# Neg R2

## NC

### 1

#### Interpretation—the aff must disclose the plan text, framework, and advantage area 30 minutes before the round. To clarify, disclosure can occur on the wiki or over message.

#### Violation—they didn’t

#### Vote neg for prep and clash—two internal links—a) neg prep—4 minutes of prep is not enough to put together a coherent 1nc or update generics—30 minutes is necessary to learn a little about the affirmative and piece together what 1nc positions apply and cut and research their applications to the affirmative b) aff quality—plan text disclosure discourages cheap shot affs. If the aff isn’t inherent or easily defeated by 20 minutes of research, it should lose—this will answer the 1ar’s claim about innovation—with 30 minutes of prep, there’s still an incentive to find a new strategic, well justified aff, but no incentive to cut a horrible, incoherent aff that the neg can’t check against the broader literature.

#### Drop the debater – we indict their model of debate. Evaluate the T-shell through competing interpretations – you cannot be reasonably fair, and reasonability brightlines are arbitrary which requires judge intervention. No RVIs or impact turns – you should not win for proving you’re accessible, and their model deters debaters from indicting unfair practices.

#### No 1AR Theory

#### A] 3 minute 2ar can sit on whatever i undercover

#### B] not infinitely abusive cuz only have 7 minutes

#### C] 13 to 13 time solves

#### D] first and last speech outweighs since judge is inclined to believe you and give

#### E] 1ar leeway which solves for time skew

#### AND TIME SKEW NOT A STANDARD – its used to justify literally every argument which outweighs on norming and means they can never rectify the skew

### 2

#### Asian Americans subject formation is never complete – there is an ontological gap between the real and symbolic which is characterized by incomplete assimilation. Asian bodies are not our own but rather tools of society.

Kim 09 (Chang-Hee Kim, The Fantasy of Asian America: Identity, Ideology, and Desire) 2009 klmd recut/tagged Nato

Fantasy of Asian American Identity The question of how Asian Americans are perceived as ‘permanent aliens’ in the U.S. is a common topic in Asian American studies. Frank H. Wu states that “where are you from” is a question anyone with an Asian face is continuously asked in the U.S. In his essay “Where Are You Really From,” he mentions that Asian Americans’ being mistaken for a foreigner has become their routine experience to the extent that they cannot be a real American. In everyday life in the United States, such awkward situations happen casually and regularly, and affect Asians and Asian Americans deeply, placing them in the status of permanent, yet never complete assimilation. Due to the popular circulation of knowledge informed by postcolonial studies in academia, the misrecognition of the Other has become a constant point of reference to support oppositional positions of “minoritized” in opposition to so-called epistemic violence9; our identities are constituted, exchanged, and recognized by the hegemonic social order justifying the legitimacy of existing arbitrary social structures. Given how the cognitive knowledge of ‘who we are’ is predetermined, we are subject to the pre-existing system 8 Who Killed Vincent Chin? is a 1987 documentary film directed by Christine Choy and produced by Renee Tajima-Pena about the death of Vincent Chin. It was nominated for an Academy Award for Best Documentary Feature. 9 Gayatri C. Spivak theorizes the notion of “epistemic violence” in her renowned article “Can the Subaltern Speak?” 31 of signs that creates a kind of epistemological gap between our knowledge of ourselves and how we are referred to. The recognition of ones’ identity as Asian, for instance, takes place when the public eye sees something in them that does not fully belong to them. It ascribes to their being a kind of fantasy that makes them “typical” Asians in terms of racial identification. Parts of their bodily appearances become determinants of their racial identity, functioning as an abstract sign that automatically refers to some concept of “Asian,” and their ontological being has its meaning only in relation to the conceptualized. Their subjectivity thus becomes regulated by, and subject to, the pre established system of racial identification insofar as it certifies “who they are.” It refers to the way in which any Asian American happens to be recognized as Charlie Chan. “Who they are,” in this sense, indicates, as Louis Althusser might put it, an ideological subject that the contingent and arbitrary rule of social agreements, however biased, constitutes. It is no wonder that Michael Omi and Howard Winant define racial formation as a “sociohistorical process by which racial categories are created, inhabited, transformed, and destroyed” (RFUS 55). It is interesting to see the way in which particular parts of “what they are made of”—hair color, the shape of eyes, facial features—become the universal referent of “who they are.” They not only represent but also substitute for the imagined totality of their ontological being. In other words, their identitarian self has its ontological meaning reduced to the conceptual formality of what it means to be Asian American. The process of racial identification, as a result, occurs beyond their control and will in figuring out their self-identity. It keeps escaping and defying their basic desire to 32 differentiate their individual self from that of others. Essential to an understanding of how racial identification takes place is obviously such an uncontrollability of representations. Asian American identity exists as an abstract sign that makes sense in the context of the conceptual Asian like Charlie Chan—for example, the imagined as well as hegemonic system of Asian stereotypes. Within the discursive formality of the identity are imaginary elements that seem both extraneous and intrinsic to Asian American ontology. This epistemological difference in their self-identity stands for the gap. Fundamentally, the gap emerges when the hegemonic authority of public gaze defines “who they are” as typical of Asian Americans. That is, it comes out of the ontological inconsistency and contradiction of the representational system of Asian American identity vis-à-vis the totalitarian authority to recognize them “as such” in accordance with the pre-ontological formality of the conceptual Asian American. Nonetheless, Asian Americans’ bodies superfluously signify something excessive, more than “who they are,” an elusive meaning that is not always clear and definable vis-à-vis their racial identity. The discrepancy between the formalistic meaning of Asian American identity and the self-reflective or self-referential meaning of their subjective self consists in an indefinable dimension, or an ontological gap, within the identity. Metaphorically, it works as Charlie Chan’s apparitional power encompassing Asian Americans’ distinctive individualities within themselves. This apparition keeps haunting them, evoking others’ temptation to recognize the former as symbolic of the conceptual Asian. Given this, that Asian Americans’ distinctive subjectivity negates any given identity in terms of, say, race, can be seen as an antagonistic gesture of political resistance to U.S. culture, i.e., the public eye that 33 produces the stereotype of Asians as a fixed form of truth. Constituted as a cognitive system of knowledge that falls within the realm of common sense, stereotype rather turns Asian Americans into an appendix to the symbolic apparition or uncanny double that reifies their identity in the typical formality of “Asian”—that is, racial fantasy. Asian Americans become a puppet-like agent of Charlie Chan’s apparitional power evoking something in themselves more than themselves, which is projected upon their identity. It creates a division within the system of “commonsensical” representation—the conceptual (fantasy) vs. the original (imagination). The apparitional power of fantasy—invisible but effective to the public eye—is what combines the two for the sake of the communicative exchange of their identity as a cognitive sign. At the same time, the apparitional fantasy remains elusive and unidentifiable, making the gap between “who they are” and “who they are seen as.” Simply put, the former is the real of them whose subjectivity remains neither fully symbolized nor properly interpellated, an unfathomable dimension of Asian American identity that resists their being completely identified as a typical Asian as a whole. On the contrary, the latter refers to the symbolic figure of the Asian American that the public eye recognizes as one of Charlie Chan Asians. Although it is our fate to be social subjects dictated by the representational system that constitutes our identitarian position, the gap of the subject between real and symbolic never comes to a closure. The identitarian system of representation can maintain itself through social agreements for the communication between self and other. At stake in the system is the uncontrollability of representations intrinsic to the nature of the agreements making for the idealistic achievement of universal communication in 34 totality, yet it always remains incomplete. W. J. T. Mitchell observes, “Representation is that by which we make our will known and, simultaneously, that which alienates our will from ourselves in both the aesthetic and political spheres” (21). The system of representation, such as languages and bodily appearances, is a social construct making possible the communicative process of identification and, simultaneously, creating an epistemological void that prevents the communication from being fully accomplished. This gap is where fantasy with a spectral power operates in the process of identification and fills up the gap, and thus secures the discursive certainty of a community in which the ideological transparency of a hegemonic discourse comes true.

#### Pandemics discourse is anti – Asian and rooted in western superiority. Debates that center disease inevitably lead to the polarization of Asian culture. We are seen as the cause of gay bar closures

White 3-25 [Alexandre I.R White, B.A., Amherst College, 2010 MSc., The London School of Economics and Political Science, 3-25-2021, "Podcast: A History of Pandemic Xenophobia and Racism," <https://www.theatlantic.com/health/archive/2021/03/a-history-of-pandemic-xenophobia-racism/618421/> [accessed: 8/22/21] // Lydia //Recut Nato

Higgins: Back in April of last year, [you wrote](https://www.hopkinsmedicine.org/news/articles/xenophobia-in-the-time-of-quarantines): “As we witness spates of xenophobic violence, Sinophobia and other anti-Asian sentiment, it is important for us to notice whose perspective dominates responses to epidemics.” What have you been thinking about as we’ve seen this anti-Asian harassment and violence escalating? White: I’ve been both incredibly saddened by this and also frustrated. This history of anti-Asian racism runs very much through histories of epidemics, of immigration, of colonialism that the United States often doesn’t discuss. What this ignores is the long history of structurally racist action against Asian populations broadly. And this goes back to the latter half of the 19th century, reaching a sort of apex with two major federal acts that would control immigration from Asia to the United States. The first was the Page Act of 1875, which banned the immigration of Chinese women, and which was justified on the basis that Chinese women were perceived to be immoral or guilty of sexual misdeeds. And this conflation of sexual and moral perversity was NC - Linked fundamentally with a medical justification that somehow the venereal diseases that Chinese women might bring and spread as sex workers were somehow more virulent than those brought by either other European migrants or that existed in the United States. So there was this grim and horrific conflation of gender, sexuality, race, and the foreignness and concern for the diseases that were more threatening because they were fundamentally arriving from Asia. Higgins: And we saw an apparent attack specifically on Asian women working in massage parlors over 100 years later. White: The other major coercive, racist, and anti-Chinese act that emerged in the late 19th century is the Chinese Exclusion Act, which banned the immigration of Chinese men as well, doubling down on the Page Act. This was once again justified by beliefs of the threat of contagion arising from Asia and somehow poisoning the moral and epidemiological space of the United States. And it’s really important to note that these acts were not solely effective against Chinese or broadly Asian populations, but the sheer fact that these acts were passed really allowed for the slews of racist and xenophobic immigration acts that we saw in the 20th century and 21st century against South American and Central American populations. Even former President [Donald] Trump’s Muslim ban is rooted in this legacy that really emerges out of a very specific, racially targeted form of exclusion in the Chinese Exclusion Act. And this is something that Erika Lee and many others have [written about in great detail](https://www.basicbooks.com/titles/erika-lee/america-for-americans/9781541672598/), and I think is really important to keep in mind, especially when we attempt to understand the complexities of the violence that we’ve seen in recent weeks and the violence we’ve seen broadly across 2020. A troubling aspect in [how] the United States responded to COVID-19—and I would include the United Kingdom in this response as well—is that for the 19th century and 20th century, so much of Western beliefs of fundamental superiority of civilization and justifications for colonialism emerged out of this mythology of the West being the most sanitary, the most hygienic space, and being the most hygienic civilization on the planet. Rudyard Kipling’s infamous poem The White Man’s Burden, for instance, was written about American colonial actions in the Philippines, where he writes: “Take up the White Man’s burden— / The savage wars of peace— / Fill full the mouth of Famine, / And bid the sickness cease.” It was very much his belief that Western civilization, and explicitly American civilization, was the most hygienic, the most sanitary, and that the rest of the world was responsible for the diseases that could pollute that civilization. And we see that same rhetoric coming up today. But we also see that myth falling apart as we recognize that the U.S. COVID-19 response up to vaccination delivery has been one of the worst—one of the most unequal and most deadly in the world. Hamblin: I have a [particular interest in the history of hygiene](https://www.penguinrandomhouse.com/books/588965/clean-by-james-hamblin/). That myth that you talk about of the Western world being uniquely hygienic—it’s actually the inverse of that. Christian countries were late to and sometimes actively discouraged things like baths because they were lewd and you had to be naked. When Marco Polo traveled, he was taken by hygiene standards elsewhere that were much higher than in Europe. And Europe certainly had its share of plagues and infectious disease. So that was always a baseless idea, right? White: Absolutely. And it’s [an] idea that really emerges in the aftermath of 19th-century European colonization of the rest of the world. When we look at the history of international infectious-disease control, that emerges really in the 19th century out of what were called the International Sanitary Conferences, which was a set of conferences that began in [1851] and continued into the 20th century, that focused on creating the first international infectious-disease controls for regulating the spread of infectious disease among people. But the focus of these controls were not health for all or some sort of humanitarian principle. Rather, it was: How do we allow for the maximum speed and pace of trade and traffic with also the maximum control of infectious disease? It was really about minimizing the effect on trade and traffic while also controlling infectious disease. And unsurprisingly, especially as these conferences were driven by European imperial powers—the particular concern over disease traveling from colonial sites, especially in Africa, the Indian Ocean, and then ultimately also in South and Southeast Asia—the focus became on how to maintain lucrative sea lanes and shipping without spreading diseases that were becoming very dangerous in the eyes of Europe, like cholera, plague, and yellow fever. So this myth emerges. And it’s a mythmaking process that I think is actually central to Europe and the West coming to envision itself as an entity apart from the rest of the world. And in my work, I call this “epidemic Orientalism.” We see the ways in which the need to maintain trade, colonial, and resource exploitation becomes bound up with controlling particular bodies and people who were seen to be in opposition to a sanitary global trade regime. And this is where you get a lot of the racist and xenophobic ideologies we’ve talked about already, and ideas that we see still in the present when we associate diseases with certain parts of the world, essentially slurring the names for an epidemic like COVID-19 in a variety of ways that ascribe blame to certain countries or certain areas. Hamblin: Right. That draws out this interesting distinction: There’s a lot of scapegoating and blaming of immigrants during these heightened times of infectious-disease spread. But the actual issue is just travel. If there is an outbreak in a particular place that you need to contain, you can ban travel to and from that area. Sometimes that’s a legitimate and necessary public-health measure. But why would you ever specifically say that it has something to do with immigration and yet people can travel to these places? White: Framing of threat through disease allows for the pathologization of peoples and cultural practices as somehow distinct and different from one’s own. So it’s a way of creating difference. If an epidemic is occurring in a certain region, there are certainly justifications for containing that epidemic, controlling it, and mitigating its spread. I think it’s when you start applying differential systems of control. For instance, in the 19th century, the diseases spreading from Europe were not regulated or controlled in these International Sanitary Conventions, [which] essentially allowed disease to spread from Europe to the rest of the world, but policed diseases traveling from elsewhere, namely colonial sites to European metropoles, which created a fundamentally differential system of travel regulations rooted in disparities and in systems of oppression. Hamblin: Connecting the idea of a place or group of people to a pathogen has occurred throughout history. In 1919, people referred to the Spanish flu despite it seeming to have originated in the U.S. Donald Trump used the phrase “China virus” a long time into the pandemic when that was not at all an appropriate term. Now we are seeing things like “U.K. variant” or “variant that originated in the U.K.,” or South Africa or Brazil. Is there a more sophisticated nomenclature that would avoid inappropriate conflation of a certain group of people or a place with a pathogen? White: We could go with the scientific variant names. The U.K. variant is known as B.1.1.7. Hamblin: Though that is hard to do in popular media, especially now that there’s [at least] five variants of concern here in the U.S. and they all jumble up and sound the same. White: I think there’s a slightly more philosophical question related to this, which is: Obviously, epidemics may begin in a certain place, but to what extent do origins actually matter? Especially when we’ve seen the epicenter of this pandemic move from China to Italy to take up home for a very long time in the United States. How do we equate geography and threat when epidemic epicenters do tend to move and shift? And this is something that the WHO has challenged—the naming of diseases for their point of origin. Several diseases have been renamed to reduce that stigma. One of the reasons COVID-19 is COVID-19 and SARS-CoV-2 is [because those names are] completely devoid of any geographic signifiers. The one disease that I think really sticks in the minds of people today is still Ebola virus disease, which is named after the Ebola River. So what we’re seeing—and I think the variants are bringing up this conversation again—is while it’s important to understand and control the disease within a specific geography, the conflation of a place as somehow the cause of the emergence or spread of the disease is where we run into very real challenges, where culturally specific, racially specific, nationally specific stereotypes and anxieties start to emerge. And that’s really what we fundamentally need to combat against because it leads to very, very bad public-health policy. And it also leads obviously to very significant resentments, which simmer over and lead to oppression in so many different ways.

#### The advocacy refuse Asian subject formation. Signifiers will always fail to bridge the gap between the real and symbolic, but self-negation makes the subject unfathomable in ideological edifice.

Kim 2 [Asian] (Chang-Hee Kim, The Fantasy of Asian America: Identity, Ideology, and Desire) 2009 //Nato

In Hegel’s Phenomenology of Spirit, Georg Hegel concentrates on the concept of struggle in the dialectical formation of subjectivity. His well-known dialectical division, the master vs. slave, is clearly indicative of their uneven relation. In Hegel, the freedom to gain the true sense of self is not the subject’s recognizing the objectified other in self-reflectivity; rather, that is its eliminating the other from itself to consolidate its hegemonic—whether master or slave—position and thus to become independent of the other permanently. Nonetheless, the Hegelian subject is aware that its dialectical positionality as either master or slave relies on the other, without which it cannot survive, realizing its ontological limitation as such. This is a critical moment when the ontological gap of the subject erupts, separating its becoming from its being. That is, the 44 subject as either master or slave can never be the other, for their relationship always remains ontologically distanced in the perpetual process of becoming. Yet the relationship between master and slave is different from that of the Adornian model in which both subject and other are objectively distinct in self-reflectivity. In Hegel, their distanced relationship is rather what evokes the desire and struggle for mutual identification not only to remove one from the other but also to become a free independent subject. Moreover, Hegel insists that the relationship take on one’s desire to dominate the other for the sake of its self-reliance, which nevertheless ends up impossible and incomplete in that it is suicidal. In the Hegelian dialectic, the master’s position is indebted to that of the slave insofar as the latter, i.e., the enemy, is what makes the former ontologically consistent in itself. In other words, the true sense of freedom for the subject in Hegel is to either become the enemy or eliminate it, either of which means the death of the subject. The Hegelian subject essentially attempts to carry out the “absolute negation” of the selves in a fashion to negate their own otherness in themselves and to “raise their self-certainty (about existing for-self) to truth in the ‘other’ as well as in themselves” (Hegel 55). Rather than pretend to remain objective and distanced in treating the other, the Hegelian subject strives to secure its identitarian position in light of the life-death struggle between master and slave. The eventual way to obtain freedom from its own ontological limitation that the subject cannot be in-andfor itself as a whole is paradoxically negating its positive being dependent on that of the other. This illustrates the subject’s death instinct towards “nothingness,” which makes our knowledge on the subject inexorably entangled in inconsistencies and contradictions. 45 In Hegel, the subject’s death instinct, an ontological abyss that remains unfathomable in its ideological edifice, is the only way to realize its “pure existence-for-self” (Hegel 55) Identity is apparitional in nature, for as discussed earlier, we all can become a/the “real Asian American” but never will be, and the resulting gap between our being and becoming is where the subject endlessly strives to secure its identitarian position in light of the life-death struggle against the other in-and-for itself. The realization of identity is its purist objectification in that, in neoliberal capitalism, identity is equivalent to a commodity imbued with a cultural capital of dual meanings: an owned property of the subject feeling happy (with no more work) and an alienated property of the subject feeling miserable (with endless work) as Karl Marx teaches us.16 In Race and Resistance, Viet T. Nguyen describes Asian American identity as the cultural capital of both accommodation and resistance in U.S. society, and it well explains the point I am making here (143-44): on the one hand, Asian Americans make a good relationship with the society that praises them as a model minority, as a civil subject fully assimilable to the mainstream; on the other hand, they make a bad relationship with the society that stereotypes their identity as a yellow peril, viciously alienating them from the mainstream. Asian American identity has its multiple meanings with an apparitional effect that changes the ontological meaning of its referent and at the same time, reduces them back to their archetype: Charlie Chan or the gook. While the identity acts as a conduit that connects Asian Americans with the society for their mutual understanding, this communicative sign always signifies itself as inconsistent, contradictory, and, as Nguyen puts it, “hypocritical” in representing Asian Americans as a whole. It is no wonder Nguyen observes that Asian Americans are facing the “crisis of representation over ideological diversity” in identity politics (9). Identity works as a vanishing mediator that connects the hegemonic system of ideological reality with the identitarian subject as the constituent of the former. Such a vanishing mediator as identity, through its apparitional as well as self-effacing effect, plays a role in maintaining the systematic order of the reality by transforming the preontological chaotic multitude, namely, individuals with identities, into, as Slavoj Žižek puts it, “the semblance of a positive objective order of reality” (Ticklish 158). The Hegelian dialectic shows that the subject comes to have its identity rendered apparitional and thus precarious. Simultaneously, the identity never completely sits itself apart from its proprietor because of its dialectical relationship with it, the subject, in terms of the life/death struggle, which makes the mutual gap never closed. This gap can be translated as a minimal void that prevents the subject from being, that is, fully getting identified with, its identitarian self, which potentially gives rise to the totalitarian racist subject: being fully identified as white, “the kind of men” who can kill Vincent Chin, or anyone with a darker skin, with impunity.

AT THEIR FRAMING

Concede education is rooted in oppression, rob is deconstruct oppression in eduction

Anything else oppression olympics

### 3

#### Ethics must begin a priori and the meta-ethic is bindingness.

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

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

#### That means we must universally will maxims— any non-universalizable norm justifies someone’s ability to impede on your ends.

#### Thus, the standard is consistency with the categorical imperative.

#### Prefer –

#### [1] All other frameworks collapse—non-Kantian theories source obligations in extrinsically good objects, but that presupposes the goodness of the rational will.

#### [2] Theory – Frameworks are topicality interps of the word ought so they should be theoretically justified. Prefer on resource disparities—a focus on evidence and statistics privileges debaters with the most preround prep which excludes lone-wolfs who lack huge evidence files. A debate under my framework can easily be won without any prep since huge evidence files aren’t required.

#### Negate:

#### 1] Self-ownership justifies the appropriation of property – our freedom necessitates being able to set and pursue external things as our ends, including exercising our rights on property. Restricting this arbitrarily limits our freedom which is unjust.

Feser 3, (Edward Feser, 1-1-2005, accessed on 12-15-2021, Cambridge University Press, "THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION | Social Philosophy and Policy | Cambridge Core", Edward C. Feser is an American philosopher. He is an Associate Professor of Philosophy at Pasadena City College in Pasadena, California. [https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1)[brackets](https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1)%5bbrackets) for gen lang]//phs st

V. Some Implications If what I have argued so far is correct, then the way is opened to the following revised case for strongly libertarian Lockean-Nozickian prop-erty rights: We are self-owners, having full property rights to our body parts, powers, talents, energies, etc. As self-owners, we also have a right, given the SOP, not to have our self-owned powers nullified —we have the right, that is, to act within the extra-personal world and thus to acquire rights to extra-personal objects that the use of our self-owned powers requires.39 This might involve the buying or leasing of certain rights or bundles of rights and, correspondingly, the acquiring of lesser or greater degrees of ownership of parts of the external world, but as long as one is able to exercise one’s powers to some degree and is not rendered incapable of acting within that world, the SOP is satisfied. In any case, such rights can only be traded after they are first established by initial acquisition. In initially acquiring a resource, an agent does no one an injustice (it was unowned, after all). Furthermore, [they] has mixed [their] labor with the resource, significantly altering it and/or bringing it under his control, and is himself solely responsible for whatever value or utility the resource has come to have. Thus, [they] has a presumptive right to it, and, if his control and/or alteration (and thus acquisition) of it is (more or less) complete, his own- ership is accordingly (more or less) full. The system of strong private property rights that follows from the acts of initial acquisition performed by countless such agents results, as a matter of empirical fact, in a market economy that inevitably and dramatically increases the number of resources available for use by individuals, and these benefited individuals include those who come along long after initial acquisition has taken place. (Indeed, it especially includes these latecomers, given that they were able to avoid the hard work of being the first to “tame the land” and draw out the value of raw materials.)40 The SOP is thus, in fact, rarely, if ever, violated. The upshot is that a system of Lockean-Nozickian private property rights is morally justified, with a strong presumption against tampering with exist- ing property titles in general. In any case, there is a strong presumption against any general egalitarian redistribution of wealth, and no case what- soever to be made for such redistribution from the general theory of prop- erty just sketched, purged as it is of the Lockean proviso, with all the egalitarian mischief-making the proviso has made possible.

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

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

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

3] Extra T non universalizable since there wouldn’t be a topic if people didn’t have to debate it

### 4

#### Interpretation: The aff may only garner offense from the hypothetical policy enactment of resolution The appropriation of outer space by private entities is unjust.

#### Violation – cx

#### Resolved requires policy action

Louisiana State Legislature (<https://www.legis.la.gov/legis/Glossary.aspx>) Ngong

**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)

No 1ar defintions – premised our engagemtn on definiting everything but resolved

#### Vote neg for clash – abdicating government actions sanctions picking any interpretation for debate – incentivizes retreat from controversy and forces the neg to first characterize the aff and then debate it which eliminates the benefit of preround research. A common point of engagement ensures effective clash, which is a linear impact – negation is the necessary condition for distinguishing debate from discussion, but negation exists on a sliding scale. The topic of discussion is up to the affirmative, but depth and nuanced engagement is determined by negative ground.

#### 1] Fairness is constitutive process of debate since debate is a game with a winner and loser, speech times, and flipping 30 min before the round- Constitutive Rules means any DA to our interpretation are inevitable and terminally non-unique

#### 2] Self Defeating- All the 1ar's arguments assume that the judge will evaluate them fairly which concedes it's authority- actively hack against them

#### 3] Dogmatism- absent a fair ability to engage, we can't test alternative liberation strategies. Their interpretation assumes their method is correct which imposes a dogmatic and singular view of the world

#### 4] Deliberation - Every productive discussion of an liberation strategy assumes an equal playing field or fairness with the ability to contribute to a discussion which only our interpretation resolvles

#### 5] Truth testing- their interpretation assumes that affirmative is correct but we can't do that if we couldn’t engage

#### TVA and switch-side solve the 1AC – You can read this on the neg, read the elmer aff that solves objectivity and prevent bad information.

### Case

Sally Ride