### 1

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

#### Appropriation includes making space unusable.

Stephen **Gorove, 69** - ("Interpreting Article II of the Outer Space Treaty" 1969, 12-10-2021 https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1966&context=flr)//AW

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

#### Outer space begins at one hundred kilometers above sea level.

Pershing 19

Abigail Pershing (J.D. Candidate @ Yale, B.A. UChicago). “Interpreting the Outer Space Treaty’s Non-Appropriation Principle: Customary International Law from 1967 to Today.” Yale Journal of International Law 44, no. 1. 2019. JDN. https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1697&context=yjil

A. An Introduction to the Outer Space Treaty ¶ Even defining “space” is itself a legally fraught exercise—where does the Earth’s atmosphere end and space begin? Various legal theories have been advanced to demarcate this limit.11 There is no universally accepted boundary, but the Kármán line, at an altitude of one hundred kilometers (sixty-two miles) above sea level, is the most widely recognized.12

#### Private entities mean commercial groups. 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

(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.

#### Unjust is the opposite of right or in violation of somebody else’s rights. 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.

#### 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 two 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.

#### Iterative argumentative testing – for example, think about how the India aff transformed over the course of the Compulsory Voting topic. The first tournament was generic democracy and turnout arguments, but by the end of October debates centered around third level analysis of vote-banking and whether Modi’s nationalism was self-driven or a response to his voter base – the ability to subject controversial ideas to rigorous testing allows debaters to better engage in the research process, discern what arguments are most accurate, and learn how to refine our own beliefs to become more compelling advocates – not reading a plan allows a constant spew of new content that never reaches those high levels of contestation without the constraints of the topic – Even if this topic isn’t the perfect topic, the predictability of debates under it are worth potential substantive tradeoff. Limits produce a rigorous *culture of justification* instead of a culture of *assertion* or *presumption*. Without a bridge for subjecting beliefs to a rigorous test, we are left with might-makes-right. This link turns the Aff again, because our ability to develop critical subjectivities that can *strategically* challenge power structures necessitates this type of argument culture.

Cheryl MISAK Philosophy @ Toronto ‘8 “A Culture of Justification: The Pragmatist's Epistemic Argument for Democracy” *Episteme* 5 (1) p. 100-104

The charge that Rorty has had to face again and again is that he really is a relativist, holding that one belief is no better than another, and that one must “treat the epistemic standards of any and every epistemic community as on a par” (Haack 1995, 136). Rorty, that is, leaves us with no way of adjudicating claims that arise in different communities. It is argued that this is not only an unsatisfactory view, but it is incompatible with his commitment to his own set of beliefs and with his practice of arguing or giving reasons for them. Peirce would join in this charge, arguing that it is the community of inquirers or reasoners that matter, not this or that local community. One of Rorty’s responses to this clutch of objections is to say that he doesn’t have to treat the epistemic standards of every community as on a par: “I prize communities which share more background beliefs with me above those which share fewer” (Rorty 1995b, 153). There is nothing incoherent about asserting that your community has it right, for all “right” amounts to is what your community agrees upon. I have argued (2000, 12ff) that this kind of comeback puts Rorty in a very difficult position, giving him nothing to say against the likes of Carl Schmitt, the fascist legal philosopher who found it natural to join the Nazi bandwagon. Schmitt, like Rorty, argued that there is no truth and rationality in politics. Rather, politics is the arena in which groups assert themselves, with the strongest coming out on top and the weaker groups disappearing. One makes an existential choice – opts for a conception of the good – and then tries to attain “substantive homogeneity” in the population. Might ends up being right and the elimination of those who disagree with us ends up being a fine method of reaching our political decisions. A democrat or liberal like Rorty has an impossible time in giving us – and himself – reasons for opting for his view rather than his fascist opponent’s view. Once you give up aiming at truth, once you give up aiming at something that goes beyond the standards of your own community, then you give up the wherewithal to argue against the might-is-right view. The charge I am trying to answer here, on behalf of the non-Rortian pragmatist, is that mixing truth and politics is dangerous. One of the points I want to make is that, whatever the dangers are in saying morals and politics aim at the truth, the dangers of denying it are even more alarming. If we were to get rid of the notion of truth, nothing would protect us from the idea that there is nothing to get right, no better or worse action, and no better or worse way of treating others. Nothing would protect us from the Schmittian worldview. Another point is that the pragmatist view encourages something which is downright salutary, not dangerous at all. It encourages a culture of justification, a culture the importance of which grows as we face the challenges of living in a global society with worldviews struggling against each other. This thought was prominent in the debate about how the new democratic order in South Africa should be conceived. Here is how Etienne Murienik put it: If the new constitution is a bridge away from a culture of authority, it is clear what it must be a bridge to. It must lead to a culture of justification – a culture in which every exercise of power is expected to be justified; in which the leadership given by government rests on the cogency of the case offered in defense of its decisions, not the fear inspired by the force of its command. The new order must be a community built on persuasion, not on coercion.4 A final point rests on the nature of the kinds of answers the pragmatist envisions. Rorty and Rawls seem to think that any view of truth carries with it the idea that there is one and only one true answer to every question. It is important to see that, whatever the case might be for other views of truth, the pragmatist’s view of truth does not entail anything about the precise nature of right answers. On the Peircean view of truth, it might be true that the best solution to a problem is to compromise in a certain way. Or a question might have a number of equally right answers: it might be true that either A or B or C is an acceptable solution to a problem. That is, bringing truth into politics need not result in a view on which one theory of the good triumphs over the others. Indeed, the pragmatist account of truth does not require agreement at the end of the day (whatever that might mean) and it does not require the consent of all who are affected by a particular decision here and now. The right answer to a question might be one that only a few see is right. A right answer is the one that would be best – would stand up to the evidence and arguments – were we to inquire into the matter as far as we fruitfully could. That is, we are not primarily aiming at agreement in deliberation – we are aiming at getting a view that will stand up to reasons and evidence**.** That said, there may be cases in moral and especially political deliberation in which we do aim for agreement because we think that what will best stand up to reasons in that case is a solution that is agreed upon by all or by all who are affected. But this will be just one kind of case amongst many. Right answers aren’t necessarily answers that are acceptable by all. Nor are right answers necessarily those that resolve a conflict with a compromise, although sometimes a compromise or cooperative solution may indeed be what is required. Nor is bargaining always not conducive to truth – in some cases, that may be exactly what is required. This view of truth does not lead to zeal, oppression, closing off of discussion, or a squashing of pluralism, even if it might happen to be the case that there is only one reasonable conception of the good out there. The idea is that we are always aiming at getting the best answer – whatever that may be – and to do that we need to take into account the views of all. 6 . WHO DECIDES? One of the first questions put to those who would like to think of politics as a species of truth-oriented deliberation is this: why deliberate with the ignorant multitude? Would it not be better to expose our moral and political beliefs only to the reasons and experience of experts? Science, after all, doesn’t work by asking the person in the street what he or she thinks about quantum mechanics. The reason that the pragmatist’s epistemic justification is a justification of democratic politics, rather than of a hierarchical politics, in which an elite makes decisions, is that we do not and will not ever have an identifiable pool of moral and political experts. Dewey saw this clearly. As experts become specialized, “they are shut off from knowledge of the needs which they are supposed to serve” (Dewey 1926/1984, 364). Everyone engages in moral and political deliberation and it is not obvious that having special education makes you better at it – just look at priests, politicians, and moral philosophers/political theorists and ask yourself if they seem especially decent or especially wise when it comes to practical matters. Some people are good at examining moral and politi\cal issues, but it’s not clear that they are the ones trained to do so. Even if we could identify genuinely wise people, this kind of expertise is liable to be corrupted merely by being identified – merely by the wise person starting to think of herself as a moral expert.5 And it is far from clear that the rule of the wise would really take the views and experiences of all into account better than the democratic rule of the people. So how do we distinguish deliberating well and deliberating badly if we cannot appeal to education and training? No account of deliberative democracy can ignore the call to make the distinction. The trouble is that, in saying what good, as opposed to poor, deliberation amounts to, one finds oneself facing a justificatory problem: how can we specify what good deliberation is without simply assuming that our current standards of deliberation and inquiry are the gold standards? (This is the deep and central question of pragmatism: how do genuine norms arise out of contingent practices?) It will be unsurprising that I agree with Robert Talisse that the way forward is to focus on an epistemic justification of the whole range of deliberative virtues. Some of the virtues we think important in inquiry are open-mindedness, courage, honesty, integrity, rigor, willingness to listen to the views of others and to seriously entertain challenges to one’s own views, willingness to put oneself in another’s shoes, and the like. These virtues may well have a number of kinds of justifications – justifications, for instance, with their origins in the canons of etiquette or in this or that substantive moral or religious view. Politeness and Christianity (do unto others . . . ), for instance,may both dictate that we should listen to the views of others. But this kind of justification doesn’t break out of the circle of local practices. Talisse argues that the virtues are justified because they lead to true belief. Listening to others is not merely the polite thing to do, but it is also good because we might learn something. The epistemic argument I have presented on Peirce’s behalf gets us this far: we need to expose our beliefs to the views of others if we are to follow a method that will get us good or better or true beliefs. Talisse takes us the next step – there are other characteristics that make one an inquirer who aims at the truth. Honesty is the trait of following reasons and evidence, rather than self-interest. Modesty is the trait of taking your views to be fallible. Charity is willingness to listen to the views of others. Integrity is willingness to uphold the deliberative process, no matter the difficulties encountered. The distinction between deliberating well (having deliberative virtues) and deliberating badly (having deliberative vices), that is, is drawn in terms of whether a method promotes beliefs which are responsive to and fit with the reasons and evidence. 7 . THE SOURCE OF AUTHORITY The pragmatist has offered us a compelling reason to take the views of others seriously and encourage the values associated with deliberative democratic politics. For inquirers must engage in the ongoing project of continually subjecting their beliefs to the tests of further experience and argument. The virtues inherent in a deliberative model of democratic citizenship must be cultivated if we are to come to good beliefs about how to treat others, how to resolve conflicts, and how to arrange society. The model of democratic citizenship which results is one that makes democratic citizenship part of a culture of justification. Citizens search for how best to structure our institutions and how best to live our lives. Democratic citizenship is a quest to get things right, with a genuine engagement in looking for right answers to pressing questions.We are not after mere agreement and we are not after the transformation of initial preferences into something that others can accept. We aim at getting things right – at getting beliefs that would forever stand up to scrutiny. In so aiming, citizens commit themselves to abiding by the decisions produced by the democratic procedure. For those decisions are the best we can do here and now. Here we find the justification of the coercive power of democracies. Eventually there has to be a decision in politics. The question that faces all societies is who decides and who wields the power to coerce once the decision is made? My argument is that as more people deliberate and more reasons and experience go into the mix, it will become more likely that the decisions made will account for the reasons and experience of all. The more likely, that is, that the answer will be right. Decisions produced by a democratic deliberative process are made by a rational method and so they are enforceable.

#### 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 only advocated for the ban of the appropriation of outer space by private entities or nationalized the space industry - 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 – only with our TVA can we discuss how the topic interacts with capitalism

**4. Truth testing is awful.**

**A) It turns an urgent public policy question into an esoteric question of philosophical labels, which kills real world decision-making skills – i.e. without a plan there is no counterplan or disad ground;**

**B) It turns negating into an endless quest for counterwarrants, which make the debate irresolvable because we don’t know how many counterwarrants justify a neg ballot, and kills clash because the discussion is about assessing the salience of extreme examples rather than engaging with a competing advocacies.**

**C) It kills precision by forcing both sides to defend sweeping generalizations that no responsible scholar would ever defend without qualification. Plans require more rigorous scholarship.**

**Don’t let them say that the resolution has no actor or verb. Their advocacy only needs to entail the resolution to be topical. Proving that a plan baring the private appropriation of outer space by private entities produces the most just world proves the resolution true. They get to choose which actor would best accomplish this objective because a plan with any actor might entail the resolution.**

# Case

#### Cap sustainable---profit motive drives tech innovation and makes resources infinite---only way to solve environmental collapse and extinction.

McAfee 19—cofounder and codirector of the MIT Initiative on the Digital Economy at the MIT Sloan School of Management, former professor at Harvard Business School and fellow at Harvard’s Berkman Center for Internet and Society (Andrew, “Looking Ahead: The World Cleanses Itself This Way,” *More from Less: The Surprising Story of How We Learned to Prosper Using Fewer Resources—and What Happens Next*, Chapter 14, pg 278-292, Kindle, dml)

As today’s poor countries get richer, their institutions will improve and most will eventually go through what Ricardo Hausmann calls "the capitalist makeover of production." This makeover doesn't enslave people, nor does it befoul the earth. As today’s poor get richer, they'll consume more, but they'll also consume much differently from earlier generations. They won't read physical newspapers and magazines. They'll get a great deal of their power from renewables and (one hopes) nuclear because these energy sources will be the cheapest. They’ll live in cities, as we saw in chapter 12; in fact, they already are. They'll be less likely to own cars because a variety of transportation options will be only a few taps away. Most important, they'll come up with ideas that keep the growth going, and that benefit both humanity and the planet we live on. Predicting exactly how technological progress will unfold is much like predicting the weather: feasible in the short term, but impossible over a longer time. Great uncertainty and complexity prevent precise forecasts about, for example, the computing devices we’ll be using thirty years from now or the dominant types of artificial intelligence in 2050 and beyond. But even though we can't predict the weather long term, we can accurately forecast the climate. We know how much warmer and sunnier it will be on average in August than in January, for example, and we know that global average temperatures will rise as we keep adding greenhouse gases to the atmosphere. Similarly, we can predict the "climate" of future technological progress by starting from the knowledge that it will be heavily applied in the areas where it can affect capitalism the most. As we've seen over and over, tech progress supplies opportunities to trim costs (and improve performance) via dematerialization, and capitalism provides the motive to do so. As a result, the Second Enlightenment will continue as we move deeper into the twenty-first century. I'm confident that it will accelerate as digital technologies continue to improve and multiply and global competition continues to increase. We’ll see some of the most striking examples of slim, swap, evaporate, and optimize in exactly the places where the opportunities are biggest. Here are a few broad predictions, spanning humanity's biggest industries. Manufacturing. Complex parts will be made not by the techniques developed during the Industrial Era, but instead by three- dimensional printing. This is already the case for some rocket engines and other extremely expensive items. As 3-D printing improves and becomes cheaper, it will spread to automobile engine blocks, manifolds and other complicated arrangements of pipes, airplane struts and wings, and countless other parts. Because 3-D printing generates virtually no waste and doesn't require massive molds, it accelerates dematerialization. We'll also be building things out of very different materials from what we're using today. We're rapidly improving our ability to use machine learning and massive amounts of computing power to screen the huge number of molecules available in the world. Well use this ability to determine which substances would be best for making flexible solar panels, more efficient batteries, and other important equipment. Our search for the right materials to use has so far been slow and laborious. That's about to change. So is our ability to understand nature's proteins, and to generate new ones. All living things are made out of the large biomolecules known as proteins, as are wondrous materials such as spiders' silk. The cells in our bodies are assembly lines for proteins, but we currently understand little about how these assembly lines work—how they fold a two-dimensional string of amino acids into a complicated 3-D protein. But thanks to digital tools, we're learning quickly. In 2018, as part of a contest, the AlphaFold software developed by Google DeepMind correctly guessed the structure of twenty-five out of forty-three proteins it was shown; the second-place finisher guessed correctly three times. DeepMind cofounder Demis Hassabis says, "We [haven't] solved the protein-folding problem, this is just a first step... but we have a good system and we have a ton of ideas we haven't implemented yet." As these good ideas accumulate, they might well let us make spider-strength materials. Energy. One of humanity's most urgent tasks in the twenty-first century is to reduce greenhouse gas emissions. Two ways to do this are to become more efficient in using energy and, when generating it, to shift away from carbon-emitting fossil fuels. Digital tools will help greatly with both. Several groups have recently shown that they can combine machine learning and other techniques to increase the energy efficiency of data centers by as much as 30 percent. This large improvement matters for two reasons. First, data centers are heavy users of energy, accounting for about 1 percent of global electricity demand. So efficiencies in these facilities help. Second, and more important, these gains indicate how much the energy use of all our other complicated infrastructures— everything from electricity grids to chemical plants to steel mills—can be trimmed. All are a great deal less energy efficient than they could be. We have both ample opportunity and ample incentive now to improve them. Both wind and solar power are becoming much cheaper, so much so that in many parts of the world they're now the most cost-effective options, even without government subsidies, for new electrical generators. These energy sources use virtually no resources once they're up and running and generate no greenhouse gases; they're among the world champions of dematerialization. In the decades to come they might well be joined by nuclear fusion, the astonishingly powerful process that takes place inside the sun and other stars. Harnessing fusion has been tantalizingly out of reach for more than half a century—the old joke is that it's twenty years away and always will be. A big part of the problem is that it's hard to control the fusion reaction inside any human- made vessel, but massive improvements in sensors and computing power are boosting hope that fusion power might truly be only a generation away.

#### ---Physical limits aren’t absolute---laundry list of warrants.

Bailey 18 [Ronald; February 16; B.A. in Economics from the University of Virginia, member of the Society of Environmental Journalists and the American Society for Bioethics and Humanities, citing a compilation of interdisciplinary research; Reason, “Is Degrowth the Only Way to Save the World?” https://reason.com/2018/02/16/is-degrowth-the-only-way-to-save-the-wor; RP]

Unless us folks in rich countries drastically reduce our material living standards and distribute most of what we have to people living in poor countries, the world will come to an end. Or at least that's the stark conclusion of a study published earlier this month in the journal Nature Sustainability. The researchers who wrote it, led by the Leeds University ecological economist Dan O'Neill, think the way to prevent the apocalypse is "degrowth."

Vice, pestilence, war, and "gigantic inevitable famine" were the planetary boundaries set on human population by the 18th-century economist Robert Thomas Malthus. The new study gussies up old-fashioned Malthusianism by devising a set of seven biophysical indicators of national environmental pressure, which they then link to 11 indicators of social outcomes. The aim of the exercise is to concoct a "safe and just space" for humanity.

Using data from 2011, the researchers calculate that the annual per capita boundaries for the world's 7 billion people consist of the emission of 1.6 tons of carbon dioxide per year and the annual consumption of 0.9 kilograms of phosphorus, 8.9 kilograms of nitrogen, 574 cubic meters of water, 2.6 tons of biomass (crops and wood), plus the ecological services of 1.7 hectares of land and 7.2 tons of material per person.

On the social side, meanwhile, the researchers say that life satisfaction in each country should exceed 6.5 on the 10-point Cantril scale, that healthy life expectancy should average at least 65 years, and that nutrition should be over 2,700 calories per day. At least 95 percent of each country's citizens must have access to good sanitation, earn more than $1.90 per day, and pass through secondary school. Ninety percent of citizens must have friends and family they can depend on. The threshold for democratic quality must exceed 0.8 on an index scale stretching from -1 to +1, while the threshold for equality is set at no higher than 70 on a Gini Index where 0 represents perfect equality and 100 implies perfect inequality. They set the threshold for percent of labor force employed at 94 percent.

So how does the U.S. do with regard to their biophysical boundaries and social outcomes measures? We Americans transgress all seven of the biophysical boundaries. Carbon dioxide emissions stand at 21.2 tons per person; we each use an average of 7 kilograms of phosphorus, 59.1 kilograms of nitrogen, 611 cubic meters of water, and 3.7 tons of biomass; we rely on the ecological services of 6.8 hectares of land and 27.2 tons of material. Although the researchers urge us to move "beyond the pursuit of GDP growth to embrace new measures of progress," it is worth noting that U.S. GDP is $59,609 per capita.

On the other hand, those transgressions have provided a pretty good life for Americans. For example, life satisfaction is 7.1; healthy life expectancy is 69.7 years; and democratic quality stands at 0.8 points. The only two social indicators we just missed on were employment (91 percent) and secondary education (94.7 percent).

On the other hand, our hemisphere is home to one paragon of sustainability—Haiti. Haitians breach none of the researchers' biophysical boundaries. But the Caribbean country performs abysmally on all 11 social indicators. Life satisfaction scores at 4.8; healthy life expectancy is 52.3 years; and Haitians average 2,105 calories per day. The country tallies -0.9 on the democratic quality index. Haiti's GDP is $719 per capita.

Other near-sustainability champions include Malawi, Nepal, Myanmar, and Nicaragua. All of them score dismally on the social indicators, and their GDPs per capita are $322, $799, $1,375, and $2,208, respectively.

The country that currently comes closest to the researchers' ideal of remaining within its biophysical boundaries while sufficient social indicators is…Vietnam. For the record, Vietnam's per capita GDP is $2,306.

"Countries with higher levels of life satisfaction and healthy life expectancy also tend to transgress more biophysical boundaries," the researchers note. A better way to put this relationship is that more wealth and technology tend to make people happier, healthier, and freer.

O'Neill and his unhappy team fail drastically to understand how human ingenuity unleashed in markets is already well on the way toward making their supposed planetary boundaries irrelevant. Take carbon dioxide emissions: Supporters of renewable energy technologies say that their costs are already or will soon be lower than those of fossil fuels. Boosters of advanced nuclear reactors similarly argue that they can supply all of the carbon-free energy the world will need. There's a good chance that fleets of battery-powered self-driving vehicles will largely replace private cars and mass transit later in this century.

Are we about to run out of phosphorous to fertilize our crops? Peak phosphorus is not at hand. The U.S. Geological Survey (USGS) reports that at current rates of mining, the world's known reserves will last 266 years. The estimated total resources of phosphate rock would last over 1,140 years. "There are no imminent shortages of phosphate rock," notes the USGS. With respect to the deleterious effects that using phosphorus to fertilize crops might have outside of farm fields, researchers are working on ways to endow crops with traits that enable them to use less while maintaining yields.

O'Neill and his colleagues are also concerned that farmers are using too much nitrogen fertilizer, which runs off fields into the natural environment and contributes to deoxygenated dead zones in the oceans, among other ill effects. This is a problem, but one that plant breeders are already working to solve. For example, researchers at Arcadia Biosciences have used biotechnology to create nitrogen-efficient varieties of staples like rice and wheat that enable farmers to increase yields while significantly reducing fertilizer use. Meanwhile, other researchers are moving on projects to engineer the nitrogen fixation trait from legumes into cereal crops. In other words, the crops would make their own fertilizer from air.

Water? Most water is devoted to the irrigation of crops; the ongoing development of drought-resistant and saline-tolerant crops will help with that. Hectares per capita? Humanity has probably already reached peak farmland, and nearly 400 million hectares will be restored to nature by 2060—an area almost double the size of the United States east of the Mississippi River. In fact, it is entirely possible that most animal farming will be replaced by resource-sparing lab-grown steaks, chops, and milk. Such developments in food production undermine the researchers' worries about overconsumption of biomass.

And humanity's material footprint is likely to get smaller too as trends toward further dematerialization take hold. The price system is a superb mechanism for encouraging innovators to find ways to wring ever more value out less and less stuff. Rockefeller University researcher Jesse Ausubel has shown that this process of absolute dematerialization has already taken off for many commodities.

After cranking their way through their models of doom, O'Neill and his colleagues lugubriously conclude: "If all people are to lead a good life within planetary boundaries, then the level of resource use associated with meeting basic needs must be dramatically reduced." They are right, but they are entirely backward with regard to how to achieve those goals. Economic growth provides the wealth and technologies needed to lift people from poverty while simultaneously lightening humanity's footprint on the natural world. Rather than degrowth, the planet—and especially its poor people—need more and faster economic growth.

#### Cap solves---

#### 1---War.

Mousseau 19—Professor in the School of Politics, Security, and International Affairs at the University of Central Florida (Michael, “The End of War: How a Robust Marketplace and Liberal Hegemony Are Leading to Perpetual World Peace,” International Security, Volume 44, Issue 1, Summer 2019, p.160-196, dml)

Is war becoming obsolete? There is wide agreement among scholars that war has been in sharp decline since the defeat of the Axis powers in 1945, even as there is little agreement as to its cause.1 Realists reject the idea that this trend will continue, citing states' concerns with the “security dilemma”: that is, in anarchy states must assume that any state that can attack will; therefore, power equals threat, and changes in relative power result in conflict and war.2 Discussing the rise of China, Graham Allison calls this condition “Thucydides's Trap,” a reference to the ancient Greek's claim that Sparta's fear of Athens' growing power led to the Peloponnesian War.3

This article argues that there is no Thucydides Trap in international politics. Rather, the world is moving rapidly toward permanent peace, possibly in our lifetime. Drawing on economic norms theory,4 I show that what sometimes appears to be a Thucydides Trap may instead be a function of factors strictly internal to states and that these factors vary among them. In brief, leaders of states with advanced market-oriented economies have foremost interests in the principle of self-determination for all states, large and small, as the foundation for a robust global marketplace. War among these states, even making preparations for war, is not possible, because they are in a natural alliance to preserve and protect the global order. In contrast, leaders of states with weak internal markets have little interest in the global marketplace; they pursue wealth not through commerce, but through wars of expansion and demands for tribute. For these states, power equals threat, and therefore they tend to balance against the power of all states. Fearing stronger states, however, minor powers with weak internal markets tend to constrain their expansionist inclinations and, for security reasons, bandwagon with the relatively benign market-oriented powers.

I argue that this liberal global hierarchy is unwittingly but systematically buttressing states' embrace of market norms and values that, if left uninterrupted, is likely to culminate in permanent world peace, perhaps even something close to harmony. My argument challenges the realist assertion that great powers are engaged in a timeless competition over global leadership, because hegemony cannot exist among great powers with weak markets; these inherently expansionist states live in constant fear and therefore normally balance against the strongest state and its allies.5 Hegemony can exist only among market-oriented powers, because only they care about global order. Yet, there can be no competition for leadership among market powers, because they always agree with the goal of their strongest member (currently the United States) to preserve and protect the global order based on the principle of self-determination. If another commercial power, such as a rising China, were to overtake the United States, the world would take little notice, because the new leading power would largely agree with the global rules promoted and enforced by its predecessor. Vladimir Putin's Russia, on the other hand, seeks to create chaos around the world. Most other powers, having market-oriented economies, continue to abide by the hegemony of the United States despite its relative economic decline since the end of World War II.6

To support my theory that domestic factors determine states' alignment decisions, I analyze the voting preferences of members of the United Nations General Assembly from 1946 to 2010. I find that states with weak internal markets tend to disagree with the foreign policy preferences of the largest market power (i.e., the United States), but more so if they are major powers or have stronger rather than weaker military and economic capabilities. The power of states with robust internal markets, in contrast, appears to have no effect on their foreign policy preferences, as market-oriented states align with the market leader regardless of their power status or capabilities. I corroborate that this pattern may be a consequence of states' interest in the global market order by finding that states with higher levels of exports per capita are more likely than other states to have preferences aligned with those of the United States; those with lower levels of exports are more likely to have interests that do not align with the United States, but again more so if they are stronger rather than weaker.

Liberal scholars of international politics have long offered explanations for why the incidence of war may decline, generally beginning with the assumption that although the security dilemma exists, it can be overcome with the help of factors external to states.7 Neoliberal institutionalists treat states as like units and international organization as an external condition.8 Trade interdependence is dyadic and thus an external condition.9 Democracy is an internal factor, but theories of democratic peace have an external dimension: peace is the result of the expectations of states' behavior informed by the images that leaders create of each other's regime types.10 In contrast, I show that the security dilemma may not exist at all and how peace can emerge in anarchy with states pursuing their interests determined entirely by internal factors.11

#### 2---Inequality and Poverty.

Teixeira and Judis 17—senior fellow at both The Century Foundation and American Progress AND editor-at-large at Talking Points Memo, former senior writer at The National Journal and a former senior editor at The New Republic (Ruy and John, “Why The Left Will (Eventually) Triumph: An Interview With Ruy Teixeira,” <http://talkingpointsmemo.com/cafe/why-left-will-eventually-win-ruy-teixeira>, dml)

Judis: In your book, you explain at several points that you are no longer a socialist and instead support a reformed capitalism. When we met many years ago, we were in a socialist organization. When did this transformation occur? Teixeira: What happened is that I began to think a lot about how economies actually work. When I was a socialist, I **didn’t think very carefully** and **long** about what **actually** a socialist economy would look like. I had this **general idea** that the capitalist system was **inefficient** and **prone to crisis** and that one should **somehow tamp down the profit motive** and limit the freedom of action of capitalists. But **the more I thought** about how economies worked, it was **hard to gainsay** that the market was **absolutely essential** for the efficient delivery of goods and services. And the more I read, the more I realized my viewpoint was closer to social democrats than to socialists. Capitalism needs to be **regulated**, it needs to be **pointed in the right direction**, you **need to have a big safety net**, but you **can’t replace it**. Judis: Was there something that happened, a book you read, that changed your mind? Teixeira: I would say it was an obscure book by Alec Nove called “The Economics of Feasible Socialism.” Judis: That’s amazing. I was deeply influenced by the same book. Teixeira: Nove was a historian of the Soviet Union. He came from a Menshevik family, and he basically laid out the way the standard conceptions of socialism that a lot of people on the left had couldn’t work. If you wanted to **think rationally about what’s feasible**, the way economies and people tend to work, you **had to have a market**. The goal as I see it is a mixed economy that works as well as possible, and of course you have not gotten that in the West for the last several decades. The mixed economy just needs improvement and modification. Judis: And what kind of improvements would that be? Teixeira; I favor what economists are calling a model of **equitable growth**. It would mean **substantial government investment** in creating new opportunities for the middle and aspirational classes. It could include a dramatic expansion of the educational system and a Manhattan-style investment in bringing down the price of clean energy and building the infrastructure to match. Granted, these kind of proposals would not get through Congress now, but it is the kind of agenda that I am optimistic that the Democrats will endorse and that the country will **eventually embrace**. The Left Prospers in Prosperity Judis: Your book is titled “The Optimistic Leftist,” but if you look at the terrain of politics today, the center-left or left of center parties are decimated. The Democrats haven’t been in such bad shape nationally and in the states since the 1920s. The Dutch Labor Party got less than 10 percent in the recent election. Jeremy Corbyn and British Labor may be routed in June. The French Socialist candidate came in fifth with 6 percent. Why is this happening? And given that this is happening, what grounds do you have for thinking that the left will suddenly find itself on top? Teixeira: The way I look at it we are going through a **long transition** from an industrial capitalist system to a **post-industrial services-based capitalist system**. So far this transition has **not gone well**. It hasn’t had the outcomes that people want. We have **slow productivity growth** and **rising inequality**. The central point I’d make is that **by and large**, **poor economic times** are **not good for the left**. They **make people reactive**, **pessimistic**, **trying to hold onto their own**, and **not supportive of collective endeavors** to help the way society functions. And we’ve seen all that in spades in the last decade. Really that kind of situation is **best for the right**, and the left has had a very difficult time figuring out a way forward. The Democrats have their problems, but in Europe, you see the problems crystallized. Europe’s mainstream left was based in the industrial working class and has had a terrible time adjusting to the transition to post-industrial capitalism and figuring out what a new model of capitalism and capitalist growth would look like. They have thrown in their lot with a much more right-wing approach, beginning with the Third Way in the ’90s. The idea behind it was that capitalism can pretty well function on its own and we just have to let it rip. We’re still coming out of that phase, and I think the mainstream social democrats with their collaboration with austerity in places like France and the Netherlands are reaping the whirlwind. But if you look at other parts of the left, they are actually doing relatively well. If you look at the Netherlands election, the green left did very well, and if you add up the votes of the Socialist Party (a left-socialist party), the greens, Democrats 66 (a left social-liberal party) and the social democrats, the left **hasn’t been totally decimated**. What has really been decimated is the Party of Labor, as the social democrats in the Netherlands are called. We are seeing the same thing in France where the Socialist Party (the French social democrats) candidate did terribly, but [independent socialist Jean-Luc] Melenchon did quite well. The left **still has strength**, but it is **divided up among different political tendencies**. It is going to have to **reorganize itself around an economic program** that is going to deliver what people want, which is **better growth** and **better distribution**. Until that happens, the left will be **in a quagmire**. Judis: I want to look more closely at your argument that the left does better in good times and the right in bad times. Bill Clinton got elected in the wake of a recession in 1992, Barack Obama might not have won the presidency in 2008 if the financial crash hadn’t happened that September. The Populists came out of the farm crisis in 1880s and early 1890s; the New Deal out of the Great Depression. I am not saying that bad times is better for the left, but only that there isn’t a necessary connection in either case and that you are making too facile an assumption about which times promote which politics. Teixeira: Bad times do propel people into motion and produce protest and reaction, but looked at from when you can accomplish the goals of the left of **making society better** and **implementing important reforms**, I think it is **typically easier** when the economy is **expanding fairly rapidly** and **living standards are going up** than when the reverse is true. It is **not a perfect relationship**, but **by and large** I think it’s true. So yeah, Obama can get elected in a situation where he was aided by an economic downturn, but his ability to **put together a progressive coalition** that could **stick together for a long time** and continue to implement reforms was **very much undermined by the economic situation**. Judis: Let’s turn it around and look at the connection between the right and good and bad times. In America, the 1920s were relatively good times, and the Republicans controlled the government the whole decade. Teixeira: The 1920s were not nearly as good a time people think it was. It was a time of relatively slow per capita income growth. It was very unequally distributed, the industrial working class did somewhat well, but the rural areas did poorly, and there were four recessions between 1918 and 1929. It was not such a great time. It was relatively poor compared to the Progressive Era. Judis: So the Republicans did well in the 1920s because they were really bad times? Teixeira: There was a sense of real uncertainty, real economic paranoia. Judis: I don’t think you could call the 1920s bad times. You could call it uneven times. “Bad times” is stretching it. In addition, you have the real bad times of the Depression staring you in your face which is the time of the greatest advance in terms of a left and social democracy in our history. Teixeira: Desperate times make for desperate measure sometimes. There is **no guarantee they will help the left rather than the right**. I think that’s what we saw in the U.S. Obviously it didn’t work out so well in Europe. When I make the general analysis that the left is better off in a period of economic expansion and rising living standards, it doesn’t correspond exactly to the political outcomes you’ll have in those different periods. I am saying that **in a general sense**, the left has the **easiest time making advances** and **improving society** when things are going well **rather than when are going poorly**. Judis: Let’s look at Europe. In some of the countries in Northern Europe that are doing well, the center-right parties are in charge. Teixeira: Yes, but I think you can make the case the center-right parties aren’t exactly in charge in Europe. They also have their problems. The rise of populism in Europe is blowing apart the party system. Judis: You have got Holland, Denmark, Germany, and Austria. Those are all countries that are doing pretty well compared to the rest of the EU and that have center-right governments. Teixeira: The Netherlands is not doing that well. It’s all relative. Their recovery has been somewhat better. Their employment level has been high compared to other European countries, but there are a number of cuts in social services, wages haven’t been going up much, there is a lot more insecurity. Judis: Isn’t Germany doing well? Teixeira:. Germany is doing relatively well, but it hasn’t been a period of expansive growth for them either. There is a lot of wage stagnation and compression there. I **never meant to imply** that you can **perfectly predict social reform from economic outcomes**. But I think it **provides an important lens** on when the left does well and when the left does poorly. By and large when you look at Europe, you see the ~~straitjacket~~ [**dilemma**] that the Eurozone has created in the economies. People are **fearful**, they are **pessimistic**, they are **passive**. This is **very bad for the left**. Until you **break out** of that [dilemma] ~~straitjacket~~, the left is **not going to be able to do that well**, and the right is **going to continue to do relatively well** compared to them, and you’ll see the **continued rise in populism** because people have no faith in the system. So what I am trying to do is to get the left to focus on **getting to a new stage of capitalist growth** and **being able actually to deliver rising incomes**. There is No Alternative to the Left Judis: So let’s talk about how this political change will come about. What I took from your book is that we are currently suffering from secular stagnation, and that to get to a new stage of growth, we will have to implement the kind of left program that you describe. I worry that this argument contains a contradiction. On the one hand, the left can’t get its program enacted as long as times are bad. On the other hand, the only way to get out of bad times is for the left to get its program enacted. Teixeira: I see what you are asking. I think it is going to be **two steps forward**, **one step back**. We are sort of **slouching** toward the next stage of capitalism. I **don’t think it’s going to be pretty**. Political and economic factors are going to propel us in that direction. Ultimately, people want things to work better, they want their problems to be solved. And the **only way** we are going to get there is along the road I have described. I think this **equitable growth** approach that the Democrats united around is the future. The level of growth is going to vary over time, but I think the Democrats are the ones who are going to put us there and I think they are going to be rewarded for it. Judis:. But how does that happen? Isn’t there a crisis scenario implicit in your account? At some time, the current Third Way or neoliberal approach results in another Great Recession and at that point people will buy into a left-wing approach, the left-wing approach will create prosperity and at that time we will have an enduring left-wing or Democratic majority. Isn’t a step like this missing from your argument? Teixeira:. That certainly could be the way it goes down, but it’s **not clear we are required to have a recession** on the level we did in 2007 and 2008, or whether this sort of rolling crisis we have combined with other political events might do it. I don’t know, it’s hard to predict, but I think the great economist Herbert Stein said, if something cannot go on forever, it will stop. Judis: The great socialist Rosa Luxembourg said the choice was socialism or barbarism. I am not saying we are heading toward barbarism, but I think there is a determinism in your argument. I think you are saying that people will eventually choose a politics that will best help them. Reason will prevail. And I am not sure if that holds up historically. When you talk about the EU, you say eventually they will consolidate into a fiscal monetary union. I am not sure that is going to happen. It’s also possible that the Eurozone could break up and that there could be a lot of chaos. We have periods in history where things don’t happen in the best of all possible ways. Teixeira: The trajectory is **ultimately going to take us** to a **different** and **better place**. I think **eventually we will adapt** and we will **get something better** than we have because it is the **only solution to the ongoing problems**. **There is no alternative**. Judis: Countries are sometime structurally unable to do what is in their best interest. In the U.S., we have this strong anti-statist tradition going back to the revolution that seems to get in the way every time we want to do something like what you are proposing. It is possible that contrary to Hegel, the rational won’t turn out to be the real. Teixeira: Of course it is possible, but if you look at the history of the United States, **despite the anti-statist bias** and **despite all the other political problems**, the way the country has evolved over time is toward a **larger government** that **does more** and **provides more for people**. And we **obviously have evolved tremendously** in the social realm as well. Governments don’t do what is rational in the short term, at least rational in the sense you are describing it, but political systems **evolve over time** in a way that is consistent with the values and priorities of the left, and I expect that to continue over time. The 2016 Election Judis: Let’s talk about the 2016 election. Why did Clinton lose to such a weak opponent? Teixeira: The Democrats have an evolving majority that consists of groups like minorities, professionals, young people, single women and what have you, and that’s a true fact. It’s growing over time and it will continue to grow, but it was always mathematically true that if you take the declining group, the white non-college voters, and they move sufficiently in the direction of the other party, that will be enough to undermine your coalition. You won’t win. That’s exactly what happened in 2016. These voters moved rapidly away from the Democrats both in local and state races and in the presidential election. Judis: Why did they move? Teixeira: They do not have any faith that the Democrats share their values and are going to deliver a better life for them and their kids, and I think Hillary Clinton was a very efficient bearer of that meme. Whether she wanted to or not, the message she sent to these voters is that you are really not that important and I don’t take your problems seriously, and frankly I don’t have much to offer you. And that’s despite the fact that her economic program and policies would have actually been very good for these people. There was a study of campaign advertising in 2016 that showed Hillary outspent Trump significantly and that almost none of her advertising was about what she would actually do. Almost all of it was about how he was a bad dude. Voters were **fed up with stagnation** and with the Democrats and they **turned to someone who thought could blow up the system**. The way the Democrats and the left could **mitigate that problem** is to show these voters that they **take their problems seriously** and have their interests in mind, and could improve their lives. I **don’t think there is any way of doing that** without a **new model of economic growth**.

#### 3---Climate.

Fickling 20 (David, Bloomberg Opinion columnist covering commodities, as well as industrial and consumer companies, citing a report from the International Energy Agency, “Capitalism Caused Climate Change; It Must Also Be the Solution,” Bloomberg, 10/14/20, <https://www.bloomberg.com/opinion/articles/2020-10-14/capitalism-caused-climate-change-it-must-also-be-the-solution>, ccm)

After that, though, things fall apart. Thanks to ongoing economic weakness, governments and businesses lose the capacity to carry out the spending needed to remake the world’s energy system. Investment in fossil fuels falls by 10% relative to expectations under current policies, but spending on renewables and nuclear drops by 5% as well, so that $2.2 trillion less is spent by 2030.

Rather than investing to replace our power plants and appliances with lower-carbon alternatives, we eke out their polluting lives a little bit longer. By 2030, annual emissions are about 29% higher than they would be under Sustainable Development.

This desktop model of how the world could develop reflects a profound truth. The atmosphere can accommodate about 500 billion metric tons more carbon dioxide to give an even chance of keeping warming below 1.5 degrees — but the world’s current industrial base is currently pumping out roughly 33 billion tons a year, and will continue to do so unless we can replace it.

Retrofitting the world’s energy systems is going to require vast sums of money. Renewable power alone will need an average $569 billion of investment every year over the coming decade under the IEA’s Sustainable Development Scenario. That’s almost twice the rate seen over the past five years, and not far behind what the entire oil and gas sector would spend under the same settings. If anything, the world needs a target that’s more ambitious still.

If we can get up to speed, that volume of spending will create its own momentum. One justified complaint of anti-capitalist climate activists is that our political systems frequently put their thumbs on the scale to favor powerful incumbent businesses, which at present are mostly the polluting ones. But a system where investment dollars are flowing away from fossil fuels and toward decarbonization is one where power, too, is shifting away from the carbon economy.

Even under the IEA’s less ambitious Stated Policies Scenario, the $15.14 trillion that gets spent globally on fossil fuel generation and production by 2040 is smaller than the $15.97 trillion spent on renewables and nuclear — and doesn’t include the amounts that go to energy efficiency and grid networks.

Under the Sustainable Development Scenario, which has historically often been a better guide to the path of the energy transition, low-carbon power ends up with $2.70 of spending for every $1 going to fossil fuel extraction and generation. That’s a world in which renewables will increasingly set the rules of the game, encouraging governments to remove the remaining subsidies that support oil, gas and coal.

Since the industrial revolution, the fossil-fueled engine of capitalist growth has conspired to put the world in its current climate crisis. Harnessing that power to drive the carbon transition is now our best hope of turning that disaster around.

#### 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.

**Adopt a hybridizing strategy - exploiting contradictions in hegemonic discourse maintains critical distance while effectively challenging the state. Kapoor ‘08**

Kapoor, 2008 (Ilan, Associate Professor at the Faculty of Environmental Studies, York University, “The Postcolonial Politics of Development,” p. 138-139)

There are perhaps several other social movement campaigns that could be cited as examples of **a ‘hybridizing strategy’**.5 But what emerges as important from the Chipko and NBA campaigns is the way in which they **treat** laws and **policies**, institutional practices, **and ideological apparatuses as deconstructible**. That is, they refuse to take dominant authority at face value, and proceed to reveal its contingencies. Sometimes, they expose what the hegemon is trying to disavow or hide (exclusion of affected communities in project design and implementation, faulty information gathering and dissemination). Sometimes, they problematize dominant or naturalized truths (‘development = unlimited economic growth = capitalism’, ‘big is better’, ‘technology can save the environment’). In either case, by contesting, publicizing, and politicizing accepted or hidden truths, they hybridize power, challenging its smugness and triumphalism, revealing its impurities. They show power to be, literally and figuratively, a bastard. While speaking truth to power, a **hybridizing** strategy also **exploits the instabilities of power**. In part, this involves showing up and taking advantage of the equivocations of power — conflicting laws, contradictory policies, unfulfilled promises. A lot has to do here with **publicly shaming the hegemon, forcing it to** remedy injustices and **live up to stated commitments** in a more accountable and transparent manner. And, in part, **this involves** nurturing or **manipulating the splits and strains within institutions. Such maneuvering can take the form of cultivating allies**, forging alliances, or throwing doubt on prevailing orthodoxy. Note, lastly, the way in which a **hybridizing** strategy **works with the dominant discourse**. This reflects the negotiative aspect of Bhabha’s performativity. The strategy may outwit the hegemon, but it does so from the interstices of the hegemony. The master may be paralyzed, but his paralysis is induced using his own poison/medicine. It is for this reason that cultivating allies in the adversarial camp is possible: **when you speak their language and appeal to their own ethical horizons,** you are building a modicum of common ground. It is for this reason also that **the master cannot easily dismiss or crush you.** Observing his rules and **playing his game** **makes it difficult for him not to** take you seriously or **grant** you **a certain legitimacy**. The use of non-violent tactics may be crucial in this regard: state repression is easily justified against violent adversaries, but it is vulnerable to public criticism when used against non-violence. Thus, the fact that Chipko and the NBA deployed civil disobedience — pioneered, it must be pointed out, by the ‘father of the nation’ (i.e. Gandhi) — made it difficult for the state to quash them or deflect their claims.