# TOC R3

## 1

**Interp – The Affirmative can only fiat a Plan that renders Appropriation unjust – anything beyond that is external to the scope of the Resolution and Extra-Topical.**

**Unjust means against the Law.**

**Black Laws No Date** "What is Unjust?"<https://thelawdictionary.org/unjust/> //Elmer

Contrary to right and justice, or to the enjoyment of his rights by another, or to the standards of conduct furnished by the laws.

**Violation – “Establishing a Public Trust Doctrine” involves establishing a completely new governance regime that makes the Government a “trustee” over the Outer Space Environment which is beyond rendering Appropriation Unjust.**

**Batcheller 10**, G. R., et al. "The public trust doctrine: implications for wildlife management and conservation in the United States and Canada." Technical review (2010): 10-01. (New York State Division of Fish, Wildlife and Marine Resources)//Elmer

The Public Trust Doctrine (PTD), with its origin in Roman civil law, is an essential element of North American wildlife law. The Doctrine establishes a trustee relationship of government to hold and manage wildlife, fish, and waterways for the benefit of the resources and the public. Fundamental to the concept is the notion that natural resources are deemed universally important in the lives of people, and that the public should have an opportunity to access these resources for purposes that traditionally include fishing, hunting, trapping, and travel routes (e.g., the use of rivers for navigation and commerce).

**1AC Babcock specifically says the Plan would give the Government the ability and obligation to “preserve resources” which is an active action.**

**Babcock 19** — Hope M. Babcock, Professor of Law, Georgetown University Law Center, B.A., Smith College, L.L.B., Yale University; (2019; “ARTICLE: THE PUBLIC TRUST DOCTRINE, OUTER SPACE, AND THE GLOBAL COMMONS: TIME TO CALL HOME ET”; University of Michigan Libraries, Nexis Uni; *Syracuse University Law Review*, Vol. 69; //LFS—JCM – Recutish like diff section ISEE)

[\*259] The doctrine also appears to be infinitely malleable. Original uses of the doctrine were restricted to only that "aspect of the public domain below the low-water mark on the margin of the sea and the great lakes, the waters over those lands, and the waters within rivers and streams of any consequence," 520and covered only traditional uses of those lands, like fishing and navigation. 521 Over time, the scope and application of the doctrine broadened to protect more public resources and different uses. 522 Thus, the doctrine expanded to protect new trust resources, such as dry sand beaches, inland lakes, groundwater, dry riverbeds, and wildlife, 523and passive uses of those resources, like scientific study. 524The original link to navigable water and tidelands disappeared. 525 Supporters of the [\*260] doctrine successfully advocated that it be applied to "wildlife, parks, cemeteries, and even works of fine art," 526 while arguing more recently its application to the atmosphere. 527 A doctrine that imposes a perpetual duty on the sovereign to preserve trust resources, prevents their alienation for private benefit, assures public access to them, and can be invoked by anyone seems particularly useful as a management tool in outer space. 528The fact that public access to trust resources is so central to the doctrine makes it reflective, not contradictory, of international space law's bar against appropriation of outer space and of the principle of space being the "province of all mankind." 529 It avoids the problems of alienation and exclusion associated with any of the management approaches associated with some form of private property and requires neither the creation of a new administrative authority nor the presence of a close-knit group of like-minded people. 530 Members of the public, both rich and poor, can invoke and enforce the doctrine as easily as the sovereign. 531 It is cost effective to the extent that no separate apparatus is required to implement it, and the doctrine has shown itself to be highly adaptable and innovative as different needs arise. 532 It could also fill the gap in international law with respect to managing celestial property. Therefore, of all the management approaches studied here, the PTD seems the most suited to keep order in space until a regulatory regime is imposed. However, the doctrine provides no incentives for development of trust resources; rather, it might be used to limit or curtail that development, making it an imperfect, perhaps even counter-productive solution by itself to the extent that such development might be [\*261] beneficial. 533Modifying the doctrine to allow limited use of private property management approaches, like tradable development claims, might buffer that effect - a form of overlapping hybridity between one type of property, a commons, and a management regime from another, private property, enabled by application of the PTD. Conclusion "Only a legal system that accommodates both the human need for resources and the necessary preservation of mankind's common heritage can fulfill these criteria."534 The future is now with regard to the development of outer space and its resources - it is no longer a question of whether humans will engage in these activities, but how soon they will. Technically advanced countries and private commercial enterprises are probing outer space and preparing for landing on an asteroid or the moon to extract their resources. 535Speculators are selling deeds to the moon's surface and preparing to exploit the tourism potential that space offers. 536 But, the legal framework for managing these initiatives is almost nonexistent. 537International treaties came into being before all this activity began in earnest and national laws that might apply are stunted by jurisdictional quandaries like the absence of national boundaries in outer space. 538Thus, there is an urgency to figure out how to control what happens in outer space before its resources are irreparably damaged or permanently monopolized by powerful countries and individuals. In the absence of regulation, much of the current debate centers on what property regime should be applied in outer space. 539The assumption is that by only allowing private property rights in space, countries and commercial enterprises will undertake the risks and costs of space development. 540However, unless international space law changes, it may prevent this from happening. If it changes, strong management controls will be necessary to prevent destruction or over-consumption of celestial resources, as well as monopolization and competitive behavior by participants, which could lead to hostilities and inequities. [\*262] This Article examines various private property regimes, including those of less than full fee ownership, to see if any would avoid the conflict with the international prohibition on appropriation of outer space and its resources. It concludes that none will because each retains the right to exclude and each is insensitive to the treaties' equity concerns. In contrast, considering outer space to be common is consistent with international space law in both respects. Hypothesizing that private property in outer space may yet prevail, this Article investigates different private property management approaches, such as the right of first possession, lotteries, and tradable development rights, to see if any would be cost effective, easy to implement and equitable, and would also prevent over-consumption, monopolization or the slide into rivalrous behavior. The Article concludes that each comes up short in some respect. Social norms as a management tool for property held in common, although compliant with international law, are also not up to the task. Instead, although ancient, the PTD, with its malleability, easy and cost-effective implementation and enforcement, non-consumption principle, and consistency with the goals that animate international space treaties, seems best suited to the task of protecting the public's interests in the global commons that is outer space as it has done for centuries in Earth-bound commons. But, as its principal terrestrial use has been to protect trust resources from development, the doctrine needs some modification to encourage development of celestial resources. Hence, this Article suggests that modifying the PTD to allow the application of private property management tools, like tradable development rights, will not only allow development, but also will assure that when it happens, it will not be just profitable for a few, but will also be sustainable and equitable.

**Vote neg for limits and ground - going beyond the res is extra T and establishes a new governance regime which goes past just saying “appropriation is unjust” since it imposes an active duty of the Government to manage and take care of Outer Space Resources – that wrecks Predictability since the Aff can claim different Advantages off of the process of the PTD which exists outside the core topic question of Appropriation Good/Bad that also allows them to spike DA links by saying they don’t apply under the PTD.**

## 2

**Interpretation: Debaters must fiat a stable policy action. To clarify, they cannot propose a policy that will be changed at points in the future. Spirit over text to prevent shifty I meets that prevent core norming discussions**

**Violation: CX proves the PTD is flexible and changes depending on effects on industry – the solvency advocate says “infinite malleability.” Plan text in a vacuum makes no sense since process defines solvency–otherwise neg on presumption and the worst version of their model is when the plan text is different from the advantage**

**WEF n.d.** -- (“Public Trust Doctrine.” Water Education Foundation, The Water Education Foundation is a nonprofit organization whose goal is to provide unbiased, balanced information on water issues in California and the Southwestern United States. The Foundation's mission, since its founding in 1977, has been "to create a better understanding of water resources and foster public understanding and resolution of water resource issues through facilitation, education and outreach,”<https://www.watereducation.org/aquapedia/public-trust-doctrine>, HKR-AS)

Rooted in Roman law, the public trust doctrine recognizes the public right to many natural resources including “the air, running water, the sea and its shore.” The public trust doctrine requires the sovereign, or state, to hold in trust designated resources for the benefit of the people. Traditionally, the public trust applied to commerce and fishing in navigable waters, but its uses were expanded in California in 1971 to include fish, wildlife, habitat and recreation. At that time, the California Supreme Court in Marks v. Whitney broadened the definition of public trust because “public trust uses are sufficiently flexible to encompass changing public needs.” This definition would be first applied in a legal case in the 1980s (see below). [See also California water rights.]

**Vote NEG for ground–a flexible policy that can change makes the AFF a moving target that rewards vague plan texts to allow the 1AR to spike out of all DAs by saying “we’d just fix that!” and destroys stable CP competition because perm do the CP becomes unbeatable. Forces the 1NC into polemic generics that disagree with everything like anthro, id pol, etc.**

**DTD–T indicts the whole aff.**

**No rvi–you shouldn’t win for being T and incentivizes baiting T just to beat it back with infinite prep while chilling T since you’ll out frame us and auto-win on 2ar ethos every round.**

**Competing interps–reasonability is arbitrary and causes a race to the bottom–finding the best model of debate is key to preserve the most substantive norms in the long terms but no frivolous race to the top since limited words in the res mean limited interps**

**T before 1ar theory–NC abuse was reactive and only 2 months to discuss T whereas we can discuss 1ar theory whenever**

## 3

**Cosmobiopolitics constitutes the governance of Outer Space as a shared resource mean to be used to further Human Progress. The Aff’s managerial attempt at “saving” space merely sustains space as a common good for “joint usage” to further exploitation.**

**Damjanov 15**, Katarina. "The matter of media in outer space: Technologies of cosmobiopolitics." Environment and Planning D: Society and Space 33.5 (2015): 889-906. (Faculty of Arts, University of Western Australia)//Elmer

Long before the beginning of the Space Age, humans used the regions above the globe to facilitate mediation practices; electromagnetic waves, for example, were emitted across airspace and into the atmosphere to enable radio communication decades before the first artificial satellite confirmed its arrival in the planet’s orbit on 4 October 1957. With its possible roots in early societies’ use of the celestial bodies visible from the earth’s surface for temporal and spatial orientation, the ‘media history’ of the human use of outer space reaches a watershed moment with the launch of Sputnik. This basketball-sized metal sphere, equipped with radio transmitter and four external antennas, was the first solid object, the first functional media artefact that humans had placed outside their own world. This is not to say that Sputnik marks the event in which human mediation practices begun to materially impact outer space, erasing its original, ‘natural’ state – the radio signals that penetrated the layers of the troposphere and ionosphere, although intangible, left their own material traces, environmental alterations comparable with the material results of atmospheric pollution triggered by industrial progress. These early uses of space have entangled it in a gamut of processes of techno-mediation, initiating the extraterrestrial unfolding of a historical trajectory which Jussi Parikka (2011: 3) terms ‘medianature’ – they have extended this ‘continuum between mediatic apparatuses and their material contexts in the exploitation of nature’ into outer space. However, Sputnik’s orbital presence does represent a steppingstone in the extraterrestrial progression of human medianature: it indicates the species’ acquired ability to purposefully introduce an object of technical media into outer space. As such, Sputnik epitomises a shift in the use of non-terrestrial spaces; no longer were they incidental and remote to human media exploits, they were instead made central and essential. What the first signal that Sputnik sent to its ground control announced was that humanity’s techno-logic aspirations to transform the material world and advance its productive capacity through the logic of acquisition, investment and destruction – an intrinsic human impulse described by Karl Marx (1964) as our essence of species-being – are no longer earth-bound. Sputnik and all media devices that followed it have been gradually converting outer space into a living milieu, reinforcing it as a material–social setting of human circumstances and relations. The concept of ‘milieu’ is important for understanding the complexities involved in the cosmobiopolitical transformation of outer space. In Foucault’s work and in other influential texts such as those of his mentor Georges Canguilhem (2008) and Simondon (1980) and Stiegler (1998), although employed in different contexts, the term ‘milieu’ essentially designates a site which simultaneously conditions and is itself conditioned by the productive forces of human life – whether biological, social or technical. Courses of medianature in outer space sharpen such perspectives on mutually transforming relations between humans and their milieu, providing biopolitical focus to Simondon’s and Stiegler’s perspectives on technology as fundamental in constituting human life. Stiegler’s view of progress as human technological evolution frames technical objects as a prosthesis in whose creation humans embed their ‘interiors’ and through which they further exteriorise and mould their living milieu, a process which has been changing the idea of what it is to be human (Stiegler, 1998: 17). In the Stieglerian sense, the human ‘exteriorisation’ in technical media that are sent into space not only imbues the earth’s exterior with a reflection of the human, but itself reconstitutes the human and reconfigures human ways of life. These technologies thus radically enhance the capacity for species-being, becoming a vital part of our biopolitical capital: while altering our apparently otherwise lifeless planetary exterior into a malleable and thus governable locus of life, their mediatic operations assist humans to overcome their biological and geographical limitations and proceed as a collective towards becoming more-than-human. Our medianature has been continuously adjusting to its extraterrestrial conditions and the acceleration of our technological ‘exteriorisation’ in space has necessitated the development of an attendant governmental framework. The landmark attempt to arrange the increasing multiplicity of human relationships with outer space was to define them through the rule of law – a juridical prefiguration which, as Foucault and Giorgio Agamben (1998) suggest, is a prerequisite for governing life. In 1967, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (United Nations, 2002), or, The Outer Space Treaty (OST) entered into force. In lieu of the pending human landing on the Moon, this international legal agreement established outer space as the shared domain of a global commons, which is to be explored and used by all nation-states, but which itself is to stay outside the vagaries of territorial claims and property rights. A pre-emptive gesture aimed at securing politico-economic codification of the extraterrestrial milieu before human arrival, the OST did not specify where the administrative borders of outer space are – the border between terrestrial and extraterrestrial space has been unofficially assigned to the Ka´rma´n line, a region about 100 km above the planetary surface, where objects sent into space do not fall back but remain in orbit. Nevertheless, the Treaty designates its inhuman expanses as the precinct of human governance, and behind such legal coding stood the same politico-economic rationalities which Foucault identified as pivotal for the institution of the doctrine of the ‘Freedom of the Seas’ as a foundation of international maritime law in the seventeenth century. This legal principle that identified the ocean’s strategic importance as a jointly used resource and set it free from territorial claims, symptomatically announced two interrelated entrances onto the world stage – the rise of global capitalism and the birth of biopolitics, while its replication in the OST marked the next phase in their development. In one of his lectures at the Colle`ge de France, Foucault (2008: 51–73) provided a brief account of how the history of international law echoed the emergence of modern approaches to governance, where the primary emphasis upon territory becomes augmented with the objective to secure the vitality of the shared market. He described how the Treaty of Westphalia’s reinforcement of borders around sovereign states in 1598, which strengthened their inner autonomy yet limited their external reach, instituted each of them as a part of a collective of states gathered around the common interest of progress. This territorial reform aimed to end devastating wars between the states and ensure their political and economic stability, but it imposed the need for new domains of competition in which each of them could independently acquire and prosper, and all them could together be in a ‘state of permanent collective enrichment’ (Foucault, 2008: 55). These spaces, Foucault suggested, were inaugurated with the ‘Freedom of the Seas’ in 1609, which opened the ocean as a space which all states could use to advance through economic competition rather than rivalry over territory. While specifically related to the agenda of European colonial expansions, the establishment of the seas as shared commons was indicative of the awareness that the unlimited accumulation of wealth requires the infinitely free space of the global market. Freedom of the seas was, as Foucault (2008: 56) described, born out of this ‘new form of global rationality... a new calculation on the scale of the world’ and it marked the start of economic globalisation. The interplay between the finite room of territories and infinite possibilities for circulation and accumulation of capital was sustained indefinitely by asserting the global freedom, the commonality of the seas. Through the commons of the seas, capitalism assumed its global latitudes; while the historical enclosure of wastelands that were shared as ‘commons’ enabled the initial, ‘primitive’ accumulation of capital, the creation of the ocean’s commons enabled capitalism to articulate its processes at a global scale. This legal manoeuvre to defend territory by rethinking the spaces of the market institutes the idea of shared commonality as an Archimedean point for the governance of human societies, preparing the terrain for a biopolitical system of governance based upon its abstraction into a method of subsuming ‘life itself’ to the massifying logic of averages and estimates. The institution of the OST and its associated Agreements and Conventions2 from the mid-twentieth century was an outcome of yet another spatial crisis; it was an attempt to negotiate the many tensions that the arrival of the Space Age stirred within global affairs. It was at the time of Cold War and states’ political polarisation, in a world where rapid industrialisation and massive population increases were coupled with anxieties about limits to economic growth, that outer space was identified as a potential site of military conflicts, competing claims of sovereignty and a rapacious race for resources. The looming possibility of still deeper crisis necessitated another repositioning of states and markets around their vital assets, and a restoring of the global equilibrium of powers. Here the OST drew upon the juridical principle of a ‘common heritage’ of humankind – a concept previously employed in the Antarctic Treaty in 1959 for comparable arrangements of international regimes of governance – and took the idea of the commons outside the globe. The treaty expanded the conceptual borders of ‘the scale of the world’ into extraterrestrial space, prescribing that its exploration ‘shall be carried out for the benefit and in the interests of all countries’ and that it ‘shall be the province of all mankind’ (OST, article 1). Once again, international law established a space of commons whose exploration and exploitation would proceed as a joint enterprise through which all states could freely advance and prosper both individually and as a part of collective. Just as the ‘Freedom of the Seas’ opened routes for ships sailing in the name of nations, the OST unlocked flightpaths for spaceships and other technologies, stimulating states’ techno-scientific interests and competition and ensuring that the emerging mode of ‘high-tech’ capitalism had from its beginnings an extra-planetary, infinite prospect. This trans-national legal netting codified an idea of global commonality and framed the inhuman regions of outer space as the ‘province of all mankind’, drawing them into its global system of governance. The OST thus provided the juridical platform from which to articulate a cosmobiopolitical order; it offered a governmental framework for enacting a vision of the human race as a species-power, which will, through the techno-mediated exploration of space, direct its own cosmic progress. Almost a half century after the OST, media technologies remain crucial to the transformation of outer space into a human province. The voracious neoliberal drive of the state-industry nexus that conditions global biopolitics is so dependent upon them, that they become a target of the same systems of governance they catalyse. Their construction, launches and distribution are the subject of careful calculation, meticulous planning and complex logistics, their condition and movements are continuously being monitored, assessed and managed, and this transfer of governmental rationalities from living humans to inanimate objects changes the biopolitical approach to human species-being. If biopower emerged as concerned with bodies of human individuals and populations, and pressing environmental concerns about the ‘global body of the Earth’ augmented its application ‘from human to planetary bodies’ (Bryld and Lykee, 2000: 92–94), then space-based media technologies mark a subsequent phase in the development of its architecture. They trigger the transposition of life management onto the bodies and populations of media technologies and it is this shift which inaugurates the object-centred coordinates of the cosmobiopolitical: the governance of the human without actual humans. The legal basis of cosmobiopolitics, the OST respectively preserves the status of outer space as a globally shared domain and permits its occupation by technical media that are the legal province of particular terrestrial entities, thus accommodating the contradictory tenets of their governance. However, these governmental rationalities are defined by codes of law and ‘the law’ as Foucault (2007: 47) notes ‘works at the level of the imaginary’, and it can only imagine things which can and cannot be done; like the 0s and 1s of digital code, it only prescribes a state of presence or absence of things. It is the very presence of media technologies in outer space (and the absence of humans) which contradictorily makes possible and disturbs the cosmobiopolitical imaginary. Their remote position situates them beyond the reach of juridical rule and the policing-power of states, literally placing them outside of the ‘global grid’ of governance. While they are used as apparatus through which to enable human terrestrial enterprises, these objects themselves carry the essence of terra and of the absent presence of the human beyond the globe. The media technologies in outer space do not only reduce the incompatibility between the human and the extraterrestrial, but also introduce frictions within their exchanges. This disturbance suggests that their material realities disrupt the imaginaries implied by law and instead assert their own force, reinforcing these objects somewhat absurdly as the non-governable markers of extraterritoriality in the commons, as the non-human emissaries of humanity, and as a non-living population of objects which are managed as if they were alive. In outer space, the matter of media itself becomes code through which to define what can be propertied and what remains commons, what can be governed and what poses itself as ungovernable, where the human ends and the non-human begins, where the boundaries that distinguish governance of the living from the non-living lie and when biopolitics transmutes into a cosmobiopolitics. The media apparatus that support the metamorphosis of biopolitics in outer space are varied, and the milieus in which they function require a range of different performances. The following sections of this paper consider a number of the varying ways specific media technologies perform this extra-planetary extension of the impulse to govern life by focusing on satellites and their debris, and on the prospects of an interplanetary Internet. None of these specimens provides a complete picture of the ways in which media technologies inspire the advent of a cosmobiopolitics. Rather, each offers a different angle from which to consider the shifts in material and social arrangements that are demanded by forays beyond the earth, signs that herald a radical shift in the way humanity conceives of life and articulates its governance. What follows is a series of initial steps, the first paces in a far larger survey that aims to chart the natality of the emergent cosmic traits of biopolitics. I offer here a series of sketches, an outline of tentative trajectories suggested by contemporary mediatic excursions into outer space. By exploring how we manage an over-population of functional and defunct media objects in orbital space and imagine the utilities of interplanetary Internet networks, I suggest that human extraterrestrial medianatures necessitates a profound alteration in our relationship with the technologies, and the reframing of governmental obsessions with discourses of territory, security, and population.

**The Affirmative obfuscates the intricate connection between the “Public” sector and “Militarism” – the Aff is merely a smokescreen to hide military development of outer space in new forms.**

**Sheehan 7**, Michael. The international politics of space. Routledge, 2007. (Nancy and Peter Meinig Family Investigator in the Life Sciences, Assistant Professor)//Elmer brackets for gendered lang

The 1958 Space Act declared that the United States was keen to explore space for ‘peaceful purposes for the benefit of [hu]mankind’, and allowed for ‘cooperation by the United States with other nations and groups of nations’.30 This declaration had a dual purpose. The first statement was designed to deflect attention away from the military dimension of US space research and reduce foreign concerns that the United States was seeking to militarize outer space. The second statement’s purpose was to promote the image of the United States as a scientific leader that was willing to share the development of space with other nations, and which therefore clearly had no hidden agenda beyond space exploration for the general benefit of humanity. In this regard, it fitted in with other US policy initiatives designed to promote the image of the United States as a country eager to cooperate internationally in an open and transparent manner. The Marshall Plan, Atoms-for-Peace and the Peace Corps were all part of this general image-building approach, though all had other motivations as well, as did the space policy. The apparent separation of civilian and military activities allowed the United States considerable flexibility. By having a largely transparent civilian-dominated programme, American public insecurity was alleviated, yet at the same time the US was able to continue its military programmes away from the glare of national and international scrutiny, and often successfully camouflaged behind actual or fictitious civilian space projects. In fact, unknown to the American public, there were three, not two space programmes, white, blue and black. The white programme was the high profile civilian programme led by NASA. The blue programme was the classified military programme run by the Department of Defense. In addition, there was the ‘black programme’, the reconnaissance programme run by the intelligence agencies. The apparent separation of the elements of the US space programme made it easier for the vast majority of the American political establishment to rally behind a substantial and energetic space programme. Liberals could support it as an alternative form of competition with the Soviet Union in an era when the dangers of nuclear war were very real, while conservatives saw the programme as developing military hardware and providing capabilities that would in the long run enhance the effectiveness of US armed forces.31

**That causes extinction–we eradicate the whole population and destroy the environment**

**Craven 19** [Matt Craven (Professor of International Law, SOAS University of London, United Kingdom). “‘Other Spaces’: Constructing the Legal Architecture of a Cold War Commons and the Scientific-Technical Imaginary of Outer Space”. European Journal of International Law, Volume 30, Issue 2, May 2019, Pages 547–572, Accessed 1/12/22.<https://academic.oup.com/ejil/article/30/2/547/5536739> //Xu]

Even in the aftermath of the pronounced ‘closure’ of the Cold War, the residue of the formation that was brought into play in space remains very much with us today. On the one hand, outer space has been progressively enveloped within the technological infrastructure of warfare and policing actions – the first Gulf War of 1990 ushering in a new era of ‘smart’ weaponry and GPS-configured surgical violence139 – anticipating, in the process, the ‘remote’ operations of the drone and cyber warfare of the contemporary era. The blurring of the demarcation between the (outer space) technologies of war and peace finds its contemporary parallels in the collapse of a range of other operative distinctions – between the virtual and the real, the combatant and the civilian, the battlefield and the battle space, the interstate and the intra-state. The juridical formations on which these depend, furthermore, have themselves become enveloped within the same strategic operations – ‘lawfare’ becoming the adjunct to a new form of totalized warfare stripped of any spatial determinacy. On the other side, outer space has increasingly become the terrain of speculative capitalism, which, following the growth of space tourism (pioneered by the Russian space administration in the 1990s140), has seen the active development of a range of commercial projects from the construction of sub-orbital ‘space planes’ to asteroid and lunar mining undertaken by both public and private agencies. The imaginative resources for such projects have come from various directions, but a common theme is that impending resource depletion on earth will soon bring such resources within commercial and technological reach, and that outer space will therefore provide a ‘spatial fix’ for a system of global capitalism that might otherwise run into the ground.141 There is, as Katarina Damjanov has noted,142 a deep parallelism here between the juridical opening of the seas (mare liberum), which served to stabilize the system of sovereignty within Europe in the 17th century by extroverting the site of conflict and competition,143 and the opening of outer space three centuries later as another prophylactic measure, even if, in this case, that which was to be guarded against was a planetary-wide, environmental catastrophe. Perhaps the deepest irony, here, is that the mode of salvation on offer is precisely the same as that which is the extant cause of crisis, which one may take to be a remorseless instrumentalization of nature.

**The alternative is *Worldism* – the refusal of international relations and specialization as dictated by militarism in favor of epistemological interventions into the exercise of Space as a carceral apparatus.**

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MAIN ASPECTS Worldism presents world politics as a site of multiple worlds. These refer to the various and contending ways of being, knowing, and relating that have been passed onto us from previous generations. Histories, languages, myths, and memories institutionalize and embody multiple worlds through simple daily acts like cooking and eating, singing and dancing, joking and playing but also through larger events like trade, development, conflict, and war. Worldism registers not only the “difference” that comes from multiple worlds (see Inayatullah and Blaney 2004) but also their entwinements. Selves and others reverberate,2 producing multi- and trans-subjectivities that leave us legacies of reinforcement and conflict, reconstruction and critique, reconciliation and resistance. Such syncretic engagements belie seeming oppositions and contradictions among multiple worlds to reveal their underlying connections despite hegemony’s violent erasures. On this basis, communities have opportunities to heal and recuperate so they can build for another day, for another generation. Worldism as everyday life enacts self–other reverberations and syncretic engagements, especially by communities at the margins. Worldism as an analytical framework theorizes about them. Both types of worldist activity expose the problematic of empire in practice and logics. Building on the postcolonial notion that all parties make history, albeit with unequal access to power, worldism leads to an undeniable conclusion: our mutual embeddedness makes us mutually accountable. One cannot escape from the other. Mutual accountability brings with it duties and responsibilities, to be sure, but also possibilities: that is, (a) an internal dialectic of constant questioning to check and problematize hegemony, so that (b) we can expand our visions, strategies, and approaches beyond the narrow, hegemonic confines of realism/liberal internationalism, in order to (c) arrive at a more inclusive, conciliatory, and democratic world politics. In brief, worldism consists of two simultaneous processes: descriptive and analytical. Worldism-as-description features the following: (a) multi- and trans-subjectivities that institutionalize the social and structural reverberations between selves and others; (b) the agency of all parties, despite inequities and injustices, to create, build, and articulate multiple worlds; (c) syncretic engagements that consolidate the entwinements of multiple worlds into concrete strategies for change, adjustment, adaptation, refor- mulation, and transformation; and (d) community-building that integrates and accretes these syncretic engagements despite denials of such efforts from hegemonic elites and their ideologies. Worldism-as-analysis draws on the struggles and learning undertaken in worldist daily life to emphasize: (a) accountability as a hallmark of worldist inquiry that ensures (b) an internal criticality to question, contest, and challenge hegemony, so that we may (c) arrive at emancipatory construction even as we critique and resist. The critical reader may interject: Couldn’t “agency” and “accountabil- ity” in worldism be taken as a fancy way of blaming the victim? Are Jews, for example, responsible for the Holocaust; slaves for their enslavement; or any oppressed people for their oppression? Worldism as a politics of multiple relations subsumes this liberal, individualist understanding of responsibility. Multiple relations produce a web of effects and consequences to any kind of decisions and/or set of practices. Accountability in worldism asks: Who’s involved, under what conditions, and through which processes can we redress or transform the violence? What kinds of understanding are generated to account for these relations and/or to make them invisible? Without the painful concession that all of us, “abusers,” “victims,” and “innocent bystanders” alike, contribute to the production of hegemonic violence, whether it results in domestic abuse (see Adler and Ling 1995) or state violence (see Ling 1994), we may never realize how violence is conceived, generated, and sustained. By extension, we will never understand ways to end it. Instead, in our injuries and (self ) alienation, we may reproduce time and again the same conditions of violence or hegemony that afflicted us in the past and which seems the only option for the present. Suspended political ideals, in this case, could also block us from action and change. Worldist agency and accountability compel us to face the complicities (including our own) that sustain violence in the making of history, so that we may, as Marx exhorted, change it. Where do these ideas come from?, our reader may ask. Let us delineate the intellectual precedents to worldism. INTELLECTUAL PRECEDENTS Worldism draws on constructivism and postmodernism but also differs from them. Worldism shares with constructivism its emphasis on intersubject- ivity, and with postmodernism its insights on asymmetrical difference: that is, the norms, institutions, practices, and behaviors that set up certain subjects and subjectivities as more privileged and protected than others. Power, then, cannot be reduced to an objectified, reified condition of who’s “on top” or who “has more” but instead results from agents contributing to macro-political structures like ideology, organization, and capitalist relations. Power redefined in these terms stems from an intersubjective consensus within a context of material conditions and relations. The crux here lies in the framing. Since narration as a process is never complete, the story can always change.3 However, worldism departs from constructivism by asking: What kinds of intersubjectivity are constructed, by whom, and for what purpose, and how do theories of subjectivity restructure the world “otherwise”? And is this how we want the world to be? Not probing into the social relations of intersubjectivity, according to worldism, effectively erases the power politics of meaning, including the political economy behind such constructions. And unlike postmodernism, worldism distinguishes power from the resistance it induces. Contra Foucault (1994), we differentiate between the colonizer and colonized in their experiences of colonial power (see Stoler 2002) and the entwinements that follow, both reinforcing and conflicting complicity (see Ling 2002b). Not doing so implicitly reinforces the imperialist assertion that “this is the way the world is”: that is, it is not open to alternative concepts, discourses, strategies, or ways of being. These gaps in constructivism and postmodernism return us to the conventional treatment of power as domination, pure and simple. Ronen Palan (2000), for instance, finds a strain of conservative realism in Alexander Wendt’s “naturalist” version of constructivism, primarily because he claims to offer a method only, and not an interpretation, of politics. Wendt (2005) himself admits as much. For similar reasons, Samir Amin (2004) calls postmodernism an “ideological accessory” to elite, bourgeois interests just as Aijaz Ahmad (1992) considers post-structuralist theories serve as alibis for imperialism. Both post- modernism and poststructuralism value critique and deconstruction over political action, thereby keeping de facto power intact. We note that although critical theories like postmodernism and con- structivism open up spaces to think about shifting power politics, they fall short of transforming the very asymmetries they critique. Inattention to structural, material interest and lack of integrating the Other analytically – that is, as a substantive maker of the world – undermines their claims of emancipatory social theory. Ultimately, the Other becomes a repository of raw materials for hegemonic actors and sites in the North to process. Worldism acknowledges a deep intellectual debt to postcolonial studies. Here, race, gender, sexuality, class, and nationality serve as analytics and substance in examinations of power relations. Postcolonial studies demystify empire’s boast, like Kipling’s “White Man’s Burden,” that the imperial Self makes the world for all Others. And that world is unidimensional (top- down state power), unilateral (center dominates periphery), and unilinear (past–present–future). Postcolonial studies record a more nuanced and multiple history by problematizing the ways colonial power is imposed on the colonized. That is, colonization involves more than a unilateral and mechanical domination of the subjugated by colonizers and their states. As documented by postcolonial studies, tensions and contradictions emerge from these relations (Said 1979; Spivak 1999), leading to adaptations and integrations between hegemonic selves and subaltern others. From this inter- action, “colonizers” and “colonized” produced something together over the course of time that neither anticipated nor perhaps desired but which all learned to live with, and eventually called their own. Divides along lines of property, race, class, language, religion, and ideology did not disappear. They fused, rather, into hybrid, creole, or mélange cultures that, nonethe- less, contested these categories constantly (Ashcroft, Griffiths, and Tiffin 1995; Lewis and Mills 2003). In recognizing that colonizer and colonized mutually construct their sub- jectivities, postcolonial studies attribute to both the legacies of power that we face today. Note, for example, Britain’s principal instrument of colonial and imperial power: the East India Company. Sudipta Sen (1998) shows that, contrary to claims that the British brought capitalism to India, the East India Company had to adjust to pre-existing market structures and political relations to gain access to the thriving trade already in place in northern India.4 Only through this kind of entry could the East India Company later redirect the trade to its favor. L.H.M. Ling (2002b) traces how institutional elites in East Asia learned syncretically and “interstitially” between two world orders – the agrarian-based, cosmo-moral universe of Confucian governance and the Westphalian inter-state system of commerce and trade – to cumulate into what we know as Asian capitalism today. Walter Mignolo (2000) highlights the “gnosis” of thought and action, Self and Other, that comes from centuries of transgressing and reformulating the colonial boundaries that comprise Latin America. Of course, those subjected to hegemony must accommodate others more than those who perpetrate it. Yet hegemony’s very asymmetry highlights the resilience and creativity of the marginalized. Ordinary people can journey across subjectivities to engage syncretically with others, even under conditions of poverty and inequality, to rebuild, reconstruct, and reorganize communities. Cherrie Moraga and Gloria Anzaldua (1983) characterize their straddling of multiple worlds as life on the “borderlands.” Typically, they point out, women of color from the South must bear the biggest burden of negotiating the multiple worlds of language, culture, class, and gender to survive white- majority society in the North despite systemic discrimination and obstacles. Still, they are able to exercise internal reserves of freedom, thought, and action to sort through hegemony, not simply surrender to it. Similarly, the indigenous populations of the Americas, Australia, and New Zealand have entered into treaties with their white majorities to retain aspects of indigenous ontologies by formalizing them in Western institutions (Shilliam 2008).

## 4

**CP: Statesought to call a global constitutional convention and establish a constitution reflecting intergenerational concern with exclusive authority to [establish an international public trust obligation towards protection of outer space as a refusal of the appropriation of outer space by private entities] and bind participating bodies to its result**

**Gardiner 1** [Stephen M. Gardiner, Professor of Philosophy and Ben Rabinowitz Endowed Professor of Human Dimensions of the Environment at the University of Washington, Seattle, “A Call for a Global Constitutional Convention Focused on Future Generations,” 2014, *Ethics & International Affairs*, Vol. 28, Issue 3, pp. 299-315, https://doi.org/10.1017/S0892679414000379, EA]

A Constitutional Convention In my view, the above line of reasoning leads naturally to a more specific proposal: that we—concerned individuals, interested community groups, national governments, and transnational organizations—should initiate a call for a global constitutional convention focused on future generations. This proposal has two components. The first component is procedural. The proposal takes the form of a “call to action.” It is explicitly an attempt to engage a range of actors, based on a claim that they have or should take on a set of responsibilities, and a view about how to go about discharging those responsibilities. The second component is substantive. The main focus for action is a push for the creation of a constitutional convention at the global level, whose role is to pave the way for an overall constitutional system that appropriately embodies intergenerational concern. The substantive idea rests on several key ideas. Still, for the purposes of a basic proposal, I suggest that these be understood in a relatively open way that, as far as is practicable, does not prejudge the outcome of the convention, and especially its main recommendations. First, the convention itself should be understood as “a representative body called together for some occasional or temporary purpose” and “constituted by statute to represent the people in their primary relations.”14 Second, a constitutional system should be thought of in a minimalist sense as “a set of norms (rules, principles or values) creating, structuring, and possibly defining the limits of government power or authority.”15 Third, the “instigating” role of the convention should be to discuss, develop, make recommendations toward, and set in motion a process for the establishment of a constitution. Fourth, its primary subject matter should be the need to adequately reflect and embody intergenerational concern, where this would include at least the protection of future generations, the promotion of their interests (where “interests” is to be broadly conceived so as to include rights, claims, welfare, and so on), and the discharging of duties with respect to them. It may also (and in my view should) include some way of reflecting concern for past generations, including responsiveness to at least certain of their interests and views. However, I will leave that issue aside in what follows. The proposal to initiate a call for a global constitutional convention has at least two attractive features. First, it is based in a deep political reality, and does not underplay the challenge. It acknowledges the problem as it is, both specific and general, and calls attention to the heart of that problem, including to the failures of the current system, the need for an alternative, and the background issue of responsibility. Moreover, though the proposal is dramatic and rhetorically eye-catching, it is so in a way that is appropriately responsive to the seriousness of the issue at hand, the persistent political inertia surrounding more modest initiatives, and the fact that (grave though concerns about it are) climate change is only one instance of the tyranny of the contemporary (and the wider perfect moral storm), and we should expect others to arise over the coming decades and centuries. The second attractive feature of the proposal is that, though ambitious, it is not alienating. While it does not succumb to despair in the face of the challenge, neither does it needlessly polarize and divide from the outset (for example, by leaping to specific recommendations about how to fill the institutional gap). Instead, it acknowledges that there are fundamental difficulties and anxieties, but uses them to start the right kind of debate, rather than to foreclose it. As a result, the proposal is a promising candidate to serve as the subject of a wide and overlapping political consensus, at least among those who share intergenerational concern. Selective Mirroring To quell some initial anxieties, it is perhaps worth clarifying the open-ended and non-alienating character of the proposal. One temptation would be to view the call for a global constitutional convention as a fairly naked plea for world government, a prospect that would be deeply alienating—indeed anathema—to many. However, that is not my intention. Though it is possible that a global constitutional convention would lead in this direction, it is by no means certain. At a minimum, no such body could plausibly recommend any form of “world government” without simultaneously advancing detailed suggestions about how to avoid the standard threats such an institution might pose. Moreover, it seems perfectly conceivable, even likely under current ways of thinking, that a global constitutional convention would pursue what we might call a selective mirroring strategy. Specifically, a convention would seek to develop a broader system of institutions and practices that reflected the desirable features of a powerful and highly centralized global authority but neutralized the standing threats posed by it (for example, it might employ familiar strategies such as the separation of powers). In all likelihood, one feature of a selective mirroring approach would be the significant preservation of existing institutions to serve as a bulwark against the excesses of any newly created ones. Whether and how such a strategy might be made effective against the perfect moral storm, and whether something closer to a “world government” would do better, would be a central issue for discussion by the convention.

**Spills over to foster broader intergenerational representation, but independence is key**

**Gardiner 2** [Stephen M. Gardiner, Professor of Philosophy and Ben Rabinowitz Endowed Professor of Human Dimensions of the Environment at the University of Washington, Seattle, “A Call for a Global Constitutional Convention Focused on Future Generations,” 2014, *Ethics & International Affairs*, Vol. 28, Issue 3, pp. 299-315, https://doi.org/10.1017/S0892679414000379, EA]

One set of guidelines concerns how the global constitutional convention relates to other institutions. The first guideline concerns relative independence: (1) Autonomy: Any global constitutional convention should have considerable autonomy from other institutions, and especially from those dominated by factors that generate or facilitate the tyranny of the contemporary (and the perfect moral storm, more generally). Thus, for example, attempts should be made to insulate the global constitutional convention from too much influence from short-term and narrowly economic forces. The second guideline concerns limits to that independence: (2) Mutual Accountability: Any global constitutional convention should be to some extent accountable to other major institutions, and they should be accountable to it. Thus, for example, though the global constitutional convention should not be able to decide unilaterally that national institutions should be radically supplanted, nevertheless such institutions should not have a simple veto on the recommendations of the convention, including those that would result in sharp limits to their powers. A third guideline concerns adequacy: (3) Functional Adequacy: The global constitutional convention should be constructed in such a way that it is highly likely to produce recommendations that are functionally adequate to the task. Thus, for example, the tasks of the global constitutional convention should not be assigned to any currently existing body whose design and authority is clearly unsuitable. In my view, this guideline rules out proposals such as the Royal Society’s suggestion that governance of geoengineering should be taken up by the United Nations’ Commission on Sustainable Development,20 or the Secretary-General’s recommendation of a new United Nations’ High Commissioner for Future Generations.21 Though such proposals may have merit for some purposes (for example, as pragmatic, incremental suggestions to highlight the importance of intergenerational issues), they are too modest, in my opinion, to reflect the gravity of the threats posed by climate change in particular, and the perfect moral storm more generally. Aims A second set of guidelines concerns the aims of the global constitutional convention. Here, the perfect moral storm analysis would suggest: (4) Comprehensiveness: The convention should be under a mandate to consider a very broad range of global, intergenerational issues, to focus on such issues at a foundational level, and to recommend institutional reform accordingly. (5) Standing Authority: Though the convention may recommend the establishment of some temporary and issue-specific bodies, its focus should be on the establishment of institutions with standing authority over the long term. These guidelines are significant in that they stand against existing issue-specific approaches to global and intergenerational problems, and encourage not only a less ad hoc but also a more proactive approach. In particular, the global constitutional convention might be expected to recommend institutions that would be charged with identifying, monitoring, and taking charge of intergenerational issues as such. For example, such institutions should address not only specific policy issues (such as climate change, large asteroid detection, and long-term nuclear waste) but also the need to identify similar threats before they arise.

**Proactive measures mitigate a laundry list of emerging catastrophic risks – extinction**

**Beckstead et al. 14** [Nick Beckstead, Nick Bostrom, Niel Bowerman, Owen Cotton-Barratt, William MacAskill, Seán Ó hÉigeartaigh, Toby Ord, \* Future of Humanity Institute, University of Oxford, \*\* Director, Future of Humanity Institute, University of Oxford, \*\*\* Global Priorities Project, Centre for Effective Altruism; Department of Physics, University of Oxford, \*\*\*\* Global Priorities Project, Centre for Effective Altruism; Future of Humanity Institute, University of Oxford, \*\*\*\*\* Uehiro Centre for Practical Ethics, University of Oxford, \*\*\*\*\*\* Cambridge Centre for the Study of Existential Risk; Future of Humanity Institute, University of Oxford, \*\*\*\*\*\*\* Programme on the Impacts of Future Technology, Oxford Martin School, University of Oxford, “Policy Brief: Unprecedented Technological Risks,” 2014, *The Global Priorities Project, The Future of Humanity Institute, The Oxford Martin Programme on the Impacts of Future Technology, and The Centre for the Study of Existential Risk*, https://www.fhi.ox.ac.uk/wp-content/uploads/Unprecedented-Technological-Risks.pdf, Accessed: 03/13/21, EA]

In the near future, major technological developments will give rise to new unprecedented risks. In particular, like nuclear technology, developments in synthetic biology, geoengineering, distributed manufacturing and artificial intelligence create risks of catastrophe on a global scale. These new technologies will have very large benefits to humankind. But, without proper regulation, they risk the creation of new weapons of mass destruction, the start of a new arms race, or catastrophe through accidental misuse. Some experts have suggested that these technologies are even more worrying than nuclear weapons, because they are more difficult to control. Whereas nuclear weapons require the rare and controllable resources of uranium-235 or plutonium-239, once these new technologies are developed, they will be very difficult to regulate and easily accessible to small countries or even terrorist groups. Moreover, these risks are currently underregulated, for a number of reasons. Protection against such risks is a global public good and thus undersupplied by the market. Implementation often requires cooperation among many governments, which adds political complexity. Due to the unprecedented nature of the risks, there is little or no previous experience from which to draw lessons and form policy. And the beneficiaries of preventative policy include people who have no sway over current political processes — our children and grandchildren. Given the unpredictable nature of technological progress, development of these technologies may be unexpectedly rapid. A political reaction to these technologies only when they are already on the brink of development may therefore be too late. We need to implement prudent and proactive policy measures in the near future, even if no such breakthroughs currently appear imminent.

**Maintaining sustainable use of outer space is key to future generations**

**Islam 18** [Mohammad Saiful Islam, Mohammad works for the Institute of Advanced Judicial Studies and the Beijing Institute of Technology. 4-27-2018, "The Sustainable Use of Outer Space: Complications and Legal Challenges to the Peaceful Uses and Benefit of Humankind," Beijing Law Review,<https://www.scirp.org/journal/paperinformation.aspx?paperid=85201> accessed 12/12/21] Adam

4.2. Ensure the Rights of Future Generations in Outer Space Sustainable development is the establishing principle for achieving present human needs without damaging the demands of future generations maintaining integrity and constancy of the natural systems. The modern idea of sustainable development is derived from the Brundtland Report in 1987. Generally considered in modern application and exploration of outer space, fundamental elements are the area must be dedicated to peaceful purposes; and the area must be preserved for future generations [(Heim, 1990)](https://www.scirp.org/journal/paperinformation.aspx?paperid=85201#ref17) . It is an indispensable and inordinate challenge to confirm uphold the healthy environment and make sure development without destroying the rights of future generations in space. Article IX of The Outer Space Treaty provided, in the exploration and use of outer space, States should pursue studies and conduct exploration of outer space so as to avoid harmful contamination and also adverse changes in the environment of the Earth [(Outer Space Treaty, 1967)](https://www.scirp.org/journal/paperinformation.aspx?paperid=85201#ref35) . The issues of what constitutes harmful contamination in Earth’s environment have yet to be interpreted. The legal definition of “adverse” and “harmful” will also modification as Earth, indigenous sciences progress, separately or in concert, with the planetary exploration space sciences [(Robinson, 2005)](https://www.scirp.org/journal/paperinformation.aspx?paperid=85201#ref38) . As a result of multifaceted political, economic, scientific, technological, educational, and other global problems, there has been practicing exclusively only international cooperation for sustainable space development among the developed countries [(Noichim, 2005)](https://www.scirp.org/journal/paperinformation.aspx?paperid=85201#ref34) . The space faring nations should promote a supportive environment for peaceful and sustainable use of space, decrease environmental effects on Earth and protect the terrestrial environment. We should escape a regime that will ultimately reflect the over-exploitation of resources and environmental havoc [(Fountain, 2002)](https://www.scirp.org/journal/paperinformation.aspx?paperid=85201#ref9) .

**COPUOS is normal means**

**Halstead 10**—(B.S., Psychology, The University of Alabama; J.D., The University of Alabama School of Law; LL.M., Institute of Air and Space Law, McGill University; Lieutenant Colonel, U.S. Air Force Judge Advocate General's Corps). C. Brandon Halstead. 2010. "Prometheus Unbound - Proposal for a New Legal Paradigm for Air Law and Space Law: Orbit Law," Journal of Space Law 36, no. 1, 143-206

The debate on how to distinguish airspace from outer space is as old as the space age itself. The problems emerging from space exploration first entered the agenda of the United Nations in 1957, and were later placed on the agenda before the General Assembly through the establishment of an Ad Hoc Committee on the Peaceful Uses of Outer Space (COPUOS) in 1958.' Although this Committee initially focused on the debate of disarmament, its status was later made permanent in 1961 while its charter was expanded to include examination of all issues relating to the field of exploration and use of outer space by governmental and non-governmental organizations.16 In 1962 the Scientific and Technical Sub-Committee and Legal Sub-Committee began their true substantive work and became the main center of international cooperation and coordination for exploration of peaceful uses of outer space." Successive sessions focused on general and specific issues of space law, including the establishment of a frontier between outer space and atmospheric space18.

**Plan is immediate**

**Jovanović 19** Miodrag A. Jovanović, Professor of Jurisprudence at the Law Faculty University of Belgrade, “International Law as a Normative Order”, Cambridge University Press, pg. 78-155, April 2019, accessed: 12 December 2020, https://doi.org/10.1017/9781108608060.005, R.S.

Without going into detail, I will first clarify what we are trying to ascertain in the Kosovo case. Put in Kelsenian terms, a complete duty-imposing legal norm “is split into two separate norms, two ‘ought’ statements” – one directed at some subject who “‘ought’ to observe certain conduct,” and the other directed at a law-applying actor who “ought to execute a sanction in case the first norm is violated.”75 The aforesaid analysis of the UN Charter shows that there is a general duty of states to abstain from threatening or breaching the peace. The Security Council determined in two of its Resolutions, pursuant to Art. 39, that this general duty was violated in the case of Kosovo and that the “Federal Republic of Yugoslavia constitutes a threat to peace and security in the region.”76 In both of the resolutions, thus, the Security Council provided for more specific duties of all the involved actors, but primarily of the FRY government.77 In the course of January 1999 events in the village of Racˇak,78 the Security Council’s President issued a press statement, in which it was stated that “all of these events” were considered “violations of its resolutions and of relevant agreements and commitments calling for restraint.”79 After the failure of negotiations in Rambouillet80 and withdrawal of the OSCE Kosovo Verification Mission,81 NATO began airstrikes against the FRY. Therefore, the key question to be asked is whether this use of force can be deemed a valid sanctioning “measure” within the confines of Art. 42 of the UN Charter. [footnote 77 begins] 77 SC Resolution 1199 demands, inter alia, the FRY to “implement immediately the following concrete measures towards achieving a political solution to the situation in Kosovo” (par. 4). SC Resolution 1203 demands, inter alia, that the FRY “comply fully and swiftly with resolutions 1160 (1998) and 1199 (1998) and cooperate fully with the OSCE Verification Mission in Kosovo and the NATO Air Verification Mission over Kosovo,” which were agreed upon. (par. 2)

## 5

**SAFE act passes now, but opposition means it’s still tough**

**CNN 4/20**, "US lawmakers are warming up to the cannabis industry," No Publication, <https://www.kake.com/story/46328914/us-lawmakers-are-warming-up-to-the-cannabis-industry> //SR

April is typically a pretty eventful month for the cannabis industry, with 4/20 celebrations bringing abundant attention -- and sales. But things have been heating up much earlier this year. In the first four days of April, the US House of Representatives (once again and narrowly) passed a bill to decriminalize marijuana and then, days later, (overwhelmingly) approved legislation to ease barriers to cannabis research. In addition, Maryland lawmakers voted to put an adult-use cannabis measure on their state's November ballot; New Mexico became the latest state to begin recreational sales; and this Thursday, New Jersey will start selling recreational cannabis. The full-scale legalization of cannabis in America feels like it's closer than ever: More states have passed recreational-use laws; comprehensive legislation is gaining attention -- and votes -- in Congress; and the industry continues to steamroll to maturity with a stream of mega-mergers, high value investments and steady sales. "The fact that the House of Representatives has passed [the Marijuana Opportunity Reinvestment and Expungement Act] in two successive sessions of Congress really is a sign that the end of federal prohibition is drawing near," said Steven Hawkins, president and chief executive officer of the US Cannabis Council, a trade and lobbying organization. However, while this is an industry that has long held a "not if, but when" belief toward legalization, what's viewed as inevitable is not necessarily imminent. The MORE Act, which mustered only three Republican votes, is not expected to succeed in the Senate. Additionally, a separate legalization bill that Senate Majority Leader Chuck Schumer is expected to introduce this summer also might not garner the 60 votes needed to pass. "In terms of passage of either [bill], it's still a tough path ahead in the Senate," Hawkins said. "But we're not ruling anything out." A $27 billion industry The absence of federal legalization has not slowed down one of the fastest-growing industries in the United States. The cannabis industry reeled in an estimated $27 billion in sales in 2021, up 35% from 2020, according to data released earlier this month by MJBiz, a cannabis trade publication and events organizer. And in the next five years, it projects sales will nearly double. "Right now, over 425,000 jobs in the economy are tied to the cannabis industry. With that, we see the continued increase for public support for legalization," Hawkins said. "And we continue to see both red and blue states pass laws to legalize cannabis for either adult or medical use." As more states allow for cannabis sales, companies within the budding industry aren't waiting for federal law changes to stake their claim. In the past year, there have been a couple of multibillion-dollar mergers. The latest: Cresco's $2.1 billion acquisition of Columbia Care. If the deal closes as expected in the fourth quarter, the combined company would have upward of 120 retail locations and dozens of facilities in 17 states and Washington, D.C. "It sets us up very well if federal change happens any time soon," Cresco CEO Charlie Batchell told CNN Business in an interview. Other paths to legal reform More than two-thirds of US states have legalized cannabis in some capacity: Of the 37 that have medical marijuana laws, 18 of them have recreational cannabis laws, according to the National Conference of State Legislatures. And more could be on the way. States such as Delaware, New Hampshire and Rhode Island are debating recreational cannabis legalization. Petition drives and legislative efforts for medical marijuana programs are also underway in states such as Kansas, Nebraska, North Carolina and South Carolina, said Karen O'Keefe, director of state policies for the Marijuana Policy Project, a lobbying and advocacy organization. One huge step toward broader reform is the Secure and Fair Enforcement (SAFE) Banking Act, which would make it easier for cannabis businesses to access banking services. Because marijuana remains illegal in the eyes of the federal government, and despite 2014 guidance from the Financial Crimes Enforcement Network, some financial institutions have been wary of serving cannabis-related businesses for fear of violating anti-money laundering laws. The SAFE Act bill is gaining momentum in Congress and is now in a good position to become law, Hawkins said. Beyond making it easier for financial institutions to work with cannabis businesses, the SAFE Banking Act has long been touted as a public safety measure. Colorado Rep. Ed Perlmutter first introduced the legislation five years ago following deadly robberies at cash-only dispensaries. Re-upping those safety concerns after another recent stretch of criminal activity at dispensaries, Perlmutter asked Treasury Secretary Janet Yellen to "put the muscle of the administration behind getting it passed." Yellen responded that she was in support of the bill, in an exchange first reported by Marijuana Moment.

**Space policy causes immense partisan backlash that wrecks the delicate balance**

**Dreier 16** [Casey Dreier, Chief Advocate & Senior Space Policy Adviser for The Planetary Society, April 13, 2016. “Does Presidential Intervention Undermine Consensus for NASA?” https://www.planetary.org/blogs/casey-dreier/2016/0413-does-a-strong-president-help-or-hurt-consensus-on-NASA.html]

To see how this happens, I recommend reading the book “[Beyond Ideology](http://smile.amazon.com/Beyond-Ideology-Politics-Principles-Partisanship/dp/0226470768/ref=smi_www_rco2_go_smi_g2243582042?_encoding=UTF8&*Version*=1&*entries*=0&ie=UTF8)” by Frances Lee. The author’s larger premise is that issues having no intrinsic relation to stated party ideology have become increasingly polarized in recent years. This is a function of the two party nature of our political system. If your party coalition wins, the other one loses. It’s zero-sum. Your party can win in one of two ways: you can make a better pitch to voters by demonstrating the superiority of your agenda; or you can undermine and stymie the agenda of the opposition party, making them unpopular with voters, and pick up the seats that they lose. Since you’re the only other political party, you gain in either scenario. I’m not sure if you’ve noticed, but the “undermine and stymie” approach has been popular for quite some time now in the U.S. Congress. Given this situation, the President and their policies naturally become the symbolic target of the opposition party. Anything promoted by the President effectively induces opposition by association. Lee demonstrates the magnitude of this induced polarization on various types of issues. For highly polarized issues like the role of government in the economy, or social issues, the impact is minimal—the opposition has already been clearly defined and generally falls into clearly defined ideologies of the Republican and Democratic parties. But for issues that do not fit readily into a predefined political ideology—like space—the induced polarization by the President can be significant. In fact, Lee showed that space, science, and technology issues incur the greatest increase in partisanship based on their inclusion in the Presidential agenda. One need only look to at the responses by political operatives of the opposing party to the strong human spaceflight proposals by [Barack Obama in 2010](http://www.shelby.senate.gov/public/index.cfm/mobile/newsreleases?ID=25F3AD2E-802A-23AD-4960-F512B9E205D2), [George W. Bush in 2004](http://www.nbcnews.com/id/3950099/ns/technology_and_science-space/t/bush-sets-new-course-moon-beyond/#.Vw3UMRMrKHo), and [George H.W. Bush in 1989](http://www.nytimes.com/1989/07/21/us/president-calls-for-mars-mission-and-a-moon-base.html) to see this reflected in recent history. This isn’t to say that Presidents can’t have a significant impact on the space program. Clearly they can. But the broad consensus needed for stability after their departure from office may be undermined by the very priority they gave it during their tenure. It what amounts to a mixed blessing for NASA, the U.S. space program does have an unusually strong bipartisan group of politicians who support the program due to NASA centers in a variety of states throughout the union. Berger notes this throughout his article, and it does, in a way, act as force that is resistant to change for good and bad. This mitigates somewhat the pure polarization seen on other science and technology issues. But for a Journey to Mars—a major effort that would, at best, require stability and significant funding over many Presidential administrations—that may not be enough. Perhaps the solution is for the next President to maintain a light touch on space. Maybe they should speak softly through the budget process, and avoid the Kennedyesque speeches and declarations to Congress that induce the types of partisanship we so dearly need to avoid.

**SAFE solves capital investment in cannabis**

**Jergler 20** --- Don Jergler, Insurance Journal, “SAFE Banking in Stimulus Could Put Cannabis Industry on Steroids” May 14, 2020,<https://www.insurancejournal.com/news/west/2020/05/14/568608.htm> (BJN)

A big and long-awaited boost for cannabis – and those who offer financial products to cannabis businesses – now in the hands of Congress may not only help usher the industry through the coming pandemic-ridden economic slump, it could have an impact akin to putting the sector on steroids. The leadership of the U.S. House has included wording from the SAFE Banking Act in the latest proposed coronavirus economic relief package. A House vote on the COVID-19 package, a relief bill with a potential $3 trillion price tag that is being met with considerable political headwind, is expected as early as Friday. The proposed Health and Economic Recovery Omnibus Emergency Solutions Act, or the HEROES Act, includes more stimulus checks, moratoriums on evictions, pandemic pay for essential workers, and SAFE Banking provisions. The SAFE Banking bill had bipartisan momentum in the House until it stalled in committee last fall. If the SAFE Banking language remains the relief bill, and that bill is passed, it will pave the way for several large commercial carriers to get right into the cannabis market, as well as reinvigorate reinsurance interest, enable much-needed banking services, and bring in more capital, said Ian Stewart, a partner in Wilson Elser Moskowitz Edelman & Dicker LLP. “If it stays in there, it will put the cannabis industry on steroids,” Stewart said.

**That’s key to ag tech innovation and food security**

**Yamazaki 17** Kevin Yamazaki (founder and CEO of [Sidebench](http://sidebench.com/), a leading digital product and venture studio that creates custom software and apps), 3-27-2017, "High Tech: How Marijuana Legalization Breeds Innovation," Observer, https://observer.com/2017/03/high-tech-how-marijuana-legalization-breeds-innovation/, SJBE

With the competition blazing and increased legalization on the horizon, we can expect to see the weed market become a hotbed for tech innovations. Forecasts indicate that revenue in the U.S. from medical marijuana alone will reach at least [$10.8 billion by 2018](http://fortune.com/2016/02/01/marijuana-sales-legal/). When states expand to allow recreational use, this number will surely increase. As investors become more comfortable deploying capital around cannabis, tech will revolutionize the marijuana ecosystem for producers, distributors, and consumers alike. The future of marijuana innovation Innovation has begun to outpace legalization as tech organizations make groundbreaking strides in researching and developing applications for marijuana. For example, [Kalytera](https://kalytera.co/) is exploring how cannabidiol — a non-psychoactive cannabinoid with a number of potential medical applications — can be used to target diseases such as obesity and osteoporosis. The findings of such research could transform how people cope with chronic illness and pain. Companies are also experimenting with improvements in [weed-growing processes](http://www.ibtimes.com/legal-marijuana-cultivation-driving-technology-revolution-industrial-agriculture-1925167). Cannabis is a finicky crop, so the ability to fine-tune growing processes could generate products far superior to today’s. Several organizations are devising smart, energy-efficient systems that automatically adjust growing environments according to changes in moisture, temperature, and sunlight. Meanwhile, data-capture technologies enable growers to identify optimal conditions for their plants, leading to larger and better-quality yields. The primary speed bump for the industry at this point is that marijuana is still classified as a Schedule I drug and is illegal at the federal level. Even if this factor doesn’t inhibit marijuana-centric technology innovation directly, it certainly has a strong indirect effect, as many potential financiers (and entrepreneurs) are scared away by either fear of prosecution or skepticism about the industry’s stability. That said, as more states allow for medical marijuana or legalize the drug entirely, the potential market size for marijuana-centric products expands as well. Perhaps more importantly, with some form of state legalization becoming the norm rather than the exception, there is a degree of safety in numbers. Assuming we see the trend of legalization for medical and recreational uses continue, production will inevitably become an even bigger business. Technology will play an increasing role in ensuring quality, consistency, and efficiency on the production side. We’re already seeing startups like [Cannafuse](http://cannafuse.com/) and [Teewinoit Life Sciences](https://tlscorp.com/) focusing on providing a tech-enabled scientific approach to the mass scientific production and distribution of cannabis. Advances in the irrigation systems, efficiency lamps, and data tracking processes used to grow marijuana may have far-reaching effects beyond the cannabis industry. Industrial farmers could adopt these techniques to increase their outputs and reduce energy expenses, while building managers can use them to lower energy loads from their properties. On the consumer side, the medical marijuana industry, in particular, will likely see an explosion of on-demand delivery services. Consumers are accustomed to using their smartphones to book cars, buy groceries, and mail packages. Why wouldn’t they receive their medical marijuana that way, too? Expect to see personalized services as well — think apps that recommend strains of marijuana on the basis of your preferences. Apps such as [MassRoots](https://massroots.com/) bring the social media aspect to what is, for many people, a social product by connecting weed enthusiasts to one another through news updates and other types of content. Even Microsoft is throwing its hat into the ring with [marijuana tracking software](http://www.businessinsider.com/microsoft-marijuana-tracking-software-2016-11) that ensures growers comply with their tax obligations and prevents legally grown pot from ending up on the black market. As the cannabis industry expands, the opportunities for growth are diverse and extensive. Tech-enabled companies will inevitably spur that growth, driving breakthroughs in medicine, crop development, and customer experiences. The momentum created by legalization will transform a once-taboo drug into a mainstream commodity, and the tech world stands to benefit enormously.

**Food insecurity causes extinction–now is key because of overpopulation**

Julian **Cribb**, Distinguished science writer with more than thirty awards for journalism. He was a newspaper editor, founder of the influential ScienceAlert website and author of eight books, including The Coming Famine, Food as an Existential Risk. (**2019**). *Food or War, 174–202.///AHS PB*

Our demand for food is set to double by the 2060s – potentially the decade of ‘peak people’, the moment in history when the irresistible human population surge may top out at around 10 billion. However, as we have seen, many of the resources needed to supply it agriculturally could halve and the climate for the growing of food outdoors become far more hostile. Why food insecurity is an existential threat to humanity should, by now, be abundantly clear from the earlier chapters of this book: present systems are unsustainable and, as they fail, will pose risks both to civilization and, should these spiral into nuclear conflict, to the future of the human species. The important thing to note in this chapter is that food insecurity plays into many, if not all, of the other existential threats facing humanity. The food sector’s role in extinction, resource scarcity, global toxicity and potential nuclear war has already been explained. Its role in the suppression of conflict is discussed in the next chapter. Its role in securing the future of the megacities, and of a largely urbanised humanity, is covered in Chapter 8. And its role in sustaining humanity through the peak in population and into a sustainable world beyond is covered in Chapter 9. Food clearly has a pivotal role in the future of human population – both as a driver of population growth when supplies are abundant and as a potential driver of population decline, should food chains collapse. It is no exaggeration to state that the fate of civilisation depends on it. Pandemic Disease Disease pandemics have been a well-known existential risk to humanity since the plague of Athens in 430 BC – itself linked to a war. However, a point that escapes many people nowadays is that, as humans have become so numerous – indeed the predominant lifeform on the planet – we have also become the major food source for many microbes. We are now the ‘living compost heap’ on which they must dine and in which they must reproduce, if they are themselves to survive. As our own population grows, pandemics are thus likely to increase, as more and more viruses and bacteria are forced to take refuge in humans following the depletion or total extinction of their natural hosts, the wild animals we are exterminating. This process is greatly assisted by our creation of megacities, tourism and air travel, schools and child-minding centres, air-conditioned offices, night clubs, sex with strangers, pet and pest animals, insects which prosper from climate change or human modification of the environment (like mosquitoes), ignorance, poor public hygiene, lack of clean water, and deficient food processing and handling. So, while humanity is confronted with an ever-expanding array of parasites, we are simultaneously doing everything in our power to distribute them worldwide in record time – and to seed new pandemics. The World Health Organisation has identified 19 major infectious diseases with potential to become pandemic: chikungunya, cholera, Crimean-Congo haemorrhagic fever, Ebola, Hendra, influenza, Lassa fever, Marburg virus, meningitis, MERS-CoV, monkeypox, Nipah, plague, Rift Valley fever, SARS, smallpox, tularaemia, yellow fever and Zika virus disease.28 While none of these is likely to fulfil the Hollywood horror movie image of wiping out the human species – for the simple reason that viruses are usually smart enough to weaken to a sublethal state once comfortably ensconced in their new host – the apocalyptic horseman representing Pestilence and Death will nevertheless continue to play a synergetic role with his companions warfare, famine, climate change, global poisoning, ecological collapse, urbanisation and other existential threats. Food insecurity affects the progression of pandemic diseases, often in ways that are not entirely obvious. First, new pandemics of infectious disease tend to originate in developing regions where nutritional levels are poor or agricultural practices favour the evolution of novel pathogens such as, for example, the new flu strains seen every year – which arise mainly from places where people, pigs and poultry live side-by-side and shuffle viruses between them – and also novel diseases like SARS and MERS. Second, because totally unknown diseases tend to arise first in places where rainforests are being cut down for farming and viruses hitherto confined to wild animals and birds make an enforced transition into humans. Examples of novel human diseases escaping from the rainforest and tropical savannah in recent times include HIV/AIDS, Hendra, Nipah, Ebola, Marburg, Lassa and Hanta, Lujo, Junin, Machupo, Rift Valley, Congo and Zika.29 And thirdly, because the loss of vital micronutrients from heavily farmed soils and from food itself predisposes many populations to various deficiency diseases – for example, a lack of selenium in the diet has been linked with increased risk from both HIV/AIDS and bowel cancer.30 A key synergy is the way hunger and malnourishment exacerbate the spread of disease, classic examples being the 1918 Global Flu Pandemic which spread rapidly among war-starved populations, or the more recent cholera outbreak in war-torn Yemen. In a fresh twist, Dr Melinda Beck of North Carolina University has demonstrated that obesity – itself a form of malnutrition – may cause increased deaths from influenza by both aiding the virus and suppressing the patient’s immune response.31 At the same time, food is largely responsible for the fastest growing pandemic of all – the so-called ‘lifestyle’, chronic or noncommunicable diseases, such as cancer, heart disease, diabetes, obesity, kidney and liver failure and some mental conditions, all of which are diet-related. These are responsible for 71 per cent of deaths worldwide, killing around 42 million people a year.32 Food and dietary quality are therefore inseparable from worldwide efforts to prevent or contain new disease pandemics. Vaccines, public health and biosecurity alone are not enough. In an overpopulated world, people must be sufficiently well-fed to avoid becoming fertile soil for the germination of fresh plagues. Diseases must be prevented – not just ‘cured’, and the key to prevention lies in a healthy diet.33

## 6

**We endorse the entirety of the 1AC minus their use of the term ‘Wild West’ in 1AC Rauenzahn**

**Their invocation of a ‘Wild West’ that needs to be controlled and avoided is the same justification used to tame the ‘wild, savage native’ to justify colonialism**

Deondre **Smiles**, 10/26/**20**, "The Settler Logics of (Outer) Space," No Publication, <https://www.societyandspace.org/articles/the-settler-logics-of-outer-space> //SR

‍“In reaffirming our heritage as a free nation, we must always remember that America has always been a frontier nation. Now we must embrace the next frontier. America’s Manifest Destiny in the stars…The American nation was carved out of the vast frontier by the toughest, strongest, fiercest and most determined men and women ever to walk on the face of the Earth… Our ancestors braved the unknown, tamed the wilderness, settled the Wild West…This is our glorious and magnificent inheritance. We are Americans. We are pioneers. We are the pathfinders. We settled the New World. We built the modern world.” -President Donald J. Trump, 2020 State of the Union address To most scholars, and certainly to the virtual majority of Indigenous peoples on Turtle Island, it is no secret that the country we call the United States of America was built upon the brutal subjugation of Indigenous people and Indigenous lands. Fueled by the American settler myths of terra nullius (no man’s land) and Manifest Destiny, the American settler state proceeded upon a project of cultural and physical genocide, with lasting effects that endure to the present day. The ‘settler myth’ permeates American culture. Words such as ‘pioneer’, the ‘West’, ‘Manifest Destiny’ grab the imagination as connected to the growth of the country in its early history. America sprang forth from a vast open ‘wilderness’. Of course, for Indigenous people, we know differently—these lands had complex cultural frameworks and political entities long before colonization. Words like ‘pioneer’ and ‘Manifest Destiny’, have deep meanings for us too, as they are indicative of the very real damage dealt against our cultures and nations, damage that we have had to work very hard to undo. Trump’s address raises key insights into the continuing logics of settler colonialism, as well as questions of its future trajectories. Trump’s invocation of ideas such as the ‘frontier’ and ‘taming the wilderness’ draws attention to the brutal violence that accompanied the building of the American state. Scholars such as Greg Grandin (2019) make the case that the frontier is part of what America is—whether it is the ‘Wild West’, or the U.S.-Mexican border, America is always contending with a frontier that must be defined. Language surrounding ‘frontier’ is troubling because it perpetuates the rationale of why the American settler state even exists—it could make better use of the land than Native people would, after all, they lived in wilderness. This myth tells us that what we know as the modern world was built through the hard work of European settlers; Indigenous people had nothing to offer or contribute. For someone like Mr. Trump, whose misgivings and hostility towards Native people have been historically documented, this myth fits well with his narrative as President—he is building a ‘new’ America, one that will return to its place of power and influence.

**Language matters and overdetermines the consequences of the plan**

Joelle **Renstrom**, 3-25-**2021**, "We Shouldn't Invoke Colonialist Language To Justify Missions To the Cosmos," Wire Science, <https://science.thewire.in/the-sciences/why-should-we-invoke-colonialist-language-to-justify-missions-to-the-cosmos/> //SR

Last month, NASA’s Perseverance rover landed on the surface of Mars to much fanfare, just days after probes from the UAE and China entered orbit around the Red Planet. The surge in Martian traffic symbolises major advancements in space exploration. It also presents an opportune moment to step back and consider not only what humans do in space, but how we do it – including the words we use to describe human activities in space. The conversation around the language of space exploration has already begun. NASA, for instance, has been rooting out the gendered language that has plagued America’s space program for decades. Instead of using “manned” to describe human space missions, it has shifted to using gender-neutral terms like “piloted” or “crewed.” But our scrutiny of language shouldn’t stop there. Other words and phrases, particularly those that invoke capitalism or colonialism, should receive the same treatment. To some extent, language influences the way we think and understand the world around us. A dramatic example comes from the Pirahã tribe of the Brazilian Amazon, whose language contains very few terms for describing numbers or time. A capitalist culture in which time equals money likely wouldn’t make sense to them. Similarly, language likely affects humans’ thoughts and beliefs about outer space. The words scientists and writers use to describe space exploration may influence who feels included in these endeavours – both as direct participants and as benefactors — and alter the way people interact with the cosmos. Take, for example, John F. Kennedy’s 1962 Moon Speech, in which he three times used the words “conquer” and “conquest.” While Kennedy’s rhetoric was intended to bolster U.S. morale in the space race against the USSR, the view of outer space as a venue for conquest evokes subjugation and exploitation and exemplifies an attitude that has resulted in much destruction on Earth. By definition, conquering involves an assertion of power and mastery, often through violence. Similarly, former President Donald Trump is the most recent American president to use the term “Manifest Destiny” to describe his motives for exploring space, tapping into a philosophy that suggests humanity’s grand purpose is to expand and conquer, regardless of who or what stands in the way. In a recent white paper, a group comprising subject-matter experts at NASA and other institutions warned of the hazards of invoking colonial language and practice in space exploration. “The language we use around exploration can really lead or detract from who gets involved and why they get involved,” Natalie B. Treviño, one of the paper’s coauthors, told me. Treviño, who researched decolonial theory and space exploration for her PhD at Western University in Canada, is a member of an equity, diversity and inclusion working group that makes equity-related recommendations in the planetary science research community. She notes that certain words and phrases can be particularly alienating for Indigenous people. “How is an Indigenous child on a reserve in North America supposed to connect with space exploration if the language is the same language that led to the genocide of his people?”