# UNLV Round 5

## Framing

**Permissibility and presumption affirm:**

1. **Epistemics – we wouldn’t be able to start a strand of reasoning since we’d have to question that reason – means that presuming neg is incoherent because it relies on some presumptive truths about justice and the world in general**
2. **Intuition - we naturally believe statements true e.g. if I told you my name is Shrey, you’d believe me**

**Perspectivism is true – the starting points of ethics the interrelations between humans ideas. Our natural experiences only apply when we ask use social experiences like language in relation to another person – i.e the word “red” is only meaningful since you and me agree on which color we talk about – but absent intersubjectivity all ethics fail since everyone only identifies personal observations and no meaning exists**

**Truth is not foundational and morality can only gain coherence through intersubjective social norms. Deliberation must be constitutive of normative reasoning since it’s necessary to validate the acceptance of any syllogism–other theories rely on communication to properly interpret and follow them**

**Habermas** (Jurgen, Moral Consciousness and Communicative Action, **1983**)

This "fact of reason" cannot be deductively grounded} but 11:can be clarified if we take the further step of conceiving argumentative speech as a special case-in, fact, a pnvlleg~d derivative of action oriented toward reaching understanding. Only when we return to the level of action theory and conceivediscourse as a continuation of communicative action by other means can we understand the true thrust of discourse ethics. The reason we can locate the content of (U) in the communicative presuppositions of argu~en.tation .is that argumentation is a reflective form of communicative action and the structuresof action oriented toward reaching understanding always alreadypresuppose those very relationships of, reciprocity and mutual recognition around which all moral ideas revolve In everyday life no less than in philosophical ethi:s. Like Ka~t'sappeal to the "fact of reason," this thrust of discourse ethics has a naturalistic ring to it, but it is by no means a naturalistic fallacy. Both Kant and the proponents of discourse ethics rely on a type of argument that draws attention to the inescapability of the general presuppositions that always already under the the communicative practice of everyday life and that cannot be picked or chosen like makes of cars or value postulates. This type of argument is made from the reflective point of view, not from the empiricist attitude of an objectivating observer.The transcendental mode of justification reflects the fact that practical discourse is embedded in contexts of communicative action. To that extent discourse ethICS pOInts to, and ltselfdepends upon, a theory of con:municative act~on. We can expecta contribution to the vertICal reconstructIo~ o~ stage~ of moral consciousness from the theory of communIcatlve actIOn, for the latter focuses on structures of linguistically mediated, norm-governed Interaction, structures that integrate what psychology analytically separates; to wit, perspective taking, moral Judgment, and action.

**Thus, the standard is consistency with pragmatic constraints–a method of pluralism that hijacks every other framework since only we can situate ideas into habit through practice**

**Serra 09** Juan Pablo Serra. What Is and What Should Pragmatic Ethics Be? Some Remarks on Recent Scholarship*.* EUROPEAN JOURNAL OF PRAGMATISM AND AMERICAN PHILOSOPHY. 2009. Francisco de Vitoria College, Humanities Department, Faculty member. https://journals.openedition.org/ejpap/905

This separation of theory and practice runs parallel to another split, namely, that of ethics and morals or, better put, of ethical theory and moral practice. Peirce denies that morality is subject to rationality and thinks that ethics is valuable as a science in a broad sense. But he also regards ethics as a science which bears on human conduct only indirectly, through the examination of past actions and the self-correction of the self in view of future action. In addition, ethics would be a normative knowledge only in so far as it analyzes the adjustment of actions to ends and in so far as it studies the general way in which a good life can be lived. In morals Peirce appeals to instinct and sentiment, and in ethics he recommends the use of logical thinking —just as scientists do. However, even within the framework of his system, it’s not obvious that scientists may so easily set aside their instincts —in fact, instinct (or ‘rational instinct’ as he called it in 1908) plays a significant role in the economy of re- search. Moreover, the statement that in moral issues there may be no possibility of carrying out an inquiry that is truth-oriented is not an uncontroversial one. After all, moral inquiry is performed in a deliberative way, weighing up argumentations, beliefs and principles, and comparing them either with their probable or conceivable consequences or with lived as well as possible experiences that can be forceful or impinge upon the deliberative subject in such a way as to acquire the compulsory resistance due to reality. As Misak puts it succint- ly, “the practice of moral deliberation is responsive to experience, reason, argument, and thought experiments... Such responsiveness is part of what it is to make a moral decision and part of what it is to try to live a moral life” (2000: 52)3. Likewise, this same deliberative activity implies an effort to acquire habits, beliefs and principles that contribute to a truly free deliberation which, in turn, can result in creative conclusions. For Peirce, as you get more habit-governed, you become more creative and free, and your selfhood acquires plas- ticity and receptiveness to experience4. Vincent Colapietro has referred to Peirce’s description of human reason in terms of a deliberative rationality (1999: 24). Also, in another place he has explained that deliberation for Peirce is a process of preparation for future action which has to do with the checking of previous acts, the rehearsal in imagination of different roads to be followed by possible conduct and the nurturing of ideals (Colapietro 1997: 270, 281). It is precisely this experi- ment carried out within imagination that generates habits, because, as Peirce says in “A Survey of Pragmaticism”, “it is not the muscular action but the accompanying inward ef- forts, the acts of imagination, that produce the habit” (CP 5.479, 1907). Habits are regular ways of thinking, perceiving and interpreting that generate actions. As such, habits have a huge influence on human behavior, manifest themselves in the con- crete things we do and, at the same time, are formed within those same activities. Even more, according to Peirce, the activity takes the form of experimentation in the inner world; and the conclusion (if it comes to a definite conclusion), is that under given conditions, the interpreter will have formed the habit of acting in a given way whenever he may desire a given kind of result. The real and living logical conclusion is that habit (CP 5.491, 1907). Much more evidence could be given to support the view that habits are virtually decided (CP 2.435, c.1893) and also that intelligence comprises inward or potential actions that in- fluence the formation of habits (CP 6.286, 1893). Suffice it to say that, according to Peirce, deliberation is a function of the imagination, and that imagination is in itself an experiment which may have unexpected consequences that impose themselves upon the deliberative subject.

**Impact calc -**

1. **Deliberation plays a procedural, not substantive role in pragmatic tradition. It doesn’t say which impacts matter the most nor is it an impact to weigh, but tells us *what* questions to ask and how we determine the answers to them. This is a sequencing question - we are first concerned with the decisionmaking procedure to evaluate whether other metrics such as consequences even matter**
2. **Consequentialism fails - a] Induction fails – the logic of looking to the past to predict the future is all premised in the past, so it’s circular b] Aggregation fails – there’s no way to weigh between different forms of pain and pleasure e.g. 5 headaches vs a migraine c] Butterfly effect – each consequence has a future consequence and so on so we never know if it really did net good d] Subjectivity - everyone takes pleasure and pain in different things so we can’t know what maximizes it e] Infinite universe has infinite pleasure and pain - to add a finite amount does nothing because infinity + finity is still infinity f] Culpability -- can’t be held responsible for consequences because we can’t know all of them and it’s out of our control, intents are the only verifiable basis**
3. **Use epistemic modesty - no framework is 100% true which means we have to weigh between the correctness of each framework since 45 minutes isn’t enough to resolve thousands of years of debate. Offense under pragmatism outweighs - a] pragmatism is definitionally epistemic modesty since we include a pluralism of frameworks, so offense under my framework is procedural offense under epistemic modesty itself b] my framework encompasses the values of infinite different frameworks through deliberating between them which has infinite magnitude by incorporating offense from under every theory**
4. **Because we cannot know whether moral judgements are infinitely true, we need to solve problems in our specific context. Therefore, if I prove the res affirms in the context of my framework, any reason to negate functions in a different context and isn’t a reason not to affirm**

**Prefer additionally:**

1. **Performativity - responding to my framework concedes it because you are deliberating against it - outweighs because a] morality must prevent opting out which only constitutivism solves - impossible to escape deliberation b] other frameworks collapse because they rely on some form of communication to follow them**
2. **Probability - disagreement is rife in the squo so most theories are wrong - prefer relative reliability. The law of large numbers proves when we test more it gets closer to true probability so when we test theories under this fw we’ll get the best calculus. This means a] even if my framework is wrong, its non-unique since it also encompasses their framework so if ours is wrong, then every framework is wrong and b] we take the premises of many theories’ claims into practice and use them in the best instances which non-uniques any net benefits to other theories**
3. **Rule Following Paradox - There is nothing inherent to a rule that tells us how we ought to follow it, which proves no internal motivation or direction to follow a particular rule, regardless of how correct the rule is. Since only our interpretation can tell us how to follow the rule, there can be no incorrect application. Only deliberation accounts for the diversity of interpretations of our norms - any other theory is illegitimate since it hasn’t been socially accepted by the people yet**
4. **Dogmatism - imperfections are inevitable - new theories and new ideas continuously form as new circumstances occur - that means we can’t universalize an all for one theory but must rather consistently update theories and improve upon them as environments change - only our framework is continuously able to adapt and infinitely improve overtime - takes out neg responses since prag naturally updates itself to resolve objections**

## Offense

**I defend the resolution as a general principle, which means specific instances that the aff is wrong don’t disprove our general thesis, just as penguins don’t disprove birds fly. Cx and before round check all interps to deter frivolous theory and maximize substance. Affirm:**

**[1] The appropriation of space by private entities isn’t value neutral but is sutured in a discourse of the cosmic elite and unequal IR.**

**Stockwell 20** [Samuel Stockwell (Research Project Manager, the Annenberg Institute at Brown University). “Legal ‘Black Holes’ in Outer Space: The Regulation of Private Space Companies”. E-International Relations. Jul 20 2020. Accessed 12/7/21.<https://www.e-ir.info/2020/07/20/legal-black-holes-in-outer-space-the-regulation-of-private-space-companies/> //Xu]

The US government’s support for private space companies is also likely to lead to the reinforcement of Earth-bound wealth inequalities in space. Many NewSpace actors frame their long-term ambitions in space with strong anthropogenic undertones, by offering the salvation of the human race from impending extinction through off-world colonial developments (Kearnes & Dooren: 2017: 182). Yet, this type of discourse disguises the highly exclusive nature of these missions. Whilst they seem to suggest that there is a stake for ordinary citizens in the vast space frontier, the reality is that these self-described space pioneers are a member of a narrow ‘cosmic elite’ – “founders of Amazon.com, Microsoft, Pay Pal… and a smattering of games designers and hotel magnates” (Parker, 2009: 91). Indeed, private space enterprises have themselves suggested that they have no obligation to share mineral resources extracted in space with the global community (Klinger, 2017: 208). This is reflected in the speeches of individuals such as Nathan Ingraham, a senior editor at the tech site EngadAsteroid mining, who claimed that asteroid mining was “how [America is] going to move into space and develop the next Vegas Strip” (Shaer, 2016: 50). Such comments highlight a form of what Beery (2016) defines as ‘scalar politics’. In similar ways to the ‘scaling’ of unequal international relations that has constituted our relationship with outer space under the guise of the ‘global commons’ (Beery, 2016: 99), private companies – through their anthropogenic discourse – are scaling existing Earth-bound wealth inequalities and social relations into space by siphoning off extra-terrestrial resources. By constructing their endeavours in ways that appeal to the common good, NewSpace actors are therefore concealing the reality of how commercial resource extraction serves the exclusive interests of their private shareholders at the expense of the vast majority of the global population.

**[2] Appropriation is intrinsically exclusive and denies experimentation and guts deliberative procedures by creating permanent, unchanging bounds that exclude communal deliberations over certain regions through exclusivity**

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

## Method

**Academic spheres like debate require pragmatic transformations like the aff to create empowerment, independence, and stop dogmatism**

**Taatila & Raij 12** [TAATILA, V., & RAIJ, K. (2012). Philosophical Review of Pragmatism as a Basis for Learning by Developing Pedagogy. Educational Philosophy and Theory, 44(8), 831–844. doi:10.1111/j.1469-5812.2011.00758.] cw//az

The authors of this paper do not claim that a natural world would not exist without social construction made by humans. However, if the goal is to have an effect on social practices, there should be a strong emphasis in any research activities on social construc- tion, acceptance and delivery mechanisms of revealed ‘truths’. A university needs to pay attention to the learning practices that are most effective in creating a social and personal acceptance of the subjects in curriculum and the competence to use this information in practice (Fugate & Jefferson, 2001). There is also a need to pass on the understanding and willingness to act on the ever-changing nature of science. As we know, in any academic subject some theories may be outdated at any time, and the alumni should be able to accept these changes and accommodate them into their own practices. Thus university graduates should be in a constant learning cycle, always acquiring new knowledge in addition to and replacement of the old truths (Chisholm, 2000). Learning is in a central position within a pragmati[sm]c framework. Since pragmatism [it] aims at translating useful knowledge of real-life problems into action, people must constantly acquire new knowledge and skills. The goal of learning is to create constantly new competence to fit the contemporary situation, or in Dewey’s words: ‘Instead of repro- ducing current habits, better habits shall be formed, and thus the future adult society can be an improvement of their own’ (Parker, 2003, xviii). Pragmatism does not see education only as an academic exercise to increase general knowledge, but also as an answer to why and what should one learn, and what the student will use learning for. Pragmatic learning is vocationally directed, so every learning situation should lead toward increased practical competence. This view is held in all types of learning situations, from deep science to very practical skills. ‘According to lecture method [realism] we live in order to learn, but according to the case method [pragmatism] we learn in order to live’ (Ardalan, 2008, p. 22). The pragmatic approach to education strongly critiques transmission-type teaching. Dewey in particular opposed this approach. He saw that the world was frequently presented to students as a set of ready-made knowledge, facts and laws, which scien- tists know to be untrue. For Dewey, the educative process was created by development and growth that takes place in intelligent inquiries into the environment (Seltzer-Kelly, 2008, pp. 293–294). An important aspect of teaching was not on the subject per se, but on making students learn to use scientific methods, and think and act on their own initiative. The requirements on the teacher in a pragmatic context are enormous. It is not sufficient to know the subject matter, but to be able to focus on the individual growth of the students, and to be able to ‘teach’ in open situations to solve problems with no fixed amount of variables. ‘The teacher must ... pay close attention to the particularities, to the individual students and their environmental influences, so that every instructional strategy can be adjusted in light of these’ (Seltzer-Kelly, 2008, p. 299). Dewey saw the teacher’s job as constant interactive intervention to contemporary problems with and by the students, to cultivate[s] the students with a caring but firm hand like that of a gardener (Seltzer-Kelly, 2008, p. 299). All this leads to a requirement for strong pedagogical skills. A teacher must master a large number of different methods to support learning, and be able to vary them according to situational needs ‘Only knowledge of the principles upon which all methods are based can free the teacher from dependence upon the educational nostrums which are recommended like patent medicines, as panaceas for all educational ills’ (McLellan & Dewey, 1908, p. 10). Still, the teacher is not the most important individual in a pragmatic learning process. The learner, the student, is most important. All learning takes place within the student. No amount of given support, instructions and facts can force her to learn if she actively opposes learning. In the pragmatic approach the student must be placed within the situation to personally experience the problems. In pragmatic learning environments, the students ‘... impose a meaningful framework on the unruliness of the case facts. They search for the key pieces of data, distinguishing central facts from peripheral ones. They organize the conflicting explanations and alternatives presented to them, and arrive at a reasonable recommendation for action. They express their views, feelings, reactions, attitudes, and prejudices which are reinforced or rejected by their colleagues. They have the opportunity to re-evaluate and re-appraise their recommendation, character, and personality’ (Ardalan, 2008, p. 28).

**Our framework moves away from abstraction and understands knowledge as changing in order to base social change and revision of ideas.**

**Glaude 7’** Eddie S. (Eddie S. Glaude Jr. is the chair of the Center for African-American Studies and the William S. Tod Professor of Religion and African-American Studies at Princeton University.) In a Shade of Blue : Pragmatism and the Politics of Black America. University of Chicago Press, 2007. EBSCOhost. (5-7). Dulles AS

In a Shade of Blue is my contribution to the tradition I have just sketched. My aim is to think through some of the more pressing conceptual problems confronting African American political life, and I do so as a Deweyan prag-matist. I should say a bit about what I mean by this self-description. John Dewey thought of philosophy as a form of cultural and social criticism. He held the view that philosophy, properly understood as a mode of wis-dom, ought to aid us in our efforts to overcome problematic situations and worrisome circumstances. The principal charge of the philosopher, then, is to deal with the problems of human beings, not simply with the problems of philosophers. For Dewey, over the course of his long career, this involved bridging the divide between science, broadly understood, and morals—a divide he traced to a conception of experience that has led philosophers over the centuries to tilt after windmills. Dewey declared, “The problem of restoring integration and co-operation between man’s beliefs about the world in which he lives and his beliefs about values and purposes that should direct his conduct is the deepest problem of any philosophy that is not isolated from life.”9Dewey bases this conclusion on several features of his philosophy: (1) anti foundationalism, (2) experimentalism, (3) contextualism, and (4) soli-darity.10 Antifoundationalism, of course, is the rejection of foundations of knowledge that are beyond question. Dewey, by contrast, understands knowledge to be the fruit of our undertakings as we seek “the enrichment of our immediate experience through the control over action it exercises.”11He insists that we turn our attention from supposed givens to actual consequences, pursuing a future fundamentally grounded in values shaped by experience and realized in our actions. This view makes clear the experimental function of knowledge. Dewey emphasized that knowledge entails efforts to control and select future experience and that we are always con-fronted with the possibility of error when we act. We experiment or tinker, with the understanding that all facts are fallible and, as such, occasionally afford us the opportunity for revision.12Contextualism refers to an understanding of beliefs, choices, and actions as historically conditioned. Dewey held the view that inquiry, or the pursuit of knowledge, is value-laden, in the sense that we come to problems with interests and habits that orient us one way or another, and that such pursuits are also situational, in the sense that “knowledge is pursued and produced somewhere, some when, and by someone.”13Finally, solidarity captures the associational and cooperative dimensions of Dewey’s thinking. Dewey conceives of his pragmatism as “an instrument of social improvement” aimed principally at expanding democratic life and broadening the ground of individual self-development.14Democracy, for him, constitutes more than a body of formal procedures; it is a form of life that requires constant attention if we are to secure the ideals that purportedly animate it. Individuality is understood as developing one’s unique capacities within the context of one’s social relations and one’s community. The formation of the democratic character so important to our form of associated living involves, then, a caring disposition toward the plight of our fellows and a watchful concern for the well-being of our democratic life.

**Social relations are dynamic and constantly being decentered from normative systems of knowledge; only pragmatism’s understanding of interactive knowledge production can mitigate entrenched violence.**

**Kadlec 8**, Alison. "Critical pragmatism and deliberative democracy." Theoria 55.117 (2008): 54-80. (doctorate in political science from the University of Minnesota and bachelor's degrees from Michigan State University in political theory, constitutional democracy and English literature.)//Dulles AS

Social Intelligence: The Critical Potential Lived Experience Though human nature is intersubjectively generated on an ongoing basis, we are not merely the products of Platonic conceptions of ourselves. Individuals are cultivated in and by society through experiential processes in which we are acted upon, and act back upon a dynamic environment. For Dewey, 'experience' connotes a very specific process that stands in stark contrast to the traditional conception of experience as a matter of private consciousness. Because Dewey's notion of experience is social, active, and educative, what he calls the 'experiential continuum' is the process by which we are best able to develop social intelligence. The 'experiential continuum' is characterised by our enduring and undergoing the consequences of our actions, and intelligence is to be understood as the self-conscious and ongoing process of adjusting our attitudes in light of these consequences.25 In The Public and Its Problems , Dewey gives this view of intelligence a decidedly deliberative spin when he says, 'we lie, as Emerson said, in the lap of an immense intelligence. But that intelligence is dormant and its communications are broken, inarticulate and faint until it possesses the local community as its medium'.26 In 'Ethical Principles Underlying Education', Dewey is more explicit in explaining his view of the relationship between social intelligence and the normative commitment to democracy in his declaration that 'ultimate moral motives and forces are nothing more nor less than social intelligence the power of observing and comprehending social situations and social power trained capacities of control at work in the service of social interest and aims'.27 Dewey's unflagging faith in the transformative potential of social intelligence intrinsic to democracy as a way of life is not Utopian, nor is it based on a belief that all problems are finally solvable. Rather, it expresses a moral commitment that suggests that a working faith in social intelligence is our best shot at crafting habits and institutions that will further encourage us to identify new opportunities for the expansion of our capacities moving forward. The upshot here is that democracy as a way of life means, above all, that we stop thinking of democracy as a thing and start thinking about it as a way. Democracy is belief in the ability of human experience to generate the aims and methods by which further experience will grow in ordered richness. . . . Democracy is the faith that the process of experience is more important than any special result attained, so that the special results achieved are of ultimate value only as they are used to enrich and order the ongoing process. Since the process of experience is capable of being educative, faith in democracy is all one with faith in experience and education. All ends and values that are cut off from the ongoing process become arrests and fixations. They strive to fixate what has been gained instead of using it to open the road and point the way to new and better experiences.28 On this account, social intelligence is not a possession, it is a de-centred and educative process of ordering our experiences through manifold communication. The guiding principles, then, of social intelligence are 1) the protection and expansion of our capacity for free and communicative inquiry and 2) the protection and expansion of our capacity to perceive the shared consequences of our habits and policies. We judge the goodness or badness of these consequences by evaluating the way they act back on and impact our individual capacities for free inquiry that inform the ongoing development of social intelligence In turn, the 'proper conditions' for social intelligence then are those that increase our ability to perceive the complex shared consequences of our choices and practices. Intelligence is social in pragmatism because it requires the development of both firstand second-order attitudes that can only take place in an ongoing process of communication. Free inquiry is not just a matter of having the opportunity to seek information that will allow for the generation of thoughtful attitudes about issues, it is also a matter of appreciating and harnessing the democratic potential of second-order attitudes (attitudes about our attitudes). We are not passive receivers of information, but dynamic interactors, and therefore intelligence is intrinsically communicative. Free inquiry is the engine of social intelligence, which is in turn based on our willingness to have our firstorder attitudes adjusted in light of our second-order attitudes.29 The ongoing mutual adjustment of our first-order and second-order attitudes through a back and forth process between the two emerges only to the extent that we have the opportunities to communicate freely with others, and this is none other than the 'method' of social intelligence. The goal of communicative inquiry then is to build an ever richer context for the ongoing development of our ability to perceive the relationship between our beliefs, practices, and institutions. By taking a principal focus on increasing our ability for evermore sophisticated perception of the consequences of our habits of thought and action, we will be better equipped to distinguish between those habits that improve and those that impede our capacities for free inquiry. This is the material of problem-solving, as it is just this capacity for free inquiry that makes it possible to identify common problems in a way that they may be productively addressed. Turning back to the challenges leveled by radical democratic theorists, we can begin to see the opportunities made possible by critical pragmatism. Tapping into the critical potential of lived experience under conditions of unalterable changefulness begins with the therapeutic recognition that there is no such thing as a unified field of power directed entirely by stable and fixed interests. The first implication here is that there are always new opportunities to exploit cracks and fissures in various structurally entrenched forms of power. Second, the essentially complexity and flux of our world is always producing new opportunities for transformative resistance and for the development of more creative approaches to meaningful deliberation. Critical pragmatism pivots on the notion that under such conditions what we most need are not fixed and static foundations, we need the flexible habits of inquiry and communication that make it possible to both identify pernicious obstacles to deliberation and to challenge, circumvent, or neutralise their impact.

#### Robust social psychology evidence verifies our approach – transformations like the aff intervene in social norms and prevent the formation of implicit biases

**Matthew 15.** Dayna Bowen Matthew, William L. Matheson and Robert M. Morgenthau Distinguished Professor of Law at UVA School of Law, F. Palmer Weber Research Professor of Civil Liberties and Human Rights, previously served on the University of Colorado law faculty as a professor, vice dean and associate dean of academic affairs, J.D. from the University of Virginia (*Just Medicine: A Cure for Racial Inequality in American Health Care*, “From Inequity to Intervention,” New York University Press, pages 155-158

Evidence that Implicit Biases Are Malleable Social scientists have developed a body of empirical evidence that shows implicit biases are malleable over the past quarter century.2 The empirical record is now well established and offers strong evidence that implicit attitudes are neither inaccessible nor inescapable; they are not impossible to control; they are not out of reach. In fact, implicit associations can be influenced both by the individual who unconsciously holds these stereotypes and prejudices and by external factors. Researchers have reported and reviewed numerous studies3 that put two important misconceptions about implicit biases to rest. First, the evidence demonstrates that unconscious implicit attitudes are responsive to the deliberate choices and influences of an individual even though that person is not consciously experiencing the bias. Second, implicit biases are not impervious to relatively short-term change even though they arise from social knowledge that was acquired slowly, and over a lifetime. In fact, the evidence reveals that learning can continue to take place and alter social group knowledge, after initial attitudes and associations are formed. Take, for example, a person who developed bad driving habits over time and subconsciously incorporated those habits into driving behavior for many years. If this person chooses to be mindful of improving his or her driving, either out of a conscious decision to do so or in response to external influences, those bad habits can be altered. External authorities may incentivize improvement through a media campaign, new rules of the road, prosecution for reckless driving, or a driver’s education class. Thus, malleability describes an ongoing learning process in which people with old, objectionable implicit biases learn to respond to newer, more appropriate attitudes and beliefs. Put another way, longstanding and unconscious thinking can change. This understanding of malleability is called the “connectionist” model of implicit bias. Unlike the prior notion that implicit associations are static and inaccessibly fixed, the empirical record reveals that stereotypes and prejudicial beliefs to which we may adhere at any given time are “states” of thinking that form based on past experiences and current inputs. Biases can be revised depending upon current informational inputs gathered and weighed with each new encounter. This flexible view of stereotyping replaces an outdated rigid one and allows for the evidence that individuals can constantly update the stored group knowledge that produces implicit biases. The connectionist model explains that a stereotype is merely a pattern of activation that, at a given point in time, is jointly determined by current input (i.e., the context) and the weight of the new information’s connection to existing and underlying beliefs.4 Psychologists now conclude that “stereotypes are quite elastic and thus any individual could hold and even change an infinite number of representations of social category’s members, when viewed across time and place.”5 The connectionist model contrasts with early theories of implicit bias, which focused on their automaticity. “Automaticity” refers generally to the way that individuals make associations without any awareness, without intentionality, and without responsibility for the influence the associations have in directing their conduct and choices.6 Early researchers concluded that automaticity meant inevitability. For example, one researcher said, “a crucial component of automatic processes is their inescapability; they occur despite deliberate attempts to bypass or ignore them.”7 This view is no longer correct. Over the past twenty years, researchers have collected a strong record to contradict this notion that implicit attitudes change slowly, if at all, simply because they develop slowly over time. This idea has been replaced by what Dr. Irene Blair has called “the now-bountiful evidence that automatic attitudes—like self-reported attitudes—are sensitive to personal, social, and situational pressures.”8 Blair points out that “the conclusion that automatic stereotypes and prejudice are not as inflexible as previously assumed is strengthened by the number and variety of demonstrations. . . . The fact that the tests were conducted in the service of many different goals, and by the similarity of findings across different measures.”9 The importance of understanding that implicit biases are malleable cannot be overstated. First, malleability means that interventions may be strategically introduced to provide current inputs that alter implicit biases. Thus, we can expect that implicit biases can be reduced. To say that biased attitudes may be “reduced” is to say that current informational inputs can be adjusted so that the resulting stereotype patterns no longer conform to traditional, discriminatory, or inequitable stereotypes, but instead lead individuals and institutions to more equitable judgments and more equitable conduct. Furthermore, malleability also means that the discriminatory impacts that result from implicit biases also may be reduced. The research that gave rise to the connectionist model has provided important insights concerning the several methods available to individuals and institutions wishing to ameliorate the discriminatory impact of decisions and conduct informed by implicit biases, stereotyping, and prejudice. Finally, by demonstrating that even subconscious racial biases are within reach and control, researchers have provided a sound basis for holding individuals and institutions responsible for reducing implicit racial and ethnic biases and for reducing the discriminatory harms caused by unconscious racism.

**That requires methodological pluralism - that creates a more rigorous solution**

Roland **Bleiker 14**, Professor of International Relations, University of Queensland, “International Theory Between Reification and Self-Reflective Critique,” International Studies Review, 16(2), 6-17-2014, p.325-327

This book is part of an increasing trend of scholarly works that have embraced poststructural critique but want to ground it in more positive political foundations, while retaining a reluctance to return to the positivist tendencies that implicitly underpin much of constructivist research. The path that Daniel Levine has carved out is innovative, sophisticated, and convincing. A superb scholarly achievement. For Levine, the key challenge in international relations (IR) scholarship is what he calls “unchecked reification”: the widespread and dangerous process of forgetting “the distinction between theoretical concepts and the real-world things they mean to describe or to which they refer” (p. 15). The dangers are real, Levine stresses, because IR deals with some of the most difficult issues, from genocides to war. Upholding one subjective position without critical scrutiny can thus have far-reaching consequences. Following Theodor Adorno—who is the key theoretical influence on this book—Levine takes a post-positive position and assumes that the world cannot be known outside of our human perceptions and the values that are inevitably intertwined with them. His ultimate goal is to overcome reification, or, to be more precise, to recognize it as an inevitable aspect of thought so that its dangerous consequences can be mitigated. Levine proceeds in three stages: First he reviews several decades of IR theories to resurrect critical moments when scholars displayed an acute awareness of the dangers of reification. He refreshingly breaks down distinctions between conventional and progressive scholarship, for he detects self-reflective and critical moments in scholars that are usually associated with straightforward positivist positions (such as E.H. Carr, Hans Morgenthau, or Graham Allison). But Levine also shows how these moments of self-reflexivity never lasted long and were driven out by the compulsion to offer systematic and scientific knowledge. The second stage of Levine's inquiry outlines why IR scholars regularly closed down critique. Here, he points to a range of factors and phenomena, from peer review processes to the speed at which academics are meant to publish. And here too, he eschews conventional wisdom, showing that work conducted in the wake of the third debate, while explicitly post-positivist and critiquing the reifying tendencies of existing IR scholarship, often lacked critical self-awareness. As a result, Levine believes that many of the respective authors failed to appreciate sufficiently that “reification is a consequence of all thinking—including itself” (p. 68). The third objective of Levine's book is also the most interesting one. Here, he outlines the path toward what he calls “sustainable critique”: a form of self-reflection that can counter the dangers of reification. Critique, for him, is not just something that is directed outwards, against particular theories or theorists. It is also inward-oriented, ongoing, and sensitive to the “limitations of thought itself” (p. 12). The challenges that such a sustainable critique faces are formidable. Two stand out: First, if the natural tendency to forget the origins and values of our concepts are as strong as Levine and other Adorno-inspired theorists believe they are, then how can we actually recognize our own reifying tendencies? Are we not all inevitably and subconsciously caught in a web of meanings from which we cannot escape? Second, if one constantly questions one's own perspective, does one not fall into a relativism that loses the ability to establish the kind of stable foundations that are necessary for political action? Adorno has, of course, been critiqued as relentlessly negative, even by his second-generation Frankfurt School successors (from Jürgen Habermas to his IR interpreters, such as Andrew Linklater and Ken Booth). The response that Levine has to these two sets of legitimate criticisms are, in my view, both convincing and useful at a practical level. He starts off with depicting reification not as a flaw that is meant to be expunged, but as an a priori condition for scholarship. The challenge then is not to let it go unchecked. Methodological pluralism lies at the heart of Levine's sustainable critique. He borrows from what Adorno calls a “constellation”: an attempt to juxtapose, rather than integrate, different perspectives. It is in this spirit that Levine advocates multiple methods to understand the same event or phenomena. He writes of the need to validate “multiple and mutually incompatible ways of seeing” (p. 63, see also pp. 101–102). In this model, a scholar oscillates back and forth between different methods and paradigms, trying to understand the event in question from multiple perspectives. No single method can ever adequately represent the event or should gain the upper hand. But each should, in a way, recognize and capture details or perspectives that the others cannot (p. 102). In practical terms, this means combining a range of methods even when—or, rather, precisely when—they are deemed incompatible. They can range from poststructual deconstruction to the tools pioneered and championed by positivist social sciences. The benefit of such a methodological polyphony is not just the opportunity to bring out nuances and new perspectives. Once the false hope of a smooth synthesis has been abandoned, the very incompatibility of the respective perspectives can then be used to identify the reifying tendencies in each of them. For Levine, this is how reification may be “checked at the source” and this is how a “critically reflexive moment might thus be rendered sustainable” (p. 103). It is in this sense that Levine's approach is not really post-foundational but, rather, an attempt to “balance foundationalisms against one another” (p. 14). There are strong parallels here with arguments advanced by assemblage thinking and complexity theory—links that could have been explored in more detail.

**Ceding the political is inconsistent with pragmatic institutions and inevitably makes the problem worse--solidarity is a sequencing question**

**Mouffe 16** (Chantal – professor in the Department of Politics and International Relations at the University of Westminster, interviewed by Waleed Shahid, “America in Populist Times: An Interview With Chantal Mouffe,” 12/15/16, <https://www.thenation.com/article/america-in-populist-times-an-interview-with-chantal-mouffe/>)

Trump’s base is also part of the popular classes because they have also been abandoned by neoliberalism. The white working and middle classes used to have more social and economic rights, and Trump is using a racist populism to appeal to that feeling and construct a new political identity beyond just left versus right. “The left must create…a ‘a populist frontier’ of all the popular classes against the elites and establishment.” In response, the left must create what I call a “a populist frontier” of all the popular classes against the elites and establishment. The only candidate who could have provided this alternative was Sanders. In France, the majority of the working class is voting for Marine Le Pen. It’s easy to understand, because these sectors have become the losers in globalization. Le Pen has been able to articulate—in a xenophobic vocabulary—the demands of the popular classes. They are democratic demands. They are ordinary people who are suffering. But Le Pen comes with the discourse: “I understand that you are suffering. The people who are responsible are the immigrants.” She is establishing a frontier against immigrants. Le Pen says that she cares about the people while the French Socialist Party—like Clinton—has no discourse about people’s genuine problems with the status quo. People don’t trust the establishment leaders and parties anymore. They no longer convince. It seems to me that this is what Sanders was trying to do. He was giving another answer. The adversary is not immigrants, but it’s Wall Street and financial interests. This is left-wing populism. But it’s not only about the demands of the working class. It’s also about establishing what I call “a chain of equivalence” between different sectors: the demands of the feminists, civil rights, and different movements. A chain of equivalence is very difficult to establish on the left. It means that the groups in the chain each have their own particular relation to the power structure. But they are still able to act in a unified manner around some form of a common agenda. But the chain is not about uniting all demands into one single and homogeneous movement. This grouping of forces simply begins to see themselves in solidarity with one another and disadvantaged by the existing power structure. Each link in the chain remains distinct, but they begin to operate together, in concert. But in order to for the chain of equivalence to be established, you need to define a common adversary. That’s how it becomes a united chain. Do you think Sanders was able to establish a chain of equivalence? To some degree, yes. Over the last 10 years there has been a renaissance of movements led by young people in the United States: immigrant rights, Occupy Wall Street, the climate movement, Black Lives Matter, and Fight for 15. Sanders repeatedly called for a “political revolution” to take on Wall Street and the billionaire class. This began to establish a kind of “chain” for all the dissatisfied people who did not belong to any movements or organizations but felt activated by the fervor of the election season and Sanders’s message. But his campaign didn’t really tell a story about “America” in the same way that Trump did. And many writers criticized his campaign’s inability to narrate the connection between racism and economic inequality—perpetually central to the politics of the United States. I speak a lot about populism in Europe. But many Europeans don’t like the term “populism” because it connotes fascism or strongman leadership. But in America you do have a tradition of progressive populism. You don’t have the same stigma, do you? There was some stuff coming out of liberal and pro-Clinton sectors of the media and political class about Sanders’s angry and divisive rhetoric. One Democratic politician even called Sanders a McCarthyite because he wanted to put politicians who took money from banks on “show trials.” Some people characterized Sanders’s base as an angry mob unwilling to listen and compromise. But you’re right; I don’t think it has the same negative connotations as in Europe. I do still think that the culture of the left in the United States is somewhat averse to populism because we are averse to universalist politics. The dominant political framework on the left is intersectionality, and a particular stand of intersectional discourse has often led the left into particularism and difference rather than universalism. Solidarity among the working class has always been fraught due to the persistence of racism. Yes, this is also a major problem. But I do not like the term “universalism.” I prefer the term “establishing a collective will.” This is about how we think about different people coming together for common cause and aspirations. Do we have the right tools and language to think about this project? “In the United States, you have…too much identity politics and not enough collective struggle.” I am not talking about abandoning particular forms of struggle. But when we talk about collective will, we will inevitably create some contradictions. That is politics. The chain of equivalence is about mobilizing people together through their different struggles—we call this a convergence of struggles. And creating a bond between those struggles in a way that recognizes the specificities of different struggles but also fiercely recognizing the commonalities and solidarities among the various struggles. In the United States this is a very big problem to confront. There is a tendency in recent years in the American left toward a particular form of identity politics that doesn’t imagine itself as the powerful collective. We must recognize that there is a specificity to the feminist struggle or black struggle. Their form of domination is specific. We can’t say all of this is a product of capitalism and all we need is socialism. THE STAKES ARE HIGHER NOW THAN EVER. GET THE NATION IN YOUR INBOX. Enter Email SIGN UP! In Europe, the opposite tendency is very strong. People on the left say: “All those struggles are middle class and the main struggle is the class struggle.” It’s good to put this dogma into question. In the United States, you have the opposite problem. You have too much identity politics and not enough collective struggle. How do you bring these two things together? I discussed this with Iñigo Errejón from Podemos in our latest book, Podemos: In the Name of the People. Politics must be about establishing a collective struggle between a large “us” and a small “them.” This is the whole point. This rontier can be established in a traditional, Marxist way: working class versus the capitalists. But it doesn’t work in the United States because of racism and now will never work in Europe anymore. We need to establish a frontier in a populist way —the people versus the establishment and the elite. “The people” is a political construction. The task of the left is to construct “a people.” The difference between left and right is that we construct different forms of “the people.” The chain of equivalence is different. Left-wing populism is crucial to bring together all these struggles of identity alongside the working-class issues. Americans won’t confront the system of dominance unless you can answer this crucial question. I think that Sanders was able to put out a compelling identification and description of a “them” but he was less able to articulate an “us” or “the people.” I think President Obama, especially during his campaign in 2008, was much more adept at constructing an “us” but there was no identifiable “them” at all. I was not terribly excited about Obama. His politics was dogged by the neoliberal politics of consensus. Of course, I thought it was historic that a black man could be president of the United States. But I was always skeptical. My American friends were very enthusiastic. But he never defined a common adversary. Obama tried to reach an understanding with the Republicans and build consensus. When I came back to the United States in 2010, people on the left called him a traitor. But he never pretended to be a revolutionary. He never pretended to be radical. Some people on the left saw him as a radical. But Obama had told us all along, “We are good people, we are all going to come together.” “Like Occupy, many movements in Europe did not want any link with traditional institutions and parties.” Since Bill Clinton, the Democratic Party has become the party of Wall Street. This explains why many popular sectors are dissatisfied. The left should really try to understand this. There is no political expression for the real demands of the people other than Trump right now. Republicans have monopolized the representation of white people and what it means to be a “true American.” And Democrats have said they represent the minorities and the cosmopolitan classes. There are some among the Socialist Party in France who advocate that the party should forget the working class because they belong to Le Pen now and will never return to the Socialist Party. Now these leaders say that the Socialist Party is the party of immigrants and the cosmopolitan middle and upper classes. This is a huge problem. What do you think about the relationship between social movements and these new political parties? Like Occupy, many movements in Europe did not want any link with traditional institutions and parties. It is what we call “autonomism.” They wanted “real democracy” in the streets, no formal leaders and no parties. They were in favor of exodus from institutions and electoral politics. But after the explosion of the 15-M movement in Spain [the demonstrations in Madrid’s Puerta del Sol in May 2011], the right wing achieved an even larger majority in the next election partly because the movement told people to give up on the electoral and political system. It wasn’t that the right wing won more votes; it was because the Socialist Party lost 5 million votes due to absenteeism. This is the vacuum that Podemos stepped into because it was disastrous. “I am very critical of…a moment of total rupture with the existing status quo. This is not how revolutions work.” Movements cannot be left just to the streets. I am very critical of the idea of politics as fomenting a moment of total rupture with the existing status quo. This is not how revolutions work. At some point, mobilizations will lose steam. You cannot change things only on the horizontal level of social movements. You have to develop what Podemos calls “an electoral war machine.” You need to try to come to real power in the institutions and government. That is the line of Syriza as well. Many left-wing movements and leaders don’t want to engage in elections. This is true of movements in Greece and France. Many movement leaders say that elections are for the stupid sheep because politicians will always turn against you. There was a lot of opposition from the social movements about launching Podemos. And they are still criticized by the movement leaders for entering the parliamentary system. Many movement leaders continue to say that Podemos co-opted the movements and is now corrupted by parliamentary politics, but they are a minority. But Podemos never said that the only solution is entering into government. They say they are filling a void. Left-wing populism should see a relationship between the horizontal in the streets and vertical in the institutions. Some people say that the state and parties are corrupt so we only need social movements. Other people think that we only need to win elections and take seats in parliament. Both modes of thinking are wrong. We need an articulation of a “movement party” with a critical electoral dimension that is linked with the movements but also distinct and independent. But there is always tension between movements and parties. You write that the task of the left is to restore democracy and recover the social democratic tradition. Can you say more about this? Is social democracy still the horizon? I don’t know what people on the left mean when they talk about creating something new. The leaders of Podemos do not mean that they want the left to come back to traditional European social democracy of the mid-century. They are saying something that might be differently articulated in the United States. Podemos leaders state that there have been many social rights that have been won in the 20th century but have been dismantled by neoliberalism. The first step is to recover and expand those democratic rights. “The aim is still to radicalize democracy, but in order to radicalize it you first need to recover it.” When I wrote Hegemony and Socialist Strategy 30 years ago with Ernesto Laclau, we were still under a social-democratic hegemony. It was just the beginning of neoliberalism. Our argument was that we needed to radicalize democracy. We were saying to push forward what had been won under social democracy. We thought that social democracy had not been sensitive to new demands from the movements of feminism, anti-racism, ecology, and LGBT. These were not part of the traditional socialist agenda. Thirty years later, a lot of things that had been won have now been dismantled. When I talk about recovering democracy, we mean to recover all those rights that existed before they had been taken away. The aim is still to radicalize democracy, but in order to radicalize it you first need to recover it. We are living in post-democratic societies. We are in societies that call themselves democratic, but democracy here works in some sort of vacuum. There is no real possibility for people to exercise their rights of citizenship. We need to fight to reestablish a vibrant democracy and then fight for a radicalization of how we conceive of democracy. In the present state, we really are in a condition that is much worse than 50 years ago. The first step is to reestablish what has been lost. The ultra-left is wrong when they publicly advocate for the destruction of capitalism, of the state, and things like this. This is the part of the left that has always existed without any real influence, power, or strategy. We need a war of position where progressive forces can build real influence in civil society, the dominant institutions, mainstream culture, and the media. We need to start from the ordinary struggles that large portions of society face. There are lots of different struggles, but we need to establish a real chain of equivalence to confront the dominant struggles against a common adversary—and not simply link the struggles, which is only one step. The enemy is Wall Street, the political establishment, the oligarchy. We will always fail unless we articulate collective wills in the language of the people. This is the main problem that I see in the left in the United States. There is a huge gulf between the language of the people and the language of the movements. I understand it is not easy in the United States for a variety of reasons—there has never been a real left party in the United States and you live in an incredibly diverse country. But elections are where people must come together for common aspirations. Elections offer real opportunities to articulate different kinds of struggles in the form of a collective will. And this must be intentionally constructed. It’s latent and there, but the new political identity and bonds of solidarity must be actively constructed by leaders with care and discipline.

**Psychoanalysis is non verifiable**

**Beystehner 13**. Kristen, University of Georgia, “Psychoanalysis: Freud's Revolutionary Approach to Human Personality,” 2013

Storr (1981) insists, "Only a few fundamentalist psychoanalysts of an old-fashioned kind think that Freud was a scientist or that psychoanalysis was or could be a scientific enterprise," and that, "...to understand persons cannot be a scientific enterprise" (p. 260). Although many psychoanalysts themselves would undoubtedly consider psychoanalysis to be a science, many critics would disagree. Popper, by far one of psychoanalysis' most well-known critics and a strong critic of Grünbaum, insists that psychoanalysis cannot be considered a science because it is not falsifiable. He claims that psychoanalysis' "so-called predictions are not predictions of overt behavior but of hidden psychological states. This is why they are so untestable" (Popper, 1986, p. 254). Popper (1986) claims that only when individuals are not neurotic is it possible to empirically determine if prospective patients are currently neurotic (p. 254). Popper (1986) asserts that psychoanalysis has often maintained that every individual is neurotic to some degree due to the fact that everyone has suffered and repressed a trauma at one point or another in his or her life (p. 255). However, this concept of ubiquitous repression is impossible to test because there is no overt behavioral method of doing so (p. 254). Other critics claim that psychoanalysis cannot be considered a science due to its lack of predictions. Psychoanalysts, critics maintain, state that certain childhood experiences, such as abuse or molestation, produce certain outcomes or states of neurosis. To take this idea one step further, one should be able to predict that if children experience abuse, for instance, they will become characterized by certain personality traits. In addition, this concept would theoretically work in reverse. For instance, if individuals are observed in a particular neurotic state, one should be able to predict that they had this or that childhood experience. However, neither of these predictions can be made with any accuracy (Colby, 1960, p. 55). Additional critics insist that psychoanalysis is not a science because of the lack of interpretive rules or regulations. Colby (1960) contends that critics of psychoanalysis have difficulties with the idea that "there are no clear, intersubjectively shared lines of reasoning between theories and observations" (p. 54). For instance, one psychoanalyst will observe one phenomenon and interpret it one way, whereas another psychoanalyst will observe the same phenomenon and interpret it in a completely different way that is contradictory to the first psychoanalyst's interpretation (Colby, 1960, p. 54). Colby (1960) concludes that if analysts themselves cannot concur that a certain observation is an example of a certain theory, then the regulations that govern psychoanalytic interpretation are undependable (p. 55). Eysenck (1986) maintains:Zizhave always taken it for granted that the obvious failure of Freudian therapy to significantly improve on spontaneous remission or placebo treatment is the clearest proof we have of the inadequacy of Freudian theory, closely followed by the success of alternative methods of treatment, such as behavior therapy. (p. 236) Whereas critics, such as Popper (1986), insist that Freud's theories cannot be falsified and therefore are not scientific, Eysenck claims that because Freud's theories can be falsified, they are scientific. Grünbaum (1986) concurs with Eysenck that Freud's theory is falsifiable and therefore scientific, but he goes one step further and claims that Freud's theory of psychoanalysis has been proven wrong and is simply bad science.

## Advantage

**Space race coming now and escalates nuclear**

**Delgado-Perez 20** Veronica Delgado-Perez. 12/14/20. Argument | The Commercialization of Space Risks Launching a Militarized Space Race.<https://www.theintlscholar.com/periodical/12/14/2020/analysis-commercialization-space-risk-international-law-military-space-race> [Veronica Delgado-Perez is a Staff Writer at The International Scholar.] // CVHS SR

Fundamentals of the Final Frontier It is a geopolitical imperative to determine what, if any, commercial activities and use of extraterrestrial resources are permitted within the confines of international law. Without clear-cut agreements on what activity is recognized by international law, the world will undoubtedly see states push the boundaries ever further in an attempt to gain the edge over geopolitical competitors — even more-so in an era of renewed great power competition. Yet to date, there exists no comprehensive treaty or legal reference to commercial activity in space. However, this should come as no surprise. It has only been since the turn of the century that technology and markets have progressed to the point where commercial space exploration and exploitation has become possible. Only recently have experts and analysts of geopolitics and international law begun to seriously examine questions surrounding the legal framework that would govern extraterrestrial resource-mining and other commercial activities. In the last decade, the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) dealt with commercial aspects in outer space. In one of their last reports, the Committee expressed that the era of the commercial utilization of outer space’s resources is intrinsically linked to the escalation of international competition over resources, which could threaten international peace and security. By encouraging the international community to engage in outer space’s activities for the benefit of humankind as a whole, “some delegations” have expressed that states should avoid the promotion of laws and regulations related to the commercialization of outer space, arguing that it should be considered the heritage of all humanity. In that regard, states must then ensure that domestic law on the use of outer space complies with international space law, which means that states should respect the principles outlined in the Outer Space Treaty and ensure that national regulations do not contravene international provisions. Even though the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies (which entered into force in 1967), refers to the exploration and use of outer space, it does not address questions of a commercial nature, which compromises the ability of states and international actors to address new challenges to extraterrestrial activities. In several provisions, the treaty highlights that these activities may be carried out for peaceful purposes and the benefit of all people, reaffirming that outer space is not subject to national appropriation. Were outer space not considered a global commons, that would imply that the resources and results of commercial exploration may fall within the jurisdiction of a country. It is thus incumbent upon Washington — and its commercial enterprises — to demonstrate how American commercial exploration of space benefits other countries and complies with international space law, or otherwise to adhere to the spirit of past treaties which emphasize the impartiality of outer space until such time as the law is clarified. International Law is Adrift in Space The potential benefits of commercial space exploration cannot be ignored. From an economic standpoint, the space industry would generate a significant economic boon for both states and private companies, due to the abundance and variety of resources — particularly scarce minerals that are difficult to extract on Earth. As one example of the vastness of resources held in outer space, one asteroid has the potential to contain more than the total supply of platinum extracted throughout the history of mankind. It may very well open the door to an advanced era of space navigation, building extraterrestrial infrastructure that facilitates the exploration and use of space’s resources, and extra-planetary human habitation. Inevitably, there are significant drawbacks to the commercialization of space exploration. These can vary, for instance, from the commercial dominance of space’s natural resources only by those states with the technical and financial capital to support space missions, to geopolitical competition over extraterrestrial resources that threatens world peace and security, to the potential for the monopolization of extraterrestrial resources by states and private companies. As was the case during the Cold War, the Soviet Union and the United States began a Space Race in which they struggled to achieve supremacy in space exploration and domination of science. Today, the number of space powers has increased thanks to continual advancements in flight, combustion, and fueling technologies. In the three decades since the end of the Cold War, technologically advanced countries like China, Japan, and France which previously had no space program have successfully navigated to the top tier of space-faring agencies and programs. In 2018, the U.S. allocated $41 billion to space programs, followed by China at $5.8 billion, and Russia at $3.1 billion. Collectively, the three major space powers control almost 65% of the global industry, showing space powers are monopolizing space and reinforcing the inequality gap between states that do not have sufficient economic and technological capacity to invest. With new actors on the game stage, conflicts of interest may arise. There is a risk that each actor adopts a kind of short-term Realist approach to space policy — one which is driven by self-interest in reaping the greatest benefits of extraterrestrial exploration and commercialization while controlling access to others. If unmitigated, states may choose to militarize outer space to gain a strategic edge over competitors and adversaries. This process has already begun. Under the Trump administration, the Pentagon established the U.S. Space Force as a new branch of the Armed Forces to protect the country and allied interests in space. Already, Delta 4 — one of the U.S. Space Force’s missions — conducts strategic and theater missile warnings, manages weapon systems, and provides information to missile defense forces. The measure shows that for the U.S., outer space is not only a domain of scientific exploration but has the potential to become increasingly securitized. With the impending expiration of the Strategic Arms Reduction Treaty (START) between the U.S. and Russia on February 5, 2021, a number of security dilemmas could arise. If the world’s two largest nuclear powers do not edge toward extending the treaty, Washington and Moscow risk returning to the era of unrestricted expansion of launch platforms and strategically-deployed nuclear warheads — potentially with the aid of military infrastructure in space. Although President-elect Biden has expressed his interest in negotiating an extension of New START, how Moscow and Washington might proceed remains an open question. Bilateral progress towards a new arms-control regime would require establishing limits on the number and range of long- and mid-range missiles, establishing measures to limit the expansion of traditional missile deployment to space, and banning the deployment of nuclear weapons and weapons of mass destruction in outer space. More than the risk of the securitization of space, state, and private actors could begin to claim exclusive legal rights over the resources they discover. Indeed, the U.S. Commercial Space Launch Competitiveness Act, which came into force in 2015, expressly recognizes the right of U.S. Citizens to possess, own, transport, use, and sell space resources. By this means, domestic law already acknowledges the legal claim to property by individuals, which is prohibited by international law. Under the Outer Space Treaty, states renounced any traditional form of acquisition of territories and agreed not to foray unilaterally into space to extend their national policies on Earth or to exercise any kind of sovereignty over celestial bodies or resources. The absence of a modern international treaty that addresses these issues should be received with grave concern, as there is significant potential for risk to become reality. Existing UN treaties lack the technological context and foresight to address legal questions regarding the potential for commercial exploration and exploitation of outer space or its resources. During the sixties and seventies, when international instruments like the Outer Space treaty were conceived, the principal aim of states was to support and expand the scale of the state’s national capacity for operation in space and the development of legal instruments to guide state’s international cooperation in the peaceful exploration of outer space. These instruments were never designed to respond to commercial questions over mining or tourism in space, private investment in space activities, or the emergence of non-state private enterprises operating in space. As a result, private enterprises operating in the vacuum of space also float in an unstable legal vacuum which threatens to implode in geopolitical competition. Beyond Stars and States In an increasingly commercial outer space in which there are no set limits to the exploitation of resources or claim to property, states and private companies will inevitably pursue the development of new extraterrestrial industries to suit their geoeconomic interests. If unchecked, the legal protection of outer space as a domain of exploration for the benefit of all humanity would functionally fail. To protect investments and profit from national space industries, states would likely resort to military force to protect and secure private assets. Over time, space would ultimately become a fourth border domain over which states claim, exercise, and defend sovereignty — including through the use of force. The challenge is thus to prevent the circumstances that could lead to space-borne conflict before it is made possible. Notwithstanding, commercial exploration and the use of natural resources need not lead to predation among actors involved in space. The potential rewards — both technological and environmental — that could come from investment in the harvesting of resources in space are immense. International law cannot afford to wait for the security dilemma posed by commercial activity in space to manifest before addressing it but must anticipate and proactively adopt measures to address future issues that govern extraterrestrial human activity. The only remedy for the lack of legal governance over commercial activity in space is the creation of new international laws through a comprehensive international treaty on commercial operations in space. The new treaty must expressly regulate commercial activities by states and private companies, enshrine an international liability and compensation regime covering damages caused with workable sanction provisions, and reinforce norms that restrict any militarization of outer space. The international community should focus its efforts on establishing a legal regime, with mandatory provisions (rather than non-binding resolutions, observations, commentaries, and conclusions) which generate both international responsibility and provide enforceable sanctions in the event of violations. The effort should be borne out by expanding the scope and strengthening the oversight powers of the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS), rather than creating a new organ with redundant bureaucracy. Beyond the tasks of encouraging space research programs, studying space activities, and addressing legal questions, COPUOS should be granted the necessary powers to perform control and oversight monitoring functions. Experience has taught the international community that cooperative arrangements between states and international organizations can prevent competition for resources from escalating to kinetic conflict. Through cooperation, there is a chance to preserve extraterrestrial resources for future generations, secure an equitable allocation of resources and benefits with a mind to each country’s specific needs, and prevent the expansion of geopolitical conflict to the domain of space. Space powers must recognize the value in partnering with other states to advance the development of space programs more efficiently. It should be clear now that all nations could reap the benefits of collective action, exploration, and commercialization of resources from beyond Earth’s atmosphere while preventing a drawn-out international conflict to the final frontier. The will of states not to jeopardize the fundamental basis of international law must be reflected in coordination and surveillance efforts to ensure that the advantages derived from space exploration allow humanity to continue evolving.

**Extinction–flips svio by disproportionately hurting those with least resources to adapt**

**Starr 15** [Steven, Senior Scientist for Physicians for Social Responsibility (www.psr.org) and Director of the Clinical Laboratory Science Program at the University of Missouri. Starr has published in the Bulletin of the Atomic Scientists and the Strategic Arms Reduction (STAR) website of the Moscow Institute of Physics and Technology] “Nuclear War: An Unrecognized Mass Extinction Event Waiting To Happen.” Ratical. March 2015. https://ratical.org/radiation/NuclearExtinction/StevenStarr022815.html TG

A war fought with 21st century strategic nuclear weapons would be more than just a great catastrophe in human history. If we allow it to happen, such a war would be a mass extinction event that ends human history. There is a profound difference between extinction and “an unprecedented disaster,” or even “the end of civilization,” because even after such an immense catastrophe, human life would go on. But extinction, by definition, is an event of utter finality, and a nuclear war that could cause human extinction should really be considered as the ultimate criminal act. It certainly would be the crime to end all crimes. The world’s leading climatologists now tell us that nuclear war threatens our continued existence as a species. Their studies predict that a large nuclear war, especially one fought with strategic nuclear weapons, would create a post-war environment in which for many years it would be too cold and dark to even grow food. Their findings make it clear that not only humans, but most large animals and many other forms of complex life would likely vanish forever in a nuclear darkness of our own making. The environmental consequences of nuclear war would attack the ecological support systems of life at every level. Radioactive fallout produced not only by nuclear bombs, but also by the destruction of nuclear power plants and their spent fuel pools, would poison the biosphere. Millions of tons of smoke would act to destroy Earth’s protective ozone layer and block most sunlight from reaching Earth’s surface, creating Ice Age weather conditions that would last for decades. Yet the political and military leaders who control nuclear weapons strictly avoid any direct public discussion of the consequences of nuclear war. They do so by arguing that nuclear weapons are not intended to be used, but only to deter. Remarkably, the leaders of the Nuclear Weapon States have chosen to ignore the authoritative, long-standing scientific research done by the climatologists, research that predicts virtually any nuclear war, fought with even a fraction of the operational and deployed nuclear arsenals, will leave the Earth essentially uninhabitable.

## Underview

**[1] Aff theory**

**[a] Drop the debater - 7463 speech structure means short 1ars and 2ars are always time crunched and can’t win both layers in half the time - being able to collapse is necessary.**

**[b] No rvi -**

**[1] lets them dump for 13 or 6 minutes straight and win on sheer brute force since we only have half the time which undermines our ability to collapse to the best layer**

**[2] their speeches are double the time - forcing them to answer the shell AND win another layer splits it in half to even it out**

**[3] specifically none for preemptive violations since the debate would end right there with 7 minutes on a 20 second shell - the whole AC can't be the shell cuz they can choose not to violate**

**[c] Competing interps - 13 minutes to dump on a shell means they should easily be able to generate offense since they already had the advantage in the theory debate which compensates as sufficient defense**

**[d] Fairness and education are voters – debate’s a game that needs rules to evaluate it and it teaches portable skills that we use lifelong**

**[e] No 1NC contestation of paradigm issues because I would need to win 2 things, which is irreciprocal**

**[f] No 2NR “I meets” -- skews theory ground because they’re each a NIB for me to winning theory which kills my ability to check abuse**

**[2] Procedurals outweigh:**

**[a] Testing - theory controls our internal link to being able to discuss and test the truth value of other arguments in the first place, making it a meta constraint**

**[b] Probability - the ballot can’t actually solve substantive impacts outside of the round but it can rectify skews**

**[c] All arguments including the aff presume the judge to evaluate them a certain way, which is a question of procedurals within debate itself**

**[d] Impact turns are just a reason to drop the theory flow and let us learn from our mistakes**

**[3] Neg must only defend the converse of the res**

**[a] Prep Skew--I disclosed the plan but you didn’t disclose the counter advocacy text meaning you’ll always be more ready for the debate than me**

**[b] Strat Skew- the aff can only indict the squo, which means alternative advocacies moot all aff offense forcing a 1ar restart and creating a 13-7 skew**

**[4] Neg must concede either the aff framework or contention**

**[a] Strat skew - affs have to win both the framework and the contention spreading the 1ar thin and gives them a 2:1 advantage since they only have to beat one**

**[b] Depth - forces in depth debates on one part of the aff instead of shallow debates on everything - outweighs since we can get breadth when people read different arguments in different rounds but nuance is unique to this round**

**[5] All K links must be checked in cx**

**[a] Clash--key to start the debate early on and clarify the aff so the neg doesn’t make incorrect assumptions**

**[b] Regress--bidirectional K links like Kantian universality bad and Deleuzian becoming bad means they’ll always just find a link--never find the genuine best strategy**

**[7] Neg interps are counterinterps since the AC takes a stance and came lexically prior - means you re-evaluate the AC under their interp and evaluate the debate after the 1ar so both of us get one rebuttal**