## 1

#### Interpretation—the aff must disclose the plan text 15 minutes before the round

#### Violation—they didn't

#### Standard is prep and clash—two internal links—

#### a) neg prep—5 minutes of prep is not enough to put together a coherent 1nc or update generics—15 minutes is necessary to learn a little about the affirmative and piece together what 1nc positions apply and cut and research their applications to the affirmative

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

#### Drop the debater—only way to check abuse

#### Competing interpretations—reasonability is arbitrary and invites judge intervention which causes a race to the bottom of questionable argumentation

#### No RVIs—you don’t win for being fair

## 2

#### Interpretation: the affirmative must defend the hypothetical implementation of the resolution or a subset thereof –

#### Appropriation is permanently taking property for exclusive use. Gorove 69:

Stephen Gorove, Interpreting Article II of the Outer Space Treaty, 37 Fordham L. Rev. 349 (1969). Available at: https://ir.lawnet.fordham.edu/flr/vol37/iss3/2

With respect to the concept of appropriation the basic question is what constitutes "appropriation," as used in the Treaty, especially in contradistinction to casual or temporary use. The term "appropriation" is used most frequently to denote the taking of property for one's own or exclusive use with a sense of permanence. Under such interpretation the establishment of a permanent settlement or the carrying out of commercial activities by nationals of a country on a celestial body may constitute national appropriation if the activities take place under the supreme authority (sovereignty) of the state. Short of this, if the state wields no exclusive authority or jurisdiction in relation to the area in question, the answer would seem to be in the negative, unless, the nationals also use their individual appropriations as cover-ups for their state's activities.5 In this connection, it should be emphasized that the word "appropriation" indicates a taking which involves something more than just a casual use. Thus a temporary occupation of a landing site or other area, just like the temporary or nonexclusive use of property, would not constitute appropriation. By the same token, any use involving consumption or taking with intention of keeping for one's own exclusive use would amount to appropriation.

#### A private entity is a private group or organization

#### [No Author. . “Definition: private entity from 6 USC § 1501(15)(A)”. xx-xx-xxxx. Cornell Law. https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def\_id=6-USC-625312480-168358316&term\_occur=999&term\_src=title:6:chapter:6:subchapter:I:section:1501. Accessed 1-13-2022]

(A) In general Except as otherwise provided in this paragraph, the term “private entity” means any person or private group, organization, proprietorship, partnership, trust, cooperative, corporation, or other commercial or nonprofit entity, including an officer, employee, or agent thereof.

#### Vote negative – there is a distinction between debate as an institution and debate as a game, and while the affs intervention may or may not be effective on an institutional level, the ballot only signifies a win or loss within debate as a game

#### We are both in this round primarily to get a win - its why we all adhere to other rules of the game like speech times and prep time, even if breaking those norms might make the debate “better” – its why you would vote neg if they read a 10 hour long AC about why speech time constraints are bad

#### Not reading a topical aff creates incredible structural advantages for the aff – they get first and last speech and perms which means without a stable advocacy they get to morph their aff into whatever minimizes direct clash, and allows for a retreat to moral high ground

#### You don’t have to disagree with the aff to vote neg. But, the ballot is fundamentally tied to the structure of the *game* of debate, not the *institution*, which means that your ballot can only ascribe who did a better job playing the game that we agreed upon before the start of the tournament.

#### There’s three Impacts –

#### Clash – Non-T affs avoid meaningful objections by preventing effective prep. This is supercharged by the Aff not being disclosed open source. That link turns all their research and subjectivity arguments. We can’t deploy new research strategies or cultivate new dispositions to power structures if we can’t effectively evaluate the arguments. Clash is a pre-requisite to debate, because we use competitive argumentation to understand and internalize attitudes and knowledge. That’s what distinguishes debate from other forms of learning.

#### Competitive Equity---allowing the aff to arbitrarily manipulate the debate’s content creates a moral hazard leading to arguments more distanced from the topic - vote neg because debate is a competitive game which is deprived of its potential without substantive constraints.

1. Argument Advocacy---we learn to be better advocates for actual change when there is a particularized action to debate – that results in better space activism outside of the round

#### Frame procedural impacts through a lens of optimization – we don’t need to win that they make the game impossible, just relatively less effective. In the same way you would vote aff to reject a bad process CP even if there are theoretically solvency deficits based on certainty and immediacy – the fact that we still have some neg ground doesn’t mean that reading the cap k for the 87th time against a survival strategy aff is a good debate to have for anyone involved

#### They have no offense

#### View T impacts as a process, not a product – any education impact about their content being important are solved by reading a book – filter impacts through what is unique to the process of debating itself

#### They get to read it on the neg – if their k of being topical is true then reading the aff as a K on the neg means they get auto-wins, we still access their education

#### The TVA solves – they could have read an aff that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - this would allow a discussion of the aff in a forum that allows us to have nuanced responses – yes, it isn’t perfect, but those imperfections are neg ground – if they aren’t forced to defend a controversy, then the meaning of any wins they get become hollow anyway which takes out solvency

## 3

#### Space regulation scares investors away and spills over to other space activities. Freeland 05:

Steven Freeland (BCom, LLB, LLM, University of New South Wales; Senior Lecturer in International Law, University of Western Sydney, Australia; and a member of the Paris-based International Institute of Space Law). “Up, Up and … Back: The Emergence of Space Tourism and Its Impact on the International Law of Outer Space.” Chicago Journal of International Law: Vol. 6: No. 1, Article 4. 2005. JDN. <https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1269&context=cjil>

V. THE NEED FOR CELESTIAL PROPERTY RIGHTS? ¶ The fundamental principle of "non-appropriation" upon which the international law of outer space is based stems from the desire of the international community to ensure that outer space remains an area beyond the jurisdiction of any state(s). Similar ideals emerge from UNCLOS (in relation to the High Seas) as well as the Antarctic Treaty, 42 although in the case of the latter treaty, it was finalised after a number of claims of sovereignty had already been made by various States and therefore was structured to "postpone" rather than prejudice or renounce those previously asserted claims.43 In the case of outer space, its exploitation and use is expressed in Article I of the Outer Space Treaty to be "the province of all mankind," a term whose meaning is not entirely clear but has been interpreted by most commentators as evincing the desire to ensure that any State is free to engage in space activities without reference to any sovereign claims of other States. This freedom is reinforced by other parts of the same Article and is repeated in the Moon Agreement (which also applies to "other celestial bodies within the solar system, other than the earth")." Even though both the scope for space activities and the number of private participants have expanded significantly since these treaties were finalised, it has still been suggested that the nonappropriation principle constitutes "an absolute barrier in the realization of every kind of space activity., 4 ' The amount of capital expenditure required to research, scope, trial, and implement a new space activity is significant. To bring this activity to the point where it can represent a viable "stand alone" commercial venture takes many years and almost limitless funding. From the perspective of a private enterprise contemplating such an activity, it would quite obviously be an important element in its decision to devote resources to this activity that it is able to secure the highest degree of legal rights in order to protect its investment. Security of patent and other intellectual property rights, for example, are vital prerequisites for private enterprise research activity on the ISS, and these rights are specifically addressed by the ISS Agreement between the partners to the project and were applicable to the experiments undertaken by Mark Shuttleworth when he was onboard the ISS.46

#### The private sector is essential for space exploration – competition is key and government development is not effective, efficient, or cheap enough. Thiessen 21:

Marc Thiessen, 6-1, 21, Washington Post, Opinion: SpaceX’s success is one small step for man, one giant leap for capitalism, https://www.washingtonpost.com/opinions/2020/06/01/spacexs-success-is-one-small-step-man-one-giant-leap-capitalism/

It was one small step for man, one giant leap for capitalism. Only three countries have ever launched human beings into orbit. This past weekend, SpaceX became the first private company ever to do so, when it sent its Crew Dragon capsule into space aboard its Falcon 9 rocket and docked with the International Space Station. This was accomplished by a company Elon Musk started in 2002 in a California strip mall warehouse with just a dozen employees and a mariachi band. At a time when our nation is debating the merits of socialism, SpaceX has given us an **incredible testament to the power of American free enterprise.** While the left is advocating unprecedented government intervention in almost every sector of the U.S. economy, from health care to energy, **today Americans are celebrating the successful privatization of space travel.** If you want to see the difference between what government and private enterprise can do, consider: It took a private company to give us the first space vehicle with touch-screen controls instead of antiquated knobs and buttons. It took a private company to give us a capsule that can fly entirely autonomously from launch to landing — including docking — without any participation by its human crew. It also took a private company to invent a reusable rocket that can not only take off but land as well. When the Apollo 11 crew reached the moon on July 20, 1969, Neil Armstrong declared “the Eagle has landed.” On Saturday, SpaceX was able to declare that the Falcon had landed when its rocket settled down on a barge in the Atlantic Ocean — ready to be used again. That last development will save the taxpayers incredible amounts of money. The cost to NASA for launching a man into space on the space shuttle orbiter was $170 million per seat, compared with just $60 million to $67 million on the Dragon capsule. The cost for the space shuttle to send a kilogram of cargo into to space was $54,500; with the Falcon rocket, the cost is just $2,720 — a decrease of 95 percent. And while the space shuttle cost $27.4 billion to develop, the Crew Dragon was designed and built for just $1.7 billion — making it the lowest-cost spacecraft developed in six decades. SpaceX did it in six years — far faster than the time it took to develop the space shuttle. ***The private sector does it better, cheaper, faster and more efficiently than government***. Why? Competition. Today, SpaceX has to compete with a constellation of private companies — including legacy aerospace firms such as Orbital ATK and United Launch Alliance and innovative start-ups such as Blue Origin (which is designing a Mars lander and whose owner, Jeff Bezos, also owns The Post) and Virgin Orbit (which is developing rockets than can launch satellites into space from the underside of a 747, avoiding the kinds of weather that delayed the Dragon launch). In the race to put the first privately launched man into orbit, upstart SpaceX had to beat aerospace behemoth Boeing and its Starliner capsule to the punch. It did so — for more than $1 billion less than its competitor. **That spirit of competition and innovation will revolutionize space travel in the years ahead.** Indeed, Musk has his sights set far beyond Earth orbit. Already, SpaceX is working on a much larger version of the Falcon 9 reusable rocket called Super Heavy that will carry a deep-space capsule named Starship capable of carrying up to 100 people to the moon and eventually to Mars. Musk’s goal — the reason he founded SpaceX — is to colonize Mars and make humanity a multiplanetary species. He has set a goal of founding a million-person city on Mars by 2050 complete with iron foundries and pizza joints. Can it be done? Who knows. But this much is certain: **Private-sector innovation is opening the door to a new era of space exploration**. Wouldn’t it be ironic if, just as capitalism is allowing us to explore the farthest reaches of our solar system, Americans decided to embrace socialism back here on Earth?

#### Continued private space development is the only way to make sustainable energy feasible – empirics prove. Autry 19:

Greg Autry {the director of the Southern California Commercial Spaceflight Initiative at the University of Southern California, vice president at the National Space Society, and chair of the International Space Development Conference, }, 19 - ("Space Research Can Save the Planet—Again," Foreign Policy, 7-20-2019, <https://foreignpolicy.com/2019/07/20/space-research-can-save-the-planet-again-climate-change-environment/)//marlborough-wr/>

Today conservationists and other critics are more likely to see space programs as militaristic splurges that squander billions of dollars better applied to solving problems on Earth. These well-meaning complaints are misguided, however. Earth’s problems—most urgently, climate change—can be solved only from space. That’s where the tools and data already being used to tackle these issues were forged and where the solutions of the future will be too. Space research has already been critical in averting one major environmental disaster. It was NASA satellite data that revealed a frightening and growing hole in the ozone layer over the South Pole, galvanizing public concern that, in 1987, produced the Montreal Protocol: the first international agreement addressing a global environmental problem. Since then, thanks to worldwide restrictions on damaging chlorofluorocarbons, the ozone situation has stabilized, and a full planetary recovery is expected. As this case showed, space can provide the vital information needed to understand a problem—and a surprising range of ways to solve it. Climate change is a poster child for the critical role of space data. Trekking across the globe to measure ice sheets with drills and gauge sea temperatures from the sides of ships is an expensive, slow, and insufficient way to assay the state of the planet. Satellites operated by NASA, the U.S. National Oceanic and Atmospheric Administration, and an increasing number of commercial firms provide a plethora of multispectral imaging and radar measurements of developments such as coral reef degradation, harmful plankton blooms, and polar bears negotiating thinning ice. Much of the technology involved in observing the Earth today was initially developed for probes sent to explore other planets in our solar system. Indeed, understanding the evolution of other planets’ climates is essential for modeling possible outcomes on Earth. NASA probes revealed how, roughly 4 billion years ago, a runaway greenhouse gas syndrome turned Venus into a hot, hellish, and uninhabitable planet of acid rain. Orbiters, landers, and rovers continue to unravel the processes that transformed a once warm and wet Mars into a frigid, dry dust ball—and scientists even to conceive of future scenarios that might terraform it back into a livable planet. Discovering other worlds’ history and imagining their future offers important visions for climate change mitigation strategies on Earth, such as mining helium from the moon itself for future clean energy. Spinoff technologies from space research, from GPS to semiconductor solar cells, are already helping to reduce emissions; the efficiency gains of GPS-guided navigation shrink fuel expenditures on sea, land, and air by between 15 and 21 percent—a greater reduction than better engines or fuel changes have so far provided. Modern solar photovoltaic power also owes its existence to space. The first real customer for solar energy was the U.S. space program; applications such as the giant solar wings that power the International Space Station have continually driven improvements in solar cell performance, and NASA first demonstrated the value of the sun for powering communities on Earth by using solar in its own facilities. Promisingly, space-based solar power stations could overcome the inconvenient truth that wind and solar will never get us anywhere near zero emissions because their output is inherently intermittent and there is, so far, no environmentally acceptable way to store their power at a global scale, even for one night. Orbital solar power stations, on the other hand, would continually face the sun, beaming clean power back through targeted radiation to Earth day or night, regardless of weather. They would also be free from clouds and atmospheric interference and therefore operate with many times the efficiency of current solar technology. Moving solar power generation away from Earth—already possible but held back by the current steep costs of lifting the materials into space—would preserve land and cultural resources from the blight of huge panel farms and save landfills from the growing problem of discarded old solar panels. Sustainable energy advocates in the U.S. military and the Chinese government are actively pursuing space-based solar power, but just making solar cells damages the environment due to the caustic chemicals employed. Space technology offers the possibility of freeing the Earth’s fragile biosphere and culturally important sites from the otherwise unavoidable damage caused by manufacturing and mining. The U.S. start-up Made in Space is currently taking the first steps toward manufacturing in orbit. The company’s fiber-optic cable, produced by machinery on the International Space Station, is orders of magnitude more efficient than anything made on Earth, where the heavy gravity creates tiny flaws in the material. Made in Space and others are eventually planning to build large structures, such as solar power stations, in space. As these technologies develop, they will augment each other, bringing costs down dramatically; space manufacturing, for instance, slashes the cost of solar installations in space. Eventually, firms will be able to supply endeavors in space with materials from the moon and asteroids, avoiding the cost and environmental impact of lifting them into orbit. Mining the solar system comes with its own potential impacts, but extracting resources from distant and lifeless worlds is clearly preferable to the continued degradation of the Earth.

#### Warming causes extinction – outweighs all aff impacts

Miller-McDonald, 18 – (Samuel, Master of Environmental Management at Yale University studying energy politics and grassroots innovations in the US. 5-2-2018. "Extinction vs. Collapse." Resilience. https://www.resilience.org/stories/2018-05-02/extinction-vs-collapse/)

Climate twitter – the most fun twitter – has recently been reigniting the debate between human extinction and mere civilizational collapse, between doom and gloom, despair and (kind of) hope. It was sparked by an interview in The Guardian with acclaimed scientist Mayer Hillman. He argues that we’re probably doomed, and confronting the likelihood that we’re rushing toward collective death may be necessary to save us. The headline alone provoked a lot of reactions, many angered by the ostensible defeatism embedded in Hillman’s comments. His stated view represents one defined camp that is mostly convinced of looming human extinction. It stands in contrast to another group that believes human extinction is highly unlikely, maybe impossible, and certainly will not occur due to climate change in our lifetimes. Collapse maybe, but not extinction. Who’s more right? Let’s take a closer look. First, the question of human extinction is totally bounded by uncertainty. There’s uncertainty in climate data, uncertainty in models and projections, and even more uncertainty in the behavior of human systems. We don’t know how we’ll respond to the myriad impacts climate change is beginning to spark, and we don’t know how sensitive industrial civilization will be to those impacts. We don’t really know if humans are like other apex predators highly sensitive to ecological collapse, or are among the most adaptable mammals to ever walk the earth. One may be inclined to lean toward the latter given that humans have colonized every ecological niche on the planet except Antarctica. That bands of people can survive in and around deserts as well as the Arctic as well as equatorial rainforests speaks to the resilience of small social groups. It’s why The Road is so disturbingly plausible; there could be a scenario in which basically everything is dead but people, lingering in the last grey waste of the world. On the other hand, we’ve never lived outside of the very favorable conditions of the Holocene, and past civilizational and population collapses suggest humans are in fact quite sensitive to climatic shifts. Famed climate scientist James Hansen has discussed the possibility of “Venus syndrome,” for instance, which sits at the far end of worst case scenarios. While a frightening thought experiment, it is easily dismissed as it’s based on so many uncertainties and doesn’t carry the weight of anything near consensus. What’s more frightening than potentially implausible uncertainties are the currently existing certainties. For example: Ecology + The atmosphere has proven more sensitive to GHG emissions than predicted by mainstream science, and we have a high chance of hitting 2oC of warming this century. Could hit 1.5C in the 2020s. Worst-case warming scenarios are probably the most likely. + Massive marine death is happening far faster than anyone predicted and we could be on the edge of an anoxic event. + Ice melt is happening far faster than mainstream predictions. Greenland’s ice sheet is threatening to collapse and already slowing ocean currents, which too could collapse. + Which also means predictions of sea level rise have doubled for this century. + Industrial agriculture is driving massive habitat loss and extinction. The insect collapse – population declines of 75% to 80% have been seen in some areas – is something no one predicted would happen so fast, and portends an ecological sensitivity beyond our fears. This is causing an unexpected and unprecedented bird collapse (1/8 of bird species are threatened) in Europe. + Forests, vital carbon sinks, are proving sensitive to climate impacts. + We’re living in the 6th mass extinction event, losing potentially dozens of species per day. We don’t know how this will impact us and our ability to feed ourselves. Energy + Energy transition is essential to mitigating 1.5+C warming. Energy is the single greatest contributor to anthro-GHG. And, by some estimates, transition is happening 400 years too slowly to avoid catastrophic warming. + Incumbent energy industries (that is, oil & gas) dominate governments all over the world. We live in an oil oligarchy – a petrostate, but for the globe. Every facet of the global economy is dependent on fossil fuels, and every sector – from construction to supply chains to transport to electricity to extraction to agriculture and on and on – is built around FF consumption. There’s good reason to believe FF will remain subsidized by governments beholden to their interests even if they become less economically viable than renewables, and so will maintain their dominance. + We are living in history’s largest oil & gas boom. + Kilocalorie to kilocalorie, FF is extremely dense and extremely cheap. Despite reports about solar getting cheaper than FF in some places, non-hydro/-carbon renewables are still a tiny minority (~2%) of global energy consumption and will simply always, by their nature, be less dense kcal to kcal than FF, and so will always be calorically more expensive. + Energy demand probably has to decrease globally to avoid 1.5C, and it’s projected to dramatically increase. Getting people to consume less is practically impossible, and efficiency measures have almost always resulted in increased consumption. + We’re still setting FF emissions records. Politics + Conditions today resemble those prior to the 20th century’s world wars: extreme wealth inequality, rampant economic insecurity, growing fascist parties/sentiment, and precarious geopolitical relations, and the Thucydides trap suggests war between Western hegemons and a rising China could be likely. These two factors could disrupt any kind of global cooperation on decarbonization and, to the contrary, will probably mean increased emissions (the US military is one of the world’s single largest consumers/emitters of FF). + Neoliberal ideology is so thoroughly embedded in our academic, political, and cultural institutions, and so endemic to discourse today, that the idea of degrowth – probably necessary to avoid collapse – and solidarity economics isn’t even close to discussion, much less realization, and, for self-evident reasons, probably never will be. + Living in a neoliberal culture also means we’ve all been trained not to sacrifice for the common good. But solving climate change, like paying more to achieve energy transition or voluntarily consuming less, will all entail sacrificing for the greater good. Humans sometimes are great at that; but the market fundamentalist ideology that pervades all social, commercial, and even self relations today stands against acting for the common good or in collective action. + There’s basically no government in the world today taking climate change seriously. There are many governments posturing and pretending to take it seriously, but none have substantially committed to a full decarbonization of their economies. (Iceland may be an exception, but Iceland is about 24 times smaller than NYC, so…) + Twenty-five years of governments knowing about climate change has resulted in essentially nothing being done about it, no emissions reductions, no substantive moves to decarbonize the economy. Politics have proven too strong for common sense, and there’s no good reason to suspect this will change anytime soon. + Wealth inequality is embedded in our economy so thoroughly – and so indigenously to FF economies – that it will probably continue either causing perpetual strife, as it has so far, or eventually cement a permanent underclass ruled by a small elite, similar to agrarian serfdom. There is a prominent view in left politics that greater wealth equality, some kind of ecosocialism, is a necessary ingredient in averting the kind of ecological collapse the economy is currently driving, given that global FF capitalism by its nature consumes beyond carrying capacities. At least according to one Nasa-funded study, the combination of inequality and ecological collapse is a likely cause for civilizational collapse. Even with this perfect storm of issues, it’s impossible to know how likely extinction is, and it’s impossible to judge how likely or extensive civilizational collapse may be. We just can’t predict how human beings and human systems will respond to the shocks that are already underway. We can make some good guesses based on history, but they’re no more than guesses. Maybe there’s a miracle energy source lurking in a hangar somewhere waiting to accelerate non-carbon transition. Maybe there’s a swelling political movement brewing under the surface that will soon build a more just, ecologically sane order into the world. Community energy programs are one reason to retain a shred of optimism; but also they’re still a tiny fraction of energy production and they are not growing fast, but they could accelerate any moment. We just don’t know how fast energy transition can happen, and we just don’t know how fast the world could descend into climate-driven chaos – either by human strife or physical storms. What we do know is that, given everything above, we are living through a confluence of events that will shake the foundations of civilization, and jeopardize our capacity to sustain large populations of humans. There is enough certainty around these issues to justify being existentially alarmed. At this point, whether we go extinct or all but a thousand of us go extinct (again), maybe that shouldn’t make much difference. Maybe the destruction of a few billion or 5 billion people is morally equivalent to the destruction of all 7 billion of us, and so should provoke equal degrees of urgency. Maybe this debate about whether we’ll go completely extinct rather than just mostly extinct is absurd. Or maybe not. I don’t know. What I do know is that, regardless of the answer, there’s no excuse to stop fighting for a world that sustains life.

## Case

#### Material consequences over reps – you have to be alive to talk about reps AND the debate space matters for space activism

#### The role of the ballot is to assess the desirability of the plan versus a competitive alternative – it’s predictable because it’s grounded in the resolution – solves infinite regression and ensures meaningful clash

#### Scholarly discourse and engagement with politics is key to effective structural reform - critique is insufficient.

**Purdy ’20 -** Jedediah S. Britton-Purdy et al, 20 - ("Building a Law-and-Political-Economy Framework: Beyond the Twentieth-Century Synthesis by Jedediah S. Britton-Purdy, David Singh Grewal, Amy Kapczynski, K. Sabeel Rahman :: SSRN," 3-2-2020, <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3547312)//ey/>

To embrace the possibility of democratic renewal requires rejecting the terms of the Twentieth-Century Synthesis. We believe that the legal realists—and thinkers in a much longer history of political thought—were right in believing that "the economy" is neither self-defining nor self-justifying. The emphasis in these traditions has been the right one: on power, distribution, and the need for legitimacy as the central themes in the organization of economic life. Moreover, precisely because economic ordering is a political and legal artifact, the idea of an "autonomous" economic domain has always been obscurantist and ideological, even when accepted in good faith.' Law does not and never could simply defer to such a realm. Rather, **law is perennially involved in creating and enforcing the terms of economic ordering,** most particularly through the creation and maintenance of markets. One of its most important roles, indeed, is determining who is subject to market ordering and on what terms, and who is exempted in favor of other kinds of protection or provision.' Thus the program of law, politics, and institution building often called "neoliberalism" is, and can only be, a specific theory of how to use state power, to what ends, and for whose benefit.'The **ideological work** of the Twentieth-Century Synthesis has been **to** naturalize and **embed in legal institutions from the Supreme Court to the** Antitrust Office and **W**orld **T**rade **O**rganization a specific disposition of power**.** This power represents a deployment of market ordering that produces intense and cross-cutting forms of inequality and democratic erosion. However, Twentieth-Century Synthesis theorists tend not to see this, precisely because the Synthesis makes it so hard to see (or at least so easy to overlook). If it is to succeed, **law and political economy** will also **require something beyond mere critique. It will require a positive agenda.** Many **new** and energized **voices**, from the legal academy to political candidates to movement activists, are already building in this direction,' **calling for** and giving shape to **programs for more genuine democracy that also takes seriously questions of economic** power **and racial subordination;**171 more equal distribution of resources and life chances;172 more public and shared resources and infrastructues;173 the displacement of concentrated corporate power and rooting of new forms of worker power;174 the end of mass incarceration **and broader contestation of** the long history of the criminalization and **control of poor people and people of color in building capitalism;**175 the recognition of finance and money as public infrastructures;176 the challenges posed by emerging forms of power and control arising from new technologies;177 and the need for a radical new emphasis on ecology.178 These are the materials from which a positive agenda, over time, will be built. **Political fights interact generatively with scholarly and policy debates in pointing** the way **toward a more democratic political economy.** The emergence of new grassroots movements, campaigns, and proposals seeking to deepen our democracy is no guarantee of success. But their prevalence and influence make clear the dangers and opportunities of this moment of upheaval—and highlight the stakes of building a new legal imaginary. 179 Neoliberal political economy, with its underlying commitments to efficiency, neutrality, and anti-politics, helped animate, shape, and legitimate a twentieth-century consensus that erased power, encased the market, and reinscribed racialized, economic, and gendered inequities. By contrast, **a legal imaginary of democratic political economy**, that takes seriously underlying concepts of power, equality, and democracy, **can inform a wave of** legal **thought whose critique and policy imagination can amplify and accelerate these movements for structural reform** and, if we are lucky, help remake our polity in more deeply democratic ways.

Material consequences and reality over reps - U have to be alive to talk about reps, any other FW doesn’t take into account consequences. They said consequences matter so presume neg for our extinction stuff – if everyone is extinct than cultural genocide doesn’t matter and we prereq all their impacts

#### Their all-or-nothing framing reifies the power of settler colonialism and shuts down alt solvency

Busbridge, 18—Research Fellow at the Centre for Dialogue, La Trobe University (Rachel, “Israel-Palestine and the Settler Colonial ‘Turn’: From Interpretation to Decolonization,” Theory, Culture & Society Vol 35, Issue 1, 2018, dml)

The prescription for decolonisation—that is, a normative project committed to the liberation of the colonised and the overturning of colonial relationships of power (Kohn & McBride, 2011: 3)—is indeed one of the most counterhegemonic implications of the settler colonial paradigm as applied to IsraelPalestine, potentially shifting it from a diagnostic frame to a prognostic one which offers a ‘proposed solution to the problem, or at least a plan of attack’ (Benford & Snow, 2000: 616). What, however, does the settler colonial paradigm offer by way of envisioning decolonisation? As Veracini (2007) notes, while settler colonial studies scholars have sought to address the lack of attention paid to the experiences of Indigenous peoples in conventional historiographical accounts of decolonisation (which have mostly focused on settler independence and the loosening of ties to the ‘motherland’), there is nevertheless a ‘narrative deficit’ when it comes to imagining settler decolonisation. While Veracini (2007) relates this deficit to a matter of conceptualisation, it is apparent that the structural perspective of the paradigm in many ways closes down possibilities of imagining the type of social and political transformation to which the notion of decolonisation aspires. In this regard, there is a worrying tendency (if not tautological discrepancy) in settler colonial studies, where the only solution to settler colonialism is decolonisation—which a faithful adherence to the paradigm renders largely unachievable, if not impossible.

To understand why this is the case, it is necessary to return to Wolfe’s (2013a: 257) account of settler colonialism as guided by a ‘zero-sum logic whereby settler societies, for all their internal complexities, uniformly require the elimination of Native alternatives’. The structuralism of this account has immense power as a means of mapping forms of injustice and indignity as well as strategies of resistance and refusal, and Wolfe is careful to show how transmutations of the logic of elimination are complex, variable, discontinuous and uneven. Yet, in seeking to elucidate the logic of elimination as the overarching historical force guiding settler-native relations there is an operational weakness in the theory, whereby such a logic is simply there, omnipresent and manifest even when (and perhaps especially when) it appears not to be; the settler colonial studies scholar need only read it into a situation or context. It thus hurtles from the past to the present into the future, never to be fully extinguished until the native is, or until history itself ends. There is thus a powerful ontological (if not metaphysical) dimension to Wolfe’s account, where there is such thing as a ‘settler will’ that inherently desires the elimination of the native and the distinction between the settler and native can only ever be categorical, founded as it is on the ‘primal binarism of the frontier’ (2013a: 258). It is here that the differences between earlier settler colonial scholarship on Israel-Palestine and the recent settler colonial turn come into clearest view. While Jamal Hilal’s (1976) Marxist account of the conflict, for instance, engaged Palestinians and Jewish Israelis in terms of their relations to the means of production, Wolfe’s account brings its own ontology: the bourgeoisie/proletariat distinction becomes that of settler/native, and the class struggle the struggle between settler, who seeks to destroy and replace the native, and native, who can only ever push back. Indeed, if the settler colonial paradigm views history in similar teleological terms to the Marxist framework, it does not offer the same hopeful vision of a liberated future. After all, settler colonialism has only one story to tell—‘either total victory or total failure’ (Veracini, 2007).

#### The aff’s method of debate makes it impossible for me to be neg –

### Turns

#### Every delay kills trillions of humans

Bostrom 3 – Department of Philosophy, Yale University, Director of the Future of Humanity Institute at Oxford University, 2002 (Nick, “Astronomical Waste: The Opportunity Cost of Delayed Technological Development,” Preprint, Utilitas Vol. 15, No. 3, pp. 308-314, http://www.nickbostrom.com/astronomical/waste.html)

As I write these words, suns are illuminating and heating empty rooms, unused energy is being flushed down black holes, and our great common endowment of negentropy is being irreversibly degraded into entropy on a cosmic scale. These are resources that an advanced civilization could have used to create value-structures, such as sentient beings living worthwhile lives. The rate of this loss boggles the mind. One recent paper speculates, using loose theoretical considerations based on the rate of increase of entropy, that the loss of potential human lives in our own galactic supercluster is at least ~10^46 per century of delayed colonization.[1] This estimate assumes that all the lost entropy could have been used for productive purposes, although no currently known technological mechanisms are even remotely capable of doing that. Since the estimate is meant to be a lower bound, this radically unconservative assumption is undesirable. We can, however, get a lower bound more straightforwardly by simply counting the number or stars in our galactic supercluster and multiplying this number with the amount of computing power that the resources of each star could be used to generate using technologies for whose feasibility a strong case has already been made. We can then divide this total with the estimated amount of computing power needed to simulate one human life. As a rough approximation, let us say the Virgo Supercluster contains 10^13 stars. One estimate of the computing power extractable from a star and with an associated planet-sized computational structure, using advanced molecular nanotechnology[2], is 10^42 operations per second.[3] A typical estimate of the human brain’s processing power is roughly 10^17 operations per second or less.[4] Not much more seems to be needed to simulate the relevant parts of the environment in sufficient detail to enable the simulated minds to have experiences indistinguishable from typical current human experiences.[5] Given these estimates, it follows that the potential for approximately 10^38 human lives is lost every century that colonization of our local supercluster is delayed; or equivalently, about 10^31 potential human lives per second. While this estimate is conservative in that it assumes only computational mechanisms whose implementation has been at least outlined in the literature, it is useful to have an even more conservative estimate that does not assume a non-biological instantiation of the potential persons. Suppose that about 10^10 biological humans could be sustained around an average star. Then the Virgo Supercluster could contain 10^23 biological humans. This corresponds to a loss of potential equal to about 10^14 potential human lives per second of delayed colonization. What matters for present purposes is not the exact numbers but the fact that they are huge. Even with the most conservative estimate, assuming a biological implementation of all persons, the potential for one hundred trillion potential human beings is lost for every second of postponement of colonization of our supercluster.[6]

#### Failure to colonize guarantees extinction

Munevar '19 [Gonzalo; 4/19/19; Professor at Lawrence Technical University; "Deflecting Existential Risk with Space Colonization," https://filling--space.com/2019/04/19/deflecting--existential--risk--with--space--colonization/]

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

#### It’s a moral imperative for long-term survival

Kovic '20 [Marko; July 2020; co--founder president of the Zurich Institute of Public Affairs Research; "Risks of space colonization," https://osf.io/hj4f2/download]

Space colonization, the establishment of permanent human habitats beyond Earth, has been the object of both popular speculation and scientific inquiry for decades. The idea of space colonization has an almost poetic quality: Space is the next great frontier, the next great leap for humankind, that we hope to eventually conquer through our force of will and our ingenuity. From a more prosaic point of view, space colonization is important because it represents a long--term survival strategy for humankind1. Space colonization is tremendously important for the future of humankind in two ways. First, space colonization means that the total future number of humans who will exist and whose lives will be worth living could be orders of magnitude greater than today [2, 3, 4]. By colonizing space, humankind could therefore create a future that is generally morally desirable: There could be vastly more people to enjoy vastly more life--years worth living if we succeed in colonizing space. Second, engaging in space colonization represents a strategy for mitigating existential risks. Existential risks are risks that could result in the extinction of humankind or in the permanent curtailing of humankind’s potential for future development [5]. In a more technical sense, existential risks can be thought of as risks that could cause the permanent loss of a large fraction of humankind’s future moral expected value [6]: If humankind goes extinct or stagnates prematurely, the majority of humankind’s positive future value (the many thousands of generations and many billions of people who could lead lives worth living) would be lost. Mitigating existential risks is therefore a moral priority, even though the current generation of humans and other sentient beings might not be affected by them in their own lifetimes.

#### Space col is different. The reason why claiming land on Earth is bad is because there were indigenous people already living there, but space is empty and Mars to our knowledge doesn’t have life.

#### Space col is the only feasible version of decolonization because it is the only way to leave the land without invading a different country.

#### NUQ -the res is only about private entities which means the aff cant solve for public entities

#### Colonization is only one aspect of appropriating outer space use of orbits for satellites, asteroid mining?

## EXTRA

#### Space colonization solves civilization collapse – it’s try or die for the aff

Smith and Davies ‘12

Cameron M. Smith, PhD, teaches human evolution and prehistory in the Department of Anthropology @ Portland State University, Evan T. Davies, PhD, professor of archeology @ Cornell University, Springer Science Copyright, “Emigrating Beyond Earth: Human Adaptation and Space Colonization”

The Only Way Out is Up¶ In the words of Astronomer Royal Martin Rees, “Long before the Sun finally licks the Earth's face clean, a teeming variety of life or its artifacts could have spread far beyond its original planet; provided that we avoid irreversible catastrophe before this process can even commence.”48 Humans have tremendous and even unknowable potential. But, as the Han Chinese said, we live in “interesting” times. Critical times, says Rees: “in the twenty first century humanity is more at risk than ever before from misapplication of science.”49 It is not only science that ¶ could be misapplied; an endless-growth model of commerce is of course impossible, but that does not prevent us from pursuing it. Many fisheries today are near collapse, after just a few decades of industrial fishing, and every fishery ever discovered has been chronically over-fished.50¶ In an interview with a Canadian television station in 1993, Carl Sagan expressed his hope that space exploration and eventual colonization would occur, as the costs continued to decline, and the urgency became clearer to people.51 In this chapter we have attempted to impart that certain urgency, though without hysteria. We have shown examples of natural calamities that could occur on Earth, and speculated on easily-imaginable human-made catastrophes, catastrophes that - in each case - could either bring about the downfall of global civilization or altogether extinguish the human species.¶ For all of these reasons, as hard to imagine as they may be, we must begin to develop outposts of humanity outside of Earth, if we are genuinely concerned about our collective future. We buy insurance plans against our individual lives to protect our families. We should do the same, by space colonization, for our offspring. Plenty of others have given similar warnings, but today we write for a new generation.¶ The future is simply the result of daily decisions, and if humanity is to emigrate from the home planet, to expand geographically like any mature species, some people of the next generation will have to make similar decisions to those of the ‘crazy dreamers' like Burt Rutan, the aircraft designer who build the world's first privately funded and piloted spacecraft; Richard Branson, who has established space tourism; Franklin Chang-Diaz, designer of the Variable Specific Impulse Magnetoplasma Rocket (VASIMR) (an engine claimed to have the potential to cut flight time to Mars to 40 days); or Dr Dava Newman, an MIT professor who designs advanced life-support garments for the human exploration of Mars (see Figure 8.3). None of these developments can be said to address the immediate and legitimate concerns of humanity, but in the same way we do not quit creating art, or give up on intangibles when things are materially difficult; indeed it could be argued that in such times it is most important to retain our dreams.¶ Responsible parents want success for their children; they want them to survive and flourish, even at one’s own expense. The risks people take and the strides they make today will determine where our descendants stand in the future. It makes sense for us to do all in our capacity to ensure that there will be abodes of humanity off of Earth, to ensure the survival our species, to continue life. It makes fundamental sense to us to continue to expand our understanding of ourselves and of our Universe, to continue grow in knowledge and wisdom, in short, to continue to evolve.

### ! Space Col – Solves Extinction – Mars

#### Colonizing Mars is key – solves extinction and acts as a springboard for future colonization

Schulze-Makuch and Davies 10 – PhD and Professor @ the School of Earth and Environmental Sciences @ Washington State University; PhD and Regents’ Professor and Director of the Beyond Center for Fundamental Concepts in Science @ Arizona State University

Dirk and Paul, Journal of Cosmology, Vol.12, p. 3619-3626, October-November, “To Boldly Go: A One-Way Human Mission to Mars” http://journalofcosmology.com/Mars108.html

There are several reasons that motivate the establishment of a permanent Mars colony. We are a vulnerable species living in a part of the galaxy where cosmic events such as major asteroid and comet impacts and supernova explosions pose a significant threat to life on Earth, especially to human life. There are also more immediate threats to our culture, if not our survival as a species. These include global pandemics, nuclear or biological warfare, runaway global warming, sudden ecological collapse and supervolcanoes (Rees 2004). Thus, the colonization of other worlds is a must if the human species is to survive for the long term. The first potential colonization targets would be asteroids, the Moon and Mars. The Moon is the closest object and does provide some shelter (e.g., lava tube caves), but in all other respects falls short compared to the variety of resources available on Mars. The latter is true for asteroids as well. Mars is by far the most promising for sustained colonization and development, because it is similar in many respects to Earth and, crucially, possesses a moderate surface gravity, an atmosphere, abundant water and carbon dioxide, together with a range of essential minerals. Mars is our second closest planetary neighbor (after Venus) and a trip to Mars at the most favorable launch option takes about six months with current chemical rocket technology. In addition to offering humanity a "lifeboat" in the event of a mega-catastrophe, a Mars colony is attractive for other reasons. Astrobiologists agree that there is a fair probability that Mars hosts, or once hosted, microbial life, perhaps deep beneath the surface (Lederberg and Sagan 1962; Levin 2010; Levin and Straat 1977, 1981; McKay and Stoker 1989; McKay et al. 1996; Baker et al. 2005; Schulze-Makuch et al. 2005, 2008, Darling and Schulze-Makuch 2010; Wierzchos et al. 2010; Mahaney and Dohm 2010). A scientific facility on Mars might therefore be a unique opportunity to study an alien life form and a second evolutionary record, and to develop novel biotechnology therefrom. At the very least, an intensive study of ancient and modern Mars will cast important light on the origin of life on Earth. Mars also conceals a wealth of geological and astronomical data that is almost impossible to access from Earth using robotic probes. A permanent human presence on Mars would open the way to comparative planetology on a scale unimagined by any former generation. In the fullness of time, a Mars base would offer a springboard for human/robotic exploration of the outer solar system and the asteroid belt. Finally, establishing a permanent multicultural and multinational human presence on another world would have major beneficial political and social implications for Earth, and serve as a strong unifying and uplifting theme for all humanity.

#### Colonizing mars will make it the central commerce base for future intergalactic trade and exploration

Zubrin 96 – former Chairman of the National Space Society, President of the Mars Society, and author of The Case For Mars: The Plan to Settle the Red Planet and Why We Must

Robert, Ad Astra May/June 1996, “The Promise of Mars,” http://www.nss.org/settlement/mars/zubrin-promise.html

Alternatively, on Mars it will also be possible to build a "skyhook" consisting of a cable whose center of mass is located at a distance from which it will orbit the planet in synchrony with Mars' daily rotation. To an observer on the Martian surface such cables will appear to stand motionless, allowing payloads to be delivered to space via cable car. Because of strength of materials limits, such systems cannot be built on Earth, but in Mars' 3/8 gravity they may well be feasible. If so, they would give the Mars colonists the unique ability not merely to transport goods to Earth, but to access the resources present throughout the rest of the solar system. Mars will become the central base and port of call for exploration and commerce heading out to the asteroid belt, the outer solar system, and beyond. Life in the initial Mars settlements will be harder than life on Earth for most people, but life in the first North American colonies was much harder than life in Europe as well. People will go to Mars for many of the same reasons they went to colonial America: because they want to make a mark, or to make a new start, or because they are members of groups who are persecuted on Earth, or because they are members of groups who want to create a society according to their own principles.