## NC

## T-FW

#### Interpretation – the affirmative should defend the hypothetical implementation of a governmental policy that designates appropriation of outer space by private entities as unjust on Earth.

#### Resolved requires policy action

Louisiana State Legislature (<https://www.legis.la.gov/legis/Glossary.aspx>) Ngong

**Resolution**

**A legislative instrument** that generally is **used for** making declarations, **stating policies**, and making decisions where some other form is not required. A bill includes the constitutionally required enacting clause; a resolution **uses the term "resolved".** Not subject to a time limit for introduction nor to governor's veto. ( Const. Art. III, §17(B) and House Rules 8.11 , 13.1 , 6.8 , and 7.4 and Senate Rules 10.9, 13.5 and 15.1)

#### Appropriation

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

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

#### Outer space

Lexico. Oxford Dictionary. Outer Space. https://www.lexico.com/en/definition/outer\_space

The physical universe beyond the earth's atmosphere.

#### Private entities

Law Insider. Private entity definition. <https://www.lawinsider.com/dictionary/private-entity>

Private entity means any natural person, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, nonprofit entity, or other business entity.

#### Unjust

Lexico. Oxford Dictionary. Unjust. https://www.lexico.com/en/definition/just

not based on or behaving according to what is morally right and fair.

#### Violation: not a policy, not appropriation since space

#### Vote neg:

#### 1. Competitive equity---pre-tournament neg research is structured by negating the resolution---plan-less affs monopolize neg ground and ensure it’s concessionary. That saps the utility of debate which requires a judge who can decide between two sides who have an equal opportunity to prepare for a common point of stasis.

#### 2. Clash---abdicating government actions sanctions picking any interpretation for debate---incentivizes a retreat from controversy and forces the neg to first characterize the aff and then debate it which eliminates the benefit of preround research and prep. A common point of engagement ensures effective clash, which is a linear impact---negation is the necessary condition for distinguishing debate from discussion, but negation exists on a sliding scale. The topic of discussion is up to the affirmative, but depth and nuanced engagement is determined by negative ground. Any impact intrinsic to debate, not just discussion, comes from negation because it starts the process of critical thinking, reflexivity, and argument refinement.

#### Worst case their AFF is effects T – that’s bad because it still steers away from the stasis point of the resolution which links into all of our competitive equity and clash standards.

#### TVA: Defend a ban of private space colonization as a decolonial practice

#### They can’t weigh the aff—

#### 1. T is an epistemic indict since it asks whether or not the aff is a legitimate practice so it comes prior to the aff

#### Fairness is a voter—

#### It’s an intrinsic good – some level of competitive equity is necessary to sustain the activity – if it didn’t exist, then there wouldn’t be value to the game since judges could literally vote whatever way they wanted regardless of the competing arguments made

#### T isn’t violent –

#### A] I don’t have the power to impose a norm – only to convince you my side is better. T doesn’t ban you from the activity – the whole point is that norms should be contestable – I just say make a better arg next time.

#### B] Exclusion is inevitable – every role of the ballot excludes some arguments and even saying T bad excludes it – that means we should delineate ground along reciprocal lines, not abandon division altogether.

#### Reading T isn’t psychic violence – that was above, but especially if we’re not going for it since reading T can be used to prevent aff shiftiness and make substance a viable option.

#### No silencing DA - T is just like a disad or critique we’ve said a certain practice the aff took was bad and it would’ve been better had they done it differently not that they are bad debaters – just like the cap k says the aff engaged in some practice that reinforced capitalism and it would’ve been better if they had emphasized Marxism – impositions in some form are inevitable because the negative has the burden of rejoinder and needs link arguments – every disad link says the aff did something wrong and theres an implicit version of the aff that wouldn’t have linked

#### Theory before the K – A] Prior question. My theory argument calls into question the ability to run the argument in the first place. They can’t say the same even if they criticize theory because theory makes rules of the game not just normative statements about what debaters should say. B] Fair testing. Judge their arguments knowing I wasn’t given a fair shot to answer them. Prefer theory takes out K because they could answer my arguments, but I couldn’t answer theirs. Without testing their args, we don’t know if they’re valid, so you prefer fairness impacts on strength of link. Impact turns any critical education since a marketplace of ideas where we innovate, and test ideas presumes equal access.

#### Q of what the ballot can solve for – even if ableism is the highest impact- a ballot only signsals an impact on fairness

## Nebel- Spec Private Entity

#### Interpretation—the aff may not specify an entity by which appropriation is unjust.

#### A is an generic indefinite singular. Cohen 01

Ariel Cohen (Ben-Gurion University of the Negev), “On the Generic Use of Indefinite Singulars,” Journal of Semantics 18:3, 2001 <https://core.ac.uk/download/pdf/188590876.pdf>

\*IS generic = Indefinite Singulars

French, then, expresses the two types of reading differently. In English, on¶ the other hand, generic BPs are ambiguous between inductivist and normative¶ readings. But even in English there is one type of generic that can express only¶ one of these readings, and this is the IS generic. While BPs are ambiguous¶ between the inductivist and the rules and regulations readings, ISs are not. In¶ the supermarket scenario discussed above, only (44.b) is true:¶ (44) a. A banana sells for $.49/lb.¶ b. A banana sells for $1.00/lb.¶ The normative force of the generic IS has been noted before. Burton-Roberts¶ (1977) considers the following minimal pair:¶ (45) a. Gentlemen open doors for ladies.¶ b. A gentleman opens doors for ladies.¶ He notes that (45.b), but not (45.a), expresses what he calls “moral necessity.”7¶ Burton-Roberts observes that if Emile does not as a rule open doors for ladies, his mother could utter [(45.b)] and thereby successfully imply that Emile was not, or was¶ not being, a gentleman. Notice that, if she were to utter. . . [(45.a)] she¶ might achieve the same effect (that of getting Emile to open doors for¶ ladies) but would do so by different means. . . For [(45.a)] merely makes a¶ generalisation about gentlemen (p. 188).¶ Sentence (45.b), then, unlike (45.a), does not have a reading where it makes¶ a generalization about gentlemen; it is, rather, a statement about some social¶ norm. It is true just in case this norm is in effect, i.e. it is a member of a set of¶ socially accepted rules and regulations.¶ An IS that, in the null context, cannot be read generically, may receive a¶ generic reading in a context that makes it clear that a rule or a regulation is¶ referred to. For example, Greenberg (1998) notes that, out of the blue, (46.a)¶ and (46.b) do not have a generic reading:¶ (46) a. A Norwegian student whose name ends with ‘s’ or ‘j’ wears green¶ thick socks.¶ b. A tall, left-handed, brown haired neurologist in Hadassa hospital¶ earns more than $50,000 a year.¶ However, Greenberg points out that in the context of (47.a) and (47.b),¶ respectively, the generic readings of the IS subject are quite natural:¶ (47) a. You know, there are very interesting traditions in Norway, concerning the connection between name, profession, and clothing. For¶ example, a Norwegian student. . .¶ b. The new Hadassa manager has some very funny paying criteria. For¶ example, a left-handed. . .¶ Even IS sentences that were claimed above to lack a generic reading, such¶ as (3.b) and (4.b), may, in the appropriate context, receive such a reading:¶ (48) a. Sire, please don’t send her to the axe. Remember, a king is generous!¶ b. How dare you build me such a room? Don’t you know a room is¶ square?

#### Rules readings are always generalized – specific instances are not consistent. lCohen 01

Ariel Cohen (Ben-Gurion University of the Negev), “On the Generic Use of Indefinite Singulars,” Journal of Semantics 18:3, 2001 https://core.ac.uk/download/pdf/188590876.pdf

In general, as, again, already noted by Aristotle, rules and definitions are not relativized to particular individuals; it is rarely the case that a specific individual¶ forms part of the description of a general rule.¶ Even DPs of the form a certain X or a particular X, which usually receive¶ a wide scope interpretation, cannot, in general, receive such an interpretation in the context of a rule or a definition. This holds of definitions in general, not¶ only of definitions with an IS subject. The following examples from the Cobuild¶ dictionary illustrate this point:¶ (74) a. A fanatic is a person who is very enthusiastic about a particular¶ activity, sport, or way of life.¶ b. Something that is record-breaking is better than the previous¶ record for a particular performance or achievement.¶ c. When a computer outputs something it sorts and produces information as the result of a particular program or operation.¶ d. If something sheers in a particular direction, it suddenly changes¶ direction, for example to avoid hitting something.

#### That outweighs—only our evidence speaks to how indefinite singulars are interpreted in the context of normative statements like the resolution. This means throw out aff counter-interpretations that are purely descriptive

#### Violation—they specified star war groups

#### Vote neg:

#### 1] Precision –any deviation justifies the aff arbitrarily jettisoning words in the resolution at their whim which decks negative ground and preparation because the aff is no longer bounded by the resolution.

#### 2] Limits—specifying a just government offers huge explosion in the topic since they get permutations of hundreds of governments in the world depending on their definitions.

#### 1] No RVIs: a. Chills theory – If people know they might lose for reading theory, it will disincentivize them. b. You don’t get to win by being fair. c. Theory Baiting – good theory debaters will bait people into reading theory against certain cases 2] Use competing interpretations: a. Reasonability causes a race to the bottom with testing the limit of it b. Finding the best possible interp makes debate have higher quality arguments c. Judge intervention shouldn’t be allowed bc it produces bias 3] Drop the debater: Drop the debater for being abusive – we can’t restart the round from the 1AC and I’m skewed for the rest of the debate.

#### Topicality is a voting issue that should be evaluated through competing interpretations – it tells the negative what they do and do not have to prepare for

#### No RVIs—it’s your burden to be topical.

#### China’s Asteroid Mining efforts are light-years ahead of everyone else – now is key for Asteroid Mining. Successful Mining solves Warming through Green Transition.

Cohen 21 Ariel Cohen 10-26-2021 "China’s Space Mining Industry Is Prepping For Launch – But What About The US?" <https://www.forbes.com/sites/arielcohen/2021/10/26/chinas-space-mining-industry-is-prepping-for-launch--but-what-about-the-us/?sh=6b8bea862ae0> (I am a Senior Fellow at the Atlantic Council and the Founding Principal of International Market Analysis, a Washington, D.C.-based global risk advisory boutique.)//Elmer

Exploration of space-based natural resources are on the Chinese policy makers’ mind. The question is, what Joe Biden thinks? In April of this year, China’s Shenzen Origin Space Technology Co. Ltd. launched the NEO-1, the first commercial spacecraft dedicated to the mining of space resources – from asteroids to the lunar surface. Falling costs of space launches and spacecraft technology alongside existing infrastructure provides a unique opportunity to explore extraterrestrial resource extraction. Current technologies are equipped to analyze and categorize asteroids within our solar system with a limited degree of certainty. One of the accompanying payloads to the NEO-1 was the Yuanwang-1, or “little hubble” satellite, which searches the stars for possible asteroid mining targets. The NEO-1 launch marks another milestone in private satellite development, adding a new player to space based companies which include Japan’s Astroscale. Private asteroid identification via the Sentinel Space Telescope was supported by NASA until 2015. As private investment in space grows, the end goal is to be capable of harvesting resources to bring to Earth. “Through the development and launch of the spacecraft, Origin Space is able to carry out low-Earth orbit space junk cleanup and prototype technology verification for space resource acquisition, and at the same time demonstrate future asteroid defense related technologies.” In the end, it will come down to progressively lowering the cost of launched unit of weight and booster rocket reliability – before fundamentally new engines may drive the launch costs even further down. The April launch demonstrates that China is already succeeding while the West is spinning its wheels. The much touted Planetary Resources and Deep Space Industries (DSI) DSI -1% were supposed to be the vanguard of extra-terrestrial resource acquisition with major backers including Google’s GOOG -1.4% Larry Page. But both have since been acquired, the former by block chain company ConsenSys and the latter by Bradford Space, neither of which are prioritizing asteroid mining. This is too bad, given that that supply chain crunches here on Earth – coupled with the global green energy transition – are spiking demand for strategic minerals that are increasingly hard to come by on our environmentally stressed planet. And here China currently holds a monopoly on rare earth element (REE) extraction and processing to the tune of 90%. REE’s 17 minerals essential for modern computing and manufacturing technologies for everything from solar panels to semi-conductors. Resource-hungry China also has major involvement in global critical mineral supply chains, which include cobalt, tungsten, and lithium. As I’ve written before, the Chinese hold of upstream and downstream markets is staggering. Possessing 30% of the global mined ore, 80% of the global processing facilities, and an ever increasing list of high dollar investments around the world, China boasts over $36 billion invested in mining projects in Africa alone. Beijing’s space program clearly indicates that the Chinese would also like to tighten their grip on space-based resources as well. According to research, it is estimated that a small asteroid roughly 200 meters in length that is rich in platinum could be worth up to $300 million. Merrill Lynch predicts the space industry — including extraterrestrial mining industry – to value $2.7 trillion in the next three decades. REEs are fairly common in the solar system, but to what degree remains unknown. The most sought after are M-type asteroids which are mostly metal and hundreds of cubic meters. While these are not the most common, the 27,115 Near Earth asteroids are bound to contain a few. This – and military applications – are no doubt a driving factor of China’s ever increasing space ambitions.

#### Warming causes Extinction

Kareiva 18, Peter, and Valerie Carranza. "Existential risk due to ecosystem collapse: Nature strikes back." Futures 102 (2018): 39-50. (Ph.D. in ecology and applied mathematics from Cornell University, director of the Institute of the Environment and Sustainability at UCLA, Pritzker Distinguished Professor in Environment & Sustainability at UCLA)//Re-cut by Elmer

In summary, six of the nine proposed planetary boundaries (phosphorous, nitrogen, biodiversity, land use, atmospheric aerosol loading, and chemical pollution) are unlikely to be associated with existential risks. They all correspond to a degraded environment, but in our assessment do not represent existential risks. However, the three remaining boundaries (**climate change**, global **freshwater** cycle, **and** ocean **acidification**) do **pose existential risks**. This is **because of** intrinsic **positive feedback loops**, substantial lag times between system change and experiencing the consequences of that change, and the fact these different boundaries interact with one another in ways that yield surprises. In addition, climate, freshwater, and ocean acidification are all **directly connected to** the provision of **food and water**, and **shortages** of food and water can **create conflict** and social unrest. Climate change has a long history of disrupting civilizations and sometimes precipitating the collapse of cultures or mass emigrations (McMichael, 2017). For example, the 12th century drought in the North American Southwest is held responsible for the collapse of the Anasazi pueblo culture. More recently, the infamous potato famine of 1846–1849 and the large migration of Irish to the U.S. can be traced to a combination of factors, one of which was climate. Specifically, 1846 was an unusually warm and moist year in Ireland, providing the climatic conditions favorable to the fungus that caused the potato blight. As is so often the case, poor government had a role as well—as the British government forbade the import of grains from outside Britain (imports that could have helped to redress the ravaged potato yields). Climate change intersects with freshwater resources because it is expected to exacerbate drought and water scarcity, as well as flooding. Climate change can even impair water quality because it is associated with heavy rains that overwhelm sewage treatment facilities, or because it results in higher concentrations of pollutants in groundwater as a result of enhanced evaporation and reduced groundwater recharge. **Ample clean water** is not a luxury—it **is essential for human survival**. Consequently, cities, regions and nations that lack clean freshwater are vulnerable to social disruption and disease. Finally, ocean acidification is linked to climate change because it is driven by CO2 emissions just as global warming is. With close to 20% of the world’s protein coming from oceans (FAO, 2016), the potential for severe impacts due to acidification is obvious. Less obvious, but perhaps more insidious, is the interaction between climate change and the loss of oyster and coral reefs due to acidification. Acidification is known to interfere with oyster reef building and coral reefs. Climate change also increases storm frequency and severity. Coral reefs and oyster reefs provide protection from storm surge because they reduce wave energy (Spalding et al., 2014). If these reefs are lost due to acidification at the same time as storms become more severe and sea level rises, coastal communities will be exposed to unprecedented storm surge—and may be ravaged by recurrent storms. A key feature of the risk associated with climate change is that mean annual temperature and mean annual rainfall are not the variables of interest. Rather it is extreme episodic events that place nations and entire regions of the world at risk. These extreme events are by definition “rare” (once every hundred years), and changes in their likelihood are challenging to detect because of their rarity, but are exactly the manifestations of climate change that we must get better at anticipating (Diffenbaugh et al., 2017). Society will have a hard time responding to shorter intervals between rare extreme events because in the lifespan of an individual human, a person might experience as few as two or three extreme events. How likely is it that you would notice a change in the interval between events that are separated by decades, especially given that the interval is not regular but varies stochastically? A concrete example of this dilemma can be found in the past and expected future changes in storm-related flooding of New York City. The highly disruptive flooding of New York City associated with Hurricane Sandy represented a flood height that occurred once every 500 years in the 18th century, and that occurs now once every 25 years, but is expected to occur once every 5 years by 2050 (Garner et al., 2017). This change in frequency of extreme floods has profound implications for the measures New York City should take to protect its infrastructure and its population, yet because of the stochastic nature of such events, this shift in flood frequency is an elevated risk that will go unnoticed by most people. 4. The combination of positive feedback loops and societal inertia is fertile ground for global environmental catastrophes **Humans** are remarkably ingenious, and **have adapted** to crises **throughout** their **history**. Our doom has been repeatedly predicted, only to be averted by innovation (Ridley, 2011). **However**, the many **stories** **of** human ingenuity **successfully** **addressing** **existential risks** such as global famine or extreme air pollution **represent** environmental c**hallenges that are** largely **linear**, have immediate consequences, **and operate without positive feedbacks**. For example, the fact that food is in short supply does not increase the rate at which humans consume food—thereby increasing the shortage. Similarly, massive air pollution episodes such as the London fog of 1952 that killed 12,000 people did not make future air pollution events more likely. In fact it was just the opposite—the London fog sent such a clear message that Britain quickly enacted pollution control measures (Stradling, 2016). Food shortages, air pollution, water pollution, etc. send immediate signals to society of harm, which then trigger a negative feedback of society seeking to reduce the harm. In contrast, today’s great environmental crisis of climate change may cause some harm but there are generally long time delays between rising CO2 concentrations and damage to humans. The consequence of these delays are an absence of urgency; thus although 70% of Americans believe global warming is happening, only 40% think it will harm them (http://climatecommunication.yale.edu/visualizations-data/ycom-us-2016/). Secondly, unlike past environmental challenges, **the Earth’s climate system is rife with positive feedback loops**. In particular, as CO2 increases and the climate warms, that **very warming can cause more CO2 release** which further increases global warming, and then more CO2, and so on. Table 2 summarizes the best documented positive feedback loops for the Earth’s climate system. These feedbacks can be neatly categorized into carbon cycle, biogeochemical, biogeophysical, cloud, ice-albedo, and water vapor feedbacks. As important as it is to understand these feedbacks individually, it is even more essential to study the interactive nature of these feedbacks. Modeling studies show that when interactions among feedback loops are included, uncertainty increases dramatically and there is a heightened potential for perturbations to be magnified (e.g., Cox, Betts, Jones, Spall, & Totterdell, 2000; Hajima, Tachiiri, Ito, & Kawamiya, 2014; Knutti & Rugenstein, 2015; Rosenfeld, Sherwood, Wood, & Donner, 2014). This produces a wide range of future scenarios. Positive feedbacks in the carbon cycle involves the enhancement of future carbon contributions to the atmosphere due to some initial increase in atmospheric CO2. This happens because as CO2 accumulates, it reduces the efficiency in which oceans and terrestrial ecosystems sequester carbon, which in return feeds back to exacerbate climate change (Friedlingstein et al., 2001). Warming can also increase the rate at which organic matter decays and carbon is released into the atmosphere, thereby causing more warming (Melillo et al., 2017). Increases in food shortages and lack of water is also of major concern when biogeophysical feedback mechanisms perpetuate drought conditions. The underlying mechanism here is that losses in vegetation increases the surface albedo, which suppresses rainfall, and thus enhances future vegetation loss and more suppression of rainfall—thereby initiating or prolonging a drought (Chamey, Stone, & Quirk, 1975). To top it off, overgrazing depletes the soil, leading to augmented vegetation loss (Anderies, Janssen, & Walker, 2002). Climate change often also increases the risk of forest fires, as a result of higher temperatures and persistent drought conditions. The expectation is that **forest fires will become more frequent** and severe with climate warming and drought (Scholze, Knorr, Arnell, & Prentice, 2006), a trend for which we have already seen evidence (Allen et al., 2010). Tragically, the increased severity and risk of Southern California wildfires recently predicted by climate scientists (Jin et al., 2015), was realized in December 2017, with the largest fire in the history of California (the “Thomas fire” that burned 282,000 acres, https://www.vox.com/2017/12/27/16822180/thomas-fire-california-largest-wildfire). This **catastrophic fire** embodies the sorts of positive feedbacks and interacting factors that **could catch humanity off-guard and produce a** true **apocalyptic event.** Record-breaking rains produced an extraordinary flush of new vegetation, that then dried out as record heat waves and dry conditions took hold, coupled with stronger than normal winds, and ignition. Of course the record-fire released CO2 into the atmosphere, thereby contributing to future warming. Out of all types of feedbacks, water vapor and the ice-albedo feedbacks are the most clearly understood mechanisms. Losses in reflective snow and ice cover drive up surface temperatures, leading to even more melting of snow and ice cover—this is known as the ice-albedo feedback (Curry, Schramm, & Ebert, 1995). As snow and ice continue to melt at a more rapid pace, millions of people may be displaced by flooding risks as a consequence of sea level rise near coastal communities (Biermann & Boas, 2010; Myers, 2002; Nicholls et al., 2011). The water vapor feedback operates when warmer atmospheric conditions strengthen the saturation vapor pressure, which creates a warming effect given water vapor’s strong greenhouse gas properties (Manabe & Wetherald, 1967). Global warming tends to increase cloud formation because warmer temperatures lead to more evaporation of water into the atmosphere, and warmer temperature also allows the atmosphere to hold more water. The key question is whether this increase in clouds associated with global warming will result in a positive feedback loop (more warming) or a negative feedback loop (less warming). For decades, scientists have sought to answer this question and understand the net role clouds play in future climate projections (Schneider et al., 2017). Clouds are complex because they both have a cooling (reflecting incoming solar radiation) and warming (absorbing incoming solar radiation) effect (Lashof, DeAngelo, Saleska, & Harte, 1997). The type of cloud, altitude, and optical properties combine to determine how these countervailing effects balance out. Although still under debate, it appears that in most circumstances the cloud feedback is likely positive (Boucher et al., 2013). For example, models and observations show that increasing greenhouse gas concentrations reduces the low-level cloud fraction in the Northeast Pacific at decadal time scales. This then has a positive feedback effect and enhances climate warming since less solar radiation is reflected by the atmosphere (Clement, Burgman, & Norris, 2009). The key lesson from the long list of potentially positive feedbacks and their interactions is that **runaway climate change,** and runaway perturbations have to be taken as a serious possibility. Table 2 is just a snapshot of the type of feedbacks that have been identified (see Supplementary material for a more thorough explanation of positive feedback loops). However, this list is not exhaustive and the possibility of undiscovered positive feedbacks **portends** even greater **existential risks**. The many environmental crises humankind has previously averted (famine, ozone depletion, London fog, water pollution, etc.) were averted because of political will based on solid scientific understanding. We cannot count on complete scientific understanding when it comes to positive feedback loops and climate change.

### Case

#### Negate on presumption:

#### No solvency and turn – debate as a communicative act may be violent, but they’re authors don’t differentiate it from the rest of the world it’s just an institution inside the ableist world. They misread their authors the 1AC is a “band-aid” solution their authors don’t treat debate nihilistically in isolation BUT the world and eradicating debate doesn’t change the nature of the drive that recreates violence in different forms – proves it’s not endurance. ALL they actually do is generate cruel optimism since it creates a feel good solution that places disability in a not yet but maybe to come social order where disabled infiltration of tournaments occurs. Their attempt to reform the content of debate through examining the way war goes down in the community is complicit in an ableist world that consumes their project as false energy.

#### Allies da - using debate as a mode of advocacy ensures the failure of their radical project – competition means debaters ally themselves with individuals who vote for them and alienate those who are positioned with the burden of rejoinder and forced to negate – at worst you vote negative on presumption because they don’t use debate as a stepping stone for their advocacy outside the space and don’t have a net benefit to affirming the 1ac.

#### 1] Reform may not be perfect, but they improve the material conditions of disabled life – 1AR spin that ableist violence is evolving is a neg argument since disabled relation to the world has changed. THIS is OFFENSE against the Aff would say no to the ADA which has decreased workplace violence, allowed voting rights and increases employment for disabled folk.

#### 2] The disability drive is NOT logical, think of it’s application in debate if the OVERALL psyche claim was true then how do they get non-disabled ballots.

#### 3] Disability can’t be ontological, and progress is possible

#### A] It’s not static – conceptions of disability aren’t concrete but fluid over time – for example ADHD wasn’t diagnosed as disability until more recent medicine, and there’s no clear brightline or definition of disability.

#### C] Disability isn’t ontological – social context determines disability discrimination.

Anastasiou and Kauffman ’13 (DIMITRIS - Associate Professor and Program Coordinator, Ph.D., National and Kapodistrian University of Athens, 2004. JAMES M. - Professor Emeritus of education at UVA, Ed.D. in special education from University of Kansas. “The Social Model of Disability: Dichotomy between Impairment and Disability.” Journal of Medicine and Philosophy, 38: 441–459, 2013. https://www.researchgate.net/profile/James\_Kauffman/publication/249647375\_The\_Social\_Model\_of\_Disability\_Dichotomy\_between\_Impairment\_and\_Disability/links/02e7e521b55fa0504d000000.pdf)-JJN

V. Disabilities in Social Context Proponents of a social model seem to support the idea that disability is a product of wrong interpretation of impairments (Reindal, 1995) related to disabling social structures. Our question is very simple: Assuming that we have an ideal, perfect, caring society, will disabilities no longer exist? If we followed the arguments of the social model, in an ideal society we would have only impairments but not disabilities! Unfortunately, we do not think that it would be possible to eradicate disabilities by changing only the sociopolitical context. Why? Because the dichotomy between impairment and disability is methodological; it is not ontological. The names we give to physical or mental conditions do not create disabilities or turn disabilities into abilities (Kauffman et al., 2008; Kauffman, 2011). Of course, names have their importance, because they circulate in a social context and turn back on the named people. Also, a much better social context can substantially improve the quality of life of people with disabilities, and this is not a trivial matter. But whatever names we use in our societies, the most profound restrictions related to intrinsic factors will remain for the vast majority of people with disabilities. Nevertheless, the discussion about social context is an important issue. Disabilities should be viewed as embedded in their social context in many different ways. First, a certain disability is conceptualized within a specific social context and characterized by a discrepancy between the individual’s performance and the expectations or demands of the social group to which the person belongs. This brings social values into the appreciation of disabilities. Any conceptualization of disability, whether physical or mental, is inevitably value-laden. Disabilities naturally arouse children’s curiosity, but social perceptions can change. The recognition of disabilities can take different directions according to social values. Zola, an American sociologist, has eloquently described it: “Children spontaneously express an interest in wheelchairs and leg braces, but as they grow older they are taught that . . . it’s not nice to ask [about] such things” (1982, 200). Values and attitudes exert profound influence on the way nondisabled people perceive others with disabilities, as Zola stated: When the “able-bodied” confront the “disabled,” they often think with a shudder, “I’m glad it’s not me” . . . The threat to be dispelled is the inevitability of one’s own failure. The discomfort that many feel in the presence of the aged, the suffering, and the dying is the reality that it could just as well be them. (1982, 202) Second, social decisions about the border between disability and normality are difficult because of the statistical phenomena involved. In many cases, the border is both vague and rather arbitrary (Kauffman and Hallahan, 2005; Anastasiou and Kauffman, 2011; Kauffman and Lloyd, 2011 ). Defining the qualitative differences we call disabilities by making binary decisions (yes or no, has or does not have) requires making judgments about people, even though the quantitative data are continuous statistical distributions. The identification of a disability depends on judgment, and judgment means that one arrives at a cutpoint on continuously distributed abilities. Inevitably social values are linked to the judgmental identification of disabilities. However, not making such a judgment precludes the kind of assistance we consider necessary for social justice (Anastasiou and Kauffman, 2011). Third, although categorizing and labeling have become major issues in disability and special education debates, the debate is often misguided. Kauffman (2002, 2011) and Kauffman et al. (2008) have argued analytically for the inevitability of labeling, given that we really want to offer special services and benefits to specific individuals. We simply cannot offer extra or better services to individuals without speaking about difference or special needs, and this is as true for disabilities as it is for economic assistance or any social program. For this reason, an individual-based perspective is necessary for identifying people with special needs for certain services (Reindal, 1995). Without a definition based on individual criteria of disability, the rights of people with disabilities cannot be fully guaranteed (see Kauffman and Landrum, 2009). Even in Norway, a country with an extended safety net of social welfare services, the identification of benefits to be received is based on judgment of individual need (Reindal, 1995). Antilabelists imagine services without labels. But even in an ideal communitarian society with enough resources, we cannot offer excellent services according to the old socialistic principle “from each according to his/her ability, to each according to his/her needs” without any need identification process. Perhaps the process is more obvious in an antagonistic society with a plurality of interests and unequal distribution of power, status, and wealth. Those who want to avoid all labels commit a great mistake in confusing the relationship between education and social change. Public education, by its nature, is a rather conservative institution that reflects the mainstream values of society and represents an adopted social agenda. It is a trailer and not a leader in political, economic, and social change. Historically great social changes precede important educational changes. Imagining the opposite relationship and neglecting today’s predominant sociopolitical forces is a political fallacy. The danger is that without labels the needs of individuals with disabilities will be ignored (see Kauffman, 2011). Surely labeling is not trivial, because labels are used to describe human beings as well as things. Labels often carry unintended stigma to receivers of services. And in many cases, the experiences of being disabled are socially constructed, mirroring the thoughts, feelings, and values of the social milieu. Indeed, the institutional response to disabilities is difficult. The “dilemma of difference” has been underlined in special education’s literature. If we emphasize existing differences (including disabilities), then we are in danger of unjustified discrimination; if we ignore the existence of disabilities or pretend that they do not exist, then we are in danger of leaving critical humans’ needs untreated (Hallahan and Kauffman, 1994; Kauffman and Badar, forthcoming). Fourth, disabilities are defined in a specific sociopolitical context and a system of social relations. Many dimensions of disabilities are part of the social process by which the social meanings of disability are negotiated (Zola, 1989). Public policy has a great impact on the lives of people with disabilities, and the formulation of disability strategy in education and public arena is of huge importance (Anastasiou and Kauffman, 2010, 2011). In summary, disabilities are sealed within their social context. And many concepts about disabilities, whether involving low-incidence disabilities (e.g., severe intellectual disabilities) or high-incidence disabilities (e.g., mild intellectual disabilities, specific learning disability), have socially constructed aspects. It is not accidental that they have been classified and reclassified, defined and redefined according to the status of scientific knowledge and social values (e.g., Bruno Bettelheim’s theory of “refrigerator mothers” as a cause of autism—that autism was caused by cold, distant, and unconsciously rejecting mothers). Using the reasoning of Hacking (1999), we could make a distinction between the idea of autism (and the surrounding conceptual context) as socially constructed and autistic behaviors, which are real. Social construction does not give us insight into the severely restricted communication and social interaction of children with autism. Recognizing the influence of social context does not mean that there are no other viable ideas about disabilities. Social factors such as biomedical technology and special education can interact with biological factors, codetermining the evolution of disabilities as atypical predicaments. Thus, social and individual explanations of disabilities should be seen not as mutually exclusive but as codeterminants of development of people who have disabilities (Williams, 1999).

#### Reject psychoanalysis –

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

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

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

### AT: Debate Bad

#### 1] Trying to eliminate debate produces cruel optimism and repetition compulsion because they target discriminatory acts produced by the structure of [neoliberalism] i.e debate, instead of the structure of neoliberalism itself. Turns the case – causes endless repetitious targeting of smaller structures never destroying the structure itself and ensuring the failure of the 1ac’s project.

#### 2] 20 years of empirics through debate bad kritiks flow negative.

#### 3] Debate can be used tactically to disabled students and students in general how to survive in the world. All skills don’t have to invest in the world but can be used to endure given the existence OF that world.

#### 4] Unfairness does not give you uniqueness – fairness is key to having discussions about the affs methodology and iterative which you ROTB concedes the validity of. Being unfair will just cause people to prep you out in future rounds which proves you do not do anything.

#### 5] Perfcon – you are within this debate space using communicative technologies and spreading at 300+ WPM which means you bite into the form of communication that you critique