# 1NC Palm Classic Round 1

## 1

**Interp: The affirmative must only defend that appropriation is unjust, not a policy action to ban it**

**Violation: said they defend implementation**

**Vote negative for limits–res is descriptive and asking if appropriation IS unjust**

**Merriam Webster n/d** <https://www.merriam-webster.com/dictionary/is> //SR

present tense third-person singular of BE

**Anything outside the res is arbitrary and unpredictable because the topic determines prep, not being bound by it lets them jettison any word. Aff arguments are non-unique since a] it relies on semantics to convey those messages and b] pragmatics can be discussed anytime while we only have 2 months to discuss the wording of this unique topic. But, voting issues are drop the arg to let us learn from our mistake**

**They’ll say they’re in the direction of the res or still prove it unjust, but it still explodes limits since it functionally makes the aff extra-T -- the premise that appropriation is unjust can lead to infinite different conclusions of how to resolve that and let them pick the most obscure implementation to spike neg ground--decks researched clash, reciprocal prep burdens, and infinitely multiplies the small school caselist**

## 2

**Interpretation: All clarifications and definitions read by the affirmative must be read out loud. To clarify, no “check the doc for spec”**

**Standards:**

1. **Infinite abuse – justifies you spamming an infinite amount of a prioris in the aff under your definitions and extending it in the 1ar so we always lose**
2. **Prep Skew--forces us to read through a document and flow it and also flow the AC while you just have to flow the AC, means we can’t prep the aff**
3. **Time Skew--we have to take time to respond to abusive definitions in the NC but they don’t have to spend time reading the definitions in the AC**
4. **Reading the definitions out loud solves--doesn’t waste neg prep but allows for a clear debate**

**Paradigm Issues: Fairness and education are voters – debate’s a game that needs rules to evaluate it and it teaches portable skills that we use lifelong. Drop the debater - severance kills 1NC strat construction—1AR restart favors aff since it’s 7-6 time skew and they get 2 speeches to my one. No rvi - a) they’ll bait theory and prep it out with aff infinite prep—justifies infinite abuse and chilling us from checking abuse in fear of things like 2ar ethos which lets them recontextualize and always seem right on the issue b) forces the NC to go 7 minutes of theory because nothing else matters--outweighs because its the longest speech and the 2nr can never recover since the nc is our only route to generate offense. Competing interps - a) reasonability’s arbitrary & forces judge intervention especially with 2ar recontextualizations to always sound like the more reasonable debater b) norm setting - we find the best possible norms c) reasonability collapses - you use offense/defense paradigm to evaluate brightlines.**

## 3

**Ripstein collapses to plato–the idea that everything has a form, or essence, that we should be consistent with**

**Wilber 19** [Jennifer Wilber (ESL instructor, substitute teacher, and freelance writer, B.A. in Creative Writing and English). “An Introduction to Plato’s Theory of Forms”. Owlcation. JUL 8, 2019. Accessed 12/21/20. [https://owlcation.com/humanities/An-Introduction-to-Platos-Theory-of-Forms //](https://owlcation.com/humanities/An-Introduction-to-Platos-Theory-of-Forms%20/) Xu]

The Platonic Forms, according to Plato, are just ideas of things that actually exist. They represent what each individual thing is supposed to be like in order for it to be that specific thing. For example, the Form of human shows qualities one must have in order to be human. It is a depiction of the idea of humanness. But no actual human is the perfect representation of the Form human. They are similar, but every human is different, and none are perfectly human. According to Plato, every object or quality in reality has a Form: dogs, cats, humans, oceans, tables, colors, beauty, love, and courage. Form answers the question "What is that?" Plato went a step further in asking “what is Form itself?” Plato assumed that an object was essentially or "really" a manifestation of the Form and that the phenomena were mere shadows that mimicked the Form. This means that objects in reality are momentary portrayals of the Form under varying circumstances. The “problem of universals,” or how can one Form in general be many things in particular, was solved by presuming that Form is a distinct singular thing that causes multiple representations of itself in particular objects. According to Plato’s Theory of Forms, matter is considered particular in itself. For Plato, Forms are more real than any objects that imitate them. Though the Forms are timeless and unchanging, physical manifestations of Forms are in a constant state of change. Where Forms are unqualified perfection, physical objects are qualified and conditioned. The Forms, according to Plato, are the essences of various objects. Forms are the qualities that an object must have to be considered that type of object. For example, there are countless chairs in the world but the Form of “chairness” is at the core of all chairs. Plato held that the world of Forms is transcendent to our own world, the world of substances, which is the essential basis of reality. Though no one has ever seen a perfect circle, nor a perfectly straight line, everyone knows what a circle and a straight line are. Plato uses this as evidence that his Forms are real. Perfect Examples of Forms Do Not Exist in Reality Forms are the purest representation of all things. Plato believed that true knowledge or intelligence is the ability to grasp the world of Forms with one's mind. It is difficult for many thinkers to understand the concept of perfect Forms. If there are no perfect examples, so how we can know what the Forms are, exactly? If there are no perfect humans, and we can't see the Form human, how do we know what the Form actually looks like? And if we don't know what it looks like, how do we know that no human is a perfect representation of that Form? Forms are aspatial (transcendent to space) and atemporal (transcendent to time). Forms do not exist within any time period, but rather provide the formal basis for time. Neither are they eternal in the sense of existing forever, nor mortal, existing for only a limited duration. Forms exists transcendent to time altogether, according to Plato’s Theory of Forms. Forms have no orientation in space, nor do they have a location. They are non-physical, but they are not in the mind. Forms are extra-mental ideas, meaning that they are real in the strictest sense of the word. Because the Forms exist independently of time and space, they can be said to exist only as ideas in people's minds. The Forms are objective "blueprints" for perfection. They are considered perfect themselves because they are unchanging. For example, if we have a square drawn on a blackboard, the square as it is drawn is not a perfect representation of a square. However, it is only the knowledge of the Form "square" that allows us to know the drawing on the chalkboard is meant to represent a square. The Form "square" is perfect and unchanging. The Form “square” is exactly the same no matter who thinks about it.

**1–Ripstein thinks ethics are a priori, or transcendental, not empirical–Wilber indicates that the only transcendental thing is the inevitable form of something–anything else like practical reason is just a facet of the form of something viewed in relation to the form, not the form itself**

**2–Contradictions–to be inconsistent with your form creates a contradiction in conception–we can no longer will a maxim that a certain actor ought to do something if that actor is no longer classified as that actor, which makes ethical culpability impossible**

**Negate–the res is about private entities which means it’s a question of their form–**

A private entity relies on a small group of chosen investors in order to grow and fund their business. This could be employees, colleagues, friends, family, or even large institutional investors. Interested parties are able to support the private entity in order to help the company grow.

**That’s QT Company 20** [“What Are Private Entities?”. Quest Trust Company (custodian of self-directed IRAs located in Houston, Austin, and Dallas, Texas with clients Nationwide. Quest Trust Company, is the leading provider of self-directed retirement account administration services. Quest Trust Company has been in business since 2003 with over $2 Billion in assets under management. As a neutral party, Quest Trust Company does not offer any investments and therefore has no conflicts of interest with what our clients want to do with their IRAs). September 28, 2020. Accessed 12/17/21.<https://www.questtrustcompany.com/2020/09/28/what-are-private-entities/> //Xu]

**Appropriation means “**incorporation by joining or uniting**” which is consistent with the form of private entities–they’re growing through utilizing more means.**

**That’s Vocabulary.com** [“appropriation”. Vocabulary.com. No Date. Accessed 12/17/21.<https://www.vocabulary.com/dictionary/appropriation> //Xu]

## 4

**CP: The Committee on the Peaceful use of Outer Space ought to establish an application system of property rights on celestial bodies granted upon the conditions listed in Steffen**

**Steffen 21** [Olaf Steffen, Olaf is a scientist at the Institute of Composite Structures and Adaptive Sytems at the German Aerospace Center. 12-2-2021, "Explore to Exploit: A Data-Centred Approach to Space Mining Regulation," Institute of Composite Structures and Adaptive Systems, German Aerospace Center, [https://www.sciencedirect.com/science/article/pii/S0265964621000515 accessed 12/12/21](https://www.sciencedirect.com/science/article/pii/S0265964621000515%20accessed%2012/12/21)] Adam

4. The data-centred approach to space mining regulation 4.1. Core description of the regulatory regime and mining rights acquisition process The data gathered in the exploration of a [celestial body](https://www.sciencedirect.com/topics/social-sciences/astronomical-systems) is not only of value for space mining companies for informing them whether, where and how to exploit resources from the body in question, but also for science. The irretrievability of information relating to the solar system contained in the body that will be lost during resource exploitation carries a value for humanity and future generations and can thus be assigned the characteristic of a common heritage for all mankind as invoked in the Moon Agreement. This characteristic makes exploration data an exceptional and unique candidate for use in a mechanism for acquiring mining rights because its preservation is of public interest and its disclosure in exchange for exclusive mining rights does not place any additional burden on the mining company. The following principles would form the cornerstones of the proposed regulatory regime and rights acquisition mechanism based on exploration data: Without preconditions, no entity has a right to mine the resources of a celestial body. An international regulatory body administers the existing rights of companies for mining a specific celestial body. Mining rights to such bodies can be applied for from this international regulatory body, with applications made public. The application expires after a pre-set period. Mining rights are granted on the provision and disclosure of exploration data on the celestial body within the pre-set period, proposedly gathered in situ, characterising this body and its resources in a pre-defined manner. The explorer's mining right to the resources of the celestial body is published by the regulatory body in a mining rights grant. The data concerning the celestial body are made public as part of the rights grant within the domain of all participating members of the regulatory regime. The exclusive mining rights to any specific body are tradeable. The scope of the regulatory body with respect to the granting of mining rights is not revenue-oriented. The international regulatory body would thus act as a curator of a rights register and an attached database of exploration data. The concept is superficially comparable to patent law, where exclusive rights are granted following the disclosure of an invention to incentivise the efforts made in the development process. In the following section, the characteristics of such a regulatory regime are further discussed with respect to the formation of [monopolies](https://www.sciencedirect.com/topics/social-sciences/monopolies), market dynamics, conflict avoidance, inclusivity towards less developed countries and the viability of implementation. 4.2. Discussion and means of implementation The proposed regulatory mechanism has advantages both from a business/investor and society perspective. First, it prevents already highly capitalised companies from acquiring exploitation rights in bulk to deny competitors those objects that are easiest to exploit or most valuable, which would otherwise be possible in any kind of pay-for-right mechanism and could result in preventing market access to smaller, emerging companies. Thus, early monopoly formation can be avoided. The use of data disclosure for the granting of mining rights ensures the scientific community has access to this invaluable source of information. In this way, space mining prospecting missions can lead to a boost in research on small celestial bodies at a speed unmatchable by pure government/agency funded science probes. This usefulness to the scientific community could lead to sustained partnerships between prospecting companies and scientific institutions and could even provide a source of funding for the companies through R&D grants and public-private partnerships. The results of the exploration efforts contribute to research on the formation of planets and the history of the solar system and provide valuable insight for space defence against asteroids. The transition of exploration from a tailored mission profile with a purpose-built spacecraft to a standard task in space flight would also lead to a cost reduction of the respective exploration spacecraft through [economies of scale](https://www.sciencedirect.com/topics/social-sciences/economies-of-scale). This describes the very benefits Elvis [[24](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib24)] and Crawford [[25](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib25)] imagined as possible effects of a space economy. Thus, there is an immediate return for society from the exploitation rights grant. It also reconciles the adverse interests of space development and [space science](https://www.sciencedirect.com/topics/social-sciences/space-sciences) as laid out by Schwartz [[26](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib26)]. It ensures that, by exploitation, information contained in celestial bodies is not lost for future generations.The application period should not be set in a manner that creates a situation that can be abused through the potential for stockpiling inventory rights. Rather, it is intended to prevent conflict in the phase before exploration data gathered by a mission, as a prerequisite to the mining rights grant, is available. In other words, only one exploration effort at a time can be permitted for a specific body. The time frame between the application and the granting of mining rights (meaning: availability of the required exploration data set) should be tight and should only consider necessary exploration time on site, transit time and possibly a reasonable launch preparation and data processing markup. These contributors to the application period make it clear that the time frame could be dynamic and individualistic, depending on the exploration target (transit time and duration of exploration) and the technology of the exploration probe (transit time). After the expiration of the application period, applications for the exploration target would again be permissible. To prevent the previously mentioned stockpiling of inventory rights, credible proof of an imminent exploration intention would need to be part of the application process, for example, a fixed launch contract or the advanced build status of the exploration probe. Such a mechanism would not contradict the statement in the OST that outer space shall be free for both exploration and scientific investigation. Applications would not apply to purely scientific exploration. An application would only be necessary as a prerequisite for mining. Even resource prospecting could take place without an application (for whatever reason), with a subsequent application comprising in situ data already gathered. For such cases, the application process would need to provide a short period for objections to enable the secretive explorer to make their efforts public. The publication of the application for the mining rights, which is nothing more than a statement of intention to explore, thus provides a strong measure for avoiding conflict. The transparency of where exploration spacecraft are located and, at a later stage, where mining activities take place, provides additional benefits for the sustainable use of space, trust building and deterrence against malign misuse of mining technology. Involuntary spacecraft collisions of competitors in deep space are prevented by the reduction of exploration efforts at the same destination through the application for mining rights by one applicant at a time. As pointed out by Newman and Williamson [[20](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib20)], this is relevant because space debris does not de-orbit in deep space as in the case of LEO. Deep space may be vast, but the velocities involved mean that small debris particles are no less dangerous. Considering NEO mining with fleets of small spacecraft, malfunctions and/or destructive events could create debris clouds crossing Earth's orbit around the sun on a regular basis, presenting another danger to satellites in Earth's own orbit. Thus, by effectively preventing the collision of two spacecraft, one source of debris creation can be mitigated through this regulation mechanism. With respect to Deudney's [[11](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib11)] scepticism of asteroid mining and the dual-use character of technology to manipulate orbits of celestial bodies, it has to be stated that this potential is truly inherent to asteroid mining. An asteroid redirect mission for scientific purposes was pursued by NASA [[49](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib49)] before reorientation towards a manned lunar mission. In one way or another, each type of asteroid mining will require the delivery of the targeted resource to a destination via a comparable technology as formerly envisioned by NASA, be it as a raw material or a useable resource processed in situ, even if this is not necessarily done through redirecting the whole asteroid and placing it in a lunar orbit. However, to be misused as a weapon, space mined resources would have to surpass a certain mass threshold to survive atmospheric entry at the target. This seems unfeasible for currently discussed mining concepts using small-scale spacecraft as described in this article. Redirecting larger masses or whole asteroids would require far more powerful mining vessels or small amounts of thrust over long periods of time. The continuous, (for a mining activity) untypical change in the orbit of an asteroid would make a redirect attempt with hostile intent easily identifiable, effectively deterring such an activity in the first place by ensuring the identification of the aggressor long before the projectile hits its target. The proposed database would provide a catalogue of asteroids with exploration and mining activities in place that should be tracked more closely because of their interaction with spacecraft. This would, in fact, be necessary per se as a precaution to avoid catastrophic mishaps, such as the accidental change of a NEO's orbit to intercept Earth by changing its mass through mining.

**Solves the aff–(a) privatization is based on the fact that there is no international arbiter in space right now to distribute property–but, the CP brings one in–an omnilateral system based on consent WHILE maintaining the net benefit of property rights that we’ll put on case (b) regulations on how appropriation is used i.e. data sharing, collaboration, and environmental caps check back disrespecting aliens and nature**

## 5

**CP: The appropriation of outer space is unjust except in the instance of geostationary satellites**

**It’s appropriation**

**Thornburg 18** [Matthew Thornburg, Associate Professor of History, Political Science, and Philosophy at the University of South Carolina Aiken with a PhD in Political Science from GMU, 2018, “Are the Non-appropriation Principle and the Current Regulatory Regime Governing Geostationary Orbit Equitable for All of Earth’s States?,” Michigan Journal of International Law, http://www.mjilonline.org/are-the-non-appropriation-principle-and-the-current-regulatory-regime-governing-geostationary-orbit-equitable-for-all-of-earths-states/]/Kankee

As the law currently stands, geostationary orbit – a constant orbital position above Earth’s equator – is governed by the OST and is therefore subject to the treaty’s attendant ban on national appropriation. Spaces, or slots, in geostationary orbit[2] are desired because they are exceedingly convenient for communicating with earth. They are highly limited and as a consequence, highly valuable. Moreover, these spaces are allotted on a first-come-first-served basis[3] making them virtually unattainable by less scientifically and economically advanced states[4], or those that are just plain late to the game. The ban on national appropriation is enumerated in the Second Article of the OST, which states: “Outer space, including the moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by other means.”[5] The geostationary orbital position is generally agreed upon by experts[6] as part of “outer space” and consequently, forbidden from appropriation. The OST is clear in prohibiting claims of sovereignty, but the subsequent clauses leave much to interpretation when considering what other acts constitute “national appropriation.” In other words, the question surrounding geostationary orbital slots is “whether the continued exclusive occupation by a geostationary satellite of the same physical area is a violation of the ban on national appropriation”[7] by use, occupation, or other means. In his article, Major Legal Issues Arising from the Use of the Geostationary Orbit, Stephen Gorove says that, “it is not clear that a satellite in geostationary orbit would be able to maintain its exact position and occupy the same area over a period of time…” so as to “appropriate” and thus violate Article II of the OST. The analysis should not turn on whether the satellites in geostationary orbit maintain their exact position. Instead, it is the continual use of the orbital slot that should be examined in light of the OST prohibition. The average lifespan of a geostationary satellite is 15-20 years,[8] effectively shutting out any other state’s use of that slot for at least that long. A time frame of this nature seems to be the exact type of “use or occupation” the treaty seeks to foreclose because of the consequent unequal access to the use of space, and the consequent potential to cement the economic interests of certain nations and firms. Compounding this concern is the fact that operators of the geostationary satellites need only refile with the International Telecommunications Union (“ITU”) to “renew” a slot and replace old satellites with new ones.[9] Essentially, such operators keep the orbital slot indefinitely. In light of the OST – a treaty dominated by goals of fair and equitable use and access to space – endless use of these valuable slots should rise to the level of national appropriation by means of use, occupation, or other means.

**Satellites are key to ethics–it’s key to ethical responsibility and accountability under any framework. Not consequentialist but about the intrinsic use of these satellites**

Steven **Livingston**, 6-23-**2016**, "Satellite imagery augments power and responsibility of human rights groups," Brookings, <https://www.brookings.edu/blog/techtank/2016/06/23/satellite-imagery-augments-power-and-responsibility-of-human-rights-groups/> //SR

In recent years, commercial remote sensing satellites have played a key role in dozens of human rights and war crimes investigations. They’ve been used to spot mass graves in Burundi, verify the destruction of two towns in northern Nigeria by Boko Haram, and reveal the massacre of at least 350 people by the Nigerian army. When the Kremlin denied involvement in the fighting in Ukraine in September 2014, satellite imagery and testimony gathered by Amnesty International (AI) indicated the Kremlin’s assertion was incorrect. And in April, Human Rights Watch (HRW) used satellites to document military and police abuses in Venezuela. In the last decade, AI and HRW, sometimes in partnership with the American Association for the Advancement of Science, have produced dozens of reports based on the analysis of commercial satellite imagery. One group, Satellite Sentinel Project (SSP), was built around the use of commercial remote sensing technology. What are the political and policy implications of the use of satellite technology by human rights organizations? First, they allow human rights NGOs to monitor places that are otherwise too distant or too dangerous to reach by conventional means. Secondly, remote sensing introduces a timeline into investigations. Because of the enormous stores of geospatial data found in archives, analysts can essentially look back in time in search of evidence. DigitalGlobe’s WorldView-3 satellite collects 1,200,000 km2 of images of the earth each day, and it is only one of the dozens of high-resolution satellites in orbit, with more coming online each year. As new satellites shrink the time between overflights, the ability to observe events is growing. Third, human rights NGOs are now in the business of anticipating events. With enough imagery over time, patterns emerge that allow for prediction. This offers the tantalizing possibility of NGO interventions in events by releasing statements and images as a warning to potential aggressors that they are being observed. While all three outcomes are important, it is perhaps the third one that raises the greatest ethical and policy challenges. Though often debated and renegotiated, a key component of AI’s mission since its founding in 1961 is to bear witness. Professor Stephen Hopgood notes that bearing witness involves an adherence to rules and procedures that seek to “construct in practical terms the kind of space – above, beyond, outside the world – in which the idea of objective morality, of a kind of universal truth, could be anchored”. It involves taking a principled but detached position. The availability of god-like views from the heavens certainly allows AI to stand aloof – literally, “above, beyond, outside the world.” Yet with satellites, AI and other groups that make use of them now have a potent form of agency to intervene indirectly in events. As the adage says, knowledge is power. As an AI analysts told me recently, “The real purpose (of the 2007 Eyes on Darfur project) was a deterrent effect.” Eyes on Darfur was one of AI’s first major remote sensing projects. Some might argue that AI has taken a step beyond bearing witness: it is using its moral authority and its technical prowess to alter events on the ground. A counter to this assertion would point out that human rights organizations have always used the tools available to them to alter the behavior of war criminals and human rights abusers. The “boomerang model” of human rights advocacy, developed by political scientists Margaret Keck and Kathryn Sikkink, underscores the idea that information collected by human rights NGOs is intended to pressure abusers of rights into better compliance with broadly shared norms. In this respect, there is a direct line from writing an open letter to publishing a satellite image. Yet with satellites the burdens are greater. Getting it wrong, interpreting an image incorrectly or releasing information that undermines the wellbeing of populations constitutes an entirely different set of moral and ethical considerations. The use of satellite imagery brings human rights NGOs closer to sharing responsibility for rapidly unfolding events with the players themselves. With greater agency comes greater moral responsibility.

**Solves the aff–(a) geosats have orbital slots which are legally used by companies under a state rule that determines how jurisdiction is gained (b) not extending onto any aliens since it surrounds earth–we don’t appropriate a planet**

**PICs negate–they prove a competing general principle and are good to test specific parts of the aff in depth–they chose their advocacy so they should defend all of it– most logical and outweighs cuz it’s a side constraint to all arguments**