuze and Guattari understand them according to what they do. As they write, a machine should be understood ‘‘by function, not by form’’ (recall the example of the knife-rest: understanding it as a machine means understanding what it is used for, not its geometric properties).54 Whereas we usually think that organisms are defined by what they do, that is, by their behaviors, by the kinds of activities they carry out, Deleuze and Guattari instead understand them according to their structure. As we saw in the distinction between ‘‘analogy’’ and ‘‘homology,’’ what makes organisms similar to one another has nothing to do with their function. Rather, comparisons should be based on morphology, that is to say the virtual schema out of which the body emerged. In other words, an organism should be understood by form, not by function (recall the example of the bat wing: understanding it as an organism means understanding the order and connection of it bones, not what it is used for).55 Further, in both cases, there is no substantial link between the form it has and the function it carries out one can no more deduce the function of a bat’s wing from its morphology than one can deduce the function of a knife-rest from its geometrical properties.56 There is something like a priority of creation in Deleuze and Guattari, a preference for the new, which leads them away from what might otherwise appear to be a kind of symmetry between the two concepts (function not form vs. form not function), towards a valorization of the idea of the machine, and a strong criticism of the idea of the organism. This leads, first, to an asymmetry between the scope of the two concepts: whereas their idea of ‘‘machine’’ is supposed to be universal (everything is a machine), their idea of ‘‘organism’’ is restricted to a certain kind of body. But perhaps more importantly, it also leads them to a different understanding of the relation between the two terms, centered on their concept of the ‘‘body without organs.’’ Their non-mechanical mechanism, which is also a vitalism of the inorganic, highlights not the form or structure that bodies actually have, but rather the virtual capacities that bodies have to do something different. A body may be structured like an organism, but, since its organs are all machines, it will always retain the capacity to ‘‘disarticulate,’’ as they put it, to cease to be an organism. The body without organs, then, can be defined as the becoming-machine of the organism; it is what happens when one part of the body enters into combination with some other machine in a way which allows it to escape from the organism’s regularizing, normalizing processes. Seen in this way, the body previously considered an organism is opened up to a whole host of new connections, each of which may lead to the production of an event.

#### The Role of the Ballot is to interrogate the image of thought, the current figure of thought that manipulates the subject into conforming with societies demand, such as the capitalist image yelling, “Work or die!”. Vote for the debater which better presents methods to question structures of limitation and oppression against the individual, it is only from this ROB can we move away from structures such as whiteness and settler innocence and resist oppressive mindsets that hold us all captive by dictating thought, DRONSFIELD 12

Dronsfield, Jonathan. "Deleuze and the image of thought." Philosophy Today 56.4 (2012): 404-414. This is a team purchased PDF accessed Jan 1, // LHP HL

The image of thought is Deleuze’s characteri- sation of what comes before thinking: that which philosophy implicitly presupposes and explicitly projects, a pre-philosophical and natural and hence dogmatic image of what thinking is. The dogmatic image supposes that what thought wants, wants both materially and wilfully, is the true. Morality leads us to presuppose this. It is pre-supposed in the sense that everybody knows what it means to think, as though it were common sense. We all have this common picture of what it means to think. It’s an image in which subject and object and being and beings are already assigned their proper place and relation one to the other. And so long as philosophy holds to this image it does not matter what it goes on to think conceptu- ally. If the image of thought guides the creation of concepts then those concepts will be part of the same image projected. Moreover, it is the suppo- sition of a natural capacity to think in this way that permits philosophy to claim to begin without suppositions. It is a supposition which is en- dowed with the power to undercut the conditions of the present moment and its attendant perver- sions. It is not a particular image of thought that worries Deleuze; it’s that thought is pre-con- ceived as an “image in general.” This is philoso- phy’s subjective presupposition and the frame of Deleuze’s critique. “Nous ne parlons pas de telle ou telle image de la pensée,” he says, “variable suivant les philosophies, mais d’une seule Image en général qui constitue le présupposé subjectif de la philosophie dans son ensemble.”5 Part of the image, its stance as it were, is that thought is construed as “naturally upright.” “Up- right” here means proper and good-willed. Thought is upright because it is the possession of the subject. As the unity of the faculties it reduces every other faculty to modes of the subject. Be- cause thinking is subjective in this way the sub- ject’s model of thought is recognition. The fac- ulty of sensibility can grasp only that which can be recognised by all the other faculties in the sub- jective act of recognition. When thinking is mod- elled on recognition, that which can be recog- nised is a reflection of the subject. The subject for whom recognition is the model of thought is filled with no more than an image of itself. Thought is left with no means of grasping that which cannot be recognised, at least whilst it remains erect and standing. But Deleuze makes clear that it is not a ques- tion of opposing “another image” to the dogmatic image of thought. Even the schizophrenic cannot be imaged, because the schizophrenic becomes a possibility for thought and is “revealed as such” only through the “abolition” of the dogmatic im- age.6 Deleuze is unequivocal then about the ne- cessity of theorising a thinking without image. Deleuze’s thought must be measured by the ex- tent to which it thinks without image. Its new- ness, its “répétition authentique,” will be its thinking without image. Indeed, so rigorous would the denunciation of the image as non-phi- losophy be that it would yield the prize of “the greatest destructions and demoralisations,” so obstinate would a thought without image be that it would have no ally but paradox, having re- nounced both representation and common sense, so original would a thinking purged of the image be that thought could finally begin to think. But thought can only begin, and it is this that would allow it continually to begin again, only when liberated from the image and its postulates.7 If representation for Deleuze is a transcendental il- lusion in which thought is “covered over” [se recouvre] by an image, it implies that in over- coming representation the image must be re- moved t;hought is only “uncovered” once the shroud of the image is taken down.8 The insistence that thought can and should happen “without images” extends even to valo- rising creator-writers, writers who are creators before they are authors, as “blind.” Deleuze’s self-understanding in the form of his “dialogue” with Claire Parnet in 1977, a dialogue which is no way an encounter because in it we recognise a Deleuze pre-given and decided, figures the likes of Nietzsche and Proust not as authors but as cre- ators, creators precisely because they are not au- thors. For as soon as the designation “author” is made, thought is once again determined as an im- age [“qu’on soumet la pensée à une image”], and writing made an activity of life.9 Creation is en- counter, in which the writer encounters himself, and a writing which because it is its own life ne- cessitates that reading be an act of creation. Such encounters are “acts of thought without image,” and at once both blind and blinding [“aussi bien aveugles qu’aveuglants”]10—a thought blind to itself, and one which refuses to form itself as an image which might enable it to be visible. It is the imperceptible, it is that which dwells in the dark- est regions. This is not to argue for a thought no longer subject to recognition and representation, but to a thought no longer determinable as an im- age as such. It is as if an image can only order, or- der correct ideas rooted in goodwill and recogni- tion and governed by an origin of representation and the already decided. And what philosopher would not hope to set up an image of thought that no longer presupposes goodwill and a pre-medi- tated decision? But philosophy is too much on the side of friendship to achieve this.11 In place of the image of thought “rooted” in such postulates Deleuze instates a thinking in which the passional, aimless and horizontal line will be favoured over the natural and upright stance, a thinking always already begun, with its beginning in the repetition of a beginning again. Thinking becomes no longer a natural capacity we all possess but an activity some of us are forced into doing by that which we do not recog- nise but sense; moreover sense in a way which differentiates the faculty of sensibility from all other faculties, indeed brings it into discord with them whilst at the same time confronting them with their own limits. That which cannot be re- cognised has neither form nor figure, yet it “stares” at us. It “stares” at us, but “sans yeux.”12 The thought without image is a ground. It is the ground that an individual brings to the surface, or we might have to say raises to eye-level, the level of the eye-line of the one stared at—if, that is, that otherness is to be encountered and bring us into question—without being able to give the ground form, the ground that draws the eye from out of the body to it, a ground which “penetrates” thought with its stare, “the unrecognised in every recognition.” And that ground will be what al- lows for a metamorphosis productive of the new. For instance habit, the foundation of habit, will be metamorphosed into the failure of habitus, leading to the expulsion of agency in favour of a new individuality, an agency in the condition of continual expulsion. It is a ground which must be turned and brought to the surface, re-turned and repeated as surface, for only then will it be meta- morphosed. Recognition is defeated only if the ground is turned or “bent” [“coudé”] such that what it grounds it relates to the groundless.13 The thought without image is that which stares, even without eyes, “blind and blinding,” from within the imperceptible, and this thought is the ground- lessness of the ground. The question then arises, how is this ground turned and brought to the surface? We envisage the following answer: by the step, underfoot, by the walk of the one metamorphosed.

## 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] Limits – making the topic bi-directional explodes predictability – it means that Aff’s can both increase non-exist property regimes in space AND decrease appropriation by private actors – makes the topic untenable.

#### c] 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 rigorous testing – otherwise we can’t test if your arguments are true

#### b] Topicality is Drop the Debater – it’s a fundamental baseline for debate-ability and we can’t get new 2nr da’s so the debate’s permanently skewed.

#### 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 RVI’s - 1] Forces the 1NC to go all-in on Theory which kills substance education, 2] Encourages Baiting since the 1AC will purposely be abusive, and 3] Illogical – you shouldn’t win for not being abusive, which is a litmus test for argumentation

## Case, 1:45

### Plan/Solvo

#### OV: theres no framing mechanism! Automatically prefer my theories on subjectivity and ROB! And you don’t care about any of their impacts since they are extinction and consequentialist based!

#### 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, democracy is subject to public opinion and that means public images of thought. I.e. Trump’s movement was founded on ignorance, sexism, racism, etc.

#### [4] The K links here too, what’s the point of cleaning up outer space if private actors can’t even go into it and appropriate for their own uses to create art, experience, homes, etc.

#### [5] WE NEED property and other forms of appropriation in order to prevent people from introducing on our territories on outer space. How can I create a mars farm if I can’t first own it and decide who enters it myself to prevent people from just trampling over it!

### Advantage 1

#### [1] Debris collisions happen even without private appropriation. States have been putting satellites into space for decades and will continue to in the world of the affirmative. That means the affirmative cannot solve for space debris – launches happen either way. So, only the negative’s impacts matter in this round – they outweigh on probability and solvency.

#### [2] 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.

#### [3] 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?

#### [4] 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.

#### [5] Uncertainty from debris collisions creates restraint not instability.

MacDonald 16, B., et al. "Crisis stability in space: China and other challenges." Foreign Policy Institute. Washington, DC (2016). (senior director of the Nonproliferation and Arms Control Project with the Center for Conflict Analysis and Prevention)//Elmer

In any crisis that threatens to escalate into major power conflict, political and military leaders will face uncertainty about the effectiveness of their plans and decisions. This uncertainty will be compounded when potential conflict extends to the space and cyber domains, where weapon effectiveness is largely untested and uncertain, infrastructure interdependencies are unclear, and damaging an adversary could also harm oneself or one’s allies. Unless the stakes become very high, no country will likely want to gamble its well-being in a “single cosmic throw of the dice,” in Harold Brown’s memorable phrase. 96 The novelty of space and cyber warfare, coupled with risk aversion and worst-case assessments, could lead space adversaries into a situation of what can be called “hysteresis,” where each adversary is restrained by its own uncertainty of success. This is conceptually shown in Figures 1 and 2 for offensive counter-space capabilities, though it applies more generally. 97 These graphs portray the hypothetical differences between perceived and actual performance capabilities of offensive counter-space weapons, on a scale from zero to one hundred percent effectiveness. Where uncertainty and risk aversion are absent for two adversaries, no difference would exist between the likely performance of their offensive counter-space assets and their confidence in the performance of those weapons: a simple, straight-line correlation would exist, as in Figure 1. The more interesting, and more realistic, case is notionally presented in Figure 2, which assumes for simplicity that the offensive capabilities of each adversary are comparable. In stark contrast to the case of Figure 1, uncertainty and risk aversion are present and become important factors. Given the high stakes involved in a possible large-scale attack against adversary space assets, a cautious adversary is more likely to be conservative in estimating the effectiveness of its offensive capabilities, while more generously assessing the capabilities of its adversary. Thus, if both side’s weapons were 50% effective and each side had a similar level of risk aversion, each may conservatively assess its own capabilities to be 30% effective and its adversary’s weapons to be 70% effective. Likewise, if each side’s weapons were 25% effective in reality, each would estimate its own capabilities to be less than 25% effective and its adversary’s to be more than 25% effective, and so on. In Figure 2, this difference appears, in oversimplified fashion, as a gap that represents the realistic worry that a country’s own weapons will under-perform while its adversary’s weapons will over-perform in terms of effectiveness. If both countries face comparable uncertainty and exhibit comparable risk aversion, each may be deterred from initiating an attack by its unwillingness to accept the necessary risks. This gap could represent an “island of stability,” as shown in Figure 2. In essence, given the enormous stakes involved in a major strike against the adversary’s space assets, a potential attacker will likely demonstrate some risk aversion, possessing less confidence in an attack’s effectiveness. It is uncertain how robust this hysteresis may prove to be, but the phenomenon may provide at least some stabilizing influence in a crisis. In the nuclear domain, the immediate, direct consequences of military use, including blast, fire, and direct radiation effects, were appreciated at the outset. Nonetheless, significant uncertainty and under-appreciation persisted with regard to the collateral, indirect, and climatological effects of using such weapons on a large scale. In contrast, the immediate, direct effects of major space conflict are not well understood, and potential indirect and interdependent effects are even less understood. Indirect effects of large-scale space and cyber warfare would be virtually impossible to confidently calculate, as the infrastructures such warfare would affect are constantly changing in design and technology. Added to this is a likely anxiety that if an attack were less successful than planned, a highly aggrieved and powerful adversary could retaliate in unanticipated ways, possibly with highly destructive consequences. As a result, two adversaries facing potential conflict may lack confidence both in the potential effectiveness of their own attacks and in the ineffectiveness of any subsequent retaliation. Such mutual uncertainty would ultimately be stabilizing, though probably not particularly robust. This is reflected in Figure 2, where each side shows more caution than the technical effectiveness of its systems may suggest. Each curve notionally represents one state’s confidence in its offensive counter-space effectiveness relative to their actual effectiveness. Until true space asset resilience becomes a trusted feature of space architectures, deterrence by risk aversion, and cross-domain deterrence, may be the only means for deterrence to function in space.

#### [6] Johnson 13 –A] Their evidence is mostly about nuke war, don’t give them access to the other scenarios their car doesn’t explain it –B] we could feed the world before satelites, why cant we right now?

### 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] The alt solves undermining interests of humanity, capitalists take a step back a realize that life’s not all about this territorialized relation with profit and they have the ability to step back and view the results of their actions, i.e. mass inequality which is inherently worse than making a little less money.

### Underview

#### [1] we don’t kritik the use of the state, in fact we think the alt should be adopted by policy makers!

#### [2] A] some reform being good can’t reject capitalist images of thought –B] and it doesn’t indicate that ALL reform is good i.e. the aff