# Good Affirmative

### Burden

#### I affirm. The neg burden is to prove that it is logical to appropriate space as property while the aff burden is to prove it illogical – prefer my burden:

#### 1] Substance – logic implies moral normativity.

Steinberger, Florian, "The Normative Status of Logic", (Winter 2020 Edition), The Stanford Encyclopedia of Philosophy Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/win2020/entries/logic-normative/>. JS

One response—perhaps the most common one—is that logic sets forth norms for (theoretical) reasoning. Unlike thinking, which might consist merely of disconnected sequences of conceptual activity, reasoning is presumably a connected, usually goal-directed, process by which we form, reinstate or revise doxastic attitudes (and perhaps other types of states) through inference. Consider the following two examples of how logic might give rise to norms. First, suppose I am trying to find Ann and that I can be sure that Ann is either in the museum or at the concert. I am now reliably informed that she is not in the museum. Using logic, I conclude that Ann is at the concert. Thus, by inferring in conformity with the valid (by the standards of classical logic) logical principle of disjunctive syllogism, I have arrived at a true belief about Ann’s whereabouts. Second, if I believe that Ann is either at the concert or the museum, while at the same time disbelieving both of the disjuncts, it would seem that there is a tension in my belief set, which I have reason to rectify by revising my beliefs appropriately. Logic may thus be thought to normatively constrain the ways we form and revise doxastic attitudes. And it does so, presumably, in our everyday cognitive lives (as in our example), as well as in the context of more self-conscious forms of theoretical inquiry, as in mathematics, the sciences, law, philosophy and so on, where its normative grip on us would seem to be even tighter.[[5](https://plato.stanford.edu/entries/logic-normative/notes.html#note-5)]

#### Thus, if we prove that appropriation of space is illogical, then we are normatively constrained to not believe that we can appropriate space. Even if just refers to morality, affirm since logic is the basis for ethics.

#### 2] Topic education – claims of property over outer space presume an account of what justifies appropriation.

Van der Vossen, B. (2009). What counts as original appropriation? Politics, Philosophy & Economics, 8(4), 355–373. doi:10.1177/1470594x09343074 //yoinked from victory brief and recut by me, JS

This is clearly an important task. A main and intuitively attractive line of thinking in political philosophy is discredited by the attack on original acquisition. Indeed, the idea that there can be acts of original appropriation is caught in a remarkable limbo. Almost everyone believes that it must be possible for people to appropriate things that are unowned. In addition, it does seem very plausible to say that we have property rights over something we obtain via a legitimate transfer if the previous owner of that thing had an untainted property right over it herself.6 Yet at the same time, consensus among philosophers now has it that there can be no such acts. But without an account of original appropriation, any theorist of property rights has a serious problem. Original appropriation is not just something from a fanciful past. Unowned things are appropriated all of the time. Moreover, there may (will) even arise entirely new questions of original appropriation, perhaps in Antarctica, on the moon, or on Mars, and perhaps in the form of new kinds of property. So we had better be prepared. As Nozick rightly pointed out: ‘it is not only persons favoring private property who need a theory of how property rights legitimately originate’.

#### The burden is thus best – it forces negatives to give an account of the legitimacy of appropriation, which is the central question of the resolution.

#### Topic education outweighs – a] urgency – we only have 2 months to get it but years to get other forms of education – b] space is a growing field in the real world, so learning about the topic in nuanced ways is key to portable education.

#### 3] Reciprocity – my burden is to prove that appropriation is possible and yours is to prove it impossible which is a 1:1 burden – our burden is key to prevent NIBs like skep or determinism from being read since they don’t prove that appropriation is possible – NIBs skews time since we have to respond to all of them without the possibility for efficient time tradeoffs but you can extend 1 to win.

#### 4] Anything else moots 6 minutes of the 1AC since it’s predicated on proving appropriation incoherent which skews my time and forces 1AR restarts which kills topical education.

#### 5] Timeskew – the aff must respond to a 7 minute 1NC in 4 minutes and the 2NR has twice the amount of time to spread out the 1AR on multiple layers, which makes affirming structurally more difficult. Forcing substance debates to a single layer is key to rectify, otherwise the 1NC spreads me out on multiple layers and can go for a single one in the 2NR to win.

#### 6] Just is defined as:

Lexico Dictionaries | English, "JUST English Definition and Meaning," https://www.lexico.com/en/definition/just

well founded; justifiable.

#### And unjust is:

Dictionary.com, "Definition of unjust," <https://www.dictionary.com/browse/unjust> JS

not [just](https://www.dictionary.com/browse/just); lacking in justice or fairness:

#### Thus the question of whether appropriation is unjust is a question of whether it’s well founded, which is a question of logic.

#### Fairness is a voter: a] it’s an intrinsic good – debate is fundamentally a game and some level of competitive equity is necessary to sustain the activity – b] every argument concedes its authority since they presume they’ll actually be evaluated unbiasedly.

#### Education is a voter – it’s the only long-term net benefit of debate and the only reasons schools fund it.

### Framing

#### I contend that appropriation of outer space is impossible.

#### To appropriate something requires that you are appropriating something previous unowned.

Dominiak 17 Łukasz Dominiak (Associate Professor at Nicolaus Copernicus University in Poland; he holds a PhD and habilitation in political philosophy and is a Fellow of the Mises Institute). “Libertarianism and Original Appropriation.” Historia i Polityka, 29/2017: 22. Pp. 43‑56. JDN. https://apcz.umk.pl/HiP/article/view/HiP.2017.026/13714 recut JS

Ownership1, or property, on the other hand is a normative concept. To own a thing is to have a right to possess it, i.e. to be in such a juridical position that one’s claim to deal with the thing at will is a justified claim whereas claims of other persons are unjustified or less justified than the owner’s. As Barnett puts it, “rights are those claims a person has to legal enforcement that are justified, on balance, by the full constellation of relevant reasons, whether or not they are actually recognized and enforced by a legal system” (2004). To recognise someone’s ownership is therefore to assert that his pos‑ session of a thing is just, rightful, lawful, licit or reasonable etc., is to conclude that he ought to possess the thing if such is his will, even if he actually does not possess it. As Kinsella writes, “ownership is the right to control, use, or possess, while possession is actual control” (2009). Thus, ownership is a threefold normative or juridical relation between the owner, the thing owned and the rest of mankind such as the owner may control the thing to the exclusion of others because he has the best title to do it. Hence, the distinction between possession and ownership is a distinction between factual and normative relation. Having drawn the above distinction between possession and ownership, we are ready to define original appropriation. Thus, original appropriation is acquiring ownership 64 6 Definitions of unowned things. To originally appropriate is to establish property rights, i.e. justified claims to physical things that at the moment of acquisition are unowned. What is important to underline again, is that original appropriation is not about taking factual possession of things that are unpossessed or unowned – this process is called occupation and can be conceived as one of the possible investitive facts that can result in original appropriation but should not be confounded with the latter. Neither is it about acquiring ownership of things already owned. It is about instituting new property rights to unowned things. As Nozick puts it, the topic of “original acquisition of holdings, the appropriation of unheld things includes the issues of how unheld things may come to be held” (2014), i.e. come to be owned. Hence, original appropriation is about creating normative relations between persons and things

#### Here's a definition specific to space.

TIMOTHY JUSTIN TRAPP, JD Candidate @ UIUC Law, ’13, TAKING UP SPACE BY ANY OTHER MEANS: COMING TO TERMS WITH THE NONAPPROPRIATION ARTICLE OF THE OUTER SPACE TREATY UNIVERSITY OF ILLINOIS LAW REVIEW [Vol. 2013 No. 4]

The issues presented in relation to the nonappropriation article of the Outer Space Treaty should be clear.214 The ITU has, quite blatantly, created something akin to “property interests in outer space.”215 It allows nations to exclude others from their orbital slots, even when the nation is not currently using that slot.216 This is directly in line with at least one definition of outer-space appropriation.217 [\*\*Start Footnote 217\*\*Id. at 236 (“Appropriation of outer space, therefore, is ‘the exercise of exclusive control or exclusive use’ with a sense of permanence, which limits other nations’ access to it.”) (quoting Milton L. Smith, The Role of the ITU in the Development of Space Law, 17 ANNALS AIR & SPACE L. 157, 165 (1992)). \*\*End Footnote 217\*\*]The ITU even allows nations with unused slots to devise them to other entities, creating a market for the property rights set up by this regulation.218 In some aspects, this seems to effect exactly what those signatory nations of the Bogotá Declaration were trying to accomplish, albeit through different means.219

#### 1] The standard is consistency with monism – it’s the most coherent account of metaphysics.

Schaffer, Jonathan, "Monism", The Stanford Encyclopedia of Philosophy (Winter 2018 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/win2018/entries/monism/>. JS

Perhaps the best argument for existence monism is that it provides the simplest sufficient ontology.[[17](https://plato.stanford.edu/entries/monism/notes.html#note-17)] The idea is that we can give a complete account of the phenomena in which the world is the only concrete object mentioned, so that there is no need to posit any further concreta. The argument may be formulated as follows:

The world is the only concrete object needed to explain how the world evolves.

Somewhat more precisely, 4 claims that the complete causal story of the world can be told in terms of the physical aspect of the world (a path in physical configuration space), together with whatever laws of nature govern temporal evolution. No pieces of the world (such as tables or particles) need be mentioned in this story. To take a toy example, consider a Newtonian world containing what the folk would describe as a rock shattering a window. The complete causal story here can be told purely in terms of the world’s occupational manner vis-á-vis Newtonian configuration space.[[18](https://plato.stanford.edu/entries/monism/notes.html#note-18)] The rock and the window need not be mentioned in this story. The world bears all the causal information.

The argument then adds that recognizing proper parts of the world is recognizing what is either explanatorily redundant or epiphenomenal:

If the world is the only concrete object needed to explain how the world evolves, then if there were proper parts of the world, these proper parts would be explanatorily redundant or epiphenomenal entities.

If the world suffices to explain everything, then there is nothing left for its proper parts to explain. Its proper parts can at best explain what the world already suffices for. So if the proper parts explain anything at all they are redundant, while if they explain nothing at all they are epiphenomenal.

The argument continues with a rejection of both explanatorily redundant and epiphenomenal entities:

There are no explanatorily redundant or epiphenomenal entities.

Such a rejection is best defended on methodological grounds. Occam’s Razor cuts against both explanatorily redundant and epiphenomenal entities, as there can be no need for positing either.[[19](https://plato.stanford.edu/entries/monism/notes.html#note-19)] From which the argument concludes:

The world has no proper parts.[[20](https://plato.stanford.edu/entries/monism/notes.html#note-20)]

The conclusion may seem shocking, but the argument is valid, and the premises seem plausible.

#### Prefer monism – objects are infinitely divisible – I could divide an object in half infinitely many times, and since a half plus a fourth plus an eight to infinity equals one, I would eventually eliminate the entire object’s area which means objects are incoherent – only monism solves since it proves the idea of division is impossible

#### That affirms:

#### a] one person’s claim over something can’t be better justified than another’s since there literally isn’t a distinction between different people so ownership is impossible and

#### b] the very idea of a person as an entity is a redundant concept and a person can’t own a thing if people don’t exist.

#### 2] Quantum Mechanics proves that the self is continuous with everything else that we can observe in the universe.

Callicott, J. Baird (1985). Intrinsic value, quantum theory, and environmental ethics. *Environmental Ethics* 7 (3):257-275. JS

A careful analysis of the process of observation in atomic physics has shown that subatomic particles have no meaning as isolated entities, but can only be understood as interconnections between the preparation of an experiment and the subsequent measurement. Quantum theory thus reveals a basic oneness in the universe. It shows that we cannot decompose the world into independently existing smallest units. As we penetrate into matter nature does not show us any isolated “basic building blocks,” but rather appears as a complicated web of relations between the various parts of the whole. These relations always include the observer in an essential way. The human observer constitutes the final link in the chain of observational processes, and the properties of any atomic object can only be understood in terms of the object’s interaction with the observer. This means that the classical ideal of an objective description of nature is no longer valid. The Cartesian partition between the I and the world, between the observer and the observed, cannot be made when dealing with atomic matter. In atomic physics we can never speak about nature without, at the same time, speaking about ourselves.”° Capra here confirms much of what I have less eloquently and authoritatively set out respecting the implications of quantum theory for the Cartesian subject-object dichotomy in relation to which the Humean fact-value dichotomy is logically and historically ancillary. But he goes further. “A basic oneness in the universe” is also implied which “include[s] the observer [the ‘I’] in an essential way.” It is this unity, holism, and integration of self and world suggested by quantum theory to which Fox refers when he claims that ecology and the new physics each provide at different levels a similar structure of reality. Compare Paul Shepard's equally celebrated, eloquent, and authoritative characterization of the metaphysical implications of ecology with Capra’s just quoted characterization of the metaphysical implications of quantum theory: Ecological thinking . . . requires a kind of vision across boundaries. The epidermis of the skin is ecologically like a pond surface or a forest soil, not a shell so much as a delicate interpenetration. It reveals the self ennobled and extended rather than threatened . . . because the beauty and complexity of nature are continuous with ourselves. ... The. . . self [is] a center of organization, constantly drawing on and influencing the surroundings, whose skin and behavior are soft zones contacting the world instead of excluding it.’ Shepard's comments on “ecological thinking” clearly convey the same general metaphysical concepts as Capra's on the thinking of atomic physics: nature is unified and we, erstwhile monadic individuals, are, actually, continuous with it. The holistic quantum theoretical world view and the holistic ecological world view as portrayed by Capra and Shepard, respectively, both centrally involve a doctrine of real, internal relations. Therein lies their structural similarity. Capra declares that nature is “a complicated web of relations between the various parts of the whole.” Shepard subsequently declares that “relationships of things are as real as the things.”\*®

#### That affirms –

#### First, we own ourselves – anything else justifies repugnant actions like slavery since if we didn’t own ourselves then other people could own us.

#### Second, if we own ourselves and all of outer space is a part of the self, then people have always owned space. Since appropriation is the ownership of something unowned, there is no instance where appropriation is possible.

#### 3] Fine tuning means that the entire universe is a rational agent – the chance that we’re wrong is 1/10^229.

Goff, P. Did the universe design itself?. Int J Philos Relig 85, 99–122 (2019). <https://doi.org/10.1007/s11153-018-9692-z> JS

The strong nuclear force (the force that binds together the elements in the nucleus of an atom) has a value of 0.007. If that value had been 0.006 or less the universe would have contained nothing but hydrogen. If it had been 0.008 or higher the hydrogen would have fused to make heavier elements. In either case, any kind of chemical complexity would have been physically impossible. And without chemical complexity there can be no life (Rees [2008](https://link.springer.com/article/10.1007/s11153-018-9692-z#ref-CR47): Ch. 4).

The physical possibility of chemical complexity is also dependent on the masses of the basic components of matter: electrons and quarks. If the mass of a down quark had been greater by a factor of 3, the universe would have contained only hydrogen. If the mass of an electron had been greater by a factor of 2.5, the universe would have containing only neutrons: no atoms at all, and certainly no chemical reactions. In fact, it’s balanced on a knife edge: the mass-values compatible with chemical complexity fall within an extremely narrow range (Lewis and Barnes [2016](https://link.springer.com/article/10.1007/s11153-018-9692-z#ref-CR30): Ch. 2).

Gravity seems a momentous force but it is actually much weaker than the other forces that affect atoms, by about 1036. This secures an important feature of our universe: astronomical processes have immense timespans relative to the basic microphysical timescales of physical and chemical reactions. If gravity had been only slightly stronger, relative to electromagnetism, stars would have formed from smaller amounts of material, and consequently would have been smaller with much shorter lives. A typical sun would have lasted around 10,000 years rather than 10 billion years, not allowing enough time for the evolutionary processes that produce complex life. Conversely, if gravity had been only slightly weaker (and/or electromagnetism slightly stronger), stars would have been much colder and hence would not have exploded into supernovae. This also would have rendered life impossible, as supernovae are the main source of many of the heavy elements that form the ingredients of life (Lewis and Barnes [2016](https://link.springer.com/article/10.1007/s11153-018-9692-z#ref-CR30): Ch. 2).

Some take the fine-tuning to be simply a basic fact about our universe: fortunate perhaps, but not something requiring explanation. But many scientists and philosophers find this implausible. Lee Smolin has estimated that, taking into account all of the fine-tuning, the chance of life being physically possible in a universe with laws/initial conditions of the general form we find in our universe is 1 in 10^229, from which he concludes, ‘In my opinion, a probability this tiny is not something we can let go unexplained. Luck will certainly not do here; we need some rational explanation of how something this unlikely turned out to be the case’ (Smolin [1999](https://link.springer.com/article/10.1007/s11153-018-9692-z#ref-CR56): 45, quoted in Ratzsch and Koperski [2015](https://link.springer.com/article/10.1007/s11153-018-9692-z#ref-CR46)).[Footnote13](https://link.springer.com/article/10.1007/s11153-018-9692-z#Fn13)

#### Goff continues:

Goff, P. Did the universe design itself?. Int J Philos Relig 85, 99–122 (2019). <https://doi.org/10.1007/s11153-018-9692-z> JS

The difference is that life, and ultimately intelligent life, is of great value. Without life, and especially without intelligent life, the universe would have had infinitely less value than it actually does; indeed, it is not implausible that it would have had no value. The fact that the strong nuclear force is precisely 0.007 is remarkable not simply because it is improbable (any number would have been equally improbable), but because it is precisely the number needed for allowing the universe to be a place of great value. More generally, of all the values the parameters of the laws/initial conditions might have had, they turned out to have exactly the values required to allow the universe to be a wonderful place. It is this that many cannot accept as a fluke.[Footnote29](https://link.springer.com/article/10.1007/s11153-018-9692-z#Fn29)

The commitment to explaining fine-tuning, then, is dependent on a commitment to life/intelligent life being of great value. Moreover, the value in question must be of a fairly robust kind. Many philosophers hold that facts about value are dependent in some way on human preference or practices. But if the value of life is, in this way, in the eye of the beholder, then it is hard to see why the fine-tuning would need explaining. My existence is special to me in a way the existence of anyone else isn’t (let’s suppose). My existence is also extremely improbable; if any of my many great, great, great grandparents hadn’t met, I would never have existed. And yet we don’t think the fact that, against all the odds, I exist requires explanation, precisely because there’s nothing objectively special about my existence as opposed to the existence of any other human being. Similarly, unless life/intelligent life is objectively of great value, the fine-tuning needs no explanation.[Footnote30](https://link.springer.com/article/10.1007/s11153-018-9692-z#Fn30)

The fact that the commitment to explaining fine-tuning involves a commitment to objective value is important when responding to a certain form of objection to agentive explanations of fine-tuning (of course, the target is usually taken to be God, but the same form of objection would apply equally to natural agents). The objection I have in mind is that we have no grounds for making assumptions about how a divine or cosmic agent is likely to act. Elliot Sober puts it as follows:

Our judgements about what counts as a sign of intelligent design must be based on empirical information about what designers often do and what they rarely do. As of now, these judgements are based on our knowledge of human intelligence. The more our hypotheses of intelligent designers depart from the human case, the more in the dark we are as to what the ground rules are for inferring intelligent design (Sober [2003](https://link.springer.com/article/10.1007/s11153-018-9692-z#ref-CR57): 38).

This objection might a good one if we are thinking of motivation along Humean lines, i.e. that agents are ultimately motivated by basic desires, basic in the sense that the agent did not adopt those desires on rational grounds. But this is not the way I am thinking of the cosmic agent. The cosmic agent acts not from a pre-existing stock of brute desires, but because she recognises what she has reason to do.[Footnote31](https://link.springer.com/article/10.1007/s11153-018-9692-z#Fn31) Given this non-Humean understanding of the cosmic agent’s agency, we are in a position to predict her motivations: she is likely to be motivated to promote what is of value.

Richard Swinburne has argued that an agent who knows the normative truth, and who is not subject to non-rational influences, will inevitably perform the best possible action [if there is one (Swinburne [2004](https://link.springer.com/article/10.1007/s11153-018-9692-z#ref-CR61): Ch. 5)]. If she knows what she has overwhelming reason to do, and there are no desires pressing her in another direction, then why on earth wouldn’t she do it? Perhaps Swinburne exaggerates, but it is certainly not surprising or unlikely that an agent with a capacity to recognise and respond to reasons should be motivated to do what she has reason to do. In so far as we think life is of great objective value, then it is likely that a (non-Humean) cosmic agent would be motivated to bring it about.

Or at least this is the case assuming that the cosmic agent’s capacity to recognise and respond to reasons works well. What right do we have to suppose that? And what right do we have to suppose that the cosmic agent is not subject to irrational desires? These are all possibilities, but they are not all equally simple. Richard Swinburne points out that, in the absence of evidence to the contrary, scientific practice has exhibited a preference for the values of zero and infinite over values in between, on the basis of their greater simplicity:

…the hypothesis that some particle has zero mass, or infinite velocity, is much simpler than the hypothesis that it has a mass of 0.34127 of some unit, or a velocity of 301,000 km/sec. A finite limitation cries out for an explanation of why there is just that particular limit, in a way that limitlessness does not. And scientific practice shows this preference for infinite values over finite values of a property. It preferred to postulate that light had an infinite velocity rather than a particular large finite velocity – for example, 301,000 km/sec. – until data found that were very improbable on the former hypothesis…And…[scientists]…have always preferred hypotheses that some particle had zero mass to hypotheses that it had some very small mass, when both were equally compatible with the data. There is a neatness about zero and infinite that particular finite numbers lack (Swinburne [2004](https://link.springer.com/article/10.1007/s11153-018-9692-z#ref-CR61): 55 and 97).

With reference to these kind of considerations, Swinburne argues that the postulation of an all-knowing and all-powerful divine being is much simpler than the postulation of a divine being with some arbitrary limit to its knowledge or power (Swinburne: 2004: Ch. 5). Along similar lines, I submit that the hypothesis that the universe has a flawless capacity to recognise and respond to reasons is much simpler than the hypothesis that this capacity of the universe has some arbitrary flaw; likewise, the hypothesis that the universe is not subject to irrational desires is simpler than the hypothesis that it is. n the absence of any reason to believe a more complex hypothesis, a simpler one is to be preferred.

Along similar lines, I am inclined to think that the postulation of an evil or irrational cosmic agent to explain the suffering and imperfections of the world is inferior to the postulation of a cosmic agent of limited power. In his ‘evil God challenge’, Stephen Law demands of the theist an explanation of why an evil God is less likely than a good God (Law [2010](https://link.springer.com/article/10.1007/s11153-018-9692-z#ref-CR29)). One could argue that the good in the world allows us to rule out an evil God, but such a case would seem to mirror the familiar argument that the evil in the world rules out a good God. Whilst I agree that the problem of evil makes theism untenable, I do think a case can be made that an evil divine agent is less likely than a good one, at least if we have a non-Humean understanding of divine agency. On a Humean conception of the divine agent, God could have any desires whatsoever, and an evil God is just as likely as a good God.[Footnote33](https://link.springer.com/article/10.1007/s11153-018-9692-z#Fn33) However, if the evil God is a non-Humean agent, then there must be some explanation of her evil motivations. Perhaps her capacity to recognise reasons is in some way flawed; perhaps she is subject to irrational desires; perhaps there is a mixture of the two. In any case, a theory that postulates an evil God must tell some such story, and moreover it must be one that predicts the universe as we find it. Such a theory is going to end up extremely complicated. My preferred story—that the cosmic agent has a flawless capacity to recognise and respond to reasons but has power-limitations expressed by the laws of physics—is much simpler.

To emphasise, I am not assuming a non-Humean view of human agency, only of cosmic agency.[Footnote34](https://link.springer.com/article/10.1007/s11153-018-9692-z#Fn34) I am assuming a commitment to objective value. But, as I have argued, one already has that commitment if one is committed to explaining fine-tuning.

With the non-Humean conception of the cosmic agent in place, the agentive cosmopsychist’s explanation of the fine-tuning is straightforward. It is not left an intolerable fluke that, of all the values the parameters might have had, they turned out to have exactly the values required to make a universe of value; rather this fact is explained in terms of the rational responsiveness of a cosmic agent of limited power.

#### That affirms –

#### a] self-ownership implies that rational agents own themselves, and thus the universe owns itself and humans can’t own any part of the universe –

#### b] if every person is just a part of the universe, it’s incoherent to say that we can exclude other people from owning something since we are all parts of the same body.

#### 4] And, there’s no brightline for how much one owns after initial appropriation – we think that if we drew something on a canvas, then we own the whole canvas, but if we draw something on a mountain we don’t own the whole mountain – the exact amount we should distribute is not quantifiable

#### 5] And, Ownership takes the form of X individual owns Y, which presumes that there is an agent X in the first place – however, personal identity does not exist.

Unger, Peter 1979. *I Do Not Exist. Perception and Identity*, 235–251. doi:10.1007/978-1-349-04862-5\_10 JS

A bit more informally, the idea is this. One cell, more or less, will not mean the difference between my being there and not. So, take one away, and I am still there. Take another away; again, no problem. But after a while there are no cells at all. Indeed, as they have been replaced by nothing, in the relevant structures, it is unclear what will be there: perhaps, some salty water. Supposedly, I am still there. But given anything like the developed perspective of science, this is really quite absurd. Thus, the supposition of my existence has been reduced to an absurdity.

#### 6] And, even if personal identity did exist, it would not be stable since throughout time the structures of our mind and body are changed through creation of new memories. Even if a person owned a particular object, the fact that they change into a totally different person in a few moments would render it impossible to say that an individual owns something with permanency

#### 7] Promise-mkaing creates an obligation by definition.

Searle, John R. (1964). How to derive "ought" from "is". Philosophical Review 73 (1):43-58. JS

What is the relation between (2) and (3) ? I take it that promising is, by definition, an act of placing oneself under an obligation. No analysis of the concept of promising will be complete which does not include the feature of the promiser placing himself under or undertaking or accepting or recognizing an obligation to the promise, to perform some future course of action, normally for the benefit of the promisee. One may be tempted to think that promising can be analyzed in terms of creating expectations in one's hearers, or some such, but a little reflection will show that the crucial distinction between statements of intention on the one hand and promises on the other lies in the nature and degree of commitment or obligation undertaken in promising. I am therefore inclined to say that (2) entails (3) straight off, but I can have no objection if anyone wishes to add-for the purpose of formal neatness- the tautological premise: (2a) All promises are acts of placing oneself under (under- taking) an obligation to do the thing promised. How is (3) related to (4)? If one has placed oneself under an obligation, then, other things being equal, one is under an obligation. That I take it also is a tautology. Of course it is possible for all sorts of things to happen which will release one from obligations one has undertaken and hence the need for the ceteris paribus rider. To get an entailment between (3) and (4) we therefore need a qualifying statement to the effect that:

#### The OST is a promise that has been broken if you don’t do the aff.

Kurt Taylor, Fictions of the Final Frontier: Why the United States SPACE Act of 2015 Is Illegal, 33 Emory Int'l L. Rev. 653 2019 (3) <https://scholarlycommons.law.emory.edu/eilr/vol33/iss4/6> JS

Expressio unius est exclusion alterius is a widely accepted international canon of interpretation.127 It states that when interpreting international materials, one should presume things not mentioned were excluded by deliberate choice, not inadvertence.128 Defined as “[a] canon of construction holding that to express or include one thing implies the exclusion of the other, or of the alternative,”129 the canon can theoretically be applied to support the conclusion that the Outer Space Treaty does indeed prohibit the appropriation of celestial resources by both state and private actors. At the time of the Treaty’s drafting, in the 1960s, only state actors were interested in outer space endeavors; it was far beyond the realm of possibility for the drafters to even imagine the technological advancements and privatization of space interests that have since occurred. Through the treaty, the drafters were speaking only to the audience to whom it would apply: sovereigns. If the drafters intended for private actors to be governed differently, expressio unius could be applied negatively to support that they would have explicitly addressed this in the Treaty.130 Because Article II of the Treaty addresses a specific issue (non-appropriation of celestial resources and bodies) within the context of every actor to which it applied at the time of its drafting (state actors only), the canon should apply to say if the drafters wanted any interested entity to be excluded from the Treaty’s non-appropriation effect, they would have expressly stated so in the text, thus drastically altering its literal interpretation.

#### 8] Util doesn’t affirm under the burden –

#### A] There’s infinite consequences to any action which means that evaluation of them is impossible

#### B] Induction fails – double bind – if we justify induction inductively then it’s circular since we use induction to justify it – but if we justify induction deductively then we’ve used the wrong type of proof since deductive proofs are necessarily correct whereas inductive statements are merely contingent.

#### C] It just proves that it would good for us to believe that property exists, not that it actually does – that I would get 100 dollars from thinking that 1+1=3 doesn’t mean that 1+1=3

#### 9] Property is a contradiction since if I were to appropriate something, then I also deny other people’s property rights because now they’re unable to appropriate it so by exercising a right to appropriation I’ve violated rights.

### Underview

#### 1] We get 1AR theory – otherwise the neg can do infinite abuse and we can’t check.

### Extra Burdens Justifications

#### 6] Clash – there’s infinite amounts of interpretations of the topic which means the neg can always sidestep issues of clash by just setting up different burdens structures instead of engaging in the aff – clash outweighs – you can always get forms of education out of round by reading books, but the process of clash that fosters critical thinking is unique to the process of engaging in debate

#### 7] Logic education – our burden forces the neg to create arguments for appropriation being possible through logical premises which enhances logical thinking – logic outweighs – it’s the basis for every method of analysis and discipline.

### Extra Offense

#### 10] Private entity means

Law Insider, , "Private entity Definition: 855 Samples," <https://www.lawinsider.com/dictionary/private-entity> JS

[Private entity](https://www.lawinsider.com/dictionary/private-entity) means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25. Includes:

#### The vast majority of entities like rocks, dirt, or viruses aren’t states meaning that they’re private entities – meeting the burden would mean you’d have to prove that these sorts of objects can appropriation outer space, which they obviously can’t since most objects can’t move.

#### 11] Rights and justice are only made coherent through a system of reciprocity created with the state.

George H. Smith, 5-23-2016, "Immanuel Kant on Our Duty to Obey Government," Libertarianism.org, <https://www.libertarianism.org/columns/immanuel-kant-our-duty-obey-government> JS  
From this inseparable relationship between a rights‐​claim and the legitimate power to enforce that claim, it follows that a right that can never be enforced by impartial means lacks a key ingredient of the concept. A just society demands more than that legitimate claims about property rights be widely accepted; a just society also requires a reasonably reliable mechanism that can enforce our rights. It is not enough for me to say “I have a right to X” for justice to be realized. Justice also requires that I and others be able to enforce our rights against violators. I may claim all the rights I like, and those claims may be perfectly legitimate, but if criminals live in a society where they can steal with impunity or murder with no fear of punishment, then, in Kant’s view, that society would not qualify as a just society. Here we have the substance of Kant’s point that property rights in a state of nature would be provisional and that only in a civil society can those selfsame rights qualify as juridical. In other words, since a state of nature without government would lack objective laws, all rights in a state of nature, though theoretically applicable, would lack an impartial mechanism of enforcement and would therefore lack an essential feature of what we mean by “a right.”

Moreover, as Kant understood his own Categorical Imperative, I may claim rights for myself only if I recognize the equal rights of everyone else. And since to claim a right for myself is simultaneously to claim my right to use force against anyone who seeks to violate that right, this entails that I must acknowledge the equal right of others to use force against me should I attempt to violate their rights. Rights, in short, require reciprocity by all members of a society, which includes the understanding that others may legitimately use force against me if I attempt to violate their rights. But the impartial enforcement of rights is a mere will‑o’-the-wisp in a state of nature that lacks the rule of law, so others may coerce me to become subject to a state in which we find the rule of law. This subjection to an existing government, even without my “empirical” consent, is a dictate of practical reason. It is logically demanded of me because unless I submit to a government that protects the rights of everyone, I cannot claim any rights for myself. It may therefore be said that in asserting my right to freedom, I have simultaneously agreed, if only in a theoretical sense, to obey the decrees of a government whose job it is to protect the rights of every person within its jurisdiction. (Kant’s position on this matter, it should be noted, is not a theory of tacit consent, but it may be characterized as a theory of implied consent, if we interpret “implied” in a logical sense.)

#### That affirms – means finding rights to property in outer space is impossible since there’s no state that claims governing authority over space – empirically proven through states saying they won’t claim space in the OST.

#### 12] We’ll define outer space:

YourDictionary, "Outer-space Meaning," No Publication, <https://www.yourdictionary.com/outer-space> JS

Any [region](https://www.yourdictionary.com/region) of space beyond limits determined with reference to boundaries of a [celestial](https://www.yourdictionary.com/celestial) system or body, especially the region of space immediately beyond Earth's [atmosphere.](https://www.yourdictionary.com/atmosphere)

#### Appropriating outer space is impossible since by definition it is a lack of matter so it can’t be measured or divided – that’s supercharged by the universe expanding which means you can’t put fixed coordinate points in space – you can’t claim something for yourself if you can’t set the boundaries of what you own.

#### 13] Trapp explains that appropriation requires a “sense of permanence” – but that means appropriation is impossible since no instance of ownership can be permanent – all objects degrade with enough time, everyone’s going to die eventually, and the heat death of universe means there’s not going to be anything to appropriate in the universe after enough time.