# 1NC TOC Runoffs

## 1

**Interp – Unjust refers to a negative action – it means contrary.**

**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 – The Aff is a positive action – they go from “appropriation bad and should be banned” to “we should actively create a new leasing regime” which is functionally extra-T. Here’s their article–they highlighted some parts too.**

**Pershing 19** – Yale J.D. Candidate; director of the Lowenstein International Human Rights Clinic; editor of the Yale Law Journal, the Yale Journal of International Law, and the Yale Law & Policy Review

Moreover, the principle established in Article I of the Outer Space Treaty, that “[t]he exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,” is also upheld under this leasing regime.150 Leasing not only allows nations and private companies to exploit space resources and reap the benefits of their labor, but also directly benefits developing countries not yet able to tap into the resources of space by redistributing some of the space-going nations’ profits via a leasing fee and a tax on extracted resources. A potential argument against this rental system, as well as any other international legal system that would seek to regulate property rights in space, is that the United States never signed on to UNCLOS and there is nothing different about this situation that would cause the United States to join an international treaty regulating property in space either. However, space law has a fairly different history than the law of the sea. These differences make it more likely (though unfortunately not certain) that a proposal for an International Outer Space Authority would be adopted by the United States despite the fact that the facially similar UNCLOS proposal failed to garner a two-thirds majority vote in the Senate. The major difference between UNCLOS and this proposed International Outer Space Authority is that the United States has self-interested reasons for supporting an International Outer Space Authority, whereas it did not have similar reasons to join UNCLOS. The United States has maintained that under customary international law, deep seabed mining is already permissible.151 Since the United States does not recognize limitations of deep seabed mining established in UNCLOS, it may legally undertake deep sea mining under customary international law—a right that is codified in domestic U.S. law in the Deep Seabed Hard Mineral Resources Act: [I]t is the legal opinion of the United States that exploration for and commercial recovery of hard mineral resources of the deep seabed are freedoms of the high seas subject to a duty of reasonable regard to the interests of other states in their exercise of those and other freedoms recognized by general principles of international law . . . .152 The United States therefore already has access to what it wants without having to join UNCLOS. As an additional point, there is also not much pressure from American companies to ratify UNCLOS, in part because the American Exclusive Economic Zone (recognized by the United States under customary international law)153 and the continental shelf is hugely rich in the resources companies might otherwise have hoped to gain by joining the Treaty and gaining access to minerals from deep sea mining in other areas. Finally, not only does the United States stand to gain very little by ratifying the Treaty, there is an argument that ratification would disadvantage the United States. Under UNCLOS, “coastal States are required to make payments to the International Seabed Authority based on a percentage of revenues derived from the exploitation of the resources found within the continental margin beyond two hundred miles from the coast.”154 Notably, customary international law creates no such obligation.155 In stark contrast to UNCLOS, the new rental system proposed would directly benefit the United States. Unlike with deep sea mining, the United States and its citizens currently are bound by a treaty that prohibits appropriation of space: the Outer Space Treaty. Unlike the UNCLOS analogy, the United States has already relinquished rights in this arena. Agreeing to a leasing amendment would expand the scope of its rights, not infringe upon them. Additionally, the United States does not have access to an outer space “exclusive economic zone” in the same way that it does for the sea. Without some sort of agreement, the United States simply may not legally appropriate any in situ property in outer space. One final consideration increases the likelihood that the United States would in fact become a signatory to an amendment to the Outer Space Treaty. Such an amendment would likely have the support of businesses, environmental groups, and the military, an unlikely combination of key constituencies that would help push an amended treaty forward. Businesses would advocate for the change because it would provide a clearer mechanism for establishing property rights.156 Environmental groups might push for the amendment’s ratification because of the environmental protections that could be included in such an agreement.157 Finally, the military would also likely be a proponent of the system because having access to property in space gives strategic advantages158 and because it is likely that certain Cold War-era concerns that prompted spacefaring nations to sign the original Outer Space Treaty remain relevant—most notably, concerns over the weaponization of space.159 CONCLUSION The brief history of outer space law since the adoption of the Outer Space Treaty in 1967 highlights the ease with which customary international law shifts in this arena. Despite an original broad interpretation of the non-appropriation principle during the Treaty’s drafting, customary international law has since carved out an exception to this principle for extracted space resources. A second shift could be similarly underway. Driven by economic incentives, States may reinterpret the non-appropriation principle to allow for private appropriation of space property. Currently, States have an incentive to cooperate to establish a new international agreement concerning the use of outer space because international law, as it is presently understood, prohibits private property rights in space. A new amendment could broaden these rights, providing an enticing carrot to encourage State cooperation. But this enticement may soon disappear. Given the flexibility of the current outer space legal regime, customary international law could easily shift to interpret the non-appropriation principle as allowing private appropriation of property in space. Whatever the international community decides is the optimal solution regarding outer space property rights, it is vital that action be taken now to preserve the principles advanced by the Outer Space Treaty, such as equitable access and peaceful use of outer space. As the original drafters of the Outer Space Treaty recognized, these principles are best protected through a formal agreement and not merely through customary international law, which is often driven by the most powerful States. Regardless of whether a rental system similar to the one described above is established or some other method is used, the international community will have to act quickly if it wants to maintain shared international control over space. Pursuing an amendment to the Treaty as described also provides certainty and timeliness, two elements that would likely appeal to constituencies that might otherwise be supposed to be content with waiting for customary international law to shift.

**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.**

**Standards –**

**1] Limits – making the topic bi-directional explodes predictability – it means that Aff’s can both increase non-existent property regimes in space AND decrease appropriation by private actors – makes the topic untenable**

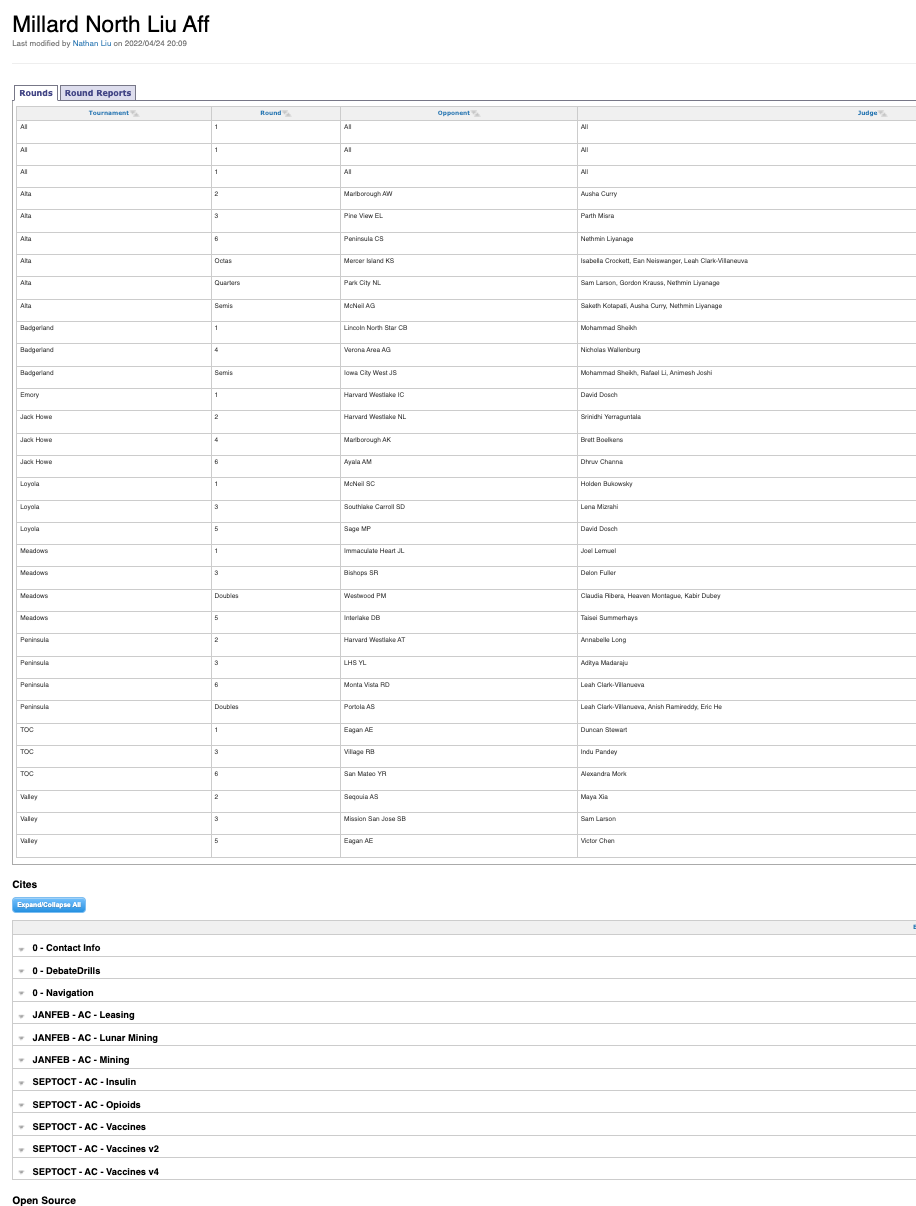
**2] Ground – wrecks Neg Generics – we can’t say appropriation good since the 1AC can create new views on Outer Space Property Rights that circumvent our links–proven by their “good mining” and “good space col” links**

**3] TVA – just defend that space appropriation is bad and that it should be banned without the added leasing plank – still get strategic flexibility to specify different ways to ban appropriation without being extra-T**

## 2

**Interp: The affirmative must put a list of every broken 1ar interp in a cite box on the 2021-2022 NCDA HSLD wiki under their correct name and school.**

**Violation: they don’t–ss**

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**The standard is infinite abuse–knowing the interps you read helps the negative either (a) meet the interp rather than having a theory debate that decks substance or (b) prep out the interp so we can have more prepared clash in a theory debate to set better norms. Both outweigh–controls the internal link to being able to access every standard. Round reports don’t solve–takes forever to compile them / find each one and round reports don’t have the exact interp text, which is necessary to follow a rule without ambiguity over what it means and accounts for separate planks e.g. AFC can have conditions like being topical, normatively justifying a framework, etc that “AFC” alone cannot address. But, no regress–limited arg’s mean limited disclosure shells and the interp was on my wiki so you should be able to predict it.**

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

## 3

**Permissibility and presumption negate—aff has a normative obligation to prove the res true, so neg gets anything to deny that.** [**Unjust**](https://www.merriam-webster.com/dictionary/unjust#:~:text=Definition%20of%20unjust,Sentences%20Learn%20More%20About%20unjust) **is “characterized by injustice : unfair” if nothing is just or unjust, appropriation is not characterized by injustice which disproves the aff**

**Ethics are not a universal truth but rather mere categories of languages created by us**

**Parrish 1** (Rick Parrish. "Derrida's Economy of Violence in Hobbes' Social Contract." Theory & Event 7, no. 4 (2005) <https://muse.jhu.edu/>)

Perhaps the single most telling quote from Hobbes on this point comes from The Philosophical Rudiments Concerning Government and Society (usually known by its Latin name, De Cive), in which he states that "to know truth, is the same thing as to remember that it was made by ourselves by the very usurpation of the words." 24 "For Hobbes truth is a function of logic and language, not of the relation between language and some extralinguistic reality," 25 so the "connections between names and objects are not natural." 26 They are artificially constructed by persons, based on individual psychologies and desires. These individual desires are for Hobbes the only measure of good and bad, because value terms "are ever used with relation to the person that useth them, there being nothing simply and absolutely so, nor any common rule of good and evil to be taken from the nature of the objects themselves." 27 Since "there are no authentical doctrines concerning right and wrong, good and evil," 28 these labels are placed upon things by humans in acts of creation rather than discovered as extrinsic facts. Elaborating on this, Hobbes writes that "the nature, disposition, and interest of the speaker, such as are the names of virtu es and vices; for one man calleth wisdom, what another calleth fear; and one cruelty what another justice." 29 A more simplistic understanding of the brutality of the state of nature, which David Gauthier calls the "simple rationality account," 30 has it that mere materialistic competition for goods is the cause of the war of all against all, but such rivalry is a secondary manifestation of the more fundamental competition among all persons to be the dominant creator of meaning. Certainly, Hobbes writes that persons most frequently "desire to hurt each other" because "many men at the same time have an appetite to the same thing; which yet very often they can neither enjoy in common, nor yet divide it; whence it follows that the strongest must have it, and who is strongest must be decided by the sword." 31 But this competition for goods only arises as the result of the more primary struggle that is inherent in the nature of persons of meaning creators. In the state of nature, "where every man is his own judge," 32 persons will "mete good and evil by diverse measures," creating labels for things as they see fit, based on individual appetites. 17. One of the most significant objects that receives diverse labels in the state of nature is 'threat'. Even if most people happen to construe threat similarly, there will be serious disagreement regarding whether or not a specific situation fits a commonly held definition. This is of course the key to the famous Security Dilemma that internationalrelations theorists spend so much time trying to overcome34 -- certain perfectly innocent actions by one person (or state) can easily be construed, and rationally must be construed, as a threat. Furthermore, any attempt by one person to allay another's fears about the threatening nature of actions must be taken as strategic disinformation, rather than as genuine explanation. Even if "I agree with you in principle about your right to preserve yourself," this agreement is useless "if I disagree about whether this is the moment for you to implement that right." 35 Given that persons "are individual in experience, they are individual in their conceptions and in their speech. Their power of reasoning with words . . . dissociates them and provokes violent competition" 36 specifically because concepts that seem simple invoke very different interpretations. If there were some universally objective and knowable set of circumstances that constituted Threat as such, the rationally self-interested persons of the state of nature would not have to seek control over all things for their own protection. All persons could both avoid actions that would be defined as threat and shed the overbearing suspicion that, taken together, make the Hobbesian state of nature so unbearably brutish.

**To escape the state of nature, people unite to imbue a sovereign with absolute authority to define ethics and enforce them at will. The sovereign is the only binding ethical force - absent it, ethics fail since everyone has competing conceptions of the good**

**Parrish 2** (Rick Parrish. "Derrida's Economy of Violence in Hobbes' Social Contract." Theory & Event 7, no. 4 (2005) <https://muse.jhu.edu/>)

All of the foregoing points to the conclusion that in the commonwealth the sovereign's first and most fundamental job is to be the ultimate definer. Several other commentators have also reached this conclusion. By way of elaborating upon the importance of the moderation of individuality in Hobbes' theory of government, Richard Flathman claims that peace "is possible only if the ambiguity and disagreement that pervade general thinking and acting are eliminated by the stipulations of a sovereign. Pursuant to debunking the perennial misinterpretation of Hobbes' mention of people as wolves, PaulJohnson argues that "one of the primary functions of the sovereign is to provide the necessary unity of meaning and reference for the primary terms in which men try to conduct their social lives." 58 "The whole raison d'être of sovereign helmsmanship lies squarely in the chronic defusing of interpretive clashes," 59 without which humans would "fly off in all directions" 60 and fall inevitably into the violence of the natural condition. 26. It is not surprising that so many noted students of Hobbes have reached this conclusion, given how prominently he himself makes this claim. According to Hobbes, "in the state of nature, where every man is his own judge, and differeth from others concerning the names and appellations of things, and from those differences arise quarrels and breach of peace, it was necessary there should be a common measure of all things, that might fall in controversy." 61 The main categories of the sovereign's tasks are "to make and abrogate laws, to determine war and peace, [and] to know and judge of all controversies," 62 but each of these duties is a subspecies of its ultimate duty to be the sole and ultimate definer in matters of public importance. It is only through the sovereign's effective continued accomplishment of this duty that the people of a commonwealth avoid the definitional problems that typify the state of nature. 27. Judging controversies, which Hobbes lists as the third main task of the sovereign, is the duty most obviously about being the ultimate definer. In fact, Hobbes declares it a law of nature that "in every controversy, the parties thereto ought mutually to agree upon an arbitrator, whom they both trust; and mutually to covenant to stand to the sentence he shall give therein." 63 As I repeatedly alluded to above, this agreement to abide by the decision of a third party arbitrator, a sovereign in the commonwealth, is necessary because of the fundamentally perspectival and relative nature of persons' imputations of meaning and value into the situations they construct. Hobbes understands this problem, as evidenced by his claim that "seeing right reason is not existent, the reason ofsome man or men must supply the place thereof; and that man or men, is he or they, that have the sovereign power" 64 to dictate meanings that will be followed by all. The sovereign is even protected from potential democratic impulses, by which a 'true' meaning would be that agreed upon by the greatest number of people. Because "no one man's reason, nor the reason of any one number of men, makes the certainty," they willstill "come to blows . . . for want of a right reason constituted by nature" 65 unless both the majority and the minority agree to abide by the meanings promulgated by the sovereign. 28. These meanings are usually created and promulgated by the sovereign in the form of laws, another of the tasks with which 7/29/13 RickParrish | Derrida's Economyof Violence in Hobbes' Social Contract | Theory& Event 7:4 https://muse.jhu.edu/journals/theory\_and\_event/v007/7.4parrish.html 13/42 Hobbes charges it. In one of his clearest explanations of the law, Hobbes writes that "it belongs to the same chief power to make some common rules for all men, and to declare them publicly, by which every man may know what may be called his, what another's, what just, what unjust, what honest, what dishonest, what good, what evil; that is summarily, what is to be done, what to be avoided in our common course of life." 66 The civil law is the set of the sovereign's definitions for ownership, justice, good, evil, and all other concepts that are important for the maintenance of peace in the commonwealth. When everyone follows the law (that is, when everyone follows the sovereign's definitions) there are far fewer conflicts among persons because everyone appeals to the same meanings. This means that people know what meanings others will use to evaluate the actions of themselves and others, so the state of nature's security dilemmas and attempts to force one's own meanings upon others are overcome.

**Implications–**

**1–Turns the aff fw at the highest layer - absent a sovereign we live in a state of nature where individuals can just force their own moral vision onto another which destroys any chance of productive ethics since no one can guarantee they achieve their ends in a chaotic state justifying infinite violations of their fw**

**2–The AC collapses - their fw presumes a sovereign to be able to bind and enforce it properly. Absent a legitimate sovereign, any taken action wouldn’t matter so we’re a prior question to policymaking**

**3–Only our framework explains subjectivity and motivation which is ontologically self interest, which means only we are able to properly ascribe moral obligations to agents and motivate them to be ethical**

**Thus, the standard is consistency with the Hobbesian Social Contract. Negate–**

**1–Space is functionally a state of nature since no one owns it–in a state of nature, nothing can be deemed impermissible which definitionally allows for appropriation**

**2–The aff obligates the state to act, but that’s incoherent since it applies an authority higher than the state to constrain the sovereign. Even if leasing is good, there is no obligation**

**3–State hasn’t passed the plan yet which means they will the squo**

**4–Neg contention choice–(a) aff got choice of advocacy so we should get choice of contention for reciprocity (b) otherwise they'll just win with their infinite prep advantage by restarting in the 4 minute 1ar cuz 7 minutes of substance is too scary for them–that causes late breaking debates which worsen clash**

## 4

**CP: Statesought to call a global constitutional convention and establish a constitution reflecting intergenerational concern with exclusive authority to [prohibit private in situ property in outer space by establishing an outer space leasing regime through the Committee on the Peaceful Uses of Outer Space] 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) .

**No severance–aff is copuous and should is immediate**

**Summers 94**-Justice Summers. “Kelsey v. Dollarsaver Food Warehouse of Durant.” OSCN, 8 Nov. 1994, www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn2.//KK

¶4 The legal question to be resolved by the court is whether the word "should"13 in the May 18 order connotes futurity or may be deemed a ruling in praesenti.14 The answer to this query is not to be divined from rules of grammar;15 it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.16 ¶5 Nisi prius orders should be so construed as to give effect to every words and every part of the text, with a view to carrying out the evident intent of the judge's direction.17 The order's language ought not to be considered abstractly. The actual meaning intended by the document's signatory should be derived from the context in which the phrase to be interpreted is used.18 When applied to the May 18 memorial, these told canons impel my conclusion that the judge doubtless intended his ruling as an in praesenti resolution of Dollarsaver's quest for judgment n.o.v. Approval of all counsel plainly appears on the face of the critical May 18 entry which is [885 P.2d 1358] signed by the judge.19 True minutes20 of a court neither call for nor bear the approval of the parties' counsel nor the judge's signature. To reject out of hand the view that in this context "should" is impliedly followed by the customary, "and the same hereby is", makes the court once again revert to medieval notions of ritualistic formalism now so thoroughly condemned in national jurisprudence and long abandoned by the statutory policy of this State. IV CONCLUSION Nisi prius judgments and orders should be construed in a manner which gives effect and meaning to the complete substance of the memorial. When a judge-signed direction is capable of two interpretations, one of which would make it a valid part of the record proper and the other would render it a meaningless exercise in futility, the adoption of the former interpretation is this court's due. A rule - that on direct appeal views as fatal to the order's efficacy the mere omission from the journal entry of a long and customarily implied phrase, i.e., "and the same hereby is" - is soon likely to drift into the body of principles which govern the facial validity of judgments. This development would make judicial acts acutely vulnerable to collateral attack for the most trivial of reasons and tend to undermine the stability of titles or other adjudicated rights. It is obvious the trial judge intended his May 18 memorial to be an in praesenti order overruling Dollarsaver's motion for judgment n.o.v. It is hence that memorial, and not the later June 2 entry, which triggered appeal time in this case. Because the petition. in error was not filed within 30 days of May 18, the appeal is untimely. I would hence sustain the appellee's motion to dismiss.21 Footnotes: 1 The pertinent terms of the memorial of May 18, 1993 are: IN THE DISTRICT COURT OF BRYAN COUNTY, STATE OF OKLAHOMA COURT MINUTE 5/18/93 No. C-91-223 After having heard and considered arguments of counsel in support of and in opposition to the motions of the Defendant for judgment N.O.V. and a new trial, the Court finds that the motions should be overruled. Approved as to form: /s/ Ken Rainbolt /s/ Austin R. Deaton, Jr. /s/ Don Michael Haggerty /s/ Rocky L. Powers Judge 2 The turgid phrase - "should be and the same hereby is" - is a tautological absurdity. This is so because "should" is synonymous with ought or must and is in itself sufficient to effect an inpraesenti ruling - one that is couched in "a present indicative synonymous with ought." See infra note 15. 3 Carter v. Carter, Okl., 783 P.2d 969, 970 (1989); Horizons, Inc. v. Keo Leasing Co., Okl., 681 P.2d 757, 759 (1984); Amarex, Inc. v. Baker, Okl., 655 P.2d 1040, 1043 (1983); Knell v. Burnes, Okl., 645 P.2d 471, 473 (1982); Prock v. District Court of Pittsburgh County, Okl., 630 P.2d 772, 775 (1981); Harry v. Hertzler, 185 Okl. 151, 90 P.2d 656, 659 (1939); Ginn v. Knight, 106 Okl. 4, 232 P. 936, 937 (1925). 4 "Recordable" means that by force of 12 O.S. 1991 § 24 an instrument meeting that section's criteria must be entered on or "recorded" in the court's journal. The clerk may "enter" only that which is "on file." The pertinent terms of 12 O.S. 1991 § 24 are: "Upon the journal record required to be kept by the clerk of the district court in civil cases . . . shall be entered copies of the following instruments on file: 1. All items of process by which the court acquired jurisdiction of the person of each defendant in the case; and 2. All instruments filed in the case that bear the signature of the and judge and specify clearly the relief granted or order made." [Emphasis added.] 5 See 12 O.S. 1991 § 1116 which states in pertinent part: "Every direction of a court or judge made or entered in writing, and not included in a judgment is an order." [Emphasis added.] 6 The pertinent terms of 12 O.S. 1993 § 696.3 , effective October 1, 1993, are: "A. Judgments, decrees and appealable orders that are filed with the clerk of the court shall contain: 1. A caption setting forth the name of the court, the names and designation of the parties, the file number of the case and the title of the instrument; 2. A statement of the disposition of the action, proceeding, or motion, including a statement of the relief awarded to a party or parties and the liabilities and obligations imposed on the other party or parties; 3. The signature and title of the court; . . ." 7 The court holds that the May 18 memorial's recital that "the Court finds that the motions should be overruled" is a "finding" and not a ruling. In its pure form, a finding is generally not effective as an order or judgment. See, e.g., Tillman v. Tillman, 199 Okl. 130, 184 P.2d 784 (1947), cited in the court's opinion. 8 When ruling upon a motion for judgment n.o.v. the court must take into account all the evidence favorable to the party against whom the motion is directed and disregard all conflicting evidence favorable to the movant. If the court should conclude the motion is sustainable, it must hold, as a matter of law, that there is an entire absence of proof tending to show a right to recover. See Austin v. Wilkerson, Inc., Okl., 519 P.2d 899, 903 (1974). 9 See Bullard v. Grisham Const. Co., Okl., 660 P.2d 1045, 1047 (1983), where this court reviewed a trial judge's "findings of fact", perceived as a basis for his ruling on a motion for judgment n.o.v. (in the face of a defendant's reliance on plaintiff's contributory negligence). These judicial findings were held impermissible as an invasion of the providence of the jury and proscribed by OKLA. CONST. ART, 23, § 6 . Id. at 1048. 10 Everyday courthouse parlance does not always distinguish between a judge's "finding", which denotes nisi prius resolution of fact issues, and "ruling" or "conclusion of law". The latter resolves disputed issues of law. In practice usage members of the bench and bar often confuse what the judge "finds" with what that official "concludes", i.e., resolves as a legal matter. 11 See Fowler v. Thomsen, 68 Neb. 578, 94 N.W. 810, 811-12 (1903), where the court determined a ruling that "[1] find from the bill of particulars that there is due the plaintiff the sum of . . ." was a judgment and not a finding. In reaching its conclusion the court reasoned that "[e]ffect must be given to the entire in the docket according to the manifest intention of the justice in making them." Id., 94 N.W. at 811. 12 When the language of a judgment is susceptible of two interpretations, that which makes it correct and valid is preferred to one that would render it erroneous. Hale v. Independent Powder Co., 46 Okl. 135, 148 P. 715, 716 (1915); Sharp v. McColm, 79 Kan. 772, 101 P. 659, 662 (1909); Clay v. Hildebrand, 34 Kan. 694, 9 P. 466, 470 (1886); see also 1 A.C. FREEMAN LAW OF JUDGMENTS § 76 (5th ed. 1925). 13 "Should" not only is used as a "present indicative" synonymous with ought but also is the past tense of "shall" with various shades of meaning not always easy to analyze. See 57 C.J. Shall § 9, Judgments § 121 (1932). O. JESPERSEN, GROWTH AND STRUCTURE OF THE ENGLISH LANGUAGE (1984); St. Louis & S.F.R. Co. v. Brown, 45 Okl. 143, 144 P. 1075, 1080-81 (1914). For a more detailed explanation, see the Partridge quotation infra note 15. Certain contexts mandate a construction of the term "should" as more than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an obligation and to be more than advisory); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, 802 P.2d 813 (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an obligation to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or "must" when used in an instruction to the jury which tells the triers they "should disregard false testimony"). 14 In praesenti means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is presently or immediately effective, as opposed to something that will or would become effective in the future [in futurol]. See Van Wyck v. Knevals, 106 U.S. 360, 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).