# Lex Doubles

## T-FW

#### Interpretation: Affs may only generate offense from an action that makes the appropriation of outer space by private entities illegal.

#### Resolved means a policy

Words and Phrases 64 Words and Phrases Permanent Edition. “Resolved”. 1964.

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

#### Outer space means anything above Earth’s Karman line

Dunnett 21 (Oliver Tristan, lecturer in geography at Queen’s University Belfast). Earth, Cosmos and Culture: Geographies of Outer Space in Britain, 1900–2020 (1st ed.). Routledge. 2021. <https://doi.org/10.4324/9780815356301> EE

In such ways, this book argues that Britain became a home to rich discourses of outer space, both feeding from and contributing to iconic achievements in space exploration, while also embracing the cosmos in imaginative and philosophical ways.2 INSERT FOOTNOTE 2 2 This book primarily uses the term ‘outer space’ to describe the realm beyond the Earth’s atmosphere, conventionally accepted as beginning at the Kármán line of 100km above sea level. Other terms such as ‘interplanetary space’, ‘interstellar space’, ‘cosmos’, and ‘the heavens’ are used in specific contexts. END FOOTNOTE 2 Cognisant of this spatial context, a central aim is to demonstrate how contemporary geographical enquiry can provide specific and valuable perspectives from which to understand outer space. This is an argument that was initiated by Denis Cosgrove, and his critique of Alexander von Humboldt’s seminal work Cosmos helped to demonstrate geography’s special relevance to thinking about outer space.3 The key thematic areas which provide the interface for this book’s research, therefore, are the cultural, political and scientific understandings of outer space; the context of the United Kingdom since the start of the last century; and the geographical underpinnings of their relationship.

#### “Appropriation” means to take as property – prefer our definition since it’s contextual to space

Leon 18 (Amanda M., Associate, Caplin & Drysdale, JD UVA Law) "Mining for Meaning: An Examination of the Legality of Property Rights in Space Resources." Virginia Law Review, vol. 104, no. 3, May 2018, p. 497-547. HeinOnline.

Appropriation. The term "appropriation" also remains ambiguous. Webster's defines the verb "appropriate" as "to take to oneself in exclusion of others; to claim or use as by an exclusive or pre-eminent right; as, let no man appropriate a common benefit."16 5 Similarly, Black's Law Dictionary describes "appropriate" as an act "[t]o make a thing one's own; to make a thing the subject of property; to exercise dominion over an object to the extent, and for the purpose, of making it subserve one's own proper use or pleasure."166 Oftentimes, appropriation refers to the setting aside of government funds, the taking of land for public purposes, or a tort of wrongfully taking another's property as one's own. The term appropriation is often used not only with respect to real property but also with water. According to U.S. case law, a person completes an appropriation of water by diversion of the water and an application of the water to beneficial use.167 This common use of the term "appropriation" with respect to water illustrates two key points: (1) the term applies to natural resources-e.g., water or minerals-not just real property, and (2) mining space resources and putting them to beneficial use-e.g., selling or manufacturing the mined resources could reasonably be interpreted as an "appropriation" of outer space.

#### Private entity = majority nonstate

Warners 20 (Bill, JD Candidate, May 2021, at UIC John Marshall Law School) "Patents 254 Miles up: Jurisdictional Issues Onboard the International Space Station." UIC Review of Intellectual Property Law, vol. 19, no. 4, 2020, p. 365-380. HeinOnline.

To satisfy these three necessary requirements for a new patent regime, the ISS IGA must add an additional clause ("Clause 7") in Article 21 specifically establishing a patent regime for private nonstate third parties onboard the ISS. First, Clause 7 would define the term "private entity" as an individual, organization, or business which is primarily privately owned and/or managed by nonstate affiliates. Specifically defining the term "private entity" prevents confusion as to what entities qualify under the agreement and the difference between "public" and "private."99 This definition would also support the connection of Clause 1 in Article 21 to "Article 2 of the Convention Establishing the World Intellectual Property Organization." 100 A succinct definition also alleviates international concerns that the changes to the ISS IGA pushes out Partner State influence. 101 Some in the international community may still point out that Clause 7 still pushes towards a trend of outer space privatization. However, this argument fails to consider that private entities in outer space have operated in space almostas comprehensively as national organizations. 102

#### Violation: They don’t defend a private entity or the appropriation of something and are not doing a policy action – don’t let them shift in the 1AR because cx proves they aren’t topical

#### Vote neg:

#### 1] Fairness – post facto topic adjustment and debates about scholarship breed reactionary generics and allow the aff to cement their infinite prep advantage. They can specialize in 1 area of literature for 4 years which gives them a huge edge over people switching topics every 2 months – this crushes clash because all neg prep is based on the rez as a stable stasis point and they create a structural disincentive to do research – we lose 90% of negative ground while the aff still gets the perm which makes being neg impossible.

#### 2] SSD is good – it forces debaters to consider a controversial issue from multiple perspectives. Non-T affs allow individuals to establish their own metrics for what they want to debate leading to ideological dogmatism. Even if they prove the topic is bad, our argument is that the process of preparing and defending proposals is an educational benefit of engaging it.

#### 3] Small schools disad: under-resourced are most adversely effected by a massive, unpredictable caselist which worsens structural disparities. Inclusion is an independent voter – you can’t debate if you can’t participate which is a prerequisite to accessing their benefits and ensures everyone gains from the activity.

#### 4] TVA solves – you can read an aff about how the colonization of space represents rehabilitiative future since it’s based on trying to make humanity the perfect species

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

#### Winning pessimism doesn’t answer T because only through the process of clash can they refine their defense of it—they need an explanation of why we switch sides and why there’s a winner and loser under their model

#### Reject the team—T is question of models of debate and the damage to our strategy was already done

#### Competing interps—they have to proactively to justify their model and reasonability links to our offense

#### No rvis or impact turns—it’s their burden to prove their topical. Beating back T doesn’t prove their advocacy is good

Fairness – prodcuedal ow

#### [1] Constitutiveness – All argumentation presupposes fairness that the judge won’t hack for either side. You can’t impact turn this – because you rely that the judge won’t hack for me which means you implicitly value fairness. Just like hacking is against the rules, so too is not defending the topic.

#### [2] Evaluation – Judges can’t evaluate the round if skewed, just like an official allowed an athlete on steroids into a competition. If the judge can’t evaluate the aff fairly it means you don’t get access to the impacts because they aren’t ever evaluated on the same field.

#### [3] Accessibility – Unfair activities cause people to quit. The circuit is already inaccessible to countless minority groups and a method of inclusion is best. This turns case – you’re making the debate space worse for minority novices which o/w because it precludes future engagement and anti-racism.

you follow thigns like speech times which proves ur doing it for the strat b) fairness is

education

#### Theory isn’t violent –

#### [1] I don’t have the power to impose a norm – only to convince you my side is better. Theory doesn’t ban you from the activity – the whole point is that norms should be contestable – I just say make a better arg next time.

#### [2] Exclusion is inevitable – every role of the ballot excludes some arguments and even saying Theory bad excludes it – that means we should delineate ground along reciprocal lines, not abandon division altogether. Reading theory isn’t psychic violence – that was above, but especially if we’re not going for it since reading Theory can be used to prevent aff shiftiness and make substance a viable option.

#### [3] It’s not the same thing as violence – you aren’t going to get arrested if you lose the round, theory is just a test of norms we can set in the debate round.

#### No silencing DA – Theory is just like a disad or critique – we’ve said a certain practice the aff took was bad and it would’ve been better had they done it differently not that they are bad debaters – just like the cap k says the aff engaged in some practice that reinforced capitalism and it would’ve been better if they had emphasized Marxism – impositions in some form are inevitable because the negative has the burden of rejoinder and needs link arguments – every disad link says the aff did something wrong and there’s an implicit version of the aff that wouldn’t have linked

# Cap

#### Capitalism is the best explanation for the production of disability on a daily basis. The aff’s method cannot address the material consequences of trans-national capitalism.

Nirmala EREVELLES 14. Professor of Social and Cultural Studies in Education, University of Alabama. “Thinking with Disability Studies.” *Disability Studies Quarterly* 34(2). <http://dsq-sds.org/article/view/4248/3587>.

As I pause in the writing of this essay and pay attention to the larger world that extends both within and beyond the boundaries of the United States of America, I am confronted by the unrelenting production of disability on a daily basis. The historical legacy of the actual act of colonizing an inhabited continent, slavery, indentured labor, Jim Crow laws and the involuntary commitment of indigenous people to boarding schools and reservations has produced physical and mental trauma that has persisted over multiple generations (Spillers, 1982; Smith, 2005; Erevelles, 2011). In contemporary contexts similar practices prevail. In public schools all over the U.S., low income students of color (most notably males), are indiscriminately labeled behaviorally disabled, language disabled, mildly mentally retarded, and emotionally disturbed and are then confined to segregated special education classrooms/alternative schools; often medicated; and punished more harshly than their white counterparts (Artiles et al, 2010) In some inner-city schools, entire classrooms of students (sometimes entire schools) labeled cognitively and behaviorally disabled are quite literally ushered via the school-to-prison pipeline to a lifetime of involuntary institutionalization in the prison industrial complex (Erevelles, in press). Undocumented workers cross the U.S./Mexico border dodging vigilantes, enduring dehydration and other heat-related diseases, and risking rape and sexual molestation to end up as laborers in fruit and vegetable farms, cattle ranches, chicken factories, and formal/informal service work for the lowest wages, unsafe working conditions, and little to no medical care. Toxic industrial and nuclear waste is dumped in rivers and/or buried underground in landfills in low-income rural areas where local residents acquire illnesses and disabilities that persist intergenerationally. Lack of access to affordable healthy food in inner-city neighborhoods, high employment, run-down housing, high crime rates, and inadequate care has access to medical also led to the proliferation of preventable illnesses that result in disabilities. And lest we forget, the everyday indignities of racial profiling, bullying, job discrimination, police brutality, homophobia in the school and in the workplace, domestic violence, and sexual abuse, among so many others also contribute to mental and physical health conditions that can bring one into the disability community.

Colonial occupation and its more contemporary manifestation of neocolonialism have also resulted in the proliferation of disability. The material conditions of colonial rule supported a violent police state to subdue its colonial subjects who rebelled against the oppressive conditions within which they lived. Even after colonial rule was overthrown, interventions by the former colonists in the internal affairs of the new postcolonial states continued to produce disability using the excuse of stemming the tide of communism to orchestrate assassinations, coups, and civil unrest (Erevelles, 2011). Additionally, the now well-established transnational capitalist exploitative machine has enabled capital to flow freely across international borders while at the same time ensuring that labor be confined within the nation states themselves, maintained as a cheap and docile force in obeisance to the dictates of the World Bank and the International Monetary Fund. Many of their mandated economic policies have required the dismantling of the already skeletal economic safety nets in these nation states resulting in large shortages of food, inadequate access to health care, and deplorable living conditions that have continued the proliferation of disability. Global investment in the so-called 'Third World' has resulted in the relocation of multi-national factories from the neo-imperialist north where "third world" laborers in the global south work under sweat shop conditions to produce cheap and affordable goods for consumption by world markets. Just recently, a garment factory burned down in Bangladesh and while the newspaper reporters rushed to count the dead, very little was said about the under-paid women laborers who have undergone amputations, suffered burns, and who are working through post-traumatic stress. As if this kind of human exploitation is not enough, on a regular basis, the United States military deploys drones in Afghanistan and Pakistan that kill and injure civilian populations, the continuation of the U.S. dubbed "War on Terror" initiated via Operation Iraqi Freedom in March 2003 that has generated its own class of casualties of war (dead as well as disabled) that even today have resisted accurate calculation.

This incomplete litany of the global proliferation of disability tentatively signals high noon in disability theorizing. I now sit uneasily amidst questions that lead to seemingly conflicting impasses. What does it mean to come to terms with the transgressive vagaries of queer/crip identity as assemblage—precarious/partial/body-without-organs/liminal/ affective/ molecular—within political economic contexts imbricated in colonial/neocolonial practices of unrelenting social, economic, and militarized violence? Can "lines of flight" (Deleuze & Guattari, 1987) intent on discombobulating the dreary stolidness of the normative subject serve as an effective means of deterritorializing subjectivity from its political-economic constraints? More importantly, what are the political implications of such discursive maneuvers in articulating the shifting bonds of queer/crip communities in global space? What happens if these bonds timidly marshaling transitory notions of community are animated by unequal relations of production and consumption in aid of transnational capitalist accumulation? How do such "toxic animacies" (Chen, 2011) complicate utopian notions of community where the enablement of some bodies is based on the oppressive dis-enablement of other bodies separated and yet connected by the material social relations of transnational capitalism? And most significantly, how would a disability-affirming queer/crip politic (McRuer, 2006; Stevens, 2011; Kafer, 2013) engage the material violence enacted in "becoming disabled?"

In the late afternoon, I watch as a passing shower forces the burning concrete to release a steamy haze and feel the torpid air ready to explode into a strangling humidity. This torpor is at odds with my own apprehension. Is my own work of theorizing disability as a historical materialist construct actually dangerous to a critical disability studies? How does the disability community engage with this rapid (almost incessant) proliferation of disability? Is it impossible to desire disability in these contexts? What are the ethical implications of preventing this proliferation of disability? What does it mean to say "no more disability" for those "becoming" disabled via violence and then compelled to live in deplorable social conditions? And what do these negations mean for disabled people who have struggled valiantly to convince the world at large that living with a disability "is an ingenious way to live" (Marcus, 1993) only to be told, "Enough!"? How does the disability community build alliances with those groups (located at the complex intersections of race, gender, and queer politics) who have historically tried to shake off the "stigma" of ableist notions of disability that have been used to justify their continued marginalization in capitalist economies? As a result, what allegiances do disabled people located at these crossroads of shifting identities have with a largely white middle/upper class disability rights movement in the Global North? When do our passions cohere in our collective struggle against oppressive practices that ultimately discount many of us in terms of our unique as well as collective humanity? And when does the complicated intertwining of our disparate yet collective histories become so frustratingly dense and depressing that we shrug off these material bonds impatiently to theorize in discursive spaces that celebrate (queer/crip) "desire" unmediated by the social?

#### Affective ambivalence towards the future is a form of folk politics that lacks the scale and strategy to combat global capitalism—collective movements are key.

Srnicek & Williams 15**—**Nick Srnicek is a Lecturer at City University London and a PhD from the London School of Economics; Alex Williams is a Lecturer at City University London [*Inventing the Future: Postcapitalism and a World Without Work*, Verso Books, p. 27-31]

What is folk politics? Folk politics names a constellation of ideas and intuitions within the contemporary left that informs the common-sense ways of organising, acting and thinking politics. It is a set of strategic assumptions that threatens to debilitate the left, rendering it unable to scale up, create lasting change or expand beyond particular interests. Leftist movements under the sway of folk politics are not only unlikely to be successful – they are in fact incapable of transforming capitalism. The term itself draws upon two senses of ‘folk’. First, it evokes critiques of folk psychology which argue that our intuitive conceptions of the world are both historically constructed and often mistaken.11 Secondly, it refers to ‘folk’ as the locus of the small-scale, the authentic, the traditional and the natural. Both of these dimensions are implied in the idea of folk politics.

As a first approximation, we can therefore define folk politics as a collective and historically constructed political common sense that has become out of joint with the actual mechanisms of power. As our political, economic, social and “technological world changes, tactics and strategies which were previously capable of transforming collective power into emancipatory gains have now become drained of their effectiveness. As the common sense of today’s left, folk politics often operates intuitively, uncritically and unconsciously. Yet common sense is also historical and mutable. It is worth recalling that today’s familiar forms of organisation and tactics, far from being natural or pre-given, have instead been developed over time in response to specific political problems. Petitions, occupations, strikes, vanguard parties, affinity groups, trade unions: all arose out of particular historical conditions.12 Yet the fact that certain ways of organising and acting were once useful does not guarantee their continued relevance. Many of the tactics and organisational structures that dominate the contemporary left are responses to the experience of state communism, exclusionary trade unions, and the collapse of social democratic parties. Yet the ideas that made sense in the wake of those moments no longer present effective tools for political transformation. Our world has moved on, becoming more complex, abstract, nonlinear and global than ever before.

Against the abstraction and inhumanity of capitalism, folk politics aims to bring politics down to the ‘human scale’ by emphasising temporal, spatial and conceptual immediacy. At its heart, folk politics is the guiding intuition that immediacy is always better and often more authentic, with the corollary being a deep suspicion of abstraction and mediation. In terms of temporal immediacy, contemporary folk politics typically remains reactive (responding to actions initiated by corporations and governments, rather than initiating actions);13 ignores long-term strategic goals in favour of tactics (mobilising around single-issue politics or emphasising process);14 prefers practices that are often inherently fleeting (such as occupations and temporary autonomous zones);15 chooses the familiarities of the past over the unknowns of the future (for instance, the repeated dreams of a return to ‘good’ Keynesian capitalism);16 and expresses itself as a predilection for the voluntarist and spontaneous over the institutional (as in the romanticisation of rioting and insurrection).17

In terms of spatial immediacy, folk politics privileges the local as the site of authenticity (as in the 100-miles diet or local currencies);18 habitually chooses the small over the large (as in the veneration of small-scale communities or local businesses);19 favours projects that are un-scalable beyond a small community (for instance, general assemblies and direct democracy);20 and often rejects the project of hegemony, valuing withdrawal or exit rather than building a broad counter-hegemony.21 Likewise, folk politics prefers that actions be taken by participants themselves – in its emphasis on direct action, for example – and sees decision-making as something to be carried out by each individual rather than by any representative. The problems of scale and extension are either ignored or smoothed over in folk-political thinking.

Finally, in terms of conceptual immediacy, there is a preference for the everyday over the structural, valorising personal experience over systematic thinking; for feeling over thinking, emphasising individual suffering, or the sensations of enthusiasm and anger experienced during political actions; for the particular over the universal, seeing the latter as intrinsically totalitarian; and for the ethical over the political – as in ethical consumerism, or moralising critiques of greedy bankers.22

Organisations and communities are to be transparent, rejecting in advance any conceptual mediation, or even modest amounts of complexity. The classic images of universal emancipation and global change have been transformed into a prioritisation of the suffering of the particular and the authenticity of the local. As a result, any process of constructing a universal politics is rejected from the outset.

#### Capitalism causes war, violence, environmental destruction and extinction

Robinson 14(William I., Prof. of Sociology, Global and International Studies, and Latin American Studies, @ UC-Santa Barbara, “Global Capitalism: Crisis of Humanity and the Specter of 21st Century Fascism” The World Financial Review)

Cyclical, Structural, and Systemic Crises Most commentators on the contemporary crisis refer to the “Great Recession” of 2008 and its aftermath. Yet the causal origins of global crisis are to be found in over-accumulation and also in contradictions of state power, or in what Marxists call the internal contradictions of the capitalist system. Moreover, because the system is now global, crisis in any one place tends to represent crisis for the system as a whole. The system cannot expand because the marginalisation of a significant portion of humanity from direct productive participation, the downward pressure on wages and popular consumption worldwide, and the polarisation of income, has reduced the ability of the world market to absorb world output. At the same time, given the particular configuration of social and class forces and the correlation of these forces worldwide, national states are hard-pressed to regulate transnational circuits of accumulation and offset the explosive contradictions built into the system. Is this crisis cyclical, structural, or systemic? Cyclical crises are recurrent to capitalism about once every 10 years and involve recessions that act as self-correcting mechanisms without any major restructuring of the system. The recessions of the early 1980s, the early 1990s, and of 2001 were cyclical crises. In contrast, the 2008 crisis signaled the slide into a structural crisis*. Structural crises* reflect deeper contra- dictions that can only be resolved by a major restructuring of the system. The structural crisis of the 1970s was resolved through capitalist globalisation. Prior to that, the structural crisis of the 1930s was resolved through the creation of a new model of redistributive capitalism, and prior to that the struc- tural crisis of the 1870s resulted in the development of corpo- rate capitalism. A systemic crisis involves the replacement of a system by an entirely new system or by an outright collapse. A structural crisis opens up the possibility for a systemic crisis. But if it actually snowballs into a systemic crisis – in this case, if it gives way either to capitalism being superseded or to a breakdown of global civilisation – is not predetermined and depends entirely on the response of social and political forces to the crisis and on historical contingencies that are not easy to forecast. This is an historic moment of extreme uncertainty, in which collective responses from distinct social and class forces to the crisis are in great flux. Hence my concept of global crisis is broader than financial. There are multiple and mutually constitutive dimensions – economic, social, political, cultural, ideological and ecological, not to mention the existential crisis of our consciousness, values and very being. There is a crisis of social polarisation, that is, of *social reproduction.* The system cannot meet the needs or assure the survival of millions of people, perhaps a majority of humanity. There are crises of state legitimacy and political authority, or of *hegemony* and *domination.* National states face spiraling crises of legitimacy as they fail to meet the social grievances of local working and popular classes experiencing downward mobility, unemployment, heightened insecurity and greater hardships. The legitimacy of the system has increasingly been called into question by millions, perhaps even billions, of people around the world, and is facing expanded counter-hegemonic challenges. Global elites have been unable counter this erosion of the system’s authority in the face of worldwide pressures for a global moral economy. And a canopy that envelops all these dimensions is a crisis of sustainability rooted in an ecological holocaust that has already begun, expressed in climate change and the impending collapse of centralised agricultural systems in several regions of the world, among other indicators. By a crisis of humanityI mean a crisis that is approaching systemic proportions, threatening the ability of billions of people to survive, and raising the specter of a collapse of world civilisation and degeneration into a new “Dark Ages.”2 This crisis of humanity shares a number of aspects with earlier structural crises but there are also several features unique to the present: 1. The system is fast reaching the ecological limits of its reproduction. Global capitalism now couples human and natural history in such a way as to threaten to bring about what would be the sixth mass extinction in the known history of life on earth.3 This mass extinction would be caused not by a natural catastrophe such as a meteor impact or by evolutionary changes such as the end of an ice age but by purposive human activity. According to leading environmental scientists there are nine “planetary boundaries” crucial to maintaining an earth system environment in which humans can exist, four of which are experiencing at this time the onset of irreversible environmental degradation and three of which (climate change, the nitrogen cycle, and biodiversity loss) are at “tipping points,” meaning that these processes have already crossed their planetary boundaries. 2. The magnitude of the means of violence and social control is unprecedented, as is the concentration of the means of global communication and symbolic production and circulation in the hands of a very few powerful groups. Computerised wars, drones, bunker-buster bombs, star wars, and so forth, have changed the face of warfare. Warfare has become normalised and sanitised for those not directly at the receiving end of armed aggression. At the same time we have arrived at the panoptical surveillance society and the age of thought control by those who control global flows of communication, images and symbolic production. The world of Edward Snowden is the world of George Orwell; *1984 has arrived;*  3. Capitalism is reaching apparent limits to its extensive expansion. There are no longer any new territories of significance that can be integrated into world capitalism, de-ruralisation is now well advanced, and the commodification of the countryside and of pre- and non-capitalist spaces has intensified, that is, converted in hot-house fashion into spaces of capital, so that *intensive* expansion is reaching depths never before seen. Capitalism must continually expand or collapse. How or where will it now expand? 4. There is the rise of a vast surplus population inhabiting a “planet of slums,”4 alienated from the productive economy, thrown into the margins, and subject to sophisticated systems of social control and to destruction - to a mortal cycle of dispossession-exploitation-exclusion. This includes prison-industrial and immigrant-detention complexes, omnipresent policing, militarised gentrification, and so on; 5. There is a disjuncture between a globalising economy and a nation-state based system of political authority. Transnational state apparatuses are incipient and have not been able to play the role of what social scientists refer to as a “hegemon,” or a leading nation-state that has enough power and authority to organise and stabilise the system. The spread of weapons of mass destruction and the unprecedented militarisation of social life and conflict across the globe makes it hard to imagine that the system can come under any stable political authority that assures its reproduction. Global Police State How have social and political forces worldwide responded to crisis? The crisis has resulted in a rapid political polarisation in global society. Both right and left-wing forces are ascendant. Three responses seem to be in dispute. One is what we could call “reformism from above.” This elite reformism is aimed at stabilising the system, at saving the system from itself and from more radical re- sponses from below. Nonetheless, in the years following the 2008 collapse of the global financial system it seems these reformers are unable (or unwilling) to prevail over the power of transnational financial capital. A second response is popular, grassroots and leftist resistance from below. As social and political conflict escalates around the world there appears to be a mounting global revolt. While such resistance appears insurgent in the wake of 2008 it is spread very unevenly across countries and regions and facing many problems and challenges. Yet another response is that I term *21st century fascism*.5 The ultra-right is an insurgent force in many countries. In broad strokes, this project seeks to fuse reactionary political power with transnational capital and to organise a mass base among historically privileged sectors of the global working class – such as white workers in the North and middle layers in the South – that are now experiencing heightened insecurity and the specter of downward mobility. It involves militarism, extreme masculinisation, homophobia, racism and racist mobilisations, including the search for scapegoats, such as immigrant workers and, in the West, Muslims. Twenty-first century fascism evokes mystifying ideologies, often involving race/culture supremacy and xenophobia, embracing an idealised and mythical past. Neo-fascist culture normalises and glamorises warfare and social violence, indeed, generates a fascination with domination that is portrayed even as heroic.

#### The alternative is to theorize through Marxist Materialism – only collective action focused on a unified front can produce a queer anti-capitalism

Drucker 11 [Peter Drucker; “The Fracturing of LGBT Identities under Neoliberal Capitalism”; Historical Materialism 19.4 (2011) 3–32; <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.1000.69&rep=rep1&type=pdf> //BWSWJ]

Recognising the deep roots of the fracturing of same-sex identities necessarily puts in question any universalism that ignores class, gender, sexual, cultural, racial/ethnic and other differences within LGBT communities. These communities and identities are being fractured in large part by fundamental changes in the productive and reproductive order of gendered capitalism. Young queers, working-class and poor LGBTs, transgendered people and other marginalised groups have increasingly found themselves in objectively different situations from people in the consolidating gay mainstream. It is thus no surprise that they have tended to some extent to define distinct identities. The forms taken by alternative, non-homonormative sexual identities do not necessarily win them easy acceptance among feminists or socialists. The lesbian/gay identity that emerged by the 1970s had much to commend it from the broad-Left’s point of view (once the Left had largely overcome its initial homophobia). By contrast, transgendered and other queers can raise the hackles of many on the Left, since their sexuality strikes many as at variance with the mores to be expected and hoped for in an egalitarian, peaceful, rational future. One may doubt, however, whether any sexuality existing under capitalism can serve as a model for sexualities to be forecast or desired under socialism. Nor is it useful to privilege any particular existing form of sexuality in present-day struggles for sexual liberation. Socialists’ aim should not be to replace the traditional ‘hierarchical system of sexual value’85 with a new hierarchy of our own. As Amber Hollibaugh pointed out many years ago, sexual history has first of all to be ‘able to talk realistically about what people are sexually’.86 And in radical struggles over sexuality, as in radical struggles over production, the basic imperative is to welcome and stimulate self-organisation and resistance by people subjected to exploitation, exclusion, marginalisation or oppression, in the forms that oppressed people’s own experience proves to be most effective. This is not to say that Marxists should simply adopt a liberal attitude of unthinking approval of sexual diversity in general, in a spirit of ‘anything goes’. Our central concern must be to advance the sexual liberation of the working class and its allies, who today include straights, LGBs and – particularly among its most oppressed layers – transgendered and other queers. Resisting the retreat from class in LGBT activism and queer studies, Marxists should combat heterosexism and bourgeois hegemony among straights, homonormativity and bourgeois hegemony among LGBs, and blanket hostility to straights and non-queer-identified gays where it exists among self-identified queers. This will require seeking new tactics and forms of organising

#### Pluralism doesn’t solve – their method is fundamentally incompatbile

#### The aff isnt’ communism a( winning cap proves their method for fighting it is bad b) this card has no warrant – even if we should focus on ontolgoy, we’re winning that the cap k is the best way to do it and your method harms it

# Case

Conceded no impact turns on t

The ROB is to vote for the better debater – anything else is self serving and arbitrary

#### Negate on presumption:

#### (1) No solvency and turn – debate as a communicative act may be violent, but they’re authors don’t differentiate it from the rest of the world it’s just an institution inside the ableist world. They misread their authors the 1AC is a “band-aid” solution their authors don’t treat debate nihilistically in isolation BUT the world and eradicating debate doesn’t change the nature of the drive that recreates violence in different forms – proves it’s not endurance.

#### (2) Allies da - using debate as a mode of advocacy ensures the failure of their radical project – competition means debaters ally themselves with individuals who vote for them and alienate those who are positioned with the burden of rejoinder and forced to negate – at worst you vote negative on presumption because they don’t use debate as a stepping stone for their advocacy outside the space and don’t have a net benefit to affirming the 1ac.

#### 1] Reform may not be perfect, but they improve the material conditions of disabled life – 1AR spin that ableist violence is evolving is a neg argument since disabled relation to the world has changed. THIS is OFFENSE against the Aff would say no to the ADA which has decreased workplace violence, allowed voting rights and increases employment for disabled folk.

#### 2] The disability drive is NOT logical, think of it’s application in debate if the OVERALL psyche claim was true then how do they get non-disabled ballots.

#### 3] Disability can’t be ontological, and progress is possible

#### A] It’s not static – conceptions of disability aren’t concrete but fluid over time – for example ADHD wasn’t diagnosed as disability until more recent medicine, and there’s no clear brightline or definition of disability.

#### B] Disability not ontological – only reform can resolve societal prejudices against disabled people.

Hudak ’11 (GLENN M., PhD, is a professor at the University of North Carolina at Greensboro. “On the Commerce of Disability and the Advocacy of Philosophy for Educators.” PHILOSOPHY OF EDUCATION 2011. Robert Kunzman, editor © 2011 Philosophy of Education Society  Urbana, Illinois.)-JJN

In his essay on the equality of difference, Michael Surbaugh asks us to consider what philosophy of education can offer special education, particularly an education revolving around “someone with severe cognitive deficits.” In an effort to accomplish this task and make his discussion more concrete, he constructs a “composite case study:” “Sarah.” Sarah is a “disabled” young female living in a group home. The rub: “Sarah has no voice, even as many social institutions have arisen to protect her rights and confer entitlements on her because of her disability. In the eyes of many, she is taken care of, and that is the end of the issue.” For Surbaugh, this is not the end of the issue. Drawing from John Dewey, Surbaugh claims, “all live creatures share a similar educational ‘task’ and ‘purpose,’ in asserting themselves in the context of their environment, weaving complex relations and richer forms of experience” (original emphasis). From Hannah Arendt he claims that, regardless of one’s abilities or disabilities, all children are “newcomers to the world, with unforeseen possibilities for the relationships they enter into and sustain.” Taken together, he wants us to grasp the “phenomenological” moment: “Sarah is a live creature.” As a live creature, she is endowed with task and purpose in the world; her relationships to the world are open rather than closed and, like a “newborn” — open to new unforeseen possibilities. The foreclosures to possible actions for Sarah, then, are not ontological in nature; rather, they are the result of societal prejudices and misunderstandings that close off Sarah’s possibilities, limiting her potential, curtailing who she is. While Surbaugh rightly advocates for Sarah — advocates that caregivers realize her humanity and respond accordingly — if we are to grasp the societal prejudices that foreclose Sarah’s possible actions then, the educative experience of the caregiver needs to be included and developed. Why? Because if we take the pragmatist perspective that Sarah’s actions and intentions can never be fully understood in isolation — as Sarah is never out of contact with her world, nor out of relation with the caregivers — then, as Surbaugh argues, Sarah’s education “should encourage her commerce with the world that envelops her, developing her understanding of her own causal impact on it and in it.” That is, Sarah’s education requires that she come to some “understanding of her causal impact” on others, and perhaps by extension the role she plays in determining the outcome of the situation at hand. Further, if there is to be an educative experience for Sarah, then, “for Dewey,” as Alison Kadlec points out, “experience is not a matter of knowing, rather it is a matter of doing in which we undergo, endure, and suffer the consequences of our actions.”1 Sarah’s experience is not a private matter; rather it is constituted within her interactions with the world. At minimum, if Sarah’s experiences are to be educative, Sarah will need to work through the consequences of her actions with the hope that through this process she will develop skills and habits to adapt, cope, and thereby restructure her relationship to the caregivers.