# OFF

## 1

#### Interpretation: The affirmative must defend the hypothetical implementation of the resolution “Resolved: Space appropriation by private entities of space is unjust.”

#### 1] “Government” – implies a real political administration. You aren’t a government.

Dictionary.com “government” [Government Definition & Meaning | Dictionary.com](https://www.dictionary.com/browse/government) Accessed 11/19 //gord0

Noun. The political direction and control exercised over the actions of the members, citizens, or inhabitants of communities, societies, and states; direction of the affairs of a state, community, etc.; **political administration:**

#### 2] “Resolved:” refers to a legislative debate.

Louisiana State Legislature 16, “Glossary of Legislative Terms,” http://www.legis.state.la.us/glossary2.htm

Resolution: A legislative instrument that generally is used for making declarations, stating policies, and making decisions where some other form is not required. A bill includes the constitutionally required enacting clause; a resolution uses the term "resolved". Not subject to a time limit for introduction nor to governor's veto. (Const. Art. III, §17(B) and House Rules 8.11, 13.1, 6.8, and 7.4 and Senate Rules 10.9, 13.5 and 15.1)

#### Vote Negative for Predictable limits: Their model has no resolutional bound and creates the possibility for an infinite number of 1ACs. Not debating the topic allows debaters 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. They get to pick the topic ex post facto which incentivizes vague argumentation that’s not grounded in a consistent, stable mechanism – that causes a race to the margins where they’re incentivized to defend uncontestable statements like “racism bad” or “2+2=4.” Counter-interpretations are arbitrary, unpredictable, and don’t solve the world of neg prep because there’s no grounding in the resolution.

#### Prefer:

#### 1---Fairness---an unlimited, unpredictable topic disparately raises the research burden for the negative -- treat this is a sufficient win condition because fairness is the logical structure that undergirds all impacts AND controls any benefit to debate.

**Dascal and Knoll** ’**11** [Marcelo and Amnon; May 18th; former Professor of Philosophy at Tel Aviv University, B.A. in Philosophy from the University of Sao Paulo; former Professor of Philosophy at Tel Aviv University; Argumentation: Cognition and Community, "'Cognitive systemic dichotomization' in public argumentation and controversies," p. 20-25]

He opposes positions whose ‘exclusionist’ outlook rejects the normative approach to the political sphere on the grounds that “normative statements can never be subjected to a reasonable discussion” (ibid.: 2), because—he argues—the discussion of politics “is an area of vital interest to all of us and should clearly not be excluded from argumentative reasonableness” (ibid.: 3)—a view with which we are prone to agree. Nevertheless, he admits that in the present situation critical discussion is far from being systematically and successfully applied to that vital area: “In representative democracies, however, the out-comes of the political process tend to be predominantly the product of negotiations be-tween political leaders rather than the result of a universal and mutual process of deliberative disputation” (ibid.). Political debates, therefore, are ‘quasi-discussions’, i.e., “monologues calculated only to win the audience’s consent to one’s own views”, rather than ‘genuine discussions’, i.e., serious attempts to have an intellectual exchange, which is typical of critical discussions (ibid.). In order to overcome this situation, “democracy should always have promoted such a critical discussion of standpoints as a central aim. Only if this is the case can stimulating participation in political discourse enhance the quality of democracy" (ibid.). This can be achieved, however, only by following “the dialectical rules for argumentative discourse that make up a code of conduct for political discourse [and] are therefore of crucial importance to giving substance to the ideal of participatory democracy” (ibid.: 4); thereby fully acknowledging that “education in processing argumentation in a critical discussion is indispensable for a democratic society (van Eemeren 1995: 145-146).

The reasons provided for the failure of the adoption of the critical discussion model in reality ranges from a general allusion to human nature (“in real-life contexts, it has to be taken into account that human interaction is not always automatically 'naturally' and fully oriented toward the ideal of dialectical reasonableness "; van Eemeren 2010: 4) to specific political sphere argumentation handicaps (unwillingness of people “to subject their thinking to critical scrutiny”; “vested interest in particular outcome”; “inequality in power and resources; “different levels of critical skills”; and “a practical demand for an immediate settlement”; van Eemeren 2010: 4). Although these causes may have some explanatory value in some cases, in our opinion their modus operandi is not accounted for and, what is more important, they do not cover the full spectrum of challenges that the successful use of critical discussion in the public and political spheres must face, as we have seen (cf. sections 2 and 3).

No wonder that van Eemeren himself raises the question “whether maintaining the dialectical ideal of critical discussion in political and other real-life contexts is not utopian” (ibid.), to which he replies by admitting that "[t]he ideal of a critical discussion is by definition not a description of any kind of reality but sets a theoretical standard that can be used for heuristic, analytic and evaluative purpose” (ibid.). This ideal seems to be so inspiring that it remains valid as a pure theoretical ideal, “even if the argumentative discourse falls short of the dialectical ideal” (ibid.).

In the light of the substantial gap between the normative ideal and the actual practices of public and political argumentation that PD’s description and explanation provides, a number of doubts arise: Are there structural, rather than merely contingent obstacles in idealized critical discussion that prevents even its approximate use in the public sphere? Can a theory that claims to be a praxis based normative system fulfill its promise if it sets up a threshold that no one who tries to apply it to the public sphere can reach? Doesn’t the very fact that argumentation is excessively idealized in the model PD proposes cause the gap by distancing people concerned by public issues from argumentation at all? All these doubts suggest that a powerful structural phenomenon like the existence of CSDs in the public sphere is perhaps overlooked by PD and requires, for its overcoming, a radically different approach.

4.2 Discrepancies between the PD approach and reasonable argumentation in the public sphere

The discrepancies in question have to do with basic parameters relevant to every argumentative process, namely:

(A) The discussants’ goals and targets: what do they expect to achieve through the argumentation process and what is it capable of providing.

(B) The preconditions for initiating a critical discussion: what are the discussants presumed to know and accept of these preconditions.

(C) The argumentative process that is supposed to lead to the achievement of the discussants’ goals.

(D) The influence of context and agents on the argumentative process.

4.2.1 Goals

Assuming that argumentation is a voluntary endeavor, the parties are presumed to engage in it if and only if: (i) the process will serve their goals; (ii) these goals cannot be achieved by different, better means.

PD describes as follows the aim of engaging in an argumentative process:

Argumentation is basically aimed at resolving a difference of opinion about the acceptability of a standpoint by making an appeal to the other party's reasonableness. (van Eemeren 2010: 1, with reference to van Eemeren & Grootendorst 2004: 11-18)

The difference of opinion is resolved when the antagonist accepts the protagonist's viewpoint on the basis of the arguments advanced or when the protagonist abandons his viewpoint as a result of the critical responses of the antagonist. (van Eemeren 2010: 33)

Simply put, the basic assumption is that a critical discussion’s aim consists in putting forth a certain position by one of the parties for the critical examination of the other, who calls it into question. The latter undertakes to refute the former’s position, while its proponent is committed to defend it. Four stages (see below) are supposed to ensure a valid performance of the refutation and defense tasks. The essential point is that at the end of the four stages the parties clearly agree whether the proponent’s position has been refuted or not and, accordingly, change their position (either retracting it or withdrawing from his questioning). In ‘mixed’ disagreements, in which the antagonist not only questions but also puts forth an opposed position, the same process takes place sequentially, i.e., at first one side (A) attacks trying to refute the other’s (B) position, and after this stage is concluded, they switch roles and the second side (B) proceeds to attack the first (A) in the same fashion.

Regardless of whether the described process is indeed capable to yield a conclusive decision about the refutation of a position, and of whether the linearity of the refutation process makes sense, it is obvious that debates in the public sphere are for the most part ‘mixed’. Furthermore, in so far as these debates involve dichotomous positions (rather than just opposed ones), it is necessary that at the end of the PD process one of the parties accept the position of the other.

It is also worth noticing that, contrary to deliberative democracy approaches, which in some cases approve the attempt to reach agreement in a (public) debate as a form of justification of political systems, PD claims that it is not a consensus theory at all. Instead, it conceives itself as a theory based on Popper’s critical rationality, i.e., as having as its principal goal to provide each party with the means—i.e., refutation attempts—to test critically its position:

[T]he conception of reasonableness upheld in pragma-dialectics insights from critical rationalist epistemology and utilitarian ethics conjoin … The intersubjective acceptability we attribute to the procedure, which is eventually expected to lend conventional validity to the procedure, is primarily based on its instrumentality in doing the job it is intended to do: re-solving a difference of opinion. … This means that, philosophically speaking, the rationale for accepting the pragma-dialectical procedure is pragmatic—more precisely, utilitarian [italics in quoted text]. … However, based on Popper's falsification idea, this is a ‘negative’ and not ‘positive’, utilitarianism. … Rather than maximization of agreement, minimization of disagreement is to be aimed for. (van Eemeren 2010: 34)

The distinction between maximization of agreement and minimization of disagreement purports to stress that PD doesn’t view agreement as the suitable end of the process, but just as “an intermediate step on the way to new, and more advanced, disagreements” (van Eemeren 2010: 26n). Nevertheless, no explanation is given of how these “more advanced disagreements” are engendered as a part of the dynamics of the critical process, nor what is the role or value of such disagreements in the public sphere or elsewhere. This may be due to the fact that PD’s ‘critical discussion’ is not tuned to the generation of new positions or ideas but only to the testing of extant ones, thus echoing once again Popper, now in his focus on the justification rather than on the discovery of theories (see sections 4.2.4 and 5).

In any case, it is quite clear that the only practical result of the critical discussion à la PD of opposed positions on a public issue is to determine whether one discussant succeeded in refuting the other’s position, thus obtaining the adversary’s agreement, who will then share his/her position, at least for some time. In this respect, PD’s critical discussion is close to Habermas’s ‘reasonable argumentation’, whose aim is to reach consensus.15 In spite of the apparent difference between a critical examination of a position aiming at its refutation or at its acceptance, even van Eemeren admits, to some extent, their similarity. He points out that “the pragma-dialectical procedure deals only with ‘first order’ conditions for resolving differences of opinion on the merits by means of critical discussion” (van Eemeren 2010: 34), and stresses that there are ‘higher order’ conditions, ‘internal’ and ‘external’, that are “beyond the agent’s control”, conditions that are similar to Habermas’s “ideal speech conditions” (van Eemeren 2010: 35n). Anyhow, whether according to PD the main goal of the critical discussion process in the public alliance is to create the opportunity for refutation or for agreement (meaning that one of the discussants acknowledges that his position is wrong), the essential assumption of this process is that the participants in it in the public sphere (or elsewhere) must be aware that one of them holds a wrong position and will have to explicitly acknowledge this.

Is such a goal, especially when conceived as the ultimate aim of the proposed argumentative process, feasible and acceptable in the public sphere?

In our opinion, there are at least four reasons for arguing that it is a utopian, hence unacceptable goal, if one takes seriously what should be expected from argumentative practice and theory in the public sphere. First, because PD deserves a critique similar to the one leveled against the Popperian version of critical rationalism it espouses,16 which defends a theory of knowledge “without a knowing subject” (Popper 1972); obviously, such a-contextual position becomes even more problematic if applied to the public and political spheres, where it must operate in a context essentially involved with practical rationality. Second, due to its analogy with theories such as Habermas’s that were discussed in this section as well as in 2.2—an analogy that deserves additional criticism because, unlike Habermasianism, PD overlooks the relationship between the political and public context and argumentative practice. Third, because of PD’s total overlooking of the role of CSDs in public argumentation (cf. 4.2.2). And fourth, due to unilateral value judgments of positions in the public sphere, which lead to simplistic criteria of refutation or acceptance in a domain where complexity is the rule (cf. 2.1.1 and 4.2.3).

(ii) Let us admit, for the sake of argument, that the refutation goal as claimed by PD is central, feasible, acceptable, and useful in public argumentation. Aren’t there better ways to achieve this goal?

The refutation and defense moves stipulated by the PD critical discussion model include, on the one side, the antagonist’s critical remarks or demands and on the other, the proponent’s replies. We believe that it must be assumed that neither the critique nor the replies are previously known to the contenders, which is why they have an interest in engage in the argumentation process: presumably, the expression of both, counter-arguments and defensive-arguments, is good to both sides. In spite of its usefulness in certain situations, this kind of exchange does not amount to the full manifestation of the dialectical critical process, wherein the context and co-text of the dialectical exchange, as well as the cognitive interaction that takes place and evolves throughout the exchange, play a decisive role in the design and ‘inner’ justification of each of the participants’ moves. Argumentation strategies that take into account these resources and make full use of their potential are no doubt setting up another, broader span of goals for the argumentative process, and are more likely to achieve these goals more effectively than they certainly would achieve their PD more limited counterparts (cf. 4.2.4 and 5).

4.2.2 Preconditions

The ideal PD critical discussion can only be realized if some preconditions are satisfied. The most important ones are a) a clear-cut identification of the standpoint that provokes the disagreement, b) the decision of the parties to engage in a discussion, and c) the participants’ commitment to obey the procedural rules. As we shall see, these preconditions share a common assumption, which calls into question the feasibility of using critical discussion in the public sphere.

(A) This precondition assumes that it is possible to isolate rigorously the subject matter of a critical discussion, so as to conduct a focused discussion that makes use only of relevant arguments. This precondition is quite strict, for whenever both discussants defend contrary standpoints, their disagreement should be treated as two separate fully fledged discussions: “… if another discussion begins, it must go through the same stages again—from confrontation stage to concluding stage” (van Eemeren 2010: 10n).

(B) This precondition subordinates the decision to engage in the discussion to the evaluation that the discussants share enough common ground to pursue it adequately: “After the parties have decided that there is enough common ground to conduct a discussion …” (van Eemeren 2010: 33).

(C) This precondition stresses the ‘contractual’ character of a critical discussion, which requires explicit mutual commitments by the discussants. Its rationale is that without such commitments the aim of the critical discussion, i.e., the resolution of the difference of opinions, will not be achieved, which makes engaging in the discussion pointless: “There is no point in venturing to resolve a difference … if there is no mutual commitment to a common starting point, which may include procedural commitments as well as substantive agreement” (van Eemeren and Grootendorst 2004: 60).

These ‘first order’ preconditions, as they are labeled in PD (cf. van Eemeren 2010: 33), are the conditions that candidates to participate in a critical discussion must fulfill if they intend to do so and can afford it personally (a ‘second order’ condition) and politically (a ‘third order’ condition).17 In addition, the first order conditions demand from the prospective discussants a clear, distinct, and detailed picture of the scope of the discussion that they are about to engage in. This means not mixing up the various differences of opinion that the discussion may involve, and being able to separate them properly as the subject matter for independent discussions; a further requirement is the anticipated identification of the pieces of the ‘substantive agreement’ forming the starting point in order to ensure that they are sufficient for conducting the discussion up to a satisfactory closure.

#### 2---Clash---forfeiting government action sanctions retreat from controversy and forces the negative to concede solvency before winning a link -- clash is the necessary condition for distinguishing debate from discussion, but negation exists on a sliding scale -- that jumpstarts the process of critical thinking, reflexivity, and argument refinement.

#### 3---Movement Lawyering Skills – contingent, focused debates around locus points of difference are key to develop activists skills for political justice.

Archer 18, Deborah N. "Political Lawyering for the 21st Century." Denv. L. Rev. 96 (2018): 399. (Associate Professor of Clinical Law at NYU School of Law)//Elmer

Political justice lawyers must be able to break apart a systemic problem into manageable components. The complexity of social problems, can cause law students, and even experienced political lawyers, to become overwhelmed. In describing his work challenging United States military and economic interventions abroad, civil rights advocate and law professor Jules Lobel wrote of this process: “Our foreign-policy litigation became a sort of Sisyphean quest as we maneuvered through a hazy maze cluttered with gates. Each gate we unlocked led to yet another that blocked our path, with the elusive goal of judicial relief always shrouded in the twilight mist of the never-ending maze.”144 Pulling apart a larger, systemic problem into its smaller components can help elucidate options for advocacy. An instructive example is the use of excessive force by police officers against people of color. Every week seems to bring a new video featuring graphic police violence against Black men and women. Law students are frequently outraged by these incidents. But the sheer frequency of these videos and lack of repercussions for perpetrators overwhelm those students just as often. What can be done about a problem so big and so pervasive? To move toward justice, advocates must be able to break apart the forces that came together to lead to that moment: intentional discrimination, implicit bias, ineffective training, racial segregation, lack of economic opportunity, the over-policing of minority communities, and the failure to invest in non-criminal justice interventions that adequately respond to homelessness, mental illness, and drug addiction. None of these component problems are easily addressed, but breaking them apart is more manageable—and more realistic—than acting as though there is a single lever that will solve the problem. After identifying the component problems, advocates can select one and repeat the process of breaking down that problem until they get to a point of entry for their advocacy. 2. Identifying Advocacy Alternatives As discussed earlier, political justice lawyering embraces litigation, community organizing, interdisciplinary collaboration, legislative reform, public education, direct action, and other forms of advocacy to achieve social change. After parsing the underlying issues, lawyers need to identify what a lawyer can and should do on behalf of impacted communities and individuals, and this includes determining the most effective advocacy approach. Advocates must also strategize about what can be achieved in the short term versus the long term. The fight for justice is a marathon, not a sprint. Many law students experience frustration with advocacy because they expect immediate justice now. They have read the opinion in Brown v. Board of Education, but forget that the decision was the result of a decades-long advocacy strategy.145 Indeed, the decision itself was no magic wand, as the country continues to work to give full effect to the decision 70 years hence. Advocates cannot only fight for change they will see in their lifetime, they must also fight for the future.146 Change did not happen over night in Brown and lasting change cannot happen over night today. Small victories can be building blocks for systemic reform, and advocates must learn to see the benefit of short-term responsiveness as a component of long-term advocacy. Many lawyers subscribe to the American culture of success, with its uncompromising focus on immediate accomplishments and victories.147 However, those interested in social justice must adjust their expectations. Many pivotal civil rights victories were made possible by the seemingly hopeless cases that were brought, and lost, before them.148 In the fight for justice, “success inheres in the creation of a tradition, of a commitment to struggle, of a narrative of resistance that can inspire others similarly to resist.”149 Again, Professor Lobel’s words are instructive: “the current commitment of civil rights groups, women’s groups, and gay and lesbian groups to a legal discourse to legal activism to protect their rights stems in part from the willingness of activists in political and social movements in the nineteenth century to fight for rights, even when they realized the courts would be unsympathetic.”150 Professor Lobel also wrote about Helmuth James Von Moltke, who served as legal advisor to the German Armed Services until he was executed in 1945 by Nazis: “In battle after losing legal battle to protect the rights of Poles, to save Jews, and to oppose German troops’ war crimes, he made it clear that he struggled not just to win in the moment but to build a future.”151 3. Creating a Hierarchy of Values Advocates challenging complex social justice problems can find it difficult to identify the correct solution when one of their social justice values is in conflict with another. A simple example: a social justice lawyer’s demands for swift justice for the victim of police brutality may conflict with the lawyer’s belief in the officer’s fundamental right to due process and a fair trial. While social justice lawyers regularly face these dilemmas, law students are not often forced to struggle through them to resolution in real world scenarios—to make difficult decisions and manage the fallout from the choices they make in resolving the conflict. Engaging in complex cases can force students to work through conflicts, helping them to articulate and sharpen their beliefs and goals, forcing them to clearly define what justice means broadly and in the specific context presented. Lawyers advocating in the tradition of political lawyering anticipate the inevitable conflict between rights, and must seek to resolve these conflicts through a “hierarchy of values.”152 Moreover, in creating the hierarchy, the perspectives of those directly impacted and marginalized should be elevated “because it is in listening to and standing with the victims of injustice that the need for critical thinking and action become clear.”153 One articulation of a hierarchy of values asserts “people must be valued more than property. Human rights must be valued more than property rights. Minimum standards of living must be valued more than the privileged liberty of accumulated political, social and economic power. Finally, the goal of increasing the political, social, and economic power of those who are left out of the current arrangements must be valued more than the preservation of the existing order that created and maintains unjust privilege.”154 C. Rethinking the Role of the Clinical Law Professor: Moving From Expert to Colleague Law students can learn a new dimension of lawyering by watching their clinical law professor work through innovative social justice challenges alongside them, as colleagues. This is an opportunity not often presented in work on small cases where the clinical professor is so deeply steeped in the doctrine and process, the case is largely routine to her and she can predict what is to come and adjust supervision strategies accordingly.155 However, when engaged in political lawyering on complex and novel legal issues, both the student and the teacher may be on new ground that transforms the nature of the student-teacher relationship. A colleague often speaks about acknowledging the persona professors take on when they teach and how that persona embodies who they want to be in the classroom—essentially, whenever law professors teach they establish a character. The persona that a clinical professor adopts can have a profound effect on the students, because the character is the means by which the teacher subtly models for the student—without necessarily ever saying so— the professional the teacher holds herself to be and the student may yet become. In working on complex matters where the advocacy strategy is unclear, the clinical professor makes himself vulnerable by inviting students to witness his struggles as they work together to develop the most effective strategy. By making clear that he does not have all of the answers, partnering with his students to discover the answers, and sharing his own missteps along the way, a clinical law professor can reclaim opportunities to model how an experienced attorney acquires new knowledge and takes on new challenges that may be lost in smaller case representation.156 Clinical law faculty who wholeheartedly subscribe to the belief that professors fail to optimize student learning if students do not have primary control of a matter from beginning to end may view a decision to work in true partnership with students on a matter as a failure of clinical legal education. Indeed, this partnership model will inevitably impact student autonomy and ownership of the case.157 But, there is a unique value to a professor working with her student as a colleague and partner to navigate subject matter new to both student and professor.158 In this relationship, the professor can model how to exercise judgment and how to learn from practice: to independently learn new areas of law; to consult with outside colleagues, experts in the field, and community members without divulging confidential information; and to advise a client in the midst of ones own learning process.159 III. A Pedagogical Course Correction “If it offends your sense of justice, there’s a cause of action.” - Florence Roisman, Professor, Indiana University School of Law160 In response to the shifts in my students’ perspectives on racism and systemic discrimination, their reluctance to tackle systemic problems, their conditioned belief that strategic litigation should be a tool of last resort, and my own discomfort with reliance on small cases in my clinical teaching, I took a step back in my own practice. How could I better teach my students to be champions for justice even when they are overwhelmed by society’s injustice; to challenge the complex and systemic discrimination strangling minority communities, and to approach their work in the tradition of political lawyering. I reflected not only on my teaching, but also on my experiences as a civil rights litigator, to focus on what has helped me to continue doing the work despite the frustrations and difficulties. I realized I was spending too much time teaching my students foundational lawyering skills, and too little time focused on the broader array of skills I knew to be critical in the fight for racial justice. We regularly discussed systemic racism during my clinic seminars in order to place the students’ work on behalf of their clients within a larger context. But by relying on carefully curated small cases I was inadvertently desensitizing my students to a lawyer’s responsibility to challenge these systemic problems, and sending the message that the law operates independently from this background and context. I have an obligation to move beyond teaching my students to be “good soldiers for the status quo” to ensuring that the next generation is truly prepared to fight for justice.161 And, if my teaching methods are encouraging the reproduction of the status quo it is my obligation to develop new interventions.162 Jane Aiken’s work on “justice readiness” is instructive on this point. To graduate lawyers who better understand their role in advancing justice, Jane Aiken believes clinics should move beyond providing opportunities for students to have a social justice experience to promoting a desire and ability to do justice.163 She suggests creating disorienting moments by selecting cases where students have no outside authority on which to rely, requiring that they draw from their own knowledge base and values to develop a legal theory.164 Disorienting moments give students: experiences that surprise them because they did not expect to experience what they experienced. This can be as simple as learning that the maximum monthly welfare benefit for a family of four is about $350. Or they can read a [ ] Supreme Court case that upheld Charles Carlisle’s conviction because a wyer missed a deadline by one day even though the district court found there was insufficient evidence to prove his guilt. These facts are often disorienting. They require the student to step back and examine why they thought that the benefit amount would be so much more, or that innocence would always result in release. That is an amazing teaching moment. It is at this moment that we can ask students to examine their own privilege, how it has made them assume that the world operated differently, allowing them to be oblivious to the indignities and injustices that occur every day.165 Giving students an opportunity to “face the fact that they cannot rely on ‘the way things are’ and meet the needs of their clients” is a powerful approach to teaching and engaging students.166 But, complex problems call for larger and more sustained disorienting moments. Working with students on impact advocacy in the model of political lawyering provides a range of opportunities to immerse students in disorienting moments. A. Immersing Students in “Disorienting Moments”: Race, Poverty, and Pregnancy Today, I try to immerse my students in disorienting moments to make them justice ready and move them in the direction of political lawyering. My clinic docket has always included a small number of impact litigation matters. However, in the past these cases were carefully screened to ensure that they involved discrete legal issues and client groups. In addition, our representation always began after our outside co-counsel had already conducted an initial factual investigation, identified the core legal issues, and developed an overall advocacy strategy, freeing my students from these responsibilities. Now, my clinic takes on impact matters at earlier stages where the strategies are less clear and the legal questions are multifaceted and ill- defined. This mirrors the experiences of practicing social justice lawyers, who faced with an injustice, must discover the facts, identify the legal claims, develop strategy, cultivate allies, and ultimately determine what can be done—with the knowledge that “nothing” is not an option. This approach provides students with the space to wrestle with larger, systemic issues in a structured and supportive educational environment, taking on cases that seem difficult to resolve and working to bring some justice to that situation. They are also gaining experience in many of the fundamentals of political lawyering advocacy. Recently, my students began work on a new case. Several public and private hospitals in low-income New York City neighborhoods are drug testing pregnant women or new mothers without their knowledge or informed consent. This practice reflects a disturbing convergence between racial and economic disparities, and can have a profound impact on the lives of the poor women of color being tested at precisely the time when they are most in need of support. We began our work when a community organization reached out to the clinic and spoke to us about complaints that hospitals around New York City were regularly testing pregnant women—almost exclusively women of color—for drug use during prenatal check ups, during the chaos and stress of labor and delivery, or during post-delivery. The hospitals report positive test results to the City’s Administration for Children’s Services (“ACS”), which is responsible for protecting children from abuse and neglect, for further action.167 Most of the positive tests are for marijuana use. After a report is made, ACS commences an investigation to determine whether child abuse or neglect has taken place, and these investigations trigger inquiries into every aspect of a family’s life. They can lead to the institution of child neglect proceedings, and potentially to the temporary or permanent removal of children from the household. Even where that extreme result is avoided, an ACS investigation can open the door to the City’s continued, and potentially unwelcome, involvement in the lives of these families. These policies reflect deeply inequitable practices. Investigating a family after a positive drug test is not necessarily a bad thing. After all, ACS offers a number of supportive services that can help stabilize and strengthen vulnerable families. And of course, where children’s safety is at risk, removal may sometimes be the appropriate result. However, hospitals do not conduct regular drug tests of mothers in all New York City communities. Private hospitals in wealthy areas rarely test pregnant women or new mothers for drug misuse. In contrast, at hospitals serving poor women, drug testing is routine. Race and class should not determine whether such testing, and the consequences that result, take place. Investigating the New York City drug-testing program immersed the students in disorienting moments at every stage of their work. During our conversations, the students regularly expressed surprise and discomfort with the hospitals’ practices. They were disturbed that public hospitals— institutions on which poor women and women of color rely for something as essential as health care—would use these women’s pregnancy as a point of entry to control their lives.168 They struggled to explain how the simple act of seeking medical care from a hospital serving predominantly poor communities could deprive patients of the respect, privacy, and legal protections enjoyed by pregnant women in other parts of the City. And, they were shocked by the way institutions conditioned poor women to unquestioningly submit to authority.169 Many of the women did not know that they were drug tested until the hospital told them about the positive result and referred them to ACS. Still, these women were not surprised: that kind of disregard, marginalization, and lack of consent were a regular aspect of their lives as poor women of color. These women were more concerned about not upsetting ACS than they were about the drug testing. That so many of these women could be resigned to such a gross violation of their rights was entirely foreign to most of my students. B. Advocacy in the Face of Systemic Injustice Although the students are still in the early stages of their work, they have already engaged in many aspects of political justice lawyering. They approached their advocacy focused on the essence of political lawyering— enabling poor, pregnant women of color who enjoy little power or respect to claim and enjoy their rights, and altering the allocation of power from government agencies and institutions back into the hands of these women. They questioned whose interests these policies and practices were designed to serve, and have grounded their work in a vision of an alternative societal construct in which their clients and the community are respected and supported. The clinic students were given an opportunity to learn about social, legal, and administrative systems as they simultaneously explored opportunities to change those systems. The students worked to identify the short and long term goals of the impacted women as well the goals of the larger community, and to think strategically about the means best suited to accomplish these goals. And, importantly, while collaborating with partners from the community and legal advocacy organizations, the students always tried to keep these women centered in their advocacy. In breaking down the problem of drug testing poor women of color, the students worked through an issue that lives at the intersection of reproductive freedom, family law, racial justice, economic inequality, access to health care, and the war on drugs. In their factual investigation, which included interviews of impacted women, advocates, and hospital personnel, and the review of records obtained through Freedom of Information Law requests, the students began to break down this complex problem. They explored the disparate treatment of poor women and women of color by health care providers and government entities, implicit and explicit bias in healthcare, the disproportionate referral of women of color to ACS, the challenges of providing medical services to underserved communities, the meaning of informed consent, the diminished rights of people who rely on public services, and the criminalization of poverty. The students found that list almost as overwhelming as the initial problem itself, but identifying the components allowed the students to dig deeper and focus on possible avenues of challenge and advocacy. It was also critically important to make the invisible forces visible, even if the law currently does not provide a remedy. Working on this case also gave the students and me the opportunity to work through more nuanced applications of some of the lawyering concepts that were introduced in their smaller cases, including client-centered lawyering when working on behalf of the community; large-scale fact investigation; transferring their “social justice knowledge” to different contexts; crafting legal and factual narratives that are not only true to the communities’ experience, but can persuade and influence others; and how to develop an integrated advocacy plan. The students frequently asked whether we should even pursue the matter, questioning whether this work was client- centered when it was no longer the most pressing concern for many of the women we met. These doubts opened the door to many rich discussions: can we achieve meaningful social change if we only address immediate crises; can we progress on larger social justice issues without challenging their root causes; how do we recognize and address assumptions advocates may have about what is best for a client; and how can we keep past, present, and future victims centered in our advocacy? The work on the case also forced the clinic students to work through their own understanding of a hierarchy of values. They struggled with their desire to support these community hospitals and the public servants who work there under difficult circumstances on the one hand, and their desire to protect women, potentially through litigation, from discriminatory practices. They also struggled to reconcile their belief that hospitals should take all reasonable steps to protect the health and safety of children, as well as their emotional reaction to pregnant mothers putting their unborn children in harms way by using illegal drugs against the privacy rights of poor and marginalized women. They were forced to pause and think deeply about what justice would look like for those mothers, children, and communities. CONCLUSION America continues to grapple with systemic injustice. Political justice lawyering offers powerful strategies to advance the cause of justice—through integrated advocacy comprising the full array of tools available to social justice advocates, including strategic systemic reform litigation. It is the job of legal education to prepare law students to become effective lawyers. For those aspiring to social justice that should include training students to utilize the tools of political justice lawyers. Clinical legal offers a tremendous opportunity to teach the next generation of racial and social justice advocates how to advance equality in the face of structural inequality, if only it will embrace the full array of available tools to do so. In doing so, clinical legal education will not only prepare lawyers to enact social change, they can inspire lawyers overwhelmed by the challenges of change. In order to provide transformative learning experiences, clinical education must supplement traditional pedagogical tools and should consider political lawyering’s potential to empower law students and communities.

#### TVA---States ought to ban appropriation of outer space by private actors---Advs about why space col, expansion, and mining is antiblack.

Eric Niiler 19, 7-11-2019, "Why Civil Rights Activists Protested the Moon Landing," HISTORY, <https://www.history.com/news/apollo-11-moon-landing-launch-protests>

More than a million people gathered along Florida’s Space Coast to watch the Apollo 11 lift off from Launchpad 39A on the sunny afternoon of July 16, 1969. The event was the culmination of a technological race started by President John F. Kennedy in 1963 with the goal of beating the Soviet Union to the moon. But not everyone was cheering that summer day. A group of 500 mostly African American protesters led by civil rights leader Ralph Abernathy arrived outside the gates of the Kennedy Space Center a few days before the launch. They brought with them two mules and a wooden wagon to illustrate the contrast between the gleaming white Saturn V rocket and families who couldn’t afford food or a decent place to live. The Southern Christian Leadership Conference's Poor People's marchers line up mules near the gates to the Kennedy Space Center on July 15, 1969. The Southern Christian Leadership Conference's Poor People's marchers line up mules near the gates to the Kennedy Space Center on July 15, 1969. Bettmann Archive/Getty Images Abernathy was one of Rev. Martin Luther King, Jr.’s closest aides. After King’s assassination in April 1968, Abernathy led the Poor People’s March on Washington that summer. A year later, as NASA prepared to launch Apollo 11, the Alabama preacher led a group of mostly Black Americans to show NASA and the assembled media that all was not well in America’s cities. “There was a debate about what America was at the time,” says Neil Maher, author of 2017’s Apollo in the Age of Aquarius, and a professor of history at the New Jersey Institute of Technology. Maher says the Apollo space program divided Americans among supporters who thought it would energize a country that had gotten lost, and those who believed that it represented a huge waste of money that instead should go to solving societal problems. “Was it a country to spend $20 billion to land two men on a dead rock in space or try to solve some of the problems closer to home on Earth?” Maher says. “A lot of grass roots movements argued to use the [NASA] money to solve problems here.” The protest began peacefully with Abernathy and the others gathered in front of the NASA gates for a candlelight vigil on the evening of July 14 followed by a march on July 15. As NASA administrator Thomas Paine came out to the NASA perimeter under a lightly falling rain to meet Abernathy and the others in an open field, the group began singing “We Shall Overcome” and media crews recorded the event. Protesters carried signs reading “$12 a day to feed an astronaut, we could feed a child for $8.” Reverend Ralph Abernathy, flanked by associate Hosea Williams stand on steps of a mockup of the lunar module displaying a protest sign while demonstrating at the Apollo 11 moon launch site. Reverend Ralph Abernathy, flanked by associate Hosea Williams stand on steps of a mockup of the lunar module displaying a protest sign while demonstrating at the Apollo 11 moon launch site. The two men—Paine the Stanford-educated engineer, and Abernathy the Alabama-born Baptist preacher (who also earned a bachelor’s degree in mathematics)—talked for a while. Paine later recorded his account: “One-fifth of the population lacks adequate food, clothing, shelter and medical care, [Rev. Abernathy] said. The money for the space program, he stated, should be spent to feed the hungry, clothe the naked, tend the sick, and house the shelterless.” Abernathy told Paine that he had three requests for NASA, that 10 families of his group be allowed to view the launch, that NASA “support the movement to combat the nation’s poverty, hunger and other social problems,” and that NASA technical people work “to tackle the problem of hunger.” “If we could solve the problems of poverty in the United States by not pushing the button to launch men to the moon tomorrow,” Paine said while holding a microphone, “then we would not push that button.” [NASA Administrator] Paine added that he hoped Abernathy would “hitch his wagons to our rocket, using the space program as a spur to the nation to tackle problems boldly in other areas, and using NASA’s space successes as a yardstick by which progress in other areas should be measured.” The meeting ended and the two men shook hands. Paine offered tickets to Abernathy’s group for the VIP viewing area to watch the moonshot on the following day. Abernathy then prayed for the safety of the astronauts and said he was as proud as anyone at the accomplishment. NASA Administrator Thomas Paine wears a miniature "hangman's noose" around his neck with a note that reads "I Helped Hang Poverty,"given to him by Reverend Ralph Abernathy on July 15, 1969. NASA Administrator Thomas Paine wears a miniature "hangman's noose" around his neck with a note that reads "I Helped Hang Poverty,"given to him by Reverend Ralph Abernathy on July 15, 1969. "On the eve of man's noblest venture, I am profoundly moved by the nation's achievements in space and the heroism of the three men embarking for the moon,” he said, according to a UPI report. But, he added, "What we can do for space and exploration we demand that we do for starving people." “The Abernathy protest was an example that Apollo did not happen in bubble,” said Teasel Muir-Harmony, author of Apollo to the Moon: A History in 50 Objects, and curator of space history at the Smithsonian National Air and Space Museum. “It was very connected to everything else that was going on in the country.” In the months and years that followed the meeting, NASA tried to make good on the promises Paine made that day at Cape Canaveral. NASA engineers took sensors initially used to detect contaminants in space capsules and converted them to measure urban air pollution. Another project took spacecraft insulation and made new kinds of walls and windows for public housing. But Maher says the efforts didn’t amount to much. “It was more of an advertising effort,” he said. The Apollo 11 moon landing on July 20, 1969, was for many people the apogee of NASA’s popular support. A year after the Apollo 11, Gil Scott-Heron released a spoken-word critique of the space missions “Whitey on the Moon” (a song featured in the 2018 film First Man.) And, in the months and years following Apollo 11, public and political support for space exploration waned. The nation’s focus had shifted to the Vietnam War, campus protests and movements focused on civil rights, women’s rights and the environment. By 1970, NASA officials scrubbed the final three moon landings and President Richard Nixon rejected a new NASA recommendation to build a station on the moon that could be used as a base for exploration of Mars. “We must build on the successes of the past, always reaching out for new achievements,” Nixon said on March 7, 1970. “But we must also recognize that many critical problems here on this planet make high priority demands on our attention and our resources.”The last astronaut to walk on the moon left in December 1972.’

Switch side debate solves all of their offense—there’s no specific reason why their arguments have to be read on the aff—that solves predictability and accesses their education impact turns because plans on the aff and Ks on the neg can challenge perspectives, stances, representations, and epistemologies

#### Competing interpretations --- reasonability is arbitrary and invites judge intervention which o/w because it takes the debate out of the debaters’ hands.

#### No RVI’s or Impact turns against Topicality ---

#### 1] Logic – you shouldn’t win for meeting an affirmative burden

#### 2] Baiting – Allows affs to forego the topic in order to answer topicality for 4 minutes which moots 6 minutes of 1nc offense.

#### 3] Exclusions are inevitable – we can only resolve arguments in this debate so we should have those debates along reciprocal lines

#### 4] Impact turns are drop the argument – if they win that our interpretation is bad then we will not go for it which is sufficient recourse because anything else justifies infinite “independent voting issues” and prevents substantive debates.

# CASE

### I/V

#### Vote against any fw that concludes in obviously wrong and atrociously awful things – 6mil of my ancestors didn’t die so that ppl can conclude that we should “include perspectives in favor of the holocaust”

#### Same applies to every other truth that every judge puts in their paradigm – slavery is bad, aff would say that we should consider perspectives that conclude that slavery was good, etc.

#### Voters are inclusion, but it suffices as a d-rule

### Toplevel

#### 1] Framework – the role of the judge and ballot is to determine whether the plan is a good idea through evaluation of consequences.

#### ---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

#### ---C] Focus on large scale catastrophes is good and they outweigh – appeals to social costs, moral rules, and securitization play into cognitive bias and flawed risk calculus – 2020 is living proof

Weber 20 (ELKE U. WEBER is Gerhard R. Andlinger Professor in Energy and the Environment and Professor of Psychology and Public Affairs at Princeton University.), November-December 2020 Issue, "Heads in the Sand," Foreign Affairs, <https://www.foreignaffairs.com/articles/2020-10-13/heads-sand> mvp

We are living in a time of crisis. From the immediate challenge of the COVID-19 pandemic to the looming existential threat of climate change, the world is grappling with massive global dangers—to say nothing of countless problems within countries, such as inequality, cyberattacks, unemployment, systemic racism, and obesity. In any given crisis, the right response is often clear. Wear a mask and keep away from other people. Burn less fossil fuel. Redistribute income. Protect digital infrastructure. The answers are out there. What’s lacking are governments that can translate them into actual policy. As a result, the crises continue. The death toll from the pandemic skyrockets, and the world makes dangerously slow progress on climate change, and so on.

It’s no secret how governments should react in times of crisis. First, they need to be nimble. Nimble means moving quickly, because problems often grow at exponential rates: a contagious virus, for example, or greenhouse gas emissions. That makes early action crucial and procrastination disastrous. Nimble also means adaptive. Policymakers need to continuously adjust their responses to crises as they learn from their own experience and from the work of scientists. Second, governments need to act wisely. That means incorporating the full range of scientific knowledge available about the problem at hand. It means embracing uncertainty, rather than willfully ignoring it. And it means thinking in terms of a long time horizon, rather than merely until the next election. But so often, policymakers are anything but nimble and wise. They are slow, inflexible, uninformed, overconfident, and myopic.

Why is everyone doing so badly? Part of the explanation lies in the inherent qualities of crises. Crises typically require navigating between risks. In the COVID-19 pandemic, policymakers want to save lives and jobs. With climate change, they seek a balance between avoiding extreme weather and allowing economic growth. Such tradeoffs are hard as it is, and they are further complicated by the fact that costs and benefits are not evenly distributed among stakeholders, making conflict a seemingly unavoidable part of any policy choice. Vested interests attempt to forestall needed action, using their money to influence decision-makers and the media. To make matters worse, policymakers must pay sustained attention to multiple issues and multiple constituencies over time. They must accept large amounts of uncertainty. Often, then, the easiest response is to stick with the status quo. But that can be a singularly dangerous response to many new hazards. After all, with the pandemic, business as usual would mean no social distancing. With climate change, it would mean continuing to burn fossil fuels.

But the explanation for humanity’s woeful response to crises goes beyond politics and incentives. To truly understand the failure to act, one must turn to human psychology. It is there that one can grasp the full impediments to proper decision-making—the cognitive biases, emotional reactions, and suboptimal shortcuts that hold policymakers back—and the tools to overcome them.

AVOIDING THE UNCOMFORTABLE

People are singularly bad at predicting and preparing for catastrophes. Many of these events are “black swans,” rare and unpredictable occurrences that most people find difficult to imagine, seemingly falling into the realm of science fiction. Others are “gray rhinos,” large and not uncommon threats that are still neglected until they stare you in the face (such as a coronavirus outbreak). Then there are “invisible gorillas,” threats in full view that should be noticed but aren’t—so named for a psychological experiment in which subjects watching a clip of a basketball game were so fixated on the players that they missed a person in a gorilla costume walking through the frame. Even professional forecasters, including security analysts, have a poor track record when it comes to accurately anticipating events. The COVID-19 crisis, in which a dystopic science-fiction narrative came to life and took everyone by surprise, serves as a cautionary tale about humans’ inability to foresee important events.

Not only do humans fail to anticipate crises; they also fail to respond rationally to them. At best, people display “bounded rationality,” the idea that instead of carefully considering their options and making perfectly rational decisions that optimize their preferences, humans in the real world act quickly and imperfectly, limited as they are by time and cognitive capacity. Add in the stress generated by crises, and their performance gets even worse.

Because humans don’t have enough time, information, or processing power to deliberate rationally, they have evolved easier ways of making decisions. They rely on their emotions, which serve as an early warning system of sorts: alerting people that they are in a positive context that can be explored and exploited or in a negative context where fight or flight is the appropriate response. They also rely on rules. To simplify decision-making, they might follow standard operating procedures or abide by some sort of moral code. They might decide to imitate the action taken by other people whom they trust or admire. They might follow what they perceive to be widespread norms. Out of habit, they might continue to do what they have been doing unless there is overwhelming evidence against it.

Not only do humans fail to anticipate crises; they also fail to respond rationally to them.

Humans evolved these shortcuts because they require little effort and work well in a broad range of situations. Without access to a real-time map of prey in different hunting grounds, for example, a prehistoric hunter might have resorted to a simple rule of thumb: look for animals where his fellow tribesmen found them yesterday. But in times of crisis, emotions and rules are not always helpful drivers of decision-making. High stakes, uncertainty, tradeoffs, and conflict—all elicit negative emotions, which can impede wise responses. Uncertainty is scary, as it signals an inability to predict what will happen, and what cannot be predicted might be deadly. The vast majority of people are already risk averse under normal circumstances. Under stress, they become even more so, and they retreat to the familiar comfort of the status quo. From gun laws to fossil fuel subsidies, once a piece of legislation is in place, it is hard to dislodge it, even when cost-benefit analysis argues for change.

#### 2] Vote neg on presumption – there’s no impact to voting aff given they’ve already propagated science fiction in the debate space – they need a model of debate that justifies why the ballot is key.

#### 3] On the baudrillard stuff

#### ---A] Form over content is a false choice – obviously the form is important, but the content used can change the impacts of the form i.e. using objectivity against itself to change the way the research method of debate operates – that was above

#### ---B] Knowledge production good -- Impact turn – climate change knowledge production is a good praxis for resolving material violence that affects hundreds of millions of people because it fights climate skepticism

#### ---C] Perfcon – the kritik is a knowledge of non-knowledge which infinitely regressive – o/w since they read the K while knowing they linked while I didn’t know which makes it the equivalent of premeditated murder

#### 4] Debate good – loads of people have used debate to do good things like Laura Sjoberg the fem IR scholar, the judge who stopped Trump’s travel ban, and the Dartmouth debater who stopped Bush’s abuse of the War Powers Doctrine

#### 5] Debate Good Double bind – either a) I win debate good and you vote for me, or b) they win debate bad which means hack against them to recuse them from this evil space

### Innovation DA

#### Science fiction conflates fantasy with fact—this uniquely undermines civic engagement and destroys scientific education

Kluger 11 **7/11/11** - senior writer for TIME (Jeffery, “ Scientific Illiteracy After the Shuttle: Are America's Smartest Days Behind Her?” <http://www.time.com/time/health/article/0,8599,2082213,00.html>)

The problem is, the land of the free and home of the brave is in danger of becoming — not to put too fine a point on it — the land of the dunderhead, and my trip to Cape Canaveral, Fla., drove that point home. It's no secret that as a people, we're rapidly losing the basic fund of knowledge we need if we're going to function well in a complex world. Just last week, another dispiriting poll was released revealing how little some of us know about our national history. Only 58% of Americans can say with certainty what happened on July 4, 1776 — a figure that falls to a jaw-dropping 31% in the under-30 cohort. Fully 25% of Americans who do know that we seceded from some country or another to become a nation don't know what that former parent country was. This follows on the heels of other polls showing similar numbers of folks believing that we fought the Russians in World War II and beat them with the help of our stalwart German allies. Being historically illiterate is bad. Being scientifically illiterate, however, is even worse — if only because **having a working knowledge of how the world operates is essential to understanding critical areas of national policy**. Type the words "global warming" and "hoax" into Google and you get an appalling 10.1 million hits. The polls are all over the map on this one, but they show that rising numbers of Americans think climate science is fraudulent or exaggerated — up to 41% in one survey. It's not merely opinion to say that those people are simply wrong. There may be raging debates among scientists about the precise severity, mechanisms and trajectory of global warming, but the basic science is established and accepted, whether you want to admit it or not. Then of course there are the 18% of Americans who believe the sun revolves around Earth and the 28% who think the moon landings were faked. Google that last one and you're taken to sites that profess to be forums for political debate. Political debate? About faking the moon landings? This isn't the Roman Senate, folks, it's fantasyland. What got me thinking about all this was a stop I made after the launch at the Kennedy Space Center Visitor Complex — a combination museum and theme park on the Cape Canaveral grounds. The center's special feature this season is called Sci-Fi Summer 2011 — and it delivers just what it promises. Adjacent to the rocket garden, with its full-size mock-ups of the U.S.'s most legendary boosters, is a massive maplike display comparing the sizes of the Saturn 1B, the Saturn 5, the Mercury Redstone, the space shuttle and the International Space Station to the Starship Enterprise. Which is fine, except that all the other spacecraft actually existed and the Enterprise, um, didn't. The spacesuits worn by Neil Armstrong, Gordon Cooper and other astronauts are similarly commingled throughout the exhibit with uniforms worn by the Klingons and Romulons. There is also an entire pavilion set aside for a Star Trek display. O.K., it's cranky to begrudge people a little fun and Star Trek is undeniably cool. But do we really not get enough fun and cool elsewhere? Is there anyone alive who thinks that what Americans need right now are more ways to divert and amuse ourselves? Mix Cooper with the Klingons or the shuttle Enterprise with the Starship Enterprise long enough and the kids who consume all this stuff will no longer be able to tell them apart. Scientific literacy is part of good citizenship. And when it comes to space science, you don't need a lick of fiction to make it fun. An engineer at NASA's Jet Propulsion Laboratory who works in the interplanetary program once explained why he loves his job by saying, "If you can't have a good time coming to work and building robots to send to Mars, give it up, man." The same used to be true of merely learning about such things. It must become true again if the U.S. is going to keep its edge.

#### Science is necessary for freedom and technological innovation

Taggart 10PhD and philosophical counselor, Andrew “With what authority does a public philosopher speak?” http://www.butterfliesandwheels.org/2010/with-what-authority-does-a-public-philosopher-speak/

Fourth, neither can he allude to some analogy between philosophy and science for ultimate support. As regards the question of modern legitimacy, science has no conceptual problem (by which I don’t mean that the science wars of the nineties were somehow unreal or that Americans’ general skepticism toward science will soon vanish) because science has demonstrable utility. Science manifests its power to change the everyday routines that govern our lives through paradigm-shifting technological innovations. What’s more, scientific discoveries have extended the realm of human freedom by means of predictability and control. In the scientific picture inaugurated during the scientific revolution and coming into full view some 400 years later, nature has become less unruly and mysterious and, in consequence, more amenable to human understanding as well as more subject to technological manipulation. Since philosophy has no such practical utility and since it exerts no such power over the physical world, it follows that philosophy cannot draw its reason for being from scientific sources.

#### Tech innovation key to prevent warming and biod loss

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The need for urgent action to protect biodiversity – to shift to new, sustainable ways of production and consumption and reorient economic development pathways towards an “economy within ecological boundaries” - has been gaining global recognition. At the same time, technological advancements are evolving at incredible speed and scale. Can then the Fourth Industrial Revolution help mitigate and reverse the Anthropocene’s effects?

Yes

Value is not intrinsic but contextual: it is the functionality and intentionality that we attach to things what ultimately shapes their value. While a development-fueled quest for increasing standards of living, by an ever-growing human population, has been driving biodiversity loss, we could shift this quest to also serve as a source of mitigation – provided we harness the technological [innovations that drive economic development to avert biodiversity destruction](http://issues.org/32-1/perspective-technologies-for-conserving-biodiversity-in-the-anthropocene/).

Technologies driving the Fourth Industrial Revolution include tools such as artificial intelligence, machine learning, advancements in quantum computing, encoding data into DNA, virtual reality, biotechnology, and new materials. When it comes to biodiversity, there are areas – such as land use, including for food production, conservation, restoration, as well as governance, communications, and community engagement – where these new technologies could help.

For example, in urban areas, vertical gardening could provide a shift in production and sourcing methods. In the future, AeroFarms – which germinates seeds in the air with a mist of nutrients – has the potential to transform the way people in cities procure and consume food. When we look at technological innovations that could affect data on the supply chain, blockchain emerges as a promising tool to trace the entire sourcing and supply chain.

New technologies could provide valuable support to conservation: hyperspectral imagery of landscapes, for example, could provide detailed information on a host of chemical and geological parameters and biological processes in both terrestrial and aquatic systems, with significant progress made in imaging techniques, data analysis, and modes of deployment. This type of remote sensing could help conservation biologists maintain healthy habitats and protect the life they harbor, while offering the possibility of rapid alert systems for failing food webs or trophic systems, as well as for excessive human interference.

Managing biodiversity is an important area of conservation where technology could also play a key role, and has become a priority in many countries around the world. Satellite tracking technology is an effective tool for analyzing and visualizing data on species with inaccessible environments, in order to identify areas where conservation practices are needed. New technologies are increasingly improving research on migration, human-wildlife conflict, relocation and re-introduction of species, and [predator-prey interactions](https://www.forbes.com/sites/federicoguerrini/2015/10/27/halting-biodiversity-loss-with-drones-and-smartphones-not-just-wishful-thinking/#709d02eb55ef). Technology could also be applied to strategically assess biodiversity hotspots where human interference should be limited.

Technologies also have the potential to transform the way we approach ecosystem restoration. Some companies have started to use drones to determine what species are needed and where, and then use that data to reforest, replant, and restore. Bioremediation techniques—e.g. the use of plants and microbes to extract metal contaminants—have advanced to an extent that allows us to use natural processes to help “re-wild” damaged habitats. Research shows that even the most damaged landscapes can recover if human activities are limited: for example, the area surrounding Chernobyl, Ukraine, has recovered remarkably following the nuclear disaster in 1986, with native fauna taking advantage of the absence of human activities to re-wild the exclusion zone.

Natural technologies are readily available, affordable, and scalable. Some countries are already harnessing opportunities to fuse natural infrastructure with technology, for example, to build infrastructure to enhance the adaptive capacity, strengthen resilience, and reduce vulnerabilities to climate change. In China, cities are being built as ‘sponges’, with two cities, in particular, investing over a billion dollars in natural infrastructure for flood control, water conservation and quality, and natural ecosystem protection. As a result, these cities have proven to be more resilient to typhoons and heavy storms. Increasingly, nature is also gaining support as the original carbon-capture technology, with the potential to be one third of the global climate solution by 2030.

The Fourth Industrial Revolution could also be harnessed for improving communications. Satellite and geo-tagged data can serve as critical mechanisms to provide a more holistic picture of nature, its pressures and trends. The application of global data layers such, as those from the Global Forest Watch, on deforestation over time, with additional datasets such as on infrastructure development over time, and trade in commodities over time, could help produce compelling stories about our impact on natural ecosystems. Stories are essential to raise awareness among the general public, decision makers, and the financial and the private sectors. They help engagement with different actors, inspiring them to align goals, actions and resources in order to reconnect with nature; shift unsustainable practices and lifestyle choices; and promote the use of natural technological solutions.

Another key area where technology can support the safeguarding of life on the planet is community participation. Technologies bring the possibility to engage not only amateurs and professionals, but also often overlooked communities when it comes to conservation, such as indigenous peoples, local communities, and tourists. As example, [an Australian startup created an app](https://medium.com/advance-queensland/technology-helps-maintain-our-natural-biodiversity-2052d91f1efb), Crosschecker, which allows everyone – from local communities to tourists – to perform a search on any property, returning all flora and fauna in relation to the site, with matching descriptions and pictures. The app brings together information from various technologies, it cross references it with policies, legislation and compliance information, and then presents it in one easily accessible place, to inform the user of protected plant life and thus enable protection of the site’s natural heritage.

#### Warming guarantees extinction

Specktor 19 [Brandon Specktor] “Human Civilization Will Crumble by 2050 If We Don't Stop Climate Change Now, New Paper Claims.” Live Science. June 4, 2019. <https://www.livescience.com/65633-climate-change-dooms-humans-by-2050.html> TG

[According to the paper](https://docs.wixstatic.com/ugd/148cb0_b2c0c79dc4344b279bcf2365336ff23b.pdf), climate change poses a "near- to mid-term existential threat to human civilization," and there's a good chance society could collapse as soon as 2050 if serious mitigation actions aren't taken in the next decade.

Published by the Breakthrough National Centre for Climate Restoration in Melbourne (an independent think tank focused on climate policy) and authored by a climate researcher and a former fossil fuel executive, the paper's central thesis is that climate scientists are too restrained in their predictions of how climate change will affect the planet in the near future. [[Top 9 Ways the World Could End](https://www.livescience.com/36999-top-scientists-world-enders.html)]

The current climate crisis, they say, is larger and more complex than any humans have ever dealt with before. General climate models — like the one that the [United Nations' Panel on Climate Change](https://www.ipcc.ch/sr15/) (IPCC) used in 2018 to predict that a global temperature increase of 3.6 degrees Fahrenheit (2 degrees Celsius) could put hundreds of millions of people at risk — fail to account for the sheer complexity of Earth's many interlinked geological processes; as such, they fail to adequately predict the scale of the potential consequences. The truth, the authors wrote, is probably far worse than any models can fathom.

How the world ends

What might an accurate worst-case picture of the planet's climate-addled future actually look like, then? The authors provide one particularly grim scenario that begins with world governments "politely ignoring" the advice of scientists and the will of the public to decarbonize the economy (finding alternative energy sources), resulting in a global temperature increase 5.4 F (3 C) by the year 2050. At this point, the world's ice sheets vanish; brutal droughts kill many of the trees in the [Amazon rainforest](https://www.livescience.com/57266-amazon-river.html) (removing one of the world's largest carbon offsets); and the planet plunges into a feedback loop of ever-hotter, ever-deadlier conditions.

"Thirty-five percent of the global land area, and 55 percent of the global population, are subject to more than 20 days a year of lethal heat conditions, beyond the threshold of human survivability," the authors hypothesized.

Meanwhile, droughts, floods and wildfires regularly ravage the land. Nearly one-third of the world's land surface turns to desert. Entire ecosystems collapse, beginning with the planet's coral reefs, the rainforest and the Arctic ice sheets. The world's tropics are hit hardest by these new climate extremes, destroying the region's agriculture and turning more than 1 billion people into refugees.

This mass movement of refugees — coupled with [shrinking coastlines](https://www.livescience.com/51990-sea-level-rise-unknowns.html) and severe drops in food and water availability — begin to stress the fabric of the world's largest nations, including the United States. Armed conflicts over resources, perhaps culminating in nuclear war, are likely.

The result, according to the new paper, is "outright chaos" and perhaps "the end of human global civilization as we know it."

### More

#### Scifi is exclusionary – racial violence is a D rule

Walter 14(Damien Walter, writer of fiction, stories have appeared on BBC radio, graduated Clarion Science Fiction and Fantasy workshop at UC San Diego in 2008, “Science fiction’s real-life war in the worlds,” May 30, 2014, <http://www.theguardian.com/books/booksblog/2014/may/30/science-fiction-real-life-war-worlds>, Accessed: 7/1/14, RH)

As Samuel Delany noted, at a time when he numbered among the very few black writers in the field, **prejudice within science fiction would "likely remain a slight force** – until, say, black writers start to number 13, 15, 20% of the total." Author NK Jemisin employed Delany's quote in her own Guest of Honour speech at WisCon. Her incendiary argument to **fight against bigotry comes at a the time when she and other writers of colour** including Aliette de Bodard, Sofia Samatar and Nalo Hopkinson command a higher profile in the genre than ever before. And the resistance Delany predicted has come true. It is no coincidence that, just as it outgrows its limiting cultural biases, **science fiction should also face protests from some members of the predominantly white male audience who believed it to be their rightful domain**. What the conservative authors protesting the Hugo awards perceive as a liberal clique is simply science fiction outgrowing them, and their narrow conception of the genre's worth. Of course, **if those authors really wanted to de-politicise science fiction, they could** easily help **to do so – by admitting the genre's historic bias** and applauding its growth. And by doing everything within their power to welcome new authors from diverse backgrounds, instead of agitating for protest votes to push them out. The real prize for science fiction is not diversity for diversity's sake (although I happen to believe that would be prize enough). We live in a world of seven billion human beings, whose culture has not been reflected or rewarded in 'the mainstream'. Science fiction – from cult novels that reach a few thousand readers, to blockbuster movies and video games that dominate contemporary culture – has the potential to talk across every remaining boundary in our modern world. That makes it, in my opinion, potentially the most important cultural form of the 21st century. To claim that potential, it cannot afford to give way to the petulant protests of boys who do not like to share their toys.

#### Science fiction gets commodified – it’s packaged and manipulated by profit-driven publishers – the aff can’t solve

Elkins and Suvin 79– former editor of Science Fiction Studies AND Professor Emeritus at McGill University (November, Charles and Darko, “ Preliminary Reflections on Teaching Science Fiction Critically ” Science Fiction Studies, Vol. 6, No. 3, JSTOR)

SF shares with other paraliterary some aspects very important, indeed crucial, for the teacher and student. First, a large number of people actually read it regardless of the official educational requirements. Therefore, assigned texts will usually be presented to a group of students heterogeneous in respect of their previous familiarity with that kind of text: some will be familiar with whatever books are chosen, some will not. More importantly, some will have notions (sometimes strong opinions) about what kind of writing- what characteristic genre or category - these books belong to. Second, the economically and indeed anthropologically (philosophically) crucial aspect SF shares with other paraliterature is that it is primarily a commodity. (Every book published under capitalism is a commodity; but remnants of pre-capitalist notions of prestige, glory, etc., qualify the commodity status of much "high lit.") This means that the book publishers and the TV and movie producers have to enforce certain strongly constricting lower-common-denominator cliches in strict proportion to the capital invested and profits expected (rather than to a mythical audience-taste); the constricted narrative patterns, plots, characters, language, etc., in turn prevent paraliterature from giving a full and lasting satisfaction to its consumer. However, this also means that the book-as-commodity acquires a certain financial independence of its ideological content: it will be subject to promotion, hypes, etc., and conversely it will often be excused anything as long as it brings in the profits. Third, this makes for its twofold dominant societal function: financially, that of selling well (to many readers); ideologically, that of momentarily entertaining and pacifying its readers. This helps the social status quo both economically and politically, by addicting the reader and/or viewer to further reading/viewing for further momentary compensation (see Joanna Russ's "SF and Technology as Mystification," SFS No. 16 [Nov. 1978]) and by defusing active or at least radical civic discontent, in favor of mass social mythologies of an anti-rational kind (see Roland Barthes' Mythologies).

#### They can’t meet falsifiable review – only a scientific approach produces the best epistemology and can avert extinction

Coyne, 06 – Author and Writer for the Times (Jerry A., “A plea for empiricism”, FOLLIES OF THE WISE, Dissenting essays, 405pp. Emeryville, CA: Shoemaker and Hoard, 1 59376 101 5)

Supernatural forces and events, essential aspects of most religions, play no role in science, not because we exclude them deliberately, but because they have never been a useful way to understand nature. Scientific “truths” are empirically supported observations agreed on by different observers. Religious “truths,” on the other hand, are personal, unverifiable and contested by those of different faiths. Science is nonsectarian: those who disagree on scientific issues do not blow each other up. Science encourages doubt; most religions quash it. But religion is not completely separable from science. Virtually all religions make improbable claims that are in principle empirically testable, and thus within the domain of science: Mary, in Catholic teaching, was bodily taken to heaven, while Muhammad rode up on a white horse; and Jesus (born of a virgin) came back from the dead. None of these claims has been corroborated, and while science would never accept them as true without evidence, religion does. A mind that accepts both science and religion is thus a mind in conflict. Yet scientists, especially beleaguered American evolutionists, need the support of the many faithful who respect science. It is not politically or tactically useful to point out the fundamental and unbreachable gaps between science and theology. Indeed, scientists and philosophers have written many books (equivalents of Leibnizian theodicy) desperately trying to show how these areas can happily cohabit. In his essay, “Darwin goes to Sunday School”, Crews reviews several of these works, pointing out with brio the intellectual contortions and dishonesties involved in harmonizing religion and science. Assessing work by the evolutionist Stephen Jay Gould, the philosopher Michael Ruse, the theologian John Haught and others, Crews concludes, “When coldly examined . . . these productions invariably prove to have adulterated scientific doctrine or to have emptied religious dogma of its commonly accepted meaning”. Rather than suggesting any solution (indeed, there is none save adopting a form of “religion” that makes no untenable empirical claims), Crews points out the **dangers to the survival of our planet arisi**ng from a rejection of Darwinism. Such rejection promotes apathy towards overpopulation, pollution, deforestation and other environmental crimes: “So long as we regard ourselves as creatures apart who need only repent of our personal sins to retain heaven’s blessing, we won’t take the full measure of our species-wise responsibility for these calamities”. Crews includes three final essays on deconstruction and other misguided movements in literary theory. These also show “follies of the wise” in that they involve interpretations of texts that are unanchored by evidence. Fortunately, the harm inflicted by Lacan and his epigones is limited to the good judgement of professors of literature. Follies of the Wise is one of the most refreshing and edifying collections of essays in recent years. Much like Christopher Hitchens in the UK, Crews serves a vital function as National Sceptic. He ends on a ringing note: “The human race has produced only one successfully validated epistemology, characterizing all scrupulous inquiry into the real world, from quarks to poems. It is, simply, empiricism, or the submitting of propositions to the arbitration of evidence that is acknowledged to be such by all of the contending parties. Ideas that claim immunity from such review, whether because of mystical faith or privileged “clinical insight” or the say-so of eminent authorities, are not to be countenanced until they can pass the same skeptical ordeal to which all other contenders are subjected.” As science in America becomes ever more harried and debased by politics and religion, we desperately need to heed Crews’s plea for empiricism.