### **1**

#### **In round competitive equity first:**

#### **[1] Evaluation – their arguments only seem true because they have an advantage – equity is a meta constraint on your ability to determine who’s better under the aff method since if one debater had 10 minutes to speak and the other had 1 it alters the ability to judge the truth value of the aff which means no cross apps and you should presume their arguments are false since I wasn’t adequately prepared to contest them so they don’t get to weigh the case if we couldn’t engage it to start with since I couldn’t disprove it.**

#### **[2] Ballot proximity – the ballot can’t solve their offense or actualize their method since the arguments we read have no effect on our subjectivity, but the judge can determine the direction of good norms and equitable practices so a risk our interp is good means negate**

#### **[3] exclusion’s inevitable since you have the ability to exclude my offense with your ROB which means I shouldn’t be punished for excluding the way you presented your advocacy.**

#### **[4] Quality of discussion – even if it’s true that the scholarship they introduce is valuable, if I can’t answer the aff then there’s no point to reading the position. Debate’s unique value is that it forces engagement and contestation of issues – but this is impossible if I don’t even know what to prepare for which also turns the tangible benefit of their method**

#### **Interpretation: the affirmative must defend the hypothetical implementation of a governmental policy that designates appropriation of outer space by private entities as unjust, following the rez: Resolved: The appropriation of outer space by private entities is unjust**

#### **Violation: they don’t.**

**Resolved indicates a policy action.**

**Words and Phrases 64** [Words and Phrases Permanent Edition (Multi-volume set of judicial definitions). “Resolved”. 1964.]

Definition of the word **“resolve,”** given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It **is** of **similar** force **to the word “enact,”** which is defined by Bouvier as **meaning “to establish by law”.**

#### **Violation: They defend \_\_it as a general principle and don’t defend implementation of a governmental policy\_\_\_\_\_.**

#### **Vote neg for predictable limits—post-facto topic adjustment structurally favors the aff by manipulating the balance of prep which is anchored around the resolution as a stasis point. Not debating the topic allows someone to specialize in one area of the library for 4 years giving them a huge edge over people who switch research focus ever 2 months, which means their arguments are presumptively false because they haven’t been subject to well-researched scrutiny. I can’t go for any disad, specific CPs, solvency turns, etc in order to answer the aff, you’ll just delink my offense in the 1ar. Kills neg ground since certain principles are good in the abstract; it only makes sense taking everything into context. Ground is key to fairness since equal access to arguments controls equal access to the ballot. Truth testing - you can’t vote on the case outweighs T because lack of preparation prevents rigorous testing of the AC claims. If we win fairness we don’t have to “outweigh” other impacts.**

#### **3 impacts:**

#### **First is fairness—debate is fundamentally a game which requires both sides to have a relatively equal shot at winning and is necessary for any benefit to the activity. That outweighs:**

#### **a. decision-making: every argument concedes to the validity of fairness i.e. that the judge will make a fair decision based on the arguments presented. This means if they win fairness bad vote neg on presumption because you have no obligation to fairly evaluate their arguments.**

#### **b. probability: voting aff can’t solve any of their impacts but it can solve ours. All the ballot does is tell tab who won which can’t stop any violence but can resolve the fairness imbalance in this particular debate.**

#### **c. Extra T they get offence from their method not just the topic which means that they’ll always win against topical neg.**

#### **Second is switch side and idea-testing --- only a limited topic that leaves a role for the negative allows contestation and second-order testing that overcomes polarization. Switching sides forces them to scrutinize their own beliefs, which is valuable for developing and defending their own convictions more robustly.**

**Poscher 16** Ralf Poscher, Diat the Institute for Staatswissenschaft and Philosophy of Law at the University of Freiburg “Why We Argue About the Law: An Agonistic Account of Legal Disagreement”, Metaphilosophy of Law, Tomasz Gizbert-Studnicki/Adam Dyrda/Pawel Banas (eds.), Hart Publishing. 2016.

Hegel’s dialectical thinking powerfully exploits the idea of negation. It is a central feature of spirit and consciousness that they have the power to negate. The spirit “is this power only by looking the negative in the face and tarrying with it. This […] is the magical power that converts it into being.”102 The tarrying with the negative is part of what Hegel calls **the “labour of the negative**”103. In a loose reference to this Hegelian notion Gerald Postema points to yet another feature of disagreements as a necessary ingredient of the process of practical reasoning. Only if our reasoning is exposed to contrary arguments can we test its merits. **We must go through the “labor of the negative” to have trust in our deliberative processes.**104 This also holds where we seem to be in agreement. Agreement without exposure to disagreement can be deceptive in various ways. The first phenomenon Postema draws attention to is the group polarization effect. When a group of like‐minded people deliberates an issue, informational and reputational cascades produce more extreme views in the process of their deliberations.105 The polarization and biases that are well documented for such groups106 can be countered at least in some settings by **the inclusion of dissenting voices.** In these scenarios, disagreement can be a cure for dysfunctional deliberative polarization and biases.107 A second deliberative dysfunction mitigated by disagreement is superficial agreement, which can even be manipulatively used in the sense of a “presumptuous ‘We’”108. Disagreement can help to police such distortions of deliberative processes by challenging superficial agreements. Disagreements may thus signal that a deliberative process is not contaminated with dysfunctional agreements stemming from polarization or superficiality. Protecting our discourse against such contaminations is valuable even if we do not come to terms. Each of the opposing positions will profit from the catharsis it received “by looking the negative in the face and tarrying with it”. These advantages of disagreement in collective deliberations are mirrored on the individual level. Even if the probability of reaching a consensus with our opponents is very low from the beginning, as might be the case in deeply entrenched conflicts, entering into an exchange of arguments can still serve to **test and improve our position**. We have to do the “labor of the negative” for ourselves. **Even if we cannot come up with a line of argument that coheres well with everybody else’s beliefs**, attitudes and dispositions, we can still come up with a line of argument that achieves this goal for our own personal beliefs, attitudes and dispositions. To provide ourselves with the most coherent system of our own beliefs, attitudes and dispositions is – at least in important issues – an aspect of personal integrity – to borrow one of Dworkin’s favorite expressions for a less aspirational idea. In hard cases we must – in some way – lay out the argument for ourselves to figure out what we believe to be the right answer. We might not know what we believe ourselves in questions of abortion, the death penalty, torture, and stem cell research, until we have developed a line of argument against the background of our subjective beliefs, attitudes and dispositions. In these cases it might be rational to discuss the issue with someone unlikely to share some of our more fundamental convictions or who opposes the view towards which we lean. This might even be the most helpful way of corroborating a view, because we know that our adversary is much more motivated to find a potential flaw in our argument than someone with whom we know we are in agreement. It might be more helpful to discuss a liberal position with Scalia than with Breyer if we want to make sure that we have not overlooked some counter‐argument to our case. It would be too narrow an understanding of our practice of legal disagreement and argumentation if we restricted its purpose to persuading an adversary in the case at hand and inferred from this narrow understanding the irrationality of argumentation in hard cases, in which we know beforehand that we will not be able to persuade. Rational argumentation is a much more complex practice in a more complex social framework. Argumentation with an adversary can have **purposes beyond persuading him: to test one’s own convictions,** to engage our opponent in inferential commitments and to persuade third parties are only some of these; to rally our troops or express our convictions might be others. To make our peace with Kant we could say that “there must be a hope of coming to terms” with someone though not necessarily with our opponent, but maybe only a third party or even just ourselves and not necessarily only on the issue at hand, but maybe through inferential commitments in a different arena.f) The Advantage Over Non‐Argumentative Alternatives It goes without saying that in real world legal disagreements, all of the reasons listed above usually play in concert and will typically hold true to different degrees relative to different participants in the debate: There will be some participants for whom our hope of coming to terms might still be justified and others for whom only some of the other reasons hold and some for whom it is a mixture of all of the reasons in shifting degrees as our disagreements evolve. It is also apparent that, with the exception of the first reason, the rationality of our disagreements is of a secondary nature. **The rational does not lie in the discovery of a single right answer** to the topic of debate, since in hard cases there are no single right answers. Instead, our disagreements are instrumental to rationales which lie beyond the topic at hand, like the exploration of our communalities or of our inferential commitments. Since these reasons are of this secondary nature, they must stand up to alternative ways of settling irreconcilable disagreements that have other secondary reasons in their favor – like swiftness of decision making or using fewer resources. Why does our legal practice require lengthy arguments and discursive efforts even in appellate or supreme court cases of irreconcilable legal disagreements? The closure has to come by some non‐argumentative mean and courts have always relied on them. For the medieval courts of the Germanic tradition it is bequeathed that judges had to fight it out literally if they disagreed on a question of law – though the king allowed them to pick surrogate fighters.109 It is understandable that the process of civilization has led us to non‐violent non‐ argumentative means to determine the law. But what was wrong with District Judge Currin of Umatilla County in Oregon, who – in his late days – decided inconclusive traffic violations by publicly flipping a coin?110 If we are counting heads at the end of our lengthy argumentative proceedings anyway, **why not decide hard cases by gut voting** at the outset and spare everybody the cost of developing elaborate arguments on questions, where there is not fact of the matter to be discovered?

#### **Third is the small schools disad - under-resourced are most adversely effected by a massive, unpredictable caselist which worsens structural disparities**

#### **Ballot paradox - either they want the ballot and prove the competition arguments, or they’re only here for the discussion in which case vote neg but recognize the aff’s education is valuable – proves T comes first.**

#### **TVA -**

#### **Disads to the TVA prove there’s negative ground and that it’s a contestable stasis point, and if their critique is incompatible with the topic reading it on the neg solves and is better because it promotes switch-side debate.**

#### **Paradigm –**

#### **1. TFW is drop the debater – it indicts their method of engagement and proves we couldn’t engage fairly with their aff.**

#### **2. Competing interps – reasonability is arbitrary, you can’t be reasonably topical, and causes a race to the bottom of questionable argumentation.**

#### **3. NO RVIS- RVIs and impact turns encourage all in on theory which decks substance and incentivize baiting theory with abusive practices.**

#### **4. No impact turns— exclusions are inevitable—there are infinite topics that are important discussions but not all of them are debatable. Even if our vision of the topic can’t fully include their scholarship they have to weigh the marginal benefit of allowing their scholarship against having literally no limit on what the affirmative can talk about which proves maintaining the topic as a stasis point outweighs.**

### **2**

#### **Pleasure and pain are the starting point for moral reasoning—they’re our most baseline desires and the only things that explain the intrinsic value of objects or actions.**

**Moen 16**, Ole Martin (PhD, Research Fellow in Philosophy at University of Oslo). "An Argument for Hedonism." Journal of Value Inquiry 50.2 (2016): 267. SM

Let us start by observing, empirically, that **a widely shared judgment about intrinsic value** and disvalue **is that pleasure is intrinsically valuable and pain is intrinsically disvaluable**. On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues. This inclusion makes intuitive sense, moreover, for **there is something undeniably good about** the way **pleasure** feels and something undeniably bad about the way pain feels, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have. “Pleasure” and “pain” are here understood inclusively, as encompassing anything hedonically positive and anything hedonically negative. 2 The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values. If you tell me that you are heading for the convenience store, **I might ask: “What for**?” This is a reasonable question, for when you go to the convenience store you usually do so, not merely for the sake of going to the convenience store, but for the sake of achieving something further that you deem to be valuable. You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. **The reason is that** the **pleasure is not good for anything further**; it is simply that for which going to the convenience store and buying the soda is good. 3 As Aristotle observes: “**We never ask** [a man] **what** his **end is in being pleased, because we assume** that**pleasure is** choice **worthy in itself**.”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that **if something is painful, we have a sufficient explanation of why it is bad**. If we are onto something in our everyday reasoning about values, it seems that **pleasure** and pain are both places where we **reach the end of the line in matters of value**. Although pleasure and pain thus seem to be good candidates **for intrinsic value** and disvalue, several objections have been raised against this suggestion: (1) that pleasure and pain have instrumental but not intrinsic value/disvalue; (2) that pleasure and pain gain their value/disvalue derivatively, in virtue of satisfying/frustrating our desires; (3) that there is a subset of pleasures that are not intrinsically valuable (so-called “evil pleasures”) and a subset of pains that are not intrinsically disvaluable (so-called “noble pains”), and (4) that pain asymbolia, masochism, and practices such as wiggling a loose tooth render it implausible that pain is intrinsically disvaluable. I shall argue that these objections fail. Though it is, of course, an open question whether other objections to P1 might be more successful, I shall assume that if (1)–(4) fail, we are justified in believing that P1 is true itself a paragon of freedom—there will always be some agents able to interfere substantially with one’s choices. The effective level of protection one enjoys, and hence one’s actual degree of freedom, will vary according to multiple factors: how powerful one is, how powerful individuals in one’s vicinity are, how frequent police patrols are, and so on. Now, we saw above that what makes a slave unfree on Pettit’s view is the fact that his master has the power to interfere arbitrarily with his choices; in other words, what makes the slave unfree is the power relation that obtains between his master and him. The difﬁculty is that, in light of the facts I just mentioned, there is no reason to think that this power relation will be unique. A similar relation could obtain between the master and someone other than the slave: absent perfect state control, the master may very well have enough power to interfere in the lives of countless individuals. Yet it would be wrong to infer that these individuals lack freedom in the way the slave does; if they lack anything, it seems to be security. A problematic power relation can also obtain between the slave and someone other than the master, since there may be citizens who are more powerful than the master and who can therefore interfere with the slave’s choices at their discretion. Once again, it would be wrong to infer that these individuals make the slave unfree in the same way that the master does. Something appears to be missing from Pettit’s view. If I live in a particularly nasty part of town, then it may turn out that, when all the relevant factors are taken into account, I am just as vulnerable to outside interference as are the slaves in the royal palace, yet it does not follow that our conditions are equivalent from the point of view of freedom. As a matter of fact, we may be equally vulnerable to outside interference, but as a matter of right, our standings could not be more different. I have legal recourse against anyone who interferes with my freedom; the recourse may not be very effective—presumably it is not, if my overall vulnerability to outside interference is comparable to that of a slave— but I still have full legal standing.68 By contrast, the slave lacks legal recourse against the interventions of one speciﬁc individual: his master. It is that fact, on a Kantian view—a fact about the legal relation in which a slave stands to his master—that sets slaves apart from freemen. The point may appear trivial, but it does get something right: whereas one cannot identify a power relation that obtains uniquely between a slave and his master, the legal relation between them is undeniably unique. A master’s right to interfere with respect to his slave does not extend to freemen, regardless of how vulnerable they might be as a matter of fact, and citizens other than the master do not have the right to order the slave around, regardless of how powerful they might be. This suggests that Kant is correct in thinking that the ideal of freedom is essentially linked to a person’s having full legal standing. More speciﬁcally, he is correct in holding that the importance of rights is not exhausted by their contribution to the level of protection that an individual enjoys, as it must be on an instrumental view like Pettit’s. Although it does matter that rights be enforced with reasonable effectiveness, the sheer fact that one has adequate legal rights is essential to one’s standing as a free citizen. In this respect, Kant stays faithful to the idea that freedom is primarily a matter of standing—a standing that the freeman has and that the slave lacks. Pettit himself frequently insists on the idea, but he fails to do it justice when he claims that freedom is simply a matter of being adequately (and reliably) shielded against the strength of others. As Kant recognizes, the standing of a free citizen is a more complex matter than that. One could perhaps worry that the idea of legal standing is something of a red herring here—that it must ultimately be reducible to a complex network of power relations and, hence, that the position I attribute to Kant differs only nominally from Pettit’s. That seems to me doubtful. Viewing legal standing as essential to freedom makes sense only if our conception of the former includes conceptions of what constitutes a fully adequate scheme of legal rights, appropriate legal recourse, justiﬁed punishment, and so on. Only if one believes that these notions all boil down to power relations will Kant’s position appear similar to Pettit’s. On any other view—and certainly that includes most views recently defended by philosophers—the notion of legal standing will outstrip the power relations that ground Pettit’s theory.

#### **Thus, The standard is maximizing expected well-being.**

Consequentialism SPEC: NEC (necessary enabler consequentialism) – all moral reasons for acts are provided by facts that the acts are necessary enablers for preventing death.

#### **Extinction comes first under any framework.**

**Pummer 15** [Theron, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford. “Moral Agreement on Saving the World” Practical Ethics, University of Oxford. May 18, 2015] AT

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But **that is a huge mistake.** Non-consequentialism is the view that there’s more thatdetermines rightness than the goodness of consequences or outcomes; **it is not the view that the latter don’t matter**. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” **Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good**, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be undermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. **We should also take into account moral uncertainty.** What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, **all minimally plausible moral views would converge on the conclusion that we should try to save the world**. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views.And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

#### **a. Gateway issue - we need to be alive to assign value and debate competing moral theories- extinction literally ends the debate on “ought”.**

#### **b. no coherent moral theory can allow for extinction because it means the end of value.**

### **3**

#### **Chinese Asteroid Mining key to sustaining Rare Earth Minerals.**

**Cohen 21** Ariel Cohen 10-26-2021 "China’s Space Mining Industry Is Prepping For Launch – But What About The US?" <https://www.forbes.com/sites/arielcohen/2021/10/26/chinas-space-mining-industry-is-prepping-for-launch--but-what-about-the-us/?sh=6b8bea862ae0> (I am a Senior Fellow at the Atlantic Council and the Founding Principal of International Market Analysis, a Washington, D.C.-based global risk advisory boutique.)//Elmer

Exploration of space-based natural resources are on the Chinese policy makers’ mind. The question is, what Joe Biden thinks? In April of this year, **China’s**Shenzen **Origin Space Technology Co.** Ltd. **launched** the NEO-1, the first **commercial spacecraft dedicated to the mining of space resources** – from asteroids to the lunar surface. Falling costs of space launches and spacecraft technology alongside existing infrastructure provides a unique opportunity to explore extraterrestrial resource extraction. Current technologies are equipped to analyze and categorize asteroids within our solar system with a limited degree of certainty. One of the accompanying payloads to the NEO-1 was the Yuanwang-1, or “little hubble” satellite, which searches the stars for possible asteroid mining targets. The NEO-1 launch marks another milestone in private satellite development, adding a new player to space based companies which include Japan’s Astroscale. Private asteroid identification via the Sentinel Space Telescope was supported by NASA until 2015. As private investment in space grows, the end goal is to be capable of harvesting resources to bring to Earth. “Through the development and launch of the spacecraft, Origin Space is able to carry out low-Earth orbit space junk cleanup and prototype technology verification for space resource acquisition, and at the same time demonstrate future asteroid defense related technologies.” In the end, it will come down to progressively lowering the cost of launched unit of weight and booster rocket reliability – before fundamentally new engines may drive the launch costs even further down. The April launch demonstrates that **China is already succeeding** while the West is spinning its wheels. The much touted Planetary Resources and Deep Space Industries (DSI) DSI -1% were supposed to be the vanguard of extra-terrestrial resource acquisition with major backers including Google’s GOOG -1.4% Larry Page. But both have since been acquired, the former by block chain company ConsenSys and the latter by Bradford Space, neither of which are prioritizing asteroid mining. This is too bad, **given** that that **supply chain crunches** **here on Earth** – coupled with the global green energy transition – are **spiking demand for strategic minerals that are increasingly hard to come by** on our environmentally stressed planet. And here **China** currently **holds** a **monopoly on** rare earth element (**REE) extraction** and processing to the tune of 90%. REE’s 17 minerals essential for modern computing and manufacturing technologies for everything from solar panels to semi-conductors. Resource-hungry China also has major involvement in global critical mineral supply chains, which include cobalt, tungsten, and lithium. As I’ve written before, the Chinese hold of upstream and downstream markets is staggering. Possessing 30% of the global mined ore, 80% of the global processing facilities, and an ever increasing list of high dollar investments around the world, China boasts over $36 billion invested in mining projects in Africa alone. **Beijing’s space program clearly indicates that the Chinese would also like to tighten their grip on space-based resources** as well. According to research, it is estimated that **a small asteroid** roughly 200 meters in length that is ric**h in platinum could be worth up to $300 million.** Merrill Lynch predicts the space industry — including extraterrestrial mining industry – to value $2.7 trillion in the next three decades. **REEs are fairly common in the solar system**, but to what degree remains unknown. The most sought after are M-type asteroids which are mostly metal and hundreds of cubic meters. While these are not the most common, the 27,115 Near Earth asteroids are bound to contain a few. This – and military applications – are no doubt **a driving factor of China’s ever increasing space ambitions.**

#### **China terrestrial mining slipping.**

**CPT 21** China Power Team. "Does China Pose a Threat to Global Rare Earth Supply Chains?" China Power. July 17, 2020. Updated May 12, 2021. Accessed December 19, 2021. <https://chinapower.csis.org/china-rare-earths/> //Elmer

Growing Global Competition While China maintains a commanding presence within the global rare earth industry, **Beijing’s capacity to unilaterally disrupt supply chains is likely to be eroded** in the coming years. A **number of initiatives** are **underway** that may prove successful **at establishing new rare earth suppliers** outside of China. Shifting market dynamics are likely to aid these efforts. There are already signs that other players have started to chip away at China’s dominance in certain areas. **Mining** of raw rare earth materials **outside** of **China has ramped up significantly in recent years** as the US’ Mountain Pass mine, and other mines around the world, have increased their output. **China’s share of global mining production has slipped as a result**, from a high of 97.7 percent in 2010 to 62.9 percent in 2019 – the lowest point since 1995. China’s **share of global rare earth reserves has likewise fallen from 50 percent to 36.7 percent** over the same period.3 China’s status as the preeminent supplier of oxides, metals, and permanent magnets has not been similarly diminished – but it may be in the coming years. In the US, the company MP Materials is working to bring online facilities at Mountain Pass that would allow it to process its mined minerals, instead of sending them to China for processing. The company aims to accomplish this in 2021 and to establish the ability to refine and separate rare earth metals in the coming years. International efforts are also underway. In April 2020, the US DoD green-lit initial funding for a joint venture between Australia’s Lynas Corporation and US-based Blue Line Corporation to construct a processing facility in Texas. If successful, it would allow Lynas to ship rare earth materials from its processing facility in Malaysia to the US for final processing – rather than to China. The Japanese government (through JOGMEC) is looking to invest in US and Australian initiatives, likely including the new facility in Texas. These steps are part of Tokyo’s announced goal of further reducing Japan’s reliance on Chinese rare earth imports to less than 50 percent by 2025. Due to growing demand for rare earths, these ventures will likely be more successful than previous attempts to establish rare earth suppliers outside of China. Much of this new demand is being driven by rapid growth of the renewable energy and electric vehicle industries, which utilize large quantities of rare earth permanent magnets. From 2007 to 2017, China’s production of renewable and nuclear energy more than tripled, accounting for roughly 51 percent of the global increase in production over this period. China’s electric vehicle market is growing even faster. Between 2014 and 2019, the number of electric vehicles in China swelled from approximately 90,000 to nearly 3.4 million.

#### **REMs dominance solves the economy.**

**GH 14** [Greenovation Hub, conducts research on China-relevant issues in climate, energy and sustainable finance with a global perspective, “China’s Mining Industry at Home and Overseas: Development, Impacts and Regulation,” 2014, https://www.ghub.org/cfc\_en/wp-content/uploads/sites/2/2014/11/China-Mining-at-Home-and-Overseas\_Main-report2\_EN.pdf, EA]

Economic Development and Employment Opportunities The rapid growth China has experienced over the last three decades has been **fuelled** in part **by its mining and metals industries.** The industrialization of the country and extensive infrastructure development would not have been possible without high outputs of steel and other construction materials. Likewise, without China’s huge coal industry, there would have been insufficient electricity to power the factories and industries that propelled China to its current position as the world’s second largest economy. Mining and metal production generates **large** **revenues**, which constitutes a **significant** **portion** of the country’s **GDP**. According to the National Bureau of Statistics, in 2010 mining directly contributed around 5.2% of China’s total GDP. This figure is **significantly** **higher** if **downstream** **industries** and **revenues** are taken into account. According to the International Council on Mining and Metals (ICMM), in 2010 the total production value of mining in China was **over US$69.2 billion**, which is an increase of over 555% since 2000. As well as generating revenue through taxation, royalties and sale of resources, mining also supports secondary industries such as those supplying machinery and other services to mining companies. Products of the mining industry can be **traded on international markets**, further **adding to China’s foreign currency reserves.**

#### **Chinese economic decline leads to all-out war – specifically over Taiwan.**

**Joske 18** Stephen Joske 10-23-2018 “China’s Coming Financial Crisis And The National Security Connection” <https://warontherocks.com/2018/10/chinas-coming-financial-crisis-and-the-national-security-connection/> (senior adviser to the Australian Treasurer during the 1997–98 Asian crisis)//re-cut by Elmer

The biggest **national security issues**, however, **arise from** the unpredictable **political impact of a recession in China**. We learned this, or should have, during the 1997 to 1998 Asian crisis. China may have had a disguised recession or near recession in 1998, but it was in a much smaller economy. Apart from that one episode there is no collective memory of recession and how to deal with it. As such, **China** is now **psychologically unprepared** to deal with the challenges of a recession. China’s coming recession will be accompanied by a large uncontrolled devaluation of the RMB as foreign exchange reserves evaporate, so it will be impossible to conceal this time. All asset prices, including housing prices, will be hit. **Combine** the **shock** of an unexpected economic setback **with tensions** in a one party state where a single individual has been calling the shots, and **political instability could set in.** While Xi’s anti-corruption campaign has not eliminated corruption, it has created many enemies who are biding their time. Minxin Pei has documented the activities of China’s powerful corruption networks. These networks, not a debilitated civil society, represent the alternative government of China. Competition between them could easily be destabilizing in a winner-take-all political environment. While our understanding of elite politics in China is poor, a recession would likely discredit the existing leadership and **set off intense competition between corrupt factions** for control of China. Bo Xilai, a former Chongqing party chief and Politburo member, was purged in 2012 but his son appears to still be interested in politics. While the outcome is impossible to predict, we can **see** the conditions in place for destabilizing events ranging from **military adventurism** to **civil war**. Alternatively, the regime could reassert its stability through increased repression, which would make China harder to deal with and would spill over into the Chinese diaspora. China’s Belt and Road Initiative has never had a real economic base. It is all about power projection (such as the Gwadar port) and would quickly be dropped by Beijing as a post-crisis China becomes focused on domestic political and economic stability. **Any Chinese military adventurism is likely to be focused on Taiwan.** China’s military is currently poorly equipped for an invasion of Taiwan, which has difficult geography and a substantial military, making an invasion of Taiwan unlikely to succeed. However, it is possible the Chinese **leadership would miscalculate** the risks, leaving it in a limited war with no clear resolution that would quickly **draw in Japan and the U**nited **S**tates. China has spent most of its history disunited, reflecting its geography. It has a number of widely dispersed economic centers. It was in outright civil war as recently as the 1960s. If competition between political factions remains unresolved, a civil war could develop, leaving China as a battleground where Russia, Japan, and the United States seek to influence the outcome. This scenario would stall or even end China’s rise as a global military and political power.

#### **Taiwan goes nuclear.**

**Talmadge 18** [Caitlin, Associate Professor of Security Studies at the Edmund A. Walsh School of Foreign Service at Georgetown University, “Beijing’s Nuclear Option: Why a U.S.-China War Could Spiral Out of Control,” accessible online at <https://www.foreignaffairs.com/articles/china/2018-10-15/beijings-nuclear-option>, published Nov/Dec 2018]//re-cut by Elmer

As China’s power has grown in recent years, so, too, has the risk of war with the United States. Under President Xi Jinping, China has increased its political and economic pressure on Taiwan and built military installations on coral reefs in the South China Sea, fueling Washington’s fears that Chinese expansionism will threaten U.S. allies and influence in the region. U.S. destroyers have transited the Taiwan Strait, to loud protests from Beijing. American policymakers have wondered aloud whether they should send an aircraft carrier through the strait as well. Chinese fighter jets have intercepted U.S. aircraft in the skies above the South China Sea. Meanwhile, U.S. President Donald Trump has brought long-simmering economic disputes to a rolling boil. A war between the two countries remains unlikely, but the prospect of a **military confrontation**—resulting, for example, **from a Chinese campaign against Taiwan**—**no longer seems** as **implausible** as it once did. And the odds of such a confrontation going nuclear are higher than most policymakers and analysts think. Members of China’s strategic community tend to dismiss such concerns. Likewise, U.S. studies of a potential war with China often exclude nuclear weapons from the analysis entirely, treating them as basically irrelevant to the course of a conflict. Asked about the issue in 2015, Dennis Blair, the former commander of U.S. forces in the Indo-Pacific, estimated the likelihood of a U.S.-Chinese nuclear crisis as “somewhere between nil and zero.” This assurance is misguided. If deployed against China, the Pentagon’s preferred style of conventional warfare would be a potential recipe for nuclear escalation. Since the end of the Cold War, the United States’ signature approach to war has been simple: punch deep into enemy territory in order to rapidly knock out the opponent’s key military assets at minimal cost. But the Pentagon developed this formula in wars against Afghanistan, Iraq, Libya, and Serbia, none of which was a nuclear power. **China**, by contrast, not only has **nuclear weapons**; it has also **intermingled** them **with its conventional** military **forces**, **making it difficult to attack one without attacking the other**. This means that a major U.S. military campaign targeting China’s conventional forces would likely also threaten its nuclear arsenal. Faced with such a threat, Chinese leaders could decide to use their nuclear weapons while they were still able to. As U.S. and Chinese leaders navigate a relationship fraught with mutual suspicion, they must come to grips with the fact that a conventional war could skid into a nuclear confrontation. Although this risk is not high in absolute terms, its consequences for the region and the world would be devastating. As long as the United States and China continue to pursue their current grand strategies, the risk is likely to endure. This means that leaders on both sides should dispense with the illusion that they can easily fight a limited war. They should focus instead on managing or resolving the political, economic, and military tensions that might lead to a conflict in the first place. A NEW KIND OF THREAT There are some reasons for optimism. For one, China has long stood out for its nonaggressive nuclear doctrine. After its first nuclear test, in 1964, China largely avoided the Cold War arms race, building a much smaller and simpler nuclear arsenal than its resources would have allowed. Chinese leaders have consistently characterized nuclear weapons as useful only for deterring nuclear aggression and coercion. Historically, this narrow purpose required only a handful of nuclear weapons that could ensure Chinese retaliation in the event of an attack. To this day, China maintains a “no first use” pledge, promising that it will never be the first to use nuclear weapons. The prospect of a nuclear conflict can also seem like a relic of the Cold War. Back then, the United States and its allies lived in fear of a Warsaw Pact offensive rapidly overrunning Europe. NATO stood ready to use nuclear weapons first to stalemate such an attack. Both Washington and Moscow also consistently worried that their nuclear forces could be taken out in a bolt-from-the-blue nuclear strike by the other side. This mutual fear increased the risk that one superpower might rush to launch in the erroneous belief that it was already under attack. Initially, the danger of unauthorized strikes also loomed large. In the 1950s, lax safety procedures for U.S. nuclear weapons stationed on NATO soil, as well as minimal civilian oversight of U.S. military commanders, raised a serious risk that nuclear escalation could have occurred without explicit orders from the U.S. president. The good news is that these Cold War worries have little bearing on U.S.-Chinese relations today. Neither country could rapidly overrun the other’s territory in a conventional war. Neither seems worried about a nuclear bolt from the blue. And civilian political control of nuclear weapons is relatively strong in both countries. What remains, in theory, is the comforting logic of mutual deterrence: in a war between two nuclear powers, neither side will launch a nuclear strike for fear that its enemy will respond in kind. The bad news is that one other trigger remains: a conventional war that threatens China’s nuclear arsenal. **Conventional forces** can threaten nuclear forces in ways that **generate pressures to escalate**—especially when ever more capable U.S. conventional forces face adversaries with relatively small and fragile nuclear arsenals, such as China. **If U.S. operations endangered** or damaged China’s **nuclear forces,** Chinese leaders might come to think that Washington had aims beyond winning the conventional war—that it might be seeking to disable or destroy China’s nuclear arsenal outright, perhaps as a prelude to regime change. In the fog of war, **Beijing might**reluctantly **conclude** that limited **nuclear escalation**—an initial strike small enough that it could avoid full-scale U.S. retaliation—**was** a **viable** option to defend itself. STRAIT SHOOTERS The **most worrisome flash point** for a U.S.-Chinese war **is Taiwan**. Beijing’s long-term objective of reunifying the island with mainland China is clearly in conflict with Washington’s longstanding desire to maintain the status quo in the strait. It is not difficult to imagine how this might lead to war. For example, China could decide that the political or military window for regaining control over the island was closing and launch an attack, using air and naval forces to blockade Taiwanese harbors or bombard the island. Although U.S. law does not require Washington to intervene in such a scenario, the Taiwan Relations Act states that the United States will “consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States.” Were Washington to intervene on Taipei’s behalf, the world’s sole superpower and its rising competitor would find themselves in the first great-power war of the twenty-first century. In the course of such a war, U.S. conventional military operations would likely threaten, disable, or outright eliminate some Chinese nuclear capabilities—whether doing so was Washington’s stated objective or not. In fact, if the United States engaged in the style of warfare it has practiced over the last 30 years, this outcome would be all but guaranteed. Consider submarine warfare. China could use its conventionally armed attack submarines to blockade Taiwanese harbors or bomb the island, or to attack U.S. and allied forces in the region. If that happened, the U.S. Navy would almost certainly undertake an antisubmarine campaign, which would likely threaten China’s “boomers,” the four nuclear-armed ballistic missile submarines that form its naval nuclear deterrent. China’s conventionally armed and nuclear-armed submarines share the same shore-based communications system; a U.S. attack on these transmitters would thus not only disrupt the activities of China’s attack submarine force but also cut off its boomers from contact with Beijing, leaving Chinese leaders unsure of the fate of their naval nuclear force. In addition, nuclear ballistic missile submarines depend on attack submarines for protection, just as lumbering bomber aircraft rely on nimble fighter jets. If the United States started sinking Chinese attack submarines, it would be sinking the very force that protects China’s ballistic missile submarines, leaving the latter dramatically more vulnerable. Even more dangerous, U.S. forces hunting Chinese attack submarines could inadvertently sink a Chinese boomer instead. After all, at least some Chinese attack submarines might be escorting ballistic missile submarines, especially in wartime, when China might flush its boomers from their ports and try to send them within range of the continental United States. Since correctly identifying targets remains one of the trickiest challenges of undersea warfare, a U.S. submarine crew might come within shooting range of a Chinese submarine without being sure of its type, especially in a crowded, noisy environment like the Taiwan Strait. Platitudes about caution are easy in peacetime. In wartime, when Chinese attack submarines might already have launched deadly strikes, the U.S. crew might decide to shoot first and ask questions later. Adding to China’s sense of vulnerability, the small size of its nuclear-armed submarine force means that just two such incidents would eliminate half of its sea-based deterrent. Meanwhile, any Chinese boomers that escaped this fate would likely be cut off from communication with onshore commanders, left without an escort force, and unable to return to destroyed ports. If that happened, China would essentially have no naval nuclear deterrent. The situation is similar onshore, where any U.S. military campaign would have to contend with China’s growing land-based conventional ballistic missile force. Much of this force is within range of Taiwan, ready to launch ballistic missiles against the island or at any allies coming to its aid. Once again, U.S. victory would hinge on the ability to degrade this conventional ballistic missile force. And once again, it would be virtually impossible to do so while leaving China’s nuclear ballistic missile force unscathed. Chinese conventional and nuclear ballistic missiles are often attached to the same base headquarters, meaning that they likely share transportation and supply networks, patrol routes, and other supporting infrastructure. It is also possible that they share some command-and-control networks, or that the United States would be unable to distinguish between the conventional and nuclear networks even if they were physically separate. To add to the challenge, some of China’s ballistic missiles can carry either a conventional or a nuclear warhead, and the two versions are virtually indistinguishable to U.S. aerial surveillance. In a war, targeting the conventional variants would likely mean destroying some nuclear ones in the process. Furthermore, sending manned aircraft to attack Chinese missile launch sites and bases would require at least partial control of the airspace over China, which in turn would require weakening Chinese air defenses. But degrading China’s coastal air defense network in order to fight a conventional war would also leave much of its nuclear force without protection. Once China was under attack, its leaders might come to fear that even intercontinental ballistic missiles located deep in the country’s interior were vulnerable. For years, observers have pointed to the U.S. military’s failed attempts to locate and destroy Iraqi Scud missiles during the 1990–91 Gulf War as evidence that mobile missiles are virtually impervious to attack. Therefore, the thinking goes, China could retain a nuclear deterrent no matter what harm U.S. forces inflicted on its coastal areas. Yet recent research suggests otherwise. Chinese intercontinental ballistic missiles are larger and less mobile than the Iraqi Scuds were, and they are harder to move without detection. The United States is also likely to have been tracking them much more closely in peacetime. As a result, China is unlikely to view a failed Scud hunt in Iraq nearly 30 years ago as reassurance that its residual nuclear force is safe today, especially during an ongoing, high-intensity conventional war. China’s vehement criticism of a U.S. regional missile defense system designed to guard against a potential North Korean attack already reflects these latent fears. Beijing’s worry is that this system could help Washington block the handful of missiles China might launch in the aftermath of a U.S. attack on its arsenal. That sort of campaign might seem much more plausible in Beijing’s eyes if a conventional war had already begun to seriously undermine other parts of China’s nuclear deterrent. It does not help that China’s real-time awareness of the state of its forces would probably be limited, since blinding the adversary is a standard part of the U.S. military playbook. Put simply, the favored **U.S. strategy** to ensure a conventional victory **would** likely **endanger** much of China’s **nuclear arsenal** in the process, at sea and on land. Whether the United States actually intended to target all of China’s nuclear weapons would be incidental. All that would matter is that Chinese leaders would consider them threatened. LESSONS FROM THE PAST At that point, the question becomes, How will China react? Will it practice restraint and uphold the “no first use” pledge once its nuclear forces appear to be under attack? Or will it use those weapons while it still can, gambling that limited escalation will either halt the U.S. campaign or intimidate Washington into backing down? Chinese writings and statements remain deliberately ambiguous on this point. It is unclear which exact set of capabilities China considers part of its core nuclear deterrent and which it considers less crucial. For example, if China already recognizes that its sea-based nuclear deterrent is relatively small and weak, then losing some of its ballistic missile submarines in a war might not prompt any radical discontinuity in its calculus. The danger lies in **wartime developments** that could **shift** **China’s assumptions about U.S. intentions.** If Beijing interprets the erosion of its sea- and land-based nuclear forces as a deliberate effort to destroy its nuclear deterrent, or perhaps even as a prelude to a nuclear attack, it might see limited nuclear escalation as a way to force an end to the conflict. For example, China could use nuclear weapons to instantaneously destroy the U.S. air bases that posed the biggest threat to its arsenal. It could also launch a nuclear strike with no direct military purpose—on an unpopulated area or at sea—as a way to signal that the United States had crossed a redline. If such escalation appears far-fetched, China’s history suggests otherwise. In 1969, similar dynamics brought China to the brink of nuclear war with the Soviet Union. In early March of that year, Chinese troops ambushed Soviet guards amid rising tensions over a disputed border area. Less than two weeks later, the two countries were fighting an undeclared border war with heavy artillery and aircraft. The conflict quickly escalated beyond what Chinese leaders had expected, and before the end of March, Moscow was making thinly veiled nuclear threats to pressure China to back down. Chinese leaders initially dismissed these warnings, only to radically upgrade their threat assessment once they learned that the Soviets had privately discussed nuclear attack plans with other countries. Moscow never intended to follow through on its nuclear threat, archives would later reveal, but Chinese leaders believed otherwise. On three separate occasions, they were convinced that a Soviet nuclear attack was imminent. Once, when Moscow sent representatives to talks in Beijing, China suspected that the plane transporting the delegation was in fact carrying nuclear weapons. Increasingly fearful, China test-fired a thermonuclear weapon in the Lop Nur desert and put its rudimentary nuclear forces on alert—a dangerous step in itself, as it increased the risk of an unauthorized or accidental launch. Only after numerous preparations for Soviet nuclear attacks that never came did Beijing finally agree to negotiations. China is a different country today than it was in the time of Mao Zedong, but the 1969 conflict offers important lessons. China started a war in which it believed nuclear weapons would be irrelevant, even though the Soviet arsenal was several orders of magnitude larger than China’s, just as the U.S. arsenal dwarfs China’s today. Once the conventional war did not go as planned, the Chinese reversed their assessment of the possibility of a nuclear attack to a degree bordering on paranoia. Most worrying, China signaled that it was actually considering using its nuclear weapons, even though it had to expect devastating retaliation. Ambiguous wartime information and worst-case thinking led it to take nuclear risks it would have considered unthinkable only months earlier. This pattern could unfold again today.

## **Case**

#### **IVI - Perf con: Settlers cant read set col because its just an instance of settler guilt without any concrete action of decolonization that leaves debate. Also, them reading other stuff on their wiki (like cap bad) proves they are just commodifying native suffering without a move towards decolonization. Ow on premeditated murder you knew what you were doing was wrong but still did it.**

### **Case**

#### **1 - Framework – the role of the judge and ballot is to determine whether the plan is a good idea through evaluation of consequences. Only evaluating the consequences of the plan allows us to determine the practical impacts of politics and preserves the predictability that fosters engagement. Rigorous contestation and third and fourth-line testing are key to generate the self-reflexivity that creates ethical subjects arbitrarily excluding offense is bad and prevents in depth clash and engagement that allows for education which is the unique purpose of debate.**

#### **A - Don’t let them weigh the sum total of their impact—they only get to weigh the unique amount solved by the affirmative. Filter the debate through scope of solvency—there’s no impact to root cause if they don’t solve it.**

#### **B - No performative or methodological offense, only offense from the plan—reject it cuz it explodes predictable limits, spiking out of neg ground making any discussion qualitatively worse.**

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##### **2 - The political is the forefront of decolonial demands – momentum is snowballing now, but giving up on reform shatters it.**

**Estes 20** Nick Estes, citizen of the Lower Brule Sioux Tribe and an assistant professor of American Studies at the University of New Mexico, “The Supreme Court ruling on Oklahoma was welcome, but Indigenous people deserve more,” THINK: NBC, 12 July 2020, accessed: 24 July 2020, <https://www.nbcnews.com/think/opinion/supreme-court-ruling-oklahoma-was-welcome-indigenous-people-deserve-more-ncna1233526>, R.S.

\*bracketed/struck through for problematic language.

**The U.S.** legal system from the Supreme Court on down delivered a suite of rulings over the past week that **have reaffirmed Indigenous land rights** and environmental protections. From the Virginias to the Dakotas, they pushed back on the industrial development that would have further imperiled tribal lands and the environment. On Thursday, the Supreme Court ruled that 3 million acres of eastern Oklahoma — including most of Tulsa — remain ~~American Indian~~ [Indigenous] reservation land. Last Monday, the court also denied a Trump administration request to allow the construction of the long-delayed northern leg of the **Keystone XL** Pipeline, which would carry slurry crude from the Alberta tar sands to Nebraska. **The** recent Dakota pipeline **decision is a part of a broader movement for decolonization** that seeks to restore land to Indigenous people. On the same day, a federal judge ordered that oil must **stop flowing through the D**akota **A**ccess **P**ipe**l**ine, which runs from North Dakota to Illinois, by Aug. 5. And the day before, two of the United States' largest utility companies — Duke Energy and Dominion Energy — announcedthat, because of pending lawsuits from environmentalists, they had **canceled the Atlantic Coast Pipeline**, which would have transported natural gas from Virginia to North Carolina. **These are** welcome **legal victories.** But taken together, they only serve to highlight that Indigenous people can't merely rely on the courts of the conqueror. Because courts can only protect our land, not expand it, much more is needed. To realize a complete vision of Indigenous sovereignty and environmental justice takes people power — the kind that energized the 2016 Standing Rock protests against the Dakota Access Pipeline but that in fact goes back much further. For the courts can't even always protect our land. Back in 1980, the Supreme Court ruled that the Black Hills had been stolen from the Lakotas in 1876 in violation of the Fort Laramie Treaty of 1868. But the court didn't award the land back, proposing instead a monetary settlement per the Fifth Amendment's "just compensation" clause. The Lakota tribe responded that "the Black Hills are not for sale," and to this day it refuses to accept nothing short of a return of its land. The case stemmed from the taking of the Black Hills, an Indigenous sacred site, for illegal mining. In 1980, a planned expansion of energy exploration galvanized white ranchers and farmers to ally themselves with the Lakota people. The result was the Black Hills Survival Gathering, which brought together thousands of people from diverse backgrounds to halt the extractive industries in a historic demonstration of what social movements can do. The gathering marched under the banner of "water is life" and "Mni Wiconi," phrases now most commonly associated with the Standing Rock uprising. The failure of federal courts to return Indigenous land and uphold treaty rights was also partly the impetus behind the 1974 formation of the International Indian Treaty Council, in which about 5,000 people representing 97 Indigenous nations from around the world looked to the United Nations for a solution to their sovereignty claims. The hosting nation, the Standing Rock Sioux Tribe, spelled out its intentions clearly: "The Great Sioux Nation does not want money damages and is determined to enforce the Treaty of 1868 for all Sioux people." The International Indian Treaty Council, alongside other international **Indigenous organizations**, went on to **spearhead the** drafting of the 2007 **U**.**N**. **D**eclaration of the **R**ights of **I**ndigenous **P**eoples. Although imperfect — declarations are, after all, aspirational and nonbinding — the declaration provides a universal mechanism for free, prior and informed consent with Indigenous nations over the decision-making process of development projects. Genuine implementation of this touchstone document in the United States would bolster Indigenous authority over lands they control and landscapes that they have historic and cultural ties to. That Indigenous movement reawakened in 2016 at Standing Rock, unleashing a cascade of uprisings against fossil fuel projects and winning important legal battles, from victories against pipelines to securing land rights. And **it is that momentum we must continue** to harness now. As with Black Lives Matter, the seeds of the new Indigenous movement were sown during the Obama administration and bore fruit during President Donald Trump's term. Amid the recent George Floyd protests and calls to defund the police, statues of colonizers and symbols of white supremacy have also begun to fall. The changes, however, are more than symbolic. Now the fossil fuel economy — the key driver of global warming, once thought indomitable — appears to be on the ropes despite its recent historic growth. At the center of it all is Indigenous sovereignty, which is at the forefront of protecting the rights to a clean environment for Indigenous and non-Indigenous people. The recent Dakota pipeline decision is a part of a broader movement for decolonization that seeks to restore land to Indigenous people and implement a much more comprehensive framework for environmental justice. Indigenous movements have demonstrated the profound shortcomings of the U.S. legal system in administering justice. We shouldn't, however, minimize the role social movements play in affecting legal decisions and shaping public consciousness. Unarmed Water Protectors in prayer camps at Standing Rock withstood attack dogs, a constant barrage of chemical weapons such as tear gas and the presence of at least 76 different law enforcement forces. More than 800 people were arrested, with several Indigenous Water Protectors still in federal prison. The last time there was such a mobilization in the area was in 1890. About half the United States' standing army, according to my research, was deployed against starving, horseless and mostly unarmed Dakota and Lakota Ghost Dancers. The military campaign culminated in the assassination of the famed Hunkpapa spiritual leader Sitting Bull at his home in the Standing Rock reservation and the massacre of Chief Big Foot's band at Wounded Knee. The Water Protectors and the Ghost Dancers weren't hapless victims. They represented a legitimate threat to unrestricted corporate access to Indigenous land and resources. They also represented a different political order grounded in the land, a legacy that continues to grow today. **Indigenous movements**have **demonstrate**d the **profound shortcomings of the** U.S. **legal system** in administering justice. We shouldn't, however, minimize the role social movements play. Lakota people led a protest against Trump's visit to Mount Rushmore in the sacred Black Hills this month. The action was about more than the president's visit. It was about the continued dispossession of the Black Hills from the Lakota and the refusal of the U.S. to honor its own Constitution, which says treaties "shall be the supreme law of the land." A poem was spray-painted on a riot shield as police advanced on the road blockade. It read, "LAND BACK." The recent Dakota Pipeline decision is an unprecedented victory for the Standing Rock Sioux Tribe. LaDonna Brave Bull Allard, a Standing Rock historian who played a leading role in opposing the pipeline, declared in a recent interview in response to the ruling: "We've only just begun."