# R1 – HW RR – 1NC

## 1

#### Interpretation: the aff must disclose the plan text before the round. To clarify, disclosure can occur on the 2020-21 NDCA wiki or over a verified message.

#### Violation: they didn't.

Graphical user interface, text, application, chat or text message

Description automatically generated

#### Standards:

#### 1. Prep and Clash—two internal links—

#### a. Neg Prep—4 minutes of prep is not enough to put together a coherent 1nc or update generics—30 minutes is necessary to learn a little about the affirmative and piece together what 1nc positions apply and cut and research their applications to the affirmative which is k2 fairness.

#### b. Aff Quality—plan text disclosure discourages cheap shot affs. If the aff isn't inherent or easily defeated by 20 minutes of research, it should lose—this will answer the 1ar's claim about innovation—with 30 minutes of prep, there's still an incentive to find a new strategic, well justified aff, but no incentive to cut a horrible, incoherent aff that the neg can't check against the broader literature.

#### 2. Rigorous Scrutiny — we were deprived of the opportunity to research and prepare a response to the case. Secrecy undermines rejoinder and prevents meaningful testing which is the only unique impact to debate.

#### Paradigm:

#### Fairness – Debate is a competitive activity governed by rules. You can’t evaluate who did better debating if the round is structurally skewed, so fairness is a gateway to substantive debate.

#### DTD – Time spent on theory cant be compensated for, the 1nc was already skewed, and its key to deterring abuse.

#### Prefer Competing interps -

#### 1. reasonability is arbitrary and invites judge intervention/

#### 2. it Causes a race to the bottom where debaters push the limit as to how reasonably abusive, they can be.

#### No RVI’s -

#### 1. Chills some debaters from reading theory against abusive postions.

#### 2. incentivizes theory baiting where you can just bait theory to win.

## 2

#### Interpretation: The affirmative debater must articulate a distinct ROB in the form of a delineated text in the 1AC speech.

#### Violation:

#### Standards:

#### 1 - Strat Skew – Absent a text in the 1AC, they can read multiple pieces of offense under different ROBs and then read a new one in the 1AR so they never substantively lose debates under the ROB. They can warrant things like condo logic, consequentialist policy-making offense for their aff, or kritikal impacts that deviate from their plan and then read an incredibly nuanced ROB in the 1ar that makes it so only the conceded or under-covered offense matters. Stable advocacies are key to fairness since otherwise you aren’t bound by anything you say. Infinite abuse – Reading a new ROB in the 1AR makes it so all you have to do is dump on the 1N ROB and marginally extend your warrants in the 2ar and the neg can’t do anything about it since there is no 3NR to answer the 2ar weighing or extrapolations, you already have conceded offense, all you need is the ROB.

#### 2 - Reciprocity –

#### A - restarting the ROB debate in the 1ar puts you at a 7-6 advantage on the framing debate since I have to propose one in the 1N since 2N arguments are new – putting it in the aff makes it 13-13

#### B - you have one more speech to contest my ROB and weigh, I can only possibly answer your ROB in the 2n but you can do comparative weighing in the 2ar

#### C - I can only read a ROB in the 1N so you should read it in your first speech as well – that’s definitionally an equal burden.

## 3

#### The ROB is to vote for the debater who bests proves the truth or falsity of the resolution.

#### Prefer:

#### 1. Ground - truth testing allows for the more ground than any other ROB since it allows for an infinite amount of arguments on a range of argumentation style giving the most breadth and depth of topic and phil ed.

#### 2. Necessity - All statements assert implicit truth value i.e. if I say “I smell violets” that is the same as saying “It is true that I smell violets.” This creates a double bind—either they assert the truth value of their indicts to truth testing meaning they implicitly accept truth testing as a paradigm or they don’t assert the truth value of their indicts which means that they are false and truth testing is true anyways.

#### 3. Textuality – Five Dictionaries[[1]](#footnote-1) define to affirm as to prove true[[2]](#footnote-2) and negate as to deny the truth of which means the sole judge jurisdiction is to vote on the resolution’s truth or falsity. This outweighs on common usage – it is abundantly clear that our roles are verified.

#### Negate -

#### 1 - The[[3]](#footnote-3) “(with a unit of time) the present; the current.” but appropriation has no specified time frame

#### 2 - appropriation[[4]](#footnote-4) is a sum of money or total of assets devoted to a special purpose.” but outer space cannot own a sum of money

#### 3 - of[[5]](#footnote-5) “expressing an age” but the rez is atemporal

#### 4 - outer[[6]](#footnote-6) is “further from the center or inside..” but the resolution is aspacial and doesn’t specify distance

#### 5 - space[[7]](#footnote-7) is to “the dimensions of height, depth, and width within which all things exist and move” but the rez doesn’t volume

#### 6 - by[[8]](#footnote-8) is “indicating the amount or size of a margin.” but the resolution and entities doesn’t specify

#### 7 - private[[9]](#footnote-9) is “(of a person) having no official or public role or position.” so entities have no authority over appropriation

#### 8 - entity[[10]](#footnote-10) is “the existence of a thing as contrasted with its attributes” but the rez doesn’t spec

#### 9 - is[[11]](#footnote-11) describes being “Stay in the same place or condition.” so action is impossible and negate on presumption

#### 10 – NDC – 1. 2AR sit 2. Aff should have read them in the first place

## 4

#### Permissibility and presumption negate -

#### 1. Real-World – Governments would not enact useless laws so if there is not an obligation to affirm governments would not do the aff. Real-world application outweighs their offense since debate is only pedagogically valuable if it spills over to outside the space.

#### 2. Negating is harder – 1. Aff gets first and last speech which control the direction of the debate 2. Affirmatives can strategically uplayer in the 1ar giving them a 7-6 time skew advantage, splitting the 2nr 3. infinite prep time

#### 3. Safety – It’s ethically safer to presume the squo since we know what the squo is but we can’t know whether the aff will be good or not if ethics are incoherent.

#### 4. More ways to prove something false than true – so presume neg.

#### Ethics must begin a priori and the meta-ethic is procedural moral realism - substantive realism holds that moral truths exist independently of that in the empirical world.

#### Prefer procedural realism:

#### 1 - Uncertainty – our experiences are inaccessible to others which allows people to say they don’t experience the same, however a priori principles are universally applied to all agents.

#### 2 - Naturalistic fallacy – experience only tells us what is since we can only perceive what is, not what ought to be, this means experience may be generally useful but should not be the basis for ethical action.

#### 3 - Bindingness – I can keep asking “why should I follow this” which results in skep since obligations are predicated on ignorantly accepting rules. Only reason solves since asking “why reason?” requires reason which is self-justified.

#### Practical Reason is that procedure. To ask for why we should be reasoners concedes its authority since it uses reason – anything else is nonbinding.

#### Moral law must be universal—any non-universalizable norm justifies someone’s ability to impede on your ends.

#### Thus, the standard is consistency with liberty.

#### Prefer -

#### 1 - freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place.

#### 2 - Theory – Frameworks are topicality interps of the word ought so they should be theoretically justified. Prefer on

#### A - resource disparities—a focus on evidence and statistics privileges debaters with the most preround prep which excludes lone-wolfs who lack huge evidence files. A debate under my framework can easily be won without any prep since huge evidence files aren’t required.

#### Contention:

#### 1 - A model of freedom mandates a market-oriented approach to space—that negates.

**Broker 20** [(Tyler, work has been published in the Gonzaga Law Review, the Albany Law Review and the University of Memphis Law Review.) “Space Law Can Only Be Libertarian Minded,” Above the Law, 1-14-20, <https://abovethelaw.com/2020/01/space-law-can-only-be-libertarian-minded/>] TDI

The impact on human daily life from a transition to the virtually unlimited resource reality of space cannot be overstated. However, when it comes to the law, a minimalist, dare I say libertarian, approach appears as the only applicable system. In the words of NASA, “2020 promises to be a big year for space exploration.” Yet, as Rand Simberg points out in Reason magazine, it is actually private American investment that is currently moving space exploration to “a pace unseen since the 1960s.” According to Simberg, due to this increase in private investment “We are now on the verge of getting affordable private access to orbit for large masses of payload and people.” The impact of that type of affordable travel into space might sound sensational to some, but in reality the benefits that space can offer are far greater than any benefit currently attributed to any major policy proposal being discussed at the national level. The sheer amount of resources available within our current reach/capabilities simply speaks for itself. However, although those new realities will, as Simberg says, “bring to the fore a lot of ideological issues that up to now were just theoretical,” I believe it will also eliminate many economic and legal distinctions we currently utilize today. For example, the sheer number of resources we can already obtain in space means that in the rapidly near future, the distinction between a nonpublic good or a public good will be rendered meaningless. In other words, because the resources available within our solar system exist in such quantities, all goods will become nonrivalrous in their consumption and nonexcludable in their distribution. This would mean government engagement in the public provision of a nonpublic good, even at the trivial level, or what Kevin Williamson defines as socialism, is rendered meaningless or impossible. In fact, in space, I fail to see how any government could even try to legally compel collectivism in the way Simberg fears. Similar to many economic distinctions, however, it appears that many laws, both the good and the bad, will also be rendered meaningless as soon as we begin to utilize the resources within our solar system. For example, if every human being is given access to the resources that allows them to replicate anything anyone else has, or replace anything “taken” from them instantly, what would be the point of theft laws? If you had virtually infinite space in which you can build what we would now call luxurious livable quarters, all without exploiting human labor or fragile Earth ecosystems when you do it, what sense would most property, employment, or commercial law make? Again, this is not a pipe dream, no matter how much our population grows for the next several millennia, the amount of resources within our solar system can sustain such an existence for every human being. Rather than panicking about the future, we should try embracing it, or at least meaningfully preparing for it. Currently, the Outer Space Treaty, or as some call it “the Magna Carta of Space,” is silent on the issue of whether private individuals or corporate entities can own territory in space. Regardless of whether governments allow it, however, private citizens are currently obtaining the ability to travel there, and if human history is any indicator, private homesteading will follow, flag or no flag. We Americans know this is how a Wild West starts, where most regulation becomes the impractical pipe dream. But again, this would be a Wild West where the exploitation of human labor and fragile Earth ecosystem makes no economic sense, where every single human can be granted access to resources that even the wealthiest among us now would envy, and where innovation and imagination become the only things we would recognize as currency. Only a libertarian-type system, that guarantees basic individual rights to life, liberty, and the pursuit of happiness could be valued and therefore human fidelity to a set of laws made possible, in such an existence.

#### 2 - Private entities utilize their own property and resources to fund and conduct space exploration which means – Prohibition of it is a violation of a) Their ability to use their own property (like their rocketships or fuel) to set their ends in space and b) their freedom to explore unknown horizons such as space. These companies gain contracts with the government for projects which turns promise breaking offense.

## 5

#### CP Text: Space faring nations should enter into a prior and binding consultation with the International Court of Justice over [plan].

#### Advisory opinions from ICJ are necessary to clarify and develop international space law and they say yes.

Simpson and Johnson 17 [Michael Simpson, International Space University · Space Policy and Law; Business and Management, Chris Johnson is the Space Law Advisor at the Secure World Foundation, a non-governmental organization (NGO) focused on the sustainable uses of outer space. Christopher does research, writes, and speaks about international and national space law with a special focus on peaceful uses of outer space, emerging governance challenges with non-traditional space activities, and identifying and characterizing deficiencies in existing space law., September 2017, Lacunae and Silence in International Space Law – A Hypothetical Advisory Opinion from the International Court of Justice, ResearchGate, https://www.researchgate.net/publication/320596144\_Lacunae\_and\_Silence\_in\_International\_Space\_Law\_-\_A\_Hypothetical\_Advisory\_Opinion\_from\_the\_International\_Court\_of\_Justice 12-16-2021] rohan

* lacunae = situation where there is no applicable law
* non liquet = no answer from governing system

Since international space law has developed for at least 60 years in an environment devoid of judicial opinions on live controversies, it lacks the judicial contribution to clarification and elaboration of terms and principles normally enjoyed by a body of law. For this reason, advisory opinions may be particularly useful in this area. The mechanism for seizing the Court also appears to be favorably developed. In the nuclear weapons case, the ICJ turned down a 1993 request from the World Meteorological Organization on the grounds that WMO, acting ultra vires lacked standing. Only when the UN General Assembly later made the request in its own name did the Court take up the question. Since many of the questions amenable to illumination through advisory opinions are within the remit of the UN Committee for the Peaceful Uses of Outer Space (UNCOPUOS), which itself reports through Fourth Committee to the General Assembly, the procedural pathway to a UNGA request is both established and clear. Equally as helpful is that UNCOPUOS operates by consensus. Thus, early requests for clarification, could easily establish that the necessary political will to seek increased clarity was present and permit to begin with less controversial concepts. Once the efficacy of advisory opinions to clarify elements of space law is established, the General Assembly could possibly decide to forward more challenging issues even where consensus in COPUOS could not be expected. III. NON-LIQUET AT THE ICJ. It is a general principle of law at both the national and international level (indeed inherited from ancient Roman law) that when asked to deliver a judgement, a court knows the law (Iura novit curia). So it should seem as an unexpected and rare surprise when a court does not, indeed, know the law. In the Nuclear Weapons advisory opinion, the Court considered the existing law applicable to the threat or use of nuclear weapons, and their treatment under the various sources and bodies of law. The Court was asked to consider “is the threat or use of nuclear weapons in any circumstances permitted under international law?” However, the Court slightly rephrased that question merely to “determine the legality or illegality of the threat or use of nuclear weapons.”11 In seeking an answer, the Court looked to custom and to treaties, and looking to a diverse field of special regimes of international law, including the law of armed conflict (LOAC) a.k.a. International Humanitarian Law (IHL) (including jus ad bellum and jus in bellow), environmental law, and human rights law. However, the law, as a system and as a whole, was weighed and found wanting. The Court concluded: 11 20 Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports (1996) p. 226, 238 para. 97. Accordingly, in view of the present state of international law viewed as a whole, as examined above by the Court, and of the elements of fact at its disposal, the Court is led to observe that it cannot reach a definitive conclusion as to the legality or illegality of the use of nuclear weapons by a State in such circumstance of self-defense, in which its very survival would be at stake. Non liquet, meaning, it is not clear, is where a court finds the law insufficient, and does not permit a conclusion one way or the other regarding the issue it is presented with. 12 IV. SPACE LAW, LACUNAE, AND NON-LIQUET The idea that gaps in the law or uncertainty with its provisions can render judicial decisions impossible, difficult, or unwise is at least as old as Roman law. As such the concepts of lacunae and non liquet still bear the Latin names that would have been familiar to lawyers and legal scholars throughout the Roman Empire. As explained by Mark Bogdansky, non liquet can be extended to cover both the case where no legal rule can be found that applies to a case under consideration and to the case where lack of clarity in the facts or in a principle of law makes it impossible to discern clearly the implications of that principle in light of the facts presented. Bogdansky refers to the former situation as ontological non liquet and to the latter as epistemological. We will use lacunae to refer to apparent gaps in international space law and will confine our use of “non liquet” to situations where a principle has been articulated but is not clear. Definitions become extremely important in discussing the impact of lacunae and non liquet on international space law. Note for example the list of lacunae in José Monserrat Filho’s excellent paper, “Space Law In The Light Of Bobbio's Theory Of Legal Ordering,” IAC-12.E7. 5. 6.

1. Definition of “space object”, “space debris”, “space activities”, “space launching”;

2. Binding “Space Debris Mitigation Guidelines”;

3. Prohibition of all kind of weapons in Earth orbits;

4. Definition and delimitation of the outer space;

5. Regulation of commercialization of space activities;

6. Environmental damage in Liability Convention;

7. Industrial exploitation of lunar natural resources;

8. Remote sensing activities in the XXI century;

9. Satellite data as evidence in criminal proceedings;

10. The use of nuclear power sources in space;

11. The human presence in space.

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While items 2, 3, 6, and 11 fit clearly into our definition of lacunae, the others represent cases where legal principles have been articulated, but are subject to substantial disagreement as to their application to various fact situations. Where lacunae exist, the utility of advisory opinions is greatly constrained. The foundational principles of positivism and sovereignty that are key pillars of international law do not lend themselves to judicial activism in creating legal rules in the absence of political action to create them. On the other hand, where a situation of non liquet emerges from disagreement over definitions or the application of a legal principle to a particular situation, an advisory opinion could have either one of two beneficial outcomes. In the first case an advisory opinion could clarify the meaning of terms where uncertainty exists. This situation would require strong arguments to support the opinion and justify it. It might be elaborated on the basis of original intent reflected in the travaux préparatoires, clear patterns of application of terms and principles in the action of States parties to the agreements where uncertainty exists or lack of clarity is perceived, or lucid reasoning by analogy to similar situations where greater certainty can be demonstrated. The second case could result from an opinion that clarification cannot be provided and that the matter remains non liquet. In this case, there would be an unambiguous signal that political/ diplomatic action would be required to clarify the issues in dispute. Take for example the hypothetical example of a case seeking clarification of the non-appropriation clause of the Outer Space Treaty. A non liquet in such a case would leave those wishing to assert that a prohibition against off Earth mining existed in international law without a legal vindication of their position while those wishing to engage in such mining would face uncertainty because the Court had not ruled definitively that non appropriation did not apply to them. Since the mining advocates would be ~~handicapped~~ by uncertainty in their approaches to potential investors, both sides would have an incentive to seek a political resolution with the compromises that was likely to entail.

#### International space legal regime are needed to solve space war - malleable laws are key in outer space.

Hart 21 [Amalyah Hart, Amalyah Hart is a science journalist based in Melbourne, 11-19-2021, "Do we need new space law to prevent space war", Cosmos Magazine, https://cosmosmagazine.com/people/society/space-law-to-prevent-space-war/] simha

The week before last, a UN panel approved the creation of a working group to discuss next-generation laws to prevent the militarisation of space. The move comes as space 2.0 seems to be going into hyper-drive, with countries and corporations racing to claim their stake in the final frontier. It’s timely, as the potential for friction is gathering by the day, with China, India, Russia and the US testing anti-satellite missiles on their own satellites and creating worrisome clouds of debris. This week’s destruction by Russia of its “dead” satellite, Cosmos 1408, underlined the issue. Meanwhile, the orbital space around Earth is becoming jammed with machinery; currently, there are 3,372 active satellites whizzing around Earth, but in one or two decades that number is set to leap to potentially 100,000 or more. And that’s ignoring the space stations, telescopes and spyware already in orbit as countries flex their aerospace muscles. It’s a cosmic fracas. And contested territory is prime fodder for international disputes, as we know. It’s these kinds of disputes the group of UK diplomats who proposed the UN motion want to prevent, by coming to an agreed-upon set of norms for behaviour in space. Space law: what are the issues at stake? The current international framework for law in space is the UN’s 1967 Outer Space Treaty (OST), which sets governing principles for the exploration of space, including that space should be free for use by all nations, that celestial bodies like the Moon should be used exclusively for peaceful purposes, and that outer space should not be subject to national appropriation. Under international law, any and all objects being launched into space must be registered to avoid collisions. On top of these global laws, each nation-state has its own legal framework around the registering and launching of objects into space. But as technology evolves and new opportunities arise, are these old laws equipped to govern new problems? The UN’s 1967 Outer Space Treaty sets governing principles for the exploration of space, including that space should be free for use by all nations. “There exists an incredible amount of applicable law already, and it has served us really well,” says space law expert Steven Freeland, an emeritus professor at Western Sydney University and professorial fellow at Bond University. Freeland is vice-chair of a UN Committee on the Peaceful Uses of Outer Space (COPUOS) working group that is developing laws around the exploitation of resources in space. “There’s a lot of law at the multilateral level that then filters down to other layers of bilateral or ‘minilateral’ agreements and national laws. But clearly things move so quickly with technology, we’re doing so many more things in space that were beyond the contemplation of the drafters of the original treaties. Ideally we need more.” Freeland says there are myriad complex, interconnected issues in space that need tighter laws. These include the increasing militarisation of space; the proliferation of satellites, which can lead to overcrowding of “popular” orbits and increased demand for radio-wave spectra; ethical issues around human spaceflight; and the possible extraction of resources on celestial bodies like the Moon. Resource exploitation It might sound like science fiction, but mining in outer space is looking increasingly likely in the not-too-distant future. In September 2020, NASA announced that it would award contracts to private companies for the extraction and purchase of lunar regolith (rock matter) from the surface of the Moon, which could be mined and then studied in situ by the company, before the data and rights are transferred to the space agency. The move heralds what our space-based future might look like, with private companies mining celestial bodies for their precious resources. In our solar system, composed of millions of celestial bodies both large and small, the opportunities for cashing in look potentially endless – provided technology advances to the level of practical spaceflight. “Most wars on Earth have historically been fought over a quest for resources,” says Freeland, “so it’s incredibly important [to have appropriate space laws].” Just last month, scientists announced the discovery of two extraordinarily metal-rich near-Earth asteroids (NEAs), comprised of roughly 85% metals like iron, nickel and cobalt, which are thought to exceed Earth’s entire known metallic reserves. These three highly valuable metals, often known as the “iron triad”, are particularly critical for the energy supply chain and a renewable energy future; they’re used to build lithium-ion batteries, electrochemical capacitators for storing energy, and nano-catalysts for use in the energy sector. Under the OST, outer-space resources cannot be appropriated by nations, but the law and principle around the commercial use of space resources is less clear. The 1979 Moon Treaty holds that any celestial body is under the jurisdiction of the international community and therefore subject to international law. The treaty outlaws the military use of any celestial body as well as providing a legal framing for the “responsible” exploitation of celestial resources. But, to date, no space-capable nation has ratified the treaty. Militarisation That brings us to the militarisation of space. As technology advances, the potential avenues for weapons that cross the border from terrestrial to cosmic continue to proliferate. So, what laws protect us from a space war? “The issues about security in space have historically been dealt with by the CD, the Conference of Disarmament, but more recently the UK has led discussions at the United Nations that effectively seek to change the diplomatic language and thinking about space security,” says Freeland. Currently, the principles for governing space under the OST forbid the military use of space, but space is already used for military purposes such as surveillance, and some missiles carve a path through outer space on their journeys to their targets. As it currently stands, the only weapons found in space are the TP-82 Cosmonaut survival pistols that Russian astronauts regularly take on board the Soyuz spacecraft, intended to protect them from a potential wild animal attack if they are forced to emergency land in “off-the-map” territory. But as technology proliferates, the opportunities for space-based militarisation also grow. The existing laws were drafted long before many of these technologies were even dreamed up. The most worrisome technologies currently being trialled are anti-satellite missiles. “We have this strategic competition going on amongst the major powers,” says Gilles Doucet, a space security consultant based in Canada who worked for 35 years with the Canadian Department of National Defence. Doucet is both an engineer and an expert in space law. “They all wish to be dominant and make sure that their national security is secured by controlling, or at least not having other people control, outer space.” But what kinds of defence technologies are being developed in space? Doucet says the most worrisome technologies currently being trialled are anti-satellite missiles of the sort that Russia deployed earlier this week. Known as direct-ascent anti-satellite missiles (DA-ASAT), they can destroy satellites in low Earth orbit. “This essentially looks a lot like ballistic missile defence, but it’s happening in outer space against satellites,” he says. In fact, DA-ASAT technology is dependent on the same technology used for midcourse ballistic missile defence – the technology that the US, for example, deploys to defend itself from potential ballistic missile attacks on North America. These missiles fly at altitudes of around 3,000 to 4,000 kilometres, well within the low-Earth orbit many satellites operate in. This technology is being developed and tested by the US, China, India and Russia. “Destroying another country’s satellites would only occur in an armed conflict scenario,” Doucet says. “It would be because the other country’s satellite is providing an important military role – for example, a GPS satellite for directing munitions or an imagery satellite for locating your forces.” Other military applications in space, Doucet says, include the jamming of satellite communications and navigation, as well as interference with some GNSS signals, of which GPS – the satellite navigation system we all use for things like Google Maps – is one. Satellite jamming can have major disruptive potential. “You might be conducting an operation in a conflict – let’s say you wish to target a certain facility. Your missile system or your drone-launching missiles rely on GPS to guide them,” Doucet says. “So if you’re on the other end of it wanting to protect yourself, then you’ll send out jamming signals.” But while these signals can help defend a military target, Doucet says many satellites provide services for military and civilian companies and organisations at once. In this case, jamming a satellite’s signal may also interfere with civilian services it provides, including aircraft and ship navigation, car mapping, even timing signals for financial transactions. This means satellite jamming has major disruptive potential. And there are other areas where satellite technology could have duplicitous or combative potential. “Close proximity operations seem to get countries a bit upset,” says Doucet. Close proximity operations, as the name suggests, involve satellites moving close to other satellites. “One reason might be intelligence or inspection, just to take close images to understand how it’s built. But you may be getting close to intercept signals or to interfere with signals. “So that is a concern, because it’s one thing to get close for passively collecting information, but if you’re close you may also be in a position to interfere.” What might new space law systems look like? “We have a lot of space systems that are dual use, that have the potential to do harm,” Doucet says. “I’d like to see some transparency on the mission, on what you’re doing, to help alleviate concerns. “That might sound like a small step, but to militaries it’s actually a really big step to provide transparency.” Doucet says he’d also like to see clarification of the existing principles for space law already set out in the OST and other treaties. In fact, he’s currently working on the MILAMOS Project, developing a Manual on International Law Applicable to Military Uses of Outer Space at Canada’s McGill University. “I would like to see the existing legal regime being given a bit of life,” he says. “We’ve got tremendously good outer space principles, but over several decades countries have kind of refused to give them life because it’s too controversial. “The third thing I’d like to see is the major space powers sit down and talk. They’re all potentially losers if this keeps going down this path. I don’t think there’s a winner in a space war.” For all these complex problems, Doucet is cautiously optimistic about our chances of avoiding a space war. “I don’t think the issue about space security is as unique as people think,” he says. “Yes, it’s a very unique domain, but the actors are all the same, the interests are all the same. It’s the same people that have struggled over ballistic missile proliferation, nuclear weapons proliferation, treaties about the high seas, about aviation and all kinds of things. “So, we shouldn’t think this is an unsolvable problem. We may take lessons from how we’ve managed to agree to disagree in other areas beyond national jurisdiction.” Freeland agrees that even if international tensions may simmer at home, it’s in the best interest of major global powers to come to agreements about laws in space. “When it comes to these really big issues, particularly issues that have the propensity to go horribly wrong if we follow an irresponsible path, in the end it’s in [governments’] common interest to agree to the rules of the road,” he says. “The important element is that they have had the opportunity to buy in on the framing of those rules.“I think we need to be optimistic. With a great deal of caution, cool heads will prevail.”

## Case

### 1NC – FWK

#### Consequentialism fails and triggers permissibility -

#### 1. Problem of induction – takes out the AC Framework.

Vickers 14 John Vickers, 2014, The Problem of Induction, https://plato.stanford.edu/entries/induction-problem/

The original problem of induction can be simply put. It concerns the support or justification of inductive methods; methods that predict or infer, in Hume's words, that “instances of which we have had no experience resemble those of which we have had experience” (THN, 89). Such methods are clearly essential in scientific reasoning as well as in the conduct of our everyday affairs. The problem is how to support or justify them and it leads to a dilemma: the principle cannot be proved deductively, for it is contingent, and only necessary truths can be proved deductively. Nor can it be supported inductively—by arguing that it has always or usually been reliable in the past—for that would beg the question by assuming just what is to be proved.

#### 2. Aggregate pleasure is impossible because pain is incommunicable – 5 headaches and a migrane can’t be compared since I don’t know how it feels for you versus me.

#### 3. An infinite universe takes out util.

Bostrum 09, Nick [Future of Humanity Institute, Faculty of Philosophy & Oxford Martin School]. "Infinite Ethics." Nick Bostrom's Home Page. 2009. Web. <http://www.nickbostrom.com/ethics/infinite.html> “Recent cosmological evidence…this one is.”

“Recent cosmological evidence suggests that the world is probably infinite. Moreover, If the totality of physical existence is indeed infinite, in the kind of way that modern cosmology suggests it is, then it **contains an infinite number of galaxies**, stars, and planets. If there are an infinite number of planets **then there is,** with probability one, **an infinite number of people. Infinitely many of these people are happy, infinitely many are unhappy.** Likewise for other local properties that are plausible candidates for having value, pertaining to person‐states, lives, or entire societies, ecosystems, or civilizations葉here are infinitely many democratic states, and infinitely many that are ruled by despots, etc.Suppose the world [does] contains an infinite number of people and a corresponding infinity of joys and sorrows, preference satisfactions and frustrations, instances of virtue and depravation, and other such local phenomena at least some of which have positive or negative value. More precisely, suppose that there is some finite value ε such that there exists an infinite number of local phenomena (this could be a subset of e.g. persons, experiences, characters, virtuous acts, lives, relationships, civilizations, or ecosystems) each of which has a value ≥ ε and also an infinite number of local phenomena each of which has a value ≤ (‒ ε). Call such a world canonically infinite. **Ethical theories that hold that value is aggregative imply that** a canonically **infinite world contains an infinite quantity of positive** value **and** an infinite quantity of **negative value.** This gives rise to a peculiar predicament. We can do only a finite amount of good **or bad. Yet** in cardinal arithmetic, **adding or subtracting a finite quantity does not change an infinite quantity. Every possible act of ours** therefore **has** the same **net effect on the total amount of good and bad** in a canonically infinite world:none whatsoever. **Aggregative consequentialist theories are threatened by infinitarian paralysis: they** seem to **imply that** if the world is canonically infinite then **it is always ethically indifferent what we do**. In particular, they would imply that it is ethically indifferent **whether we cause another holocaust** or prevent one from occurring. If any non‐contradictory normative implication is a reductio ad absurdum, this one is.

#### 4. prediction is impossible. Any action can lead to a domino effect. For example, if I sneeze, it could lead to a butterfly effect that eventually causes my sneeze to form into a hurricane and kill thousands.

#### 5. Infinite consequences: Me dropping a pen may not do anything now but it could cause nuke war in 50 billion years meaning we can’t determine the net goodness of any action.

#### 6. Freezes action – you would have to calculate how much time you calculations would take and so on – makes policymaking impossible because we would always be calculating.

## Defense

### 1NC – Inevitable

#### **Capitalism is inevitable, adaptive, and alternatives are comparatively worse.**

[Meltzer](http://public.tepper.cmu.edu/facultydirectory/FacultyDirectoryProfile.aspx?id=98) 09 Dr. Allan H. Meltzer, economist and professor of Political Economy at Carnegie Mellon University’s Tepper School of Business in Pittsburgh (The eighth lecture in the 2008-2009 Bradley Lecture series, 3/9/2009, “There is no better alternative than capitalism”, [http://hiram7.wordpress.com/2009/03/12/there-is-no-better-alternative-than-capitalism/)//](http://hiram7.wordpress.com/2009/03/12/there-is-no-better-alternative-than-capitalism/)//jk)

**There is no better alternative than capitalism** as a social system **for providing growth and personal freedom. The alternatives offer less freedom and lower growth. The “better alternatives” that people imagine are almost always someone’s idea of utopia**. Libraries are full of books on utopia. **Those that have been tried have not survived** or flourished. **The most common reason for failure is that one person or group’s utopian ideal is unsatisfactory for others** who live subject to its rules. Either the rules change or they are enforced by authorities. Capitalism, particularly democratic capitalism, includes the means for orderly change. **Critics of capitalism look for viable alternatives to support. They do not recognize that**, unlike Socialism, **capitalism is adaptive, not rigid. Private ownership of the means of production flourishes in many different cultures**. Recently **critics of capitalism discovered the success of Chinese capitalism as an alternative to American capitalism. Its main feature is mercantilist policies supported by rigid controls on capital**. China’s progress takes advantage of an American or western model–the open trading system–and the willingness of the United States to run a current account balance. China is surely more authoritarian than Japan or western countries, a political difference that previously occurred in Meiji Japan, Korea, and Taiwan. Growth in these countries produced a middle class followed by demands for political freedom. China is in the early stages of development following the successful path pioneered by Japan, Korea, Taiwan, Hong Kong, and others who chose export-led growth under trade rules. Sustained economic growth led to social and political freedom in Japan, Korea, and Taiwan. Perhaps China will follow. **Capitalism continues to spread. It is the only system humans have found in which personal freedom, progress, and opportunities coexist. Most of the faults and flaws on which critics dwell are human faults, as Kant recognized. Capitalism is the only system that adapts to all manner of cultural and institutional differences. It continues to spread and adapt and will for the foreseeable future.**

### 1NC - Sustainable

#### Capitalist growth is sustainable.

Rune **Westergård 18**. Entrepreneur, Engineer and Author, founder of the technical consulting company CITEC. 2018. “Real and Imagined Threats.” One Planet Is Enough, Springer International Publishing, pp. 71–80. CrossRef, doi:10.1007/978-3-319-60913-3\_7.

Threatening reports about our ability to create disasters and even exterminate ourselves are not a new idea. A standard example is the British national economist Thomas Malthus in the early 19th century, who predicted that population growth would come to a halt because of starvation. Malthus calculated that the available food in the world couldn’t feed more than one billion people. He extrapolated the development from a still picture of his own time and couldn’t fathom that food production would increase tremendously thanks to new knowledge and technology. Our present food production is sufficient for seven times as many. Malthus didn’t pay attention to the fact that we live in a continuously changing civilisation, and the same kind of miscalculations are still made today. There are people who have even achieved the status of media superstars by presenting various dystopias and catastrophe scenarios. As early as 1968, Professor Paul Erlichs at Stanford University published the bestseller The Population Bomb, where he predicted that an imminent population explosion would result in hundreds of millions of deaths by starvation in the 1970s and 80s. Basically, he made the same mistake as Malthus, i.e. he treated knowledge and technology as if they were static phenomena. The most widely read environment report in the world, State of the World, was a loud whistle-blower when it was first published in the early 1980s. The Swedish version, Tillståndet i världen, was published yearly from 1984 and some years into the 2000s by the Worldwatch Institute Norden; I still have some of the early issues left. This report contains many valuable observations and suggestions, but also several basic analytical mistakes. In other words, it acts as an eye-opener, but it suffers from being tainted by political ideology. Its main weakness is that it doesn’t take the intrinsic driving forces of progress into account. State of the World was translated into most major languages and is, as already mentioned, the world’s most widely read environmental report. It has affected us all, directly or indirectly, through school and media. Even if the Swedish version I refer to was written some years ago, it is still worthy of discussion, firstly because it maintains an appearance of scientific validity, and secondly because it has served as a trendsetter for the general ideology which has been adopted by many later books and reports on the subject at hand. It still lives on as an engraved pattern in our conception of the world. In the report we can, for instance, read the following: A world where human desires and needs are fulfilled without the destruction of natural systems demands an entirely new economic order, founded on the insight that a high consumption level, population growth, and poverty are the powers behind the devastation of the environment. The rich have to reduce their consumption of resources so that the poor can increase their standard of living. The global economy simply works against the attempts to reduce poverty and protect the environment. We stubbornly insist to regard economic growth as synonymous with development, even though it makes the poor even poorer. Even if we up to this point have mainly described the environment revolution in economic terms, it is, in its most fundamental meaning, a social revolution: to change our values. Massive threat scenarios are still presented, for instance in the British scientist Tim Jackson’s book Prosperity Without Growth from 2009, which is one of the most widely read and frequently quoted works in this area. Tim Jackson, who is an economist and professor in sustainable development, explains how we humans are indulging in a ruthless pursuit of new-fangled gadgets in a consumption society running at full speed towards its doom. He also claims that material things in themselves cannot help us to flourish; on the contrary, they may even restrain our welfare. In other words, we cannot build our hopes that the economy, technology or science can help us to escape from the trap of Anthropocene, which has brought us to the brink of an ecological disaster. There are hundreds on books on this theme, and they all agree that the general state of the world is pure misery; everything is getting worse, the resources are being depleted, and that man will soon have destroyed the entire planet. The apparent reason for this, of course, is due to the consumption culture and the present financial system—which exposes man as a greedy, ruthless and ultimately weak creature. This attitude may serve a purpose as an eye-opener. But it is not very credible, and it may even be counterproductive. Of course, we can see a lot of problems ahead of us; but to solve them, we need the correct diagnostics instead of dubious doomsday prophesies. Focus: The Problem Since the focus of attention is so profoundly fixated on the problems in the climate and environmental debate, the progress already made—and the opportunities at hand—are often overshadowed. The example below will help to illustrate this point: In the year 2014, the Nobel Prize in physics was awarded to three scientists who had invented blue light emitting diodes—a technology that has made high-bright and energy-efficient LED lighting possible. As lighting accounts for 20% of the world’s total electrical consumption, this invention has the potential to radically reduce energy consumption and greenhouse gas emissions. In an interview made by the major Swedish daily newspaper Dagens Nyheter, one of the prize winners, Hiroshi Amano, says the following about energy-efficient, inexpensive and high-bright LED lights: “They are now being used all over the world. Even children in the developing countries can use this lighting to read books and study in the evenings. This makes me very very happy”. Shortly after this announcement, the news headlines declared that LED lighting was a threat to the environment. This statement was based on a report showing that LED lighting could be hazardous to flies and moths, which in turn might disturb the eco system. This is a typical example of how progress pessimists and, not least the media, think and act. In this case, they focused on a potential problem associated with LED lighting, and ignored the tremendous possibilities that the new technology offered to dramatically reduce greenhouse gases and thus spare the eco system (not to mention all the other advantages). Books and reports of the kind mentioned above tell us repeatedly about disasters, threats, problems, collapses and famines. On the other hand, they are notoriously silent about the great improvements actually made—the reduction of extreme poverty (not only as a percentage but also in absolute numbers), longer lifespans, dramatic global progress in education and healthcare, etc. The lack of positive media coverage on the environment means that many people believe that too little is being done, which is quite understandable considering the one-sided nature of the information they are presented with. Alarmist reporting almost always reminds me of pirates: they are unreliable and half their vision is blocked by their eye patches. It is vital that the media not only one-sidedly focus on the misery without presenting the progress made and suggesting constructive courses of action. The quality of our decisions in all respects depends on our knowledge, insight and attitude. Real and Imagined Threats Many people are convinced that the climate and environmental problems are growing. It is certainly true that our planet has its limitations, but many of the predictions from alarmist literature have been proven false. In the 1980s, the forest dieback was a frequently discussed subject. To quote the well-known German news magazine Der Spiegel, an “ecological Hiroshima” was imminent. Most experts at the time claimed that a wide-spread forest death seemed unavoidable. Additionally, the general mood of impending doom was augmented by the threat of a nuclear disaster during the cold war. I remember the pessimistic discussions among friends and how frequently the gloomy reports appeared in Swedish and Finnish television. The future of humankind appeared to be depressingly bleak. But the forest dieback never happened. On the contrary, the forest area has been constantly expanding in Europe, even during the entire period when the forest was believed to be dying. Today, only two thirds of the yearly accretion in Europe are cut down, according to the Natural Resource Institute in Finland. There are different opinions as to why the large-scale forest dieback didn’t occur. One theory is that the researchers’ evidence and conclusions had been incomplete and too hasty; the forest was actually never in danger. Others suggest that the emission limitations implemented prevented the disaster. My point is that the environmental catastrophe did not happen. Some other environmental problems, exaggerated or not, that have concerned us during the last decades have also disappeared from the immediate agenda: overpopulation, DDT, the ozone hole, heavy metals, lead poisoning, soot particles, the waste mountain, and the acidification of our lakes. Unfortunately, some environmental problems, like soot particles and waste, still remain in some areas, especially in poorer countries, where there are other, even worse problems that have yet to be resolved. The conclusion is, however, that we and our society in most cases have handled threatening situations quite well. When alarming symptoms are noted, scientists and other experts are summoned, and we act according to their diagnoses. It is no big deal that the diagnoses are sometimes wrong, as long as the side effects are not too severe. The main thing is that we do our best to avoid disasters, and on the whole, humankind has succeeded rather well this far. As individuals, we react very differently to various kinds of threats. The closer and more tangible the threat is, the more violent are the reactions—while distant and invisible symptoms, like the depletion of the ozone layer, concern us less. In the latter cases, we have to trust the scientists’ and later the politicians’ reactions. Does this mean that disasters are avoided thanks to war headlines, threats, and anxiety? I don’t think that this is the most important explanation; rather, it is factual and science-based information that produces effective results. But if exaggerated threat scenarios and reports of misery are needed to inspire the necessary political opinion, acquire research funding and create behavioural changes, we will have to live with that. The most important thing to remember in this context is that the actions shouldn’t cause more harm than the original problem itself. The risk with exaggerated threat and misery reporting is that it may inspire an over-reaction based on misleading diagnoses, or the opposite—a paralysing feeling of helplessness. It is necessary to take threats against the climate and the environment seriously, but not to a degree where our ability to reason and act is blocked by fear or anxiety. Many environmental debaters claim that the fall of the Inca and Roman empires were caused by the same causes that are now threatening our present civilisation—a short-sighted over-exploitation and rape of nature. Easter Island is another popular example. However, in my opinion it is both worthless and irresponsible to judge the world situation of today by copying the outcome of earlier cultural endeavours in history. The inhabitants of the Inca empire and Easter Island didn’t have anything even remotely comparable with the organisations, technology, medicine or general knowledge of today. It would be like comparing a case of appendicitis in the past to a case today. In pre-modern times, it was a fatal condition. In this day and age, it is cured by a simple routine operation. Today, humankind is conscious of the climate changes and other ecological challenges. And we also have the knowledge and resources needed to act. Facts, Propaganda and Hidden Messages During all the years I have followed the development of technology and society, I have repeatedly observed how a mishmash of serious research, political propaganda, and the hidden agendas of individuals have been distributed more or less randomly by the media. There are of course many different kinds of alarmism— everything from well-founded research reports to exaggerated prophesies of doom. It is far from simple to separate the wheat from the chaff. The actions taken against ozone depletion, lead emissions and the toxic chemical, dioxin, are all examples of how research has shown the way to successful results. Today, greenhouse gas emissions top the list of issues deserving our gravest attention, as it is a global phenomenon—just as the depletion of the ozone layer once was. There are also a considerable number of local environmental problems, such as drought, air pollution, forest depletion and overfishing. All of these are real threats that have to be acted upon, even though they are not global. However, I am always disturbed when a single global environmental issue is bundled with an assortment of several local issues, rather like a simplified trademark advertisement for the negative consequences of civilisation. This makes the information abstract and inaccurate, ignoring the fact that different locales require different solutions. Fear and alarmism are natural reactions that once protected us when we were living at the mercy of nature—they are evolutionary relics from our life in the savanna. Today, the same properties can be significant drawbacks. The transition from a primitive, animal-like state to the society we have today must, on the whole, be counted as a great success. But many people regard the same world as over-exploited, depleted, unjust, war-ridden and balancing on the brink of destruction. How can people living in the same epoch have so entirely different views of the world? In the sustainability debate, there is one faction dealing with the natural resources and ecosystems, and another focusing on the redistribution of wealth. There is even a third faction discussing a minimalistic lifestyle; for example, downshifting, with less work and less material welfare. When all these ingredients are mixed without discretion, the result is an anxiety soup that many have choked on. In a situation like that, we cannot expect any constructive initiatives to materialise. Instead, it would be far better to explore, research and discuss each dimension separately. What Is the Real State of the Planet? It is easy to generalise and say that we over-exploit the planet’s resources and pollute the world with our waste. But how many care to examine these statements in detail and ask exactly which resources are over-exploited? • Are fish becoming extinct? It is true that overfishing occurs in many places, which is, of course, unsustainable. However, this is not an unavoidable threat to the world’s total food resources. Fortunately, there are several examples of fish stocks that have either recovered or started to replenish once the fishing effort has been eased. • Is the air being poisoned? Many are convinced that the air we breathe is becoming dirtier all the time. But that isn’t true, at least not in the Western world. From the year 1990, emissions of sulphur dioxide have been reduced by 80%, nitrogen oxides by 44%, volatile organic substances by 55%, and carbon monoxide by 62%. Despite these dramatic improvements, 64% of Europeans believe that pollution is increasing. • Are the forests dying? It is a general belief that the forests in the developed countries are dwindling. But that isn’t true; on the contrary, the wooded areas are expanding. However, the forests are decreasing in the poor countries, where forestry and farming are still major sources of income, as they once were in the industrialised countries. • Are we drowning in waste? There are many who believe that we are surrounded by constantly growing mountains of waste. In the developed countries, the truth is that increasing amounts of waste are being recycled and the landfills are decreasing. • Will there be enough phosphorus? Phosphorus is an important nutrient in farming, extracted from phosphate ore. Many scientists fear that the finite natural resource of phosphate ore will become depleted in the future, which may jeopardise the world’s food supply. But there are already working solutions for this problem, such as by reclaiming phosphorus through digestion residues and sewage sludge. There are also technological solutions for the chemical extraction of phosphorus from polluted water—the remediation of lakes and rainwater by removing phosphorus is already a common procedure. Here we achieve a win-win situation—phosphorus is collected while preventing the eutrophication of lakes. • Will there be enough energy to go around? A common statement is that the earth’s population is too large, and that we consume too much energy with respect to the climate. This is one of those issues where we have to think in terms of symptoms, diagnoses, and medication. The symptoms are there for all to see: climate change. On the other hand, the diagnosis that we consume too much energy is wrong. The correct diagnosis is that we are not using the right technology; i.e. energy efficient power production without harmful emissions. Consequently, the correct statement would be that we consume energy that is produced by technologies that are harmful to the climate. The difference in wording is important. As the first diagnosis is “too high energy consumption”, the remedy will be to use a different medication than a diagnosis based on “the wrong technology”. Alarmist reporting can inspire bad decisions if the statements aren’t systematically reviewed and evaluated. It can also be misguiding to express environmental threats in general terms. Actions must be based on precise specific symptoms with corresponding diagnoses. If the doctor discovers that the patient is lame and suffers from a high fever, it doesn’t help to predict imminent death. Maybe the lameness and the fever have different causes altogether! A successful cure would probably include two different diagnoses with separate medications. Several recent surveys of the general conception of the world have been made— one is Project Ignorance by Gapminder and Novus in Sweden. One of the questions asked was whether CO2 emissions per capita and year had increased or decreased in the world during the last 40 years. The surveyed group was large and representative in order to give a fairly accurate picture of the common opinion. No less than 90% believed that CO2 emissions had increased. The truth is that they haven’t increased at all. It is important that decision makers on all levels learn how to see the wood from the trees. Decisions based on false preconditions can halt technological development, and thus also the development of the economy, welfare, and a healthier environment. The flow of innovations in the climate and environmental areas is accelerating rapidly.

### 1NC – Transition

#### Destruction of cap cant overcome all systems of neolib - crises cause elites to double down on austerity measures and structural adjustment that hasten privatization.

Peck and Theodore 19 Jamie Peck is Canada Research Chair in Urban & Regional Political Economy and Professor of Geography at the University of British Columbia, Canada. He is the Managing Editor of Environment and Planning A and the convenor of the Summer Institute in Economic Geography. Nik Theodore is a Professor, Urban Planning and Policy, Associate Dean for Faculty Affairs and Research, CUPPA. “Still Neoliberalism?” The South Atlantic Quarterly, 118, April 2019

--Always assumed to be on its last legs but comes back - 2008 seen as comprehensive repudiation but still kicking

--“No alternative” is the reigning ideology – solution was austerity measures, taax cuts, structural adjsmtnet across the global South, challenges to public service provision/social security/healthcare, and financial elites got bailed out/deregulated

--Changes come and go – Dodd Frank and liquidity shock requirements got repealed – Syrizas in Greece still got austerity medicine and then wrecked in 2019 election by conservatives

That neoliberalism remains a circulating if contestable term, after decades of fitful and fickle usage, might be considered an achievement of sorts. Repeatedly disowned, denigrated, and dismissed, it nevertheless refuses to go away— at least circumstantial evidence, perhaps, that there is indeed “some there there.” This is not the place to revisit the extended genealogy of this troubled signifier and its contested historical geography (see Peck 2010; Cahill et al. 2018), except to observe that its turbulent fortunes, perhaps especially in the period since the Wall Street crash of 2008, have been revealing, while at the same time adding new layers of mystification and puzzlement to what has been a never-less-than-checkered history. What was to be a particularly heavyhanded reboot of this history began in the thick of that last crisis, a little over a decade ago. Perhaps unsurprisingly, the Wall Street crash was at the time widely interpreted as both a comprehensive repudiation and a system failure of neoliberalism by key figures on the left, from Eric Hobsbawm to Naomi Klein, who read the moment as terminal for the rolling project of financial deregulation and for the small-state consensus more generally, a view that was echoed by center-left economists such as Joseph Stiglitz and, although not in so many words, by the likes of Paul Krugman. Rather more surprisingly, there were also some mainstream politicians on the right and left flanks of the center ground, from France’s Nicolas Sarkozy to Australia’s Kevin Rudd, who in this uniquely disorientating context were moved to utter the hitherto unspeakable term, albeit only to declare its graceless exit (see Erlanger 2008; Rudd 2009). A common refrain across much of the commentary at the time, when real economies around the world and the credibility of those charged with their stewardship were both in freefall, was that the much-maligned state would be (had to be) making a comeback—in its own way echoing the arch-neoliberal conceits of governmental withdrawal and free-market governance, as if the state had ever really gone away. Projects of neoliberalization, it has been fairly clear all along to those willing to see, have never been synonymous with a simple diminution, or withdrawal, of the state, but instead have been variously concerned with its capture and reuse, albeit in the context of a generalized assault on social-welfarist or leftarm functions, coupled with an expansion of right-arm roles and capacities in areas like policing and surveillance, incarceration and social control, and the military. Nevertheless, this kind of state project was widely believed to have met its end a decade ago in the Wall Street meltdown.

What followed certainly did not align with the script of a terminal, once-and-for-all collapse of neoliberalism represented (again, somewhat misleadingly) as a bracketable “era” of free-market governance. As if to affirm Thatcher’s premature dismissal that there was “no alternative” to market rule, what followed in the wake of the financial crisis was, far from a retreat of neoliberalism, more like an audacious exercise in doubling down. Longterm austerity measures were (re)imposed in nations rich and poor, including those countries once regarded as the tutelary “heartlands” of the project, and its proving grounds, the United States and the United Kingdom. A new generation of structural adjustment programs targeted not only populations across the global South but also Greece, Detroit, and elsewhere. There were sustained, if scattergun, assaults on many of the old targets—public services, public budgets, and public servants; social movements and labor unions; social security, socialized healthcare, and public-education systems; and undeserving classes, the poor, and racialized others. And all the while, financial and corporate elites got away with slaps on the wrist, if that, only to be compensated in due course with yet more deregulation and further rounds of tax cuts. This unapologetic mutation of late neoliberalism, back as it were from its own grave, may have been shorn of anything approaching credible claims to moral leadership and intellectual authority, but in this reconstituted form it would present a yet more brutal face in its dogged defenses of political power and institutional dominance, soon to be coupled with brazen reassertions of the manifestly dubious case for corporate liberty, financial freedom, and social-state retrenchment.

1. <http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate> [↑](#footnote-ref-1)
2. *Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true* [↑](#footnote-ref-2)
3. <https://www.google.com/search?q=the+definitino&oq=the+definitino&aqs=chrome..69i57j0i67i433j0i67l2j46i433i512j69i60l3.1308j1j7&sourceid=chrome&ie=UTF-8> [Definition #3] [↑](#footnote-ref-3)
4. <https://www.google.com/search?q=appropriation&sxsrf=AOaemvKQemU4kDt9dtiwQnUVUU7LW9GCoQ%3A1639410269344&ei=XWq3YbTHFI-tqtsPs_eviAo&ved=0ahUKEwj06fqVj-H0AhWPlmoFHbP7C6EQ4dUDCA4&uact=5&oq=appropriation&gs_lcp=Cgdnd3Mtd2l6EAMyCQgjECcQRhD5ATIECCMQJzIECCMQJzINCAAQgAQQhwIQsQMQFDIFCAAQkQIyBQgAEJECMgUIABCRAjIFCAAQgAQyBQgAEIAEMgUIABCABDoHCAAQRxCwAzoRCC4QgAQQsQMQgwEQxwEQ0QM6BQguEIAEOg4ILhCABBCxAxDHARCjAjoLCAAQgAQQsQMQgwE6CAguELEDEIMBOggIABCABBCxAzoICAAQsQMQkQJKBAhBGABKBAhGGABQ3wNY4gxgiQ5oA3ABeACAAbsBiAHTDZIBBDAuMTKYAQCgAQHIAQjAAQE&sclient=gws-wiz> [Definition #2] [↑](#footnote-ref-4)
5. <https://www.google.com/search?q=of+definition&rlz=1C1CHBF_enUS877US877&oq=of+definition&aqs=chrome.0.69i59j69i61l3.1473j0j7&sourceid=chrome&ie=UTF-8> //Xu [↑](#footnote-ref-5)
6. <https://www.google.com/search?q=outer+definition&sxsrf=AOaemvIhqFMqUlofS44KTL7ifSUoUpqMpg%3A1639410214502&ei=Jmq3YdOBHpeAqtsP386owAY&ved=0ahUKEwjTrOf7juH0AhUXgGoFHV8nCmgQ4dUDCA4&uact=5&oq=outer+definition&gs_lcp=Cgdnd3Mtd2l6EAMyCggAEIAEEEYQ-QEyBggAEBYQHjIGCAAQFhAeMgYIABAWEB4yBggAEBYQHjIGCAAQFhAeMgYIABAWEB4yBggAEBYQHjIGCAAQFhAeMgYIABAWEB46BwgjELADECc6BwgAEEcQsAM6BwgAELADEEM6CgguEMgDELADEEM6EAguEMcBENEDEMgDELADEEM6BAgjECc6BAgAEEM6BwguELEDEEM6DQgAEIAEEIcCELEDEBQ6CAgAEIAEELEDOggILhCABBCxAzoPCAAQgAQQhwIQFBBGEPkBOgUIABCABDoFCC4QgAQ6CAgAEBYQChAeSgQIQRgASgQIRhgBUKUEWKULYNYMaAFwAngAgAG7AogB1gySAQc0LjMuMi4xmAEAoAEByAEUwAEB&sclient=gws-wiz> [↑](#footnote-ref-6)
7. <https://www.google.com/search?q=space+definition&sxsrf=AOaemvJCUtDfS7K6xg7bvFxIzhK9FJW9zg%3A1639410218441&ei=Kmq3YYeqGquxqtsPsOKc6Ao&ved=0ahUKEwiH59f9juH0AhWrmGoFHTAxB60Q4dUDCA4&uact=5&oq=space+definition&gs_lcp=Cgdnd3Mtd2l6EAMyEggAEIAEEIcCELEDEBQQRhD5ATIKCAAQgAQQhwIQFDIFCAAQgAQyBQgAEIAEMgUIABCABDIFCAAQgAQyBQgAEIAEMgYIABAHEB4yBggAEAcQHjIGCAAQBxAeOgcIABBHELADOgcIABCwAxBDOggIABDkAhCwAzoKCC4QyAMQsAMQQzoJCAAQDRBGEPkBOgQIABANSgQIQRgASgQIRhgBUMADWM4KYPoLaAJwAngBgAG4AogByAaSAQcyLjMuMC4xmAEAoAEByAERwAEB&sclient=gws-wiz> [↑](#footnote-ref-7)
8. https://www.google.com/search?q=bydefinition&sxsrf=AOaemvIC6dSnVeMkZO0wlH47wbNgFcIzjQ%3A1639411091334&ei=k223YeLmE4e4qtsPtbK\_wAw&ved=0ahUKEwii\_PSdkuH0AhUHnGoFHTXZD8gQ4dUDCA4&uact=5&oq=bydefinition&gs\_lcp=Cgdnd3Mtd2l6EAMyBggAEAcQHjIHCAAQsQMQQzIGCAAQBxAeMgYIABAHEB4yBggAEAcQHjIGCAAQBxAeMgYIABAHEB4yBAgAEAoyBggAEAcQHjIGCAAQBxAeOgcIABBHELADOgcIABCwAxBDSgQIQRgASgQIRhgAUMIDWI0EYNsFaAJwAngAgAFmiAG6AZIBAzEuMZgBAKABAcgBCsABAQ&sclient=gws-wiz [↑](#footnote-ref-8)
9. <https://www.google.com/search?q=private+&sxsrf=AOaemvKrE7ST0w4qUZ-RKdtZn9IgoX7yRg%3A1639411236676&ei=JG63YaHlKOGuqtsP_Per4AI&ved=0ahUKEwihh5zjkuH0AhVhl2oFHfz7CiwQ4dUDCA4&uact=5&oq=private+&gs_lcp=Cgdnd3Mtd2l6EAMyBAgjECcyBAgjECcyCAgAEIAEEMkDMgUIABCSAzIFCAAQkgMyCAguEIAEELEDMggIABCABBCxAzIFCAAQgAQyCAgAEIAEELEDMggIABCABBCxAzoHCAAQRxCwAzoFCAAQkQI6CAguELEDEIMBOg4ILhCABBCxAxDHARCjAjoFCC4QgAQ6CwguEIAEEMcBEKMCOgsILhCABBCxAxCDAToOCC4QgAQQsQMQxwEQ0QM6CAgAELEDEJECOg0IABCABBCHAhCxAxAUOgoIABCABBCHAhAUOgUIABCxA0oECEEYAEoECEYYAFDkBFi_C2CbDWgDcAF4AIAB4wGIAesJkgEFMC42LjKYAQCgAQHIAQjAAQE&sclient=gws-wiz> [↑](#footnote-ref-9)
10. <https://www.google.com/search?q=worker+definition&rlz=1C1CHBF_enUS877US877&oq=worker+definition&aqs=chrome..69i57.3726j0j7&sourceid=chrome&ie=UTF-8> //Xu [↑](#footnote-ref-10)
11. <https://www.lexico.com/en/definition/be> [↑](#footnote-ref-11)