#### [Gorove] 98 Space Law Professor Gorove defines “appropriation of outer space” as: Gorove, Stephen. [Professor of space law and director of space studies and policy, 1991-1998, University of Mississippi] “Interpreting Article II of the Outer Space Treaty.” 37 *Fordham L. Rev.* 349, 1969. https://ir.lawnet.fordham.edu/flr/vol37/iss3/2 CH

With respect to the concept of appropriation the basic question is what constitutes "appropriation," as used in the Treaty, especially in contradistinction to casual or temporary use. The term "appropriation" is used most frequently to denote the taking of property for one's own or exclusive use with a sense of permanence. Under such interpretation the establishment of a permanent settlement or the carrying out of commercial activities by nationals of a country on a celestial body may constitute national appropriation if the activities take place under the supreme authority (sovereignty) of the state. Short of this, if the state wields no exclusive authority or jurisdiction in relation to the area in question, the answer would seem to be in the negative, unless, the nationals also use their individual appropriations as cover-ups for their state's activities.5 In this connection, it should be emphasized that the word "appropriation" indicates a taking which involves something more than just a casual use. Thus a temporary occupation of a landing site or other area, just like the temporary or nonexclusive use of property, would not constitute appropriation. By the same token, any use involving consumption or taking with intention of keeping for one's own exclusive use would amount to appropriation.

## 1NC Shell v1

#### Desire from lack projects identity which we can never fully reach which urges the political to determine which identities are legitimate. Thus, the role of the ballot is to vote for the debater with the best method of traversing the fantasy.

**Edelman 04** (Lee Edelman, No Future: Queer Theory and the Death Drive, 2004, Duke University Press, p. 7-9) SJCP//JG

Like the network of signifying relations that forms the Lacanian Sym-bolic —the register of the speaking subject and the order of the law—politics may function as the framework within which we experience so-cial reality, but only insofar as it compels us to experience that reality in the form of a fantasy: the fantasy, precisely, of form as such, of an order, an organization, that assures the stability of our identities as sub-jects and the coherence of the Imaginary totalizations through which those identities appear to us in recognizable form. Though the material conditions of human experience may indeed be at stake in the various conflicts by means of which differing political perspectives vie for the power to name, and by naming to shape, our collective reality, the cease-less conflict of their social visions conceals their common will to install, and to install as reality itself, one libidinally subtended fantasy or another intended to screen out the emptiness that the signifier embeds at the core of the symbolic. Politics, to put this another way, names the space in which Imaginary relations, relations that hark back to a misrecognition of the self as enjoying some originary access to presence (a presence retroactively posited and therefore lost, one might say, from the start), compete for Symbolic fulfillment, for actualization in the realm of language to which subjectification subjects us all. Only the mediation of the signifier allows us to articulate those Imaginary relations, though always at the price of introducing the distance that precludes their realization: the distance inherent in the chain of ceaseless deferrals and substitutions to which language as a system of differences necessarily gives birth. The signifier, as alienating and meaningless token of our Symbolic constitution as subjects (as token, that is, of our subjectification through subjection to the prospect of meaning); the signifier, by means of which we always inhabit the order of the Other, the order of a social and linguistic reality articulated from somewhere; the signifier, which calls us into meaning by seeming call us to ourselves: this signifier only bestows a sort of promissory identity, one with which we can never succeed in fully coinciding because we, as subjects of the signifier, can only, be signifiers ourselves, can only ever aspire to catch up to [be what] whatever it is we might signify by closing the gap that divides us and, paradoxically, makes us subjects through that act of division alone. This structural inability of the subject to merge with the self for which it sees itself as a signifier in the eyes of the Other necessitates various strategies designed to suture the subject in the space of meaning where Symbolic and Imaginary overlap. Politics names the social enactment of the subject's attempt to establish the conditions for this impossible consolidation by identifying with something outside of itself in order to enter the presence, deferred perpetually, of itself. Politics, that is, names the struggle to effect a fantasmic order of reality in which the subject's alienation would vanish into the seamlessness of identity at the endpoint of the endless chain of signifiers lived as history. If politics in the Symbolic is always therefore a politics of the Symbolic, operating in the name and in the direction of a constantly anticipated futurity, then the telos that would, in fantasy, put an end to these deferrals, the presence toward which the metonymic chain of signifiers always aims, must be recognized, nonetheless, as belonging to an Imaginary past. This means not only that politics conforms to the temporality of desire, to what we might call the inevitable historicity of desire- the successive displacements forward of nodes of attachment as figures of meaning, points of intense metaphoric investment, produced in the hope, however vain, of filling the constitutive gap in the subject that the signifier necessarily installs- but also that politics is name for the temporalization of desire, for its translation into a narrative, for its teleological determination. Politics, that is, by externalizing and configuring in the fictive form of a narrative, allegorizes or elaborates sequentially, precisely as desire, those overdeterminations of libidinal positions and inconsistencies of psychic defenses occasioned by what disarticulates the narrativity of desire: the drives, themselves intractable, unassimilable to the logic of interpretation or the demands of meaning-production; the drives that carry the destabilizing force of what insists outside or beyond, because foreclosed by, signification.

#### **Politics and futurism is built on the premise that any negation of the signifier of the child is essential in order to fulfill desire from lack which deems queerness out of the political – the impact is reproductive futurism which is a system of structural overkill that places queerness in a position of ontological exclusion.** They don’t get to weigh case – if we win their starting point is violent, they don’t get to weigh their end point since we indict the process of how they got there.

**Edelman 2** (Lee Edelman, No Future: Queer Theory and the Death Drive, 2004, Duke University Press, p. 10-13) SJCP//JG

This surplus, compelling the Symbolic to enact a perpetual repeti- tion, remains specirai, "unreal," or impossible insofar as it insists out-side the logic of meaning that, nonetheless, produces it The drive holds the place of what meaning misses in much the same way that the signi-fier preserves at the heart of the signifying order the empty and arbitrary letter, the meaningless substrate of signification that meaning intends to conceal. Politics, then, in opposing itself to the negativity of such a drive, gives us history as the continuous staging of our dream of eventual self-realization by endlessly reconstructing, in the mirror of desire, what we take to be reality itself. And it does so without letting us acknowledge that the future, to which it persistently appeals, marks the impossible place of an Imaginary past exempt from the deferrals intrinsic to the operation of the signifying chain and projected ahead as the site at which being and meaning are joined as One. In this it enacts the formal repetition distinctive of the drive while representing itself as bringing to fulfillment the narrative sequence of history and, with it, of desire, in the realization of the subject's authentic presence in the Child imagined as enjoying unmediated access to Imaginary wholeness. Small wonder that the era of the universal subject should produce as the very figure of politics, because also as the embodiment of futurity collapsing undecidably into the past, the image of the Child as we know it: the Child who becomes, in Wordsworth's phrase, but more punitively, "father of the Man." Historically constructed, as social critics and intellectual historians including Phillipe Aries, James Kincaid, and Lawrence Stone have made clear, to serve as the repository of variously sentimentalized cultural identifications, the Child has come to embody for us the telos of the social order and come to be seen as the one for whom that order is held in perpetual trust. In its coercive universalization, however, the image of the Child, not to be confused with the lived experiences of any historical children, serves to regulate political discourse-to prescribe what will count as political discourse-by compelling such discourse to accede in advance to the reality of a collective future whose figurative status we are never permitted to acknowledge or address. From Delacroix's iconic image of Liberty leading us into a brave new world of revolutionary possibility- her bare breast making each spectator the unweaned Child to whom it's held out while the boy to her left, reproducing her posture, affirms the absolute logic of reproduction itself-to the revolutionary waif in the logo that miniaturizes the "politics" of Les Mis (summed up in its anthem to futurism, the "inspirational" "One Day More"), we are no more able to conceive of a politics without a fantasy of the future than we are able to conceive of a future without the figure of the Child. That figural Child alone embodies the citizen as an ideal, entitled to claim full rights to its future share in the nation's good, though always at the cost of limiting the rights "real" citizens are allowed. For the social order exists to preserve for this universalized subject, this fantasmatic Child, a notional freedom more highly valued than the actuality of freedom itself, which might, after all, put at risk the Child to whom such a freedom falls due. Hence, whatever refuses this mandate by which our political institutions compel the collective reproduction of the Child must appear as a threat not only to the organization of a given social order but also, and far more ominously, to social order as such, insofar as it threatens the logic of futurism on which meaning always depends. So, for example, when D. James, in her novel Children of Men, imagines a future in which the human race has suffered a seemingly absolute loss of the capacity to reproduce, her narrator, Theodore Faron, not only attributes this reversal of biological fortune to the putative crisis of sexual values in late twentieth-century democracies-"Pornography and sexual violence on film, on television, in books, in life had increased and became more explicit but less and less in the West we made love and bred children," he declares-but also gives voice to the ideological truism that governs our investment in the Child as the obligatory token of futurity: "Without the hope of posterity, for our race not for ourselves, without the assurance that we being dead yet live," he later observes, "all pleasures of the mind and senses sometimes seem to me no more than pathetic and crumbling defences shored up against our ruins."12 While this allusion to Eliot's "The Waste Land" may recall another of its well-known lines, one for which we apparently have Eliot's Wife, Vivian, to thank-"What you get married for if you don't want children?"-it also brings out the function of the child as the prop of the secular theology on which our social reality rests: the secular theology that shapes at once the meaning of our collective narratives and our collective narratives of meaning. Charged, after all, with the task of assuring "that we being dead yet live," the Child, as if by nature (more precisely, as the promise of a natural transcendence of the limits of nature itself), exudes the very pathos from which the narrator of The Children of Men recoils when he comes upon it in nonreproductive "pleasures of the mind and senses." For the "pathetic" quality he projectively locates in non-generative sexual enjoyment-enjoyment that he views in the absence of futurity as empty, substitutive, pathological-exposes the fetishistic figurations of the Child that the narrator pits against it as legible in terms identical to those for which enjoyment without "hope of posterity" is peremptorily dismissed: legible, that is, as nothing more than "pathetic and crumbling defences shored up against our ruins." How better to characterize the narrative project of The Children of Men itself, which ends, as anyone not born yesterday surely expects from the start, with the renewal of our barren and dying race through the miracle of birth? After all, as Walter Wangerin Jr., reviewing the book for the New York Times, approvingly noted in a sentence delicately poised between description and performance of the novel's pro-procreative ideology: "If there is a baby, there is a future, there is redemption."13 If, however, there is no baby and, in consequence, no future, then the blame must fall on the fatal lure of sterile, narcissistic enjoyments understood as inherently destructive of meaning and therefore as responsible for the undoing of social organization, collective reality, and, inevitably, life itself.

#### Ignore statistics regarding material progress for queerness – they’re geared at hiding the truth of the situation which means only our ontology claim explains the reality of overkill.

Stanley 11 (Eric Stanley, Near Life, Queer Death: Overkill and Ontological Capture, 2011, p. 5-6) SJCP//JG

Can one find what was not ever there—the missing head of a black queer or the identity of an unnamed transwoman whose body is never claimed? How do we measure the pain of burying generations of those we love or even those we never knew? Brazell’s bloody end asks these questions through its calculus of trauma. This kind of loss orders a precarious orga- nization, a kind of trace of that which was never there, a death that places into jeopardy the category of life itself. The numbers, degrees, locations, kinds, types, and frequency of attacks, the statistical evidence that is meant to prove that a violation really happened, are the legitimizing measures that dictate the ways we are mandated to understand harm. However, statistics as an epistemological project may be another way in which the enormity of antiqueer is disap- peared. Thinking only, or primarily, statistically about antiqueer violence is both a theoretical and a material trap. Although statistical evidence is important to make strong knowledge claims about the severity of violence, “statistics” seem to have a way of ensuring that the head of Brazell is never found. Ironically, because his head has yet to be recovered, the “actual” cause of death cannot be officially determined. Furthermore, this indeter- minate cause of death bars Brazell from being entered into hate crimes statistics. Not yet dead, Brazell has never been counted as a casualty of “hate violence.”13 Currently the FBI, through the Criminal Justice Information Ser- vices (CJIS) Division, collects the only national data on “hate violence.” These data on hate violence (or hate crimes, as they are more commonly called) contain categories for religious, racial, and disability “bias” and antihomosexual (male and female), antibisexual, and antiheterosexual incidents (in the 2008 statistics, 2 percent of reported hate crimes were antiheterosexual incidents, while 1.6 percent were antibisexual).14 This hate violence reporting is optional for local jurisdictions; the FBI collects no statistics on trans/gender variant incidents; and the 2008 statistics report that only ten “victims” experienced “multi-bias” incidents. The 2008 report also counted only 1,706 incidents based on “sexual orienta- tion,” which comprised infractions ranging from vandalism to murder. It would seem misguided at best to suggest that the number 1,706 can really tell us anything about the work of antiqueer violence. Reported attacks on “out” queer folks, such as these data, can of course only work as a swinging signifier for the incalculable referent of the actualized violence. This is not simply a numerical issue; it is a larger question of the friction between measures and effect. Not unlike the structuring lack produced by any representation that offers us, the viewers, the promise of the real, statistics can leave us with only a fragmented copy of what they might index. “Reports” on antiqueer violence, such as the “Hate Crime Statis- tics,” reproduce the same kinds of rhetorical loss along with the actual loss of people that cannot be counted. The quantitative limits of what gets to count as antiqueer violence cannot begin to apprehend the numbers of trans and queer bodies that are collected off cold pavement and highway underpasses, nameless flesh whose stories of brutality never find their way into an official account beyond a few scant notes in a police report of a body of a “man in a dress” discovered.15

#### The alternative is to embrace the death drive – a full affirmation of queer negativity in which we adopt political apostasy and embrace radical queer jouissance.

baedan 12 baedan, 2012, “baedan,” Journal of Queer Nihilism, The Anarchist Library, <https://theanarchistlibrary.org/library/baedan-baedan> SJBE

Leftist notions of reform, progress, tolerance, and social justice always come up against the harsh reality that any progressive development can only mean a more sophisticated system of misery and exploitation; that tolerance means nothing; that justice is an impossibility. Activists, progressive and revolutionary alike, will always respond to our critique of the social order with a demand that we articulate some sort of alternative. Let us say once and for all that we have none to offer. Faced with the system’s seamless integration of all positive projects into itself, we can’t afford to affirm or posit any more alternatives for it to consume. Rather we must realize that our task is infinite, not because we have so much to build but because we have an entire world to destroy. Our daily life is so saturated and structured by capital that it is impossible to imagine a life worth living, except one of revolt. We understand destruction to be necessary, and we desire it in abundance. We have nothing to gain through shame or lack of confidence in these desires. There cannot be freedom in the shadow of prisons, there cannot be human community in the context of commodities, there cannot be self-determination under the reign of a state. This world—the police and armies that defend it, the institutions that constitute it, the architecture that gives it shape, the subjectivities that populate it, the apparatuses that administer its function, the schools that inscribe its ideology, the activism that franticly responds to its crises, the arteries of its circulation and flows, the commodities that define life within it, the communication networks that proliferate it, the information technology that surveils and records it—must be annihilated in every instance, all at once. To shy away from this task, to assure our enemies of our good intentions, is the most crass dishonesty. Anarchy, as with queerness, is most powerful in its negative form. Positive conceptions of these, when they are not simply a quiet acquiescence in the face of a sophisticated and evolving totality of domination, are hopelessly trapped in combat with the details of this totality on its own terms. In No Future, Edelman appropriates and privileges a particular psychoanalytic concept: the death drive. In elaborating the relationship of “queer theory and the death drive” (the subtitle of No Future), he deploys the concept in order to name a force that isn’t specifically tied to queer identity. He argues that the death drive is a constant eruption of disorder from within the symbolic order itself. It is an unnameable and inarticulable tendency for any society to produce the contradictions and forces which can tear that society apart. To avoid getting trapped in Lacanian ideology, we should quickly depart from a purely psychoanalytic framework for understanding this drive. Marxism, to imagine it another way, assures us that a fundamental crisis within the capitalist mode of production guarantees that it will produce its own negation from within itself. Messianic traditions, likewise, hold fast to a faith that the messiah must emerge in the course of daily life to overthrow the horror of history. The most romantic elaborations of anarchism describe the inevitability that individuals will revolt against the banality and alienation of modern life. Cybernetic government operates on the understanding that the illusions of social peace contain a complex and unpredictable series of risks, catastrophes, contagions, events and upheavals to be managed. Each of these contains a kernel of truth, if perhaps in spite of their ideologies. The death drive names that permanent and irreducible element which has and will always produce revolt. Species being, queerness, chaos, willful revolt, the commune, rupture, the Idea, the wild, oppositional defiance disorder—we can give innumerable names to what escapes our ability to describe it. Each of these attempts to term the erratic negation intrinsic to society. Each comes close to theorizing the universal tendency that any civilization will produce its own undoing. Explosions of urban rioting, the prevalence of methods of piracy and expropriation, the hatred of work, gender dysphoria, the inexplicable rise in violent attacks against police officers, self-immolation, non-reproductive sexual practices, irrational sabotage, nihilistic hacker culture, lawless encampments which exist simply for themselves—the death drive is evidenced in each moment that exceeds the social order and begins to rip at its fabric. The symbolic deployment of queerness by the social order is always an attempt to identify the negativity of the death drive, to lock this chaotic potential up in the confines of this or that subjectivity. Foucault’s work is foundational to queer theory in part because of his argument that power must create and then classify antagonistic subjectivities so as to then annihilate any subversive potential within a social body. Homosexuals, gangsters, criminals, immigrants, welfare mothers, transsexuals, women, youth, terrorists, the black bloc, communists, extremists: power is always constructing and defining these antagonistic subjects which must be managed. When the smoke clears after a riot, the state and media apparatuses universally begin to locate such events within the logic of identity, freezing the fluidity of revolt into a handful of subject positions to be imprisoned, or, more sinisterly, organized. Progressivism, with its drive toward inclusion and assimilation, stakes its hope on the social viability of these subjects, on their ability to participate in the daily reproduction of society. In doing so, the ideology of progress functions to trap subversive potential within a particular subject, and then to solicit that subject’s self-repudiation of the danger which they’ve been constructed to represent. This move for social peace fails to eliminate the drive, because despite a whole range of determinisms, there is no subject which can solely and perfectly contain the potential for revolt. The simultaneous attempt at justice must also fail, because the integration of each successive subject position into normative relations necessitates the construction of the next Other to be disciplined or destroyed. Rather than a progressive project which aims to steadily eradicate an emergent chaos over time, our project, located at the threshold of Edelman’s work, bases itself upon the persistent negativity of the death drive. We choose not to establish a place for queers, thereby shifting the structural position of queerness to some other population. We identify with the negativity of the drive, and thereby perform a disidentification away from any identity to be represented or which can beg for rights. Following Edelman further: To figure the undoing of civil society, the death drive of the dominant order, is neither to be nor to become that drive; such a being is not the point. Rather, acceding to that figural position means recognizing and refusing the consequences of grounding reality in denial of that drive. As the death drive dissolves those congealments of identity that permit us to know and survive as ourselves, so the queer must insist on disturbing, on queering, social organization as such—on disturbing, and therefore on queering ourselves and our investment in such organization. For queerness can never define an identity; it can only ever disturb one. And so, when I argue, as I aim to do here, that the burden of queerness is to be located less in the assertion of an oppositional political identity than in opposition to politics as the governing fantasy of realizing identities, I am proposing no platform or position from which queer sexuality or any queer subject might finally and truly become itself, as if it could somehow manage thereby to achieve an essential queerness. I am suggesting instead that the efficacy of queerness, its real strategic value, lies in its resistance to a symbolic reality that only ever invests us as subjects insofar as we invest ourselves in it, clinging to its governing fictions, its persistent sublimations, as reality itself. This negative queerness severs us from any simple understanding of ourselves. More so, it severs us from any formulaic or easily-represented notions of what we need, what we desire, or what is to be done. Our queerness does not imagine a coherent self, and thus cannot agitate for any selves to find their place within civilization. The only queerness that queer sexuality could ever hope to achieve would exist in a total refusal of attempts at the symbolic integration of our sexuality into governing and market structures. This refusal of representation forecloses on any hope that we ever have in identity politics or positive identity projects. We decline the progressive faith in the ability for our bodies to be figured into the symbolic order. We decline the liberal assurance that everything will turn out right, if we just have faith. No, instead we mean to “unleash negativity against the coherence of any self-image, subjecting us to a moral law that evacuates the subject so as to locate it through and in that very act of evacuation, permitting the realization, thereby, of a freedom beyond the boundaries of any image or representation, a freedom that ultimately resides in nothing more than the capacity to advance into emptiness.” A non-identitarian, unrepresentable, unintelligible queer revolt will be purely negative, or it won’t be at all. In the same way, an insurrectionary anarchy must embrace the death drive against all the positivisms afforded by the world it opposes. If we hope to interrupt the ceaseless forward motion of capital and its state, we cannot rely on failed methods. Identity politics, platforms, formal organizations, subcultures, activist campaigns (each being either queer or anarchist) will always arrive at the dead ends of identity and representation. We must flee from these positivities, these models, to instead experiment with the undying negativity of the death drive. Edelman again: The death drive’s immortality, then refers to a persistent negation that offers assurance of nothing at all: neither identity, nor survival, nor any promise of the future. Instead, it insists both on and as the impossibility of Symbolic closure, the absence of any Other to affirm the Symbolic order’s truth and hence the illusory status of meaning as defense against the self-negating substance of jouissance… [Queerness] affirms a constant, eruptive jouissance that responds to the inarticulable real, to the impossibility of sexual rapport or of ever being able to signify the relation between the sexes. [Queerness] then, like the death drive, engages, by refusing, the normative stasis, the immobility, of sexuation… breaks down the mortifying structures that give us ourselves as selves and does so with all the force of the Real that such forms must fail to signify… the death drive both evades and undoes representation… the gravediggers of society [are] those who care nothing for the future. We’ll return soon to the concepts of futurity and of jouissance, but to conclude this point, we’ll assert that an insurrectionary process can only be an explosion of negativity against everything that dominates and exploits us, but also against everything that produces us as we are.

#### Psychoanalysis is both falsifiable and accurate.

Grant & Harari ‘5 (Don and Edwin, psychiatrists, “Psychoanalysis, science and the seductive theory of Karl Popper,” Australian and New Zealand Journal of Psychiatry ) sjbe, recut from Harvard BS

Attacks on psychoanalysis and the long-term therapies derived from it, have enjoyed a long history and much publicity [1-4]. Yet, the justification for such attacks has been challenged on many grounds, including their methodology [5] and the empirically demonstrable validity of core psychoanalytic concepts [6,7]. Also, burgeoning neuroscience research, some of which is summarized below, indicates likely neurological correlates for many key clinically derived psychoanalytic concepts such as self-coherence [8], repression [9] and projective identification [10]. Furthermore, the effectiveness of psychoanalysis and its derivative therapies has been supported by empirical research [11,12], particularly for patients with DSM axis II pathology. Despite this evidence, the attacks on psychoanalysis continue unabated, not only from some psychiatrists [13,14] but also from the highest levels of politics and health bureaucrats [15], although what exactly is being attacked is often unclear.

#### No perms: (a) view it as artificially distinct since it’s key to fully flesh out the individual intricacies of both methods and create more concrete proposals (b) justifies infinite aff conditionality – allowings permutations allows infinite new 1AR advocacies which skews 1 mins of the 1NC and destroys neg ground (c) irreciprocal – we can’t permute their methods which means they can always intrinsic perm or sever which destroys neg ground (d) illogical – the alt isn’t fiated in the sense of the aff so endorsing a fiated world mixed with a pre-fiat orientation is incoherent (e) hold the 1AC method by itself since anything else endorses bad scholarship since it justifies severence – justifying both in the aff solves.