## Space Col v2

### 1NC v2

#### I negate. The fw is maximizing expected wellbeing. Prefer:

#### First, *Only* pleasure and pain are intrinsically valuable. All other values can be explained with reference to pleasure.

Moen 16

[Ole Martin Moen**,** Research Fellow in Philosophy at University of Oslo “An Argument for Hedonism” Journal of Value Inquiry (Springer), 50 (2) 2016: 267–281]

I think several things should be said in response to Moore’s challenge to hedonists. First, I do not think the burden of proof lies on hedonists to explain why the additional values are not intrinsic values. If someone claims that X is intrinsically valuable, this is a substantive, positive claim, and it lies on him or her to explain why we should believe that X is in fact intrinsically valuable. Possibly, this could be done through thought experiments analogous to those employed in the previous section. Second, there is something peculiar about the list of additional intrinsic values that counts in hedonism’s favor: the listed values have a strong tendency to be well explained as things that help promote pleasure and avert pain. To go through Frankena’s list, life and consciousness are necessary presuppositions for pleasure; activity, health, and strength bring about pleasure; and happiness, beatitude, and contentment are regarded by Frankena himself as “pleasures and satisfactions.” The same is arguably true of beauty, harmony, and “proportion in objects contemplated,” and also of affection, friendship, harmony, and proportion in life, experiences of achievement, adventure and novelty, self-expression, good reputation, honor and esteem. Other things on Frankena’s list, such as understanding, wisdom, freedom, peace, and security, although they are perhaps not themselves pleasurable, are important means to achieve a happy life, and as such, they are things that hedonists would value highly. Morally good dispositions and virtues, cooperation, and just distribution of goods and evils, moreover, are things that, on a collective level, contribute a happy society, and thus the traits that would be promoted and cultivated if this were something sought after. To a very large extent, the intrinsic values suggested by pluralists tend to be hedonic instrumental values. Indeed, pluralists’ suggested intrinsic values all point toward pleasure, for while the other values are reasonably explainable as a means toward pleasure, pleasure itself is not reasonably explainable as a means toward the other values. Some have noticed this. Moore himself, for example, writes that though his pluralistic theory of intrinsic value is opposed to hedonism, its application would, in practice, look very much like hedonism’s: “Hedonists,” he writes “do, in general, recommend a course of conduct which is very similar to that which I should recommend.”24 Ross writes that “[i]t is quite certain that by promoting virtue and knowledge we shall inevitably produce much more pleasant consciousness. These are, by general agreement, among the surest sources of happiness for their possessors.”25 Roger Crisp observes that “those goods cited by non-hedonists are goods we often, indeed usually, enjoy.”26 What Moore and Ross do not seem to notice is that their observations give rise to two reasons to reject pluralism and endorse hedonism. The first reason is that if the suggested non-hedonic intrinsic values are potentially explainable by appeal to just pleasure and pain (which, following my argument in the previous chapter, we should accept as intrinsically valuable and disvaluable), then—by appeal to Occam’s razor—we have at least a pro tanto reason to resist the introduction of any further intrinsic values and disvalues. It is ontologically more costly to posit a plurality of intrinsic values and disvalues, so in case all values admit of explanation by reference to a single intrinsic value and a single intrinsic disvalue, we have reason to reject more complicated accounts. The fact that suggested non-hedonic intrinsic values tend to be hedonistic instrumental values does not, however, count in favor of hedonism solely in virtue of being most elegantly explained by hedonism; it also does so in virtue of creating an explanatory challenge for pluralists. The challenge can be phrased as the following question: If the non-hedonic values suggested by pluralists are truly intrinsic values in their own right, then why do they tend to point toward pleasure and away from pain?27

#### And, extinction is the biggest impact under any framework

Pummer 15

[Theron, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford. “Moral Agreement on Saving the World” Practical Ethics, University of Oxford. May 18, 2015] AT

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But that is a huge mistake. Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; it is not the view that the latter don’t matter. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be undermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. We should also take into account moral uncertainty. What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, all minimally plausible moral views would converge on the conclusion that we should try to save the world. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views. And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

#### CP: The appropriation of outer space by private entities through bounded first possession by landfall is just.

#### CP is the best system to develop Mars – common ownership chills first movers and is less efficient.

Collins 08 (Lecturer, The City Law School, City University, London, UK. B.A.Hon., J.D.(Toronto), M.Sc., B.C.L. (Oxford)), "EFFICIENT ALLOCATION OF REAL PROPERTY RIGHTS ON THE PLANET MARS" B.U. J. SCI. & TECH. L. [Vol.14:201, NCS, DOA 2/5/22, https://www.bu.edu/jostl/files/2015/02/Collins\_142.pdf

As an alternative to fixing future claims on Mars based upon a re-allocation of pre-existing ones, the most efficient mechanism of real property allocation of an un-owned res nullius planet Mars would be a limited form of first possession: the allotment of only a portion of land to the first arriving organization, not the entire surface of the planet. The size of the allocation would be set at the optimal level to encourage exploration and development while conserving land for future explorers. The first landers could claim all terrain, for example, within a hundred kilometer radius of their landing point subject to an increase if productive use is made of an even larger portion. The rest of the planet would remain un-owned and available to become possessed by subsequent explorers. This bounded first possession is in keeping with the language of the Outer Space Treaty and Moon Treaties that prohibit only sovereign claims to the celestial body, which could be interpreted to mean the planetary sphere itself. Such a credible interpretation reads in the word “entire” to the following provision for the purpose of clarity: “neither the entire surface or entire subsurface of the Moon [or Mars] shall become the property of any State”.”74 Partial allocation as described is just because landing on one minuscule portion of a world should not entitle a claimant to ownership of all of it, much of which may be left completely idle by the original explorer, resulting in an inefficient use of the planet’s resources. The problem of inefficient races to achieve the legal right to first possession will be avoided by this regime, as second and third place finishers will be rewarded with other plots of land on the surface. Consequently pre-mature and therefore non-productive missions will be avoided because there is no risk of exclusion for failing to land first; the marginal benefit of arriving second will be as high as the marginal benefit of arriving first. Of course, the pride engendered by first arrival, such as that generated by the first Moon landing, would help to encourage earlier Mars expeditions rather than later ones. Incentive to settle on Mars before others may similarly result from the fact that some regions of the planet could be more valuable than others. For example, just as the flat, northern hemisphere would may be more conducive for agriculture than the rugged southern hemisphere, the equatorial zone would probably hold greater value because of their warmer climates.75 Part of the concern of developing nations in espousing the Common Heritage principle for planetary bodies was that the planet’s resources would already be depleted by the time nations with weaker initial resource endowments (the developing world) are capable of exploiting the land on Mars.76 Plot ownership would address this concern since vast regions of Mars would likely remain un-owned for centuries, giving developing nations a chance to “catch up”. Private easements and restrictive covenants arrived at by bargaining among the landed owners (rather than through international political consensus) and enforced through private litigation would control competing land uses such as over exploitation or pollution in order to produce an efficient allocation of resources. At least in the early stages of colonization there would be no need to incur the cost of a special “Mars Court” to adjudicate such disputes. Instead, landowners could litigate in the courts of their choice on Earth, subject to that court’s own rules on taking jurisdiction. For example, an American corporation owning land on Mars could bring suit in nuisance against another American landowner in the Federal court of the United States.77 Disputes between sovereign landowners on Mars could similarly be brought in the International Court of Justice.78 Again, it is expected that such private land use adjudication among fewer parties should be less costly than public control of commonly held land through regulation.79 Moreover, bargaining among a limited number of initial owners should arrive at the most efficient manner of land use without the need to resort to lawsuits. Excessive land use regulation resulting from the need to satisfy all decision-makers could diminish the overall productivity of the land, especially if such regulations were imposed ex post after valuable resources had already been wasted. It is further expected that landowners on Mars would adopt the self-imposed obligation to engage in reasonable and productive use of that land in order to maximize the value of their own holdings. Such “injunctions against waste”80 would become more significant in later stages of settlement when vacant land on Mars had become scarcer. Accordingly, if a plot is not being used efficiently, for example, by an owner that held expertise in space travel but not in colonization, then title in the land could be transferred on the authority of a court, perhaps through the Common Law doctrine of adverse possession,81 to another party that had these skills and intentions. Should a terraforming project be undertaken – transforming the whole of Mars into an environment that could sustain life - landowners would have an incentive to “free ride” by not contributing resources to such an inherently communal project, allowing them to benefit from the labors of others without cost. Perhaps a mandatory fee could be imposed upon all residents by a court in order to address this problem – although it is unclear what legal precedent could be invoked to do so - in advance of the establishment of zoning or centralized governance on the planet.82 Market forces should provide, however, that a party not adding value to its land through development would have an incentive to sell or lease it to a party that would make a more productive use of it. Thus, the first explorers might wish simply to sell their claims as suggested above. To facilitate such bargaining among landowners, the establishment of a land registry system, which would set standardized plot dimensions and record transactions and would represent one of the few costs associated with private ownership of land on Mars, would be necessary.83 The recognition of bounded land claims on a planet appears already to be envisioned by the text of the Moon Treaty which as noted above, permits individual states to retain jurisdiction and control over their personal property, such as bases and equipment, that is brought to the moon.84 However, as noted above, the rights in such chattels are not equivalent to the full property rights exercised by terrestrial landowners since there is no exclusivity – treaty requires parties to allow others to use these equipment and facilities when requested.85 On one hand such compulsory property sharing is economically efficient because it would encourage further development by minimizing one of the costliest aspects of settlement. A subsequent arrival could benefit from existing infrastructure devoting resources to the more productive development of the region without redundant expenditure that would impede overall progress. However, the common property regime envisioned by the space treaties ignores the reality that without adequate compensation for such sharing there might be an incentive to free-ride by waiting for another explorer to incur the initial costs of establishing a Mars base with oxygen/fuel production facilities. It would therefore be more cost effective to be the second or third Mars colonizer, potentially inducing a strategic waiting game. To resolve this problem it should be permissible to charge a fee for the use of one’s facilities because such fees represent the fundamental economic gain of granting property rights in land on Mars. Developed land, such as land with a base upon it that could sustain human life, becomes valuable to subsequent visitors, and this can generate revenue that will offset the initial costs. Bargaining would naturally set the use fee at an optimal level that encouraged subsequent parties to land and make use of existing facilities and would not be too low to deter the initial landing and construction. Thus, the direction to share resources in the Moon Treaty might be unnecessary – sharing might increase wealth for all parties, much as land values increase in proportion to the rise in population of an area. Given that large scale inhabitation of Mars might only result from a catastrophe on Earth, there may be some need to incorporate the common law defense of necessity for emergency trespass, although this defense would not preclude the payment of reasonable compensation for use or damage to existing infrastructure.86

#### Colonization of Mars is feasible but requires investment incentive now.

Martin & Saydam 21

(BA Journalism University of Central Lancashire, Media & Content Coordinator for The University of New South Wales Serkan Saydam received his BSc, MSc and PhD degrees in Mining Engineering from the Dokuz Eylul University, Izmir, Turkey and completed his Postdoctoral Fellowship at the University of Witwatersrand, Johannesburg, South Africa. He then worked at De Beers for 3 years as project manager in Johannesburg, South Africa. Serkan joined the School of Mining Engineering as a Senior Lecturer in 2006 and was promoted to Associate Professor in 2012. Serkan then was then promoted to the Professorial role in 2017 and he is currently working as a Professor and Director of Research at the School of Minerals and Energy Resources Engineering at UNSW. A key focus of his research is to address the current needs and future challenges faced by the mining industry. These are generally very complex engineering problems, as mining environments become more extreme and constraints are imposed due to increasing social, environmental, and health and safety standards. His fields of research include ground control, mine planning & design, technology integration, new mining methods and off-Earth mining. In addition, he established research collaboration with NASA's Jet Propulsion Laboratory & Kennedy Space Center, and Luxembourg Space Agency as well more than 20 research organisations and universities globally. He has more than 250 publications and graduated 18 PhD students. Serkan is currently Fellow Member of Australian Institution of Mining and Metallurgy; President of the ISRM Commission on Planetary Rock Mechanics; Deputy Director of the Australian Centre for Space Engineering Research (ACSER) at UNSW; Deputy Secretary General and Council Member of the SOMP (The Society of Mining Professors). <https://newsroom.unsw.edu.au/news/science-tech/mars-settlement-likely-2050-says-unsw-expert-%E2%80%93-not-levels-predicted-elon-musk>, USNW Sydney Newsroom, 3/10/21, NCS, <https://newsroom.unsw.edu.au/news/science-tech/mars-settlement-likely-2050-says-unsw-expert-%E2%80%93-not-levels-predicted-elon-musk> brackets for spelling mistake

Robotic mining that can provide water and fuel is the key to developing a colony on the red planet within the next 30 years. Mars will be colonised by humans by the year 2050, as long as autonomous mining processes quickly become more commercially viable. That’s the view of Professor Serkan Saydam from UNSW Sydney in the wake of the amazing landing on Mars by NASA’s Perseverance rover. Perseverance is expected to provide answers about whether forms of life ever existed on the red planet, but it is also designed to help address the challenges of future human expeditions there. Professor Saydam, from the School of Mineral Energy Resources Engineering, says the main focus in terms of creating a colony on Mars is finding water – and being able to extract it and process it using robots before humans land. “Everything is all about water,“ Prof. Saydam says. “You use water as a life support, plus also being able to separate out the hydrogen to use as an energy source. “The process for having humans on Mars will be to set up operations, go there and produce water with robots first, and then be able to extract the hydrogen to make the energy ready before people arrive. “Innovation in robotics and autonomous systems are clearly important so that we have the water ready and the hydrogen separated and ready for when human beings land. “At the moment, we don’t have ability to do it. There are significant research efforts, specifically here at UNSW under ACSER (Australian Centre for Space Engineering Research), about the best way to do it, but there is no consensus yet. It also depends on how many people we expect to be living on Mars. Is it five, or 5000, or 50,000, or even more?“ Entrepreneur Elon Musk has claimed he’s confident there will be a city of 1 million on Mars by 2050, transported there by 1000 Starships proposed by his SpaceX venture, with plans for up to three rocket launches per day. Prof. Saydam says that may be unrealistic in the specific timeframe, but admits that demand for travel and a potential colonisation of Mars is what’s needed to drive the technological developments required. “I think the technology is ready and we already have the knowledge, but the main problem is having the focus,“ says Prof. Saydam, who is organising an International Future Mining Conference in December 2021 that will feature former NASA astronaut Pamela Melroy and Honeybee Robotics vice-president Kris Zacny. “It’s a bigger question: ‘Why don’t we do that already on earth? Why are we still using human beings for physical work in mining here?’ We have huge experience in mining, but still heavily depend on humans. “One issue is that demand is not there. For companies to get involved in developing products (for Mars missions), they need to be able to produce minerals or something that can be used for manufacturing goods and then sell it. “At the moment, everything is just a cost and there is no revenue for companies.“ However, that could be starting to change. United Launch Alliance, a joint venture between Lockheed Martin and Boeing who are heavily invested in the rockets used to launch spaceships, has publicly announced they will pay $500 per kilogram for fuel – derived from water – supplied on the moon. That rises to $3000 per kilogram if the fuel is available in a low-earth orbit. “That immediately creates a market,“ Prof. Saydam says. “Plus, if Elon Musk does what he says and puts people on the surface of Mars in 20 years, then that also creates a market. “I believe a colony on Mars is going to happen, but between 2040 and 2050 is more feasible. This could be shortened depending on the technological advances that can reduce the costs or [form] from stronger motivation. “What I think will happen is that first of all we will do these activities on the moon and have a colony there. Then we can use the moon as a petrol station to get to Mars and beyond. “But before 2050, I think we will have settlements on both the moon and Mars.“

#### And, private appropriation is key – fear of expropriation.

Collins 08 (Lecturer, The City Law School, City University, London, UK. B.A.Hon., J.D.(Toronto), M.Sc., B.C.L. (Oxford)), "EFFICIENT ALLOCATION OF REAL PROPERTY RIGHTS ON THE PLANET MARS" B.U. J. SCI. & TECH. L. [Vol.14:201, NCS, DOA 2/5/22, https://www.bu.edu/jostl/files/2015/02/Collins\_142.pdf

III. THE CURRENT LEGAL REGIME FOR PROPERTY IN OUTER SPACE In order to frame the discussion of future real property claims on Mars, this article will briefly discuss existing law on property in space. There are currently two relevant international treaties: The Outer Space Treaty and the Moon Treaty, both of which establish that Mars (and the other planets) are res communis: common property owned by the people of Earth. The former agreement, signed in 1967 as the result of efforts of the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS), establishes that space is “the province of all mankind” and “free for exploration and use by all states without discrimination of any kind, on a basis of equality” and also that there should be “free access to all areas of celestial bodies”, 16 clearly precluding the exclusivity of possession that is the foundation of ownership. Celestial bodies, including Mars, cannot be the subject of national appropriation by claims of sovereignty.17 The Outer Space treaty was signed by the United States, the USSR and 89 other nations and as such it can be viewed as a legally binding commitment in international law. The later Moon Treaty, ratified by only seven countries, establishes that all resources outside the earth are the “common heritage of mankind” and that no entity, either public or private can exclusively own any space resource,18 and that there must be “equitable sharing” by all state parties in the benefits derived from space resources, taking into consideration the needs of developing countries.19 This language of public ownership mirrors The Law of the Sea convention, which establishes that no nation can own the world’s oceans.20 The Moon Treaty permits the retention of “samples” taken from planetary bodies, although it encourages that such materials be made available to other nations for the purposes of scientific experiment.21 The laws of space, interpreted by some to allow for commercial mining, thus recognize the concept of personal property.22 Although the Moon Treaty allows parties to retain ownership of the equipment, vehicles and installations that they place there23 this is not true ownership in the common law sense since there is no right to exclude because Article XV requires that all vehicles, installations and equipment shall be open to use by all other parties. This partial acknowledgement of private personalty may hold the potential for “quasi-sovereignty” involving ownership of objects on the surface of planets by individuals or corporations.24 The simple delineation between equipment and land may be difficult to draw on Mars, however, because the planet’s atmosphere necessitates artificial construction, such as a greenhouse, in order to render the surface agriculturally productive or habitable. According to the common law, a chattel (in which ownership is retained in space) loses its status as a chattel and becomes a fixture when it is so affixed to land that it becomes part of the land,25 and evidently according to treaty at that point ownership is lost. In this way a base built upon the soil or rock of Mars for the purpose of habitation or as a greenhouse, even if it is resting upon the planet’s surface under its own weight without attachment, as long as it is intended to permanently improve the land, will become a fixture26 and is therefore common property. Thus, there is a strong risk that an investment such as a base that possibly costs billions of dollars in preparation and transportation would become public property once it was placed upon the planet’s surface. Together the space treaties embody the now widely-criticized notion27 that every human, as represented by the states in which they are members, has an effective “right” to Mars. Under this regime the allocation of Martian resources, possibly including land itself, will be determined by the “administrative model” in which each nation decides the distribution based on each country having an equal vote, much like the current United Nations regime.28 Not surprisingly, the United States and the Soviet Union rejected the limitations on the use of space resources, refusing to sign the Moon Treaty. Indeed none of the signatories of the Moon Treaty has space travel capability, suggesting that it does not reflect any practical concerns in space exploration and development. Rather, the Moon Treaty illustrates resistance to the idea of private advancement through the acquisition or use of space resources as expressed through the voting dominance of less-developed nations in intergovernmental organizations.29 Still, as many legal commentators have noted, the benefit sharing doctrines enunciated in the treaties are fortuitously vague and as such have little force in international law. At best they are loose policy guidelines, not concrete obligations.30 Interestingly, the treaties also present inconsistent principles: the Moon Treaty’s common ownership concept contradicts the prohibition against national appropriation found in the Outer Space Treaty,31 although this is little more than a semantic distinction. The ambiguity of these treaties and the fact that the Moon Treaty has not been ratified by space-faring nations suggests that property law in space remains, hopefully for the purpose of incentivization, clouded. Many commentators, notably Carl W. Christol, further assert the need to clarify and formalize the law of space exploration generally.32 An internationally recognized legal regime for property rights on Mars is essential; otherwise uncertainty (if not the fear of expropriation in the name of mankind) will endanger financial investment both in reaching and then colonizing the planet.

#### Life on earth is doomed – countless eventualities and unforeseen dangers.

Meyer 16

(Robinson Meyer is a staff writer at The Atlantic. He is the author of the newsletter The Weekly Planet, and a co-founder of the COVID Tracking Project at The Atlantic.), "Human Extinction Isn't That Unlikely", The Atlantic, 4/29/16, NCS, https://www.theatlantic.com/technology/archive/2016/04/a-human-extinction-isnt-that-unlikely/480444/

Nuclear war. Climate change. Pandemics that kill tens of millions. These are the most viable threats to globally organized civilization. They’re the stuff of nightmares and blockbusters—but unlike sea monsters or zombie viruses, they’re real, part of the calculus that political leaders consider everyday. A new report from the U.K.-based Global Challenges Foundation urges us to take them seriously. The nonprofit began its annual report on “global catastrophic risk” with a startling provocation: If figures often used to compute human extinction risk are correct, the average American is more than five times likelier to die during a human-extinction event than in a car crash. Partly that’s because the average person will probably not die in an automobile accident. Every year, one in 9,395 people die in a crash; that translates to about a 0.01 percent chance per year. But that chance compounds over the course of a lifetime. At life-long scales, one in 120 Americans die in an accident. Yet the risk of human extinction due to climate change—or an accidental nuclear war, or a meteor—could be much higher than that. The Stern Review, the U.K. government’s premier report on the economics of climate change, assumed a 0.1-percent risk of human extinction every year. That may sound low, but it adds up when extrapolated to century-scale. Across 100 years, that figure would entail a 9.5 percent chance of human extinction. And that number might even underestimate the risk. Another Oxford survey of experts from 2008 posited the annual extinction risk to be a higher figure, 0.2 percent. And the chance of dying from any major global calamity is also likely higher. The Stern Review, which supplies the 9.5-percent number, only assumed the danger of species-wide extinction. The Global Challenges Foundation’s report is concerned with all events that would wipe out more than 10 percent of Earth’s human population. “We don’t expect any of the events that we describe to happen in any 10-year period. They might—but, on balance, they probably won’t,” Sebastian Farquhar, the director of the Global Priorities Project, told me. “But there’s lots of events that we think are unlikely that we still prepare for.” For instance, most people demand working airbags in their cars and they strap in their seat-belts whenever they go for a drive, he said. We may know that the risk of an accident on any individual car ride is low, but we still believe that it makes sense to reduce possible harm. So what kind of human-level extinction events are these? The report holds catastrophic climate change and nuclear war far above the rest, and for good reason. On the latter front, it cites multiple occasions when the world stood on the brink of atomic annihilation. While most of these occurred during the Cold War, another took place during the 1990s, the most peaceful decade in recent memory: In 1995, Russian systems mistook a Norwegian weather rocket for a potential nuclear attack. Russian President Boris Yeltsin retrieved launch codes and had the nuclear suitcase open in front of him. Thankfully, Russian leaders decided the incident was a false alarm. Climate change also poses its own risks. As I’ve written about before, serious veterans of climate science now suggest that global warming will spawn continent-sized superstorms by the end of the century. Farquhar said that even more conservative estimates can be alarming: UN-approved climate models estimate that the risk of six to ten degrees Celsius of warming exceeds 3 percent, even if the world tamps down carbon emissions at a fast pace. “On a more plausible emissions scenario, we’re looking at a 10-percent risk,” Farquhar said. Few climate adaption scenarios account for swings in global temperature this enormous. Other risks won’t stem from technological hubris. Any year, there’s always some chance of a super-volcano erupting or an asteroid careening into the planet. Both would of course devastate the areas around ground zero—but they would also kick up dust into the atmosphere, blocking sunlight and sending global temperatures plunging. (Most climate scientists agree that the same phenomenon would follow any major nuclear exchange.) Yet natural pandemics may pose the most serious risks of all. In fact, in the past two millennia, the only two events that experts can certify as global catastrophes of this scale were plagues. The Black Death of the 1340s felled more than 10 percent of the world population. Eight centuries prior, another epidemic of the Yersinia pestis bacterium—the “Great Plague of Justinian” in 541 and 542—killed between 25 and 33 million people, or between 13 and 17 percent of the global population at that time. No event approached these totals in the 20th century. The twin wars did not come close: About 1 percent of the global population perished in the Great War, about 3 percent in World War II. Only the Spanish flu epidemic of the late 1910s, which killed between 2.5 and 5 percent of the world’s people, approached the medieval plagues. Farquhar said there’s some evidence that the First World War and Spanish influenza were the same catastrophic global event—but even then, the death toll only came to about 6 percent of humanity. The report briefly explores other possible risks: a genetically engineered pandemic, geo-engineering gone awry, an all-seeing artificial intelligence. Unlike nuclear war or global warming, though, the report clarifies that these remain mostly notional threats, even as it cautions: [N]early all of the most threatening global catastrophic risks were unforeseeable a few decades before they became apparent. Forty years before the discovery of the nuclear bomb, few could have predicted that nuclear weapons would come to be one of the leading global catastrophic risks. Immediately after the Second World War, few could have known that catastrophic climate change, biotechnology, and artificial intelligence would come to pose such a significant threat.

#### Space col brings infinite expected value – outweighs.

Baum 16

[Seth D. Baum, Executive Director of the Global Catastrophic Risk Institute, “The Ethics of Outer Space: A Consequentialist Perspective,” 2016, Springer, pp. 115-116, EA]

Space colonization is notable because it may be able to bring utterly immense increases in intrinsic value. Early colonies might start small, given that other planets and moons have inhospitable environments. However, it may be possible to build large indoor colonies or create more hospitable outdoor environments (i.e., terraforming). Even just on other planets and moons in the Solar System, space colonies could multiply the total area available for human habitation. And there are many more planets around other stars, as ongoing research on exoplanets is now learning. One recent study estimates 22 % of Sun-like stars have Earth-like exoplanets (Petigura et al. 2013), implying billions to tens of billions of potentially habitable planets across the galaxy. Opportunities at any given star may also be quite a bit greater than those available only on planets. Earth only receives about one two-billionth of the Sun’s radiation. To collect all the Sun’s radiation, humanity would need a Dyson swarm (named after Dyson 1960), which is a series of structures that surrounds a star, collecting its radiation to power a civilization. A Dyson swarm around the Sun could potentially enable a civilization a billion times larger than is possible on Earth. Likewise, Dyson swarms around one billion stars would bring humanity approximately 1018 (one billion–billion) times more energy per unit time. Space colonies could also increase the amount of time available for human civilization. Earth will remain habitable for a few billion more years (O’Malley-James et al. 2014). Stars will continue shining for about 1014 more years (Adams 2008). That gives us an additional 105 times more energy, for a total of 1023 times more energy than is available on Earth. After the stars fade, other energy sources may be available. And even if our current universe eventually becomes uninhabitable, it may be possible to move to other universes (Kaku 2005). The physics here is speculative, but it cannot be ruled out, and hence there is a nonzero chance of a literally infinite opportunity for space colonization (Baum 2010a). Whether the opportunity is infinite or merely, say, 1023 times larger than what can be done on Earth, the opportunity is clearly immense. As long as space colonization is an improvement (Sect. 8.3.1), then it would seem that the consequentialist should prioritize space colonization. The sooner space colonization begins, the more of its immense opportunity can be gained. Indeed, Ćirković (2002) estimates 5 × 1046 human lifetimes are lost for every century in which space colonization is delayed.

## On case

### C1

#### TURN—Their goal of respecting the common heritage can only be achieved through private appropriation

Reinstein 99

Ezra J. Reinstein (JD, Associate at Kirkland & Ellis), Owning Outer Space, 20 Nw. J. Int'l L. & Bus. 59 (1999). JDN. https://scholarlycommons.law.northwestern.edu/njilb/vol20/iss1/7

A. Three Arguments for Ownership

Space is an international zone, and so is, in a sense, **the heritage of all humanity.** We must not forget, when considering the governance of outer space, that the rules should first and foremost attempt to **maximize the benefit to all humankind.** So, ideally, celestial bodies should be put to the uses most beneficial to humanity. This is guaranteed by a system that puts land in the hands of those for whom the territory is most profitable. It is a matter of **elementary economic theory.** Whoever can use a site to humanity's greatest benefit will be **the one who can profit most** from the site; whoever can profit most from the site will be the one for whom the site is most valuable. Thus the person who can put a site to humanity's greatest benefit will be the one willing to spend the most to own the site.84 This is the bargain theory of economics, and will form the basis for all that follows

#### They say the neg replicates capitalism in space. Yes, you’re welcome.

#### Capitalism is the only ethical economic system and has resulted in drastic reductions in structural violence by every empirical metric—most recent data proves

Swan 20

Josh Swan (Policy and Data Analyst for the City Region Economic and Development Institute of the University of Birmingham). “Capitalism and its Impact on Global Living Standards.” City REDI. 18 March 202. JDN. <https://blog.bham.ac.uk/cityredi/capitalism-and-its-impact-on-global-living-standards/>

Fundamentally, it must be said straight away that capitalism has been, and still is, an incredibly overwhelming positive force for the world and is easily the most successful economic system that has ever been produced. Since the time of Karl Marx, the embourgeoisement of populations has led to greater financial and social security, as well as **fulfilling careers** that were once reserved for the elite. With the right saving plan, many will buy their own home, start their own business, save for their pension and enjoy **unprecedented** levels of **leisure time.** Just in case you are still not convinced why this is the single greatest economic system ever invented, let us examine the past. Technology has created more jobs than it has destroyed in the colossal world population boom in the last 144 years. Work is more fulfilling as dull jobs have been automated and creative careers becoming more numerous. Incredible advances in medicine, accountancy and professional services were made under capitalism, and essential products like the television have seen a **98% fall in real-price** since 1950.

Some would say this is a prerequisite to materialism; the making of commodities to fulfil our happiness and needs. You may say, so what if televisions have fallen in value meaning every family, including poor families that live in a home, can afford one? This isn’t a real argument to say it is the best system in the world… this hasn’t made a huge difference to reprimanding the suffering of Humankind. Well, is it enough to say capitalism has **dramatically reduced child mortality** rates and vastly increased the lifespan of old age? If that was not so then how would we explain an exponential world population increase? Whilst medical science has been credited for a positive difference with these two areas, the innovative nature of capitalism and the wealth it generated was able to fund and foster scrutiny of medical ideas which led to successful research. For example, in the Soviet Union, the goal of the central planners was to “catch up with and surpass the West”. Despite the Soviet Union in 1986 having a population 14% larger than the United States, they had 73% more hospitals than the US (23,100 vs 6229), 69% more beds for patients, 48% more physicians and 99% more midwives. However, the average life expectancy was 64 and 73 for males and females in the Soviet Union compared to 71 and 78 for males and females in the United States. It may be telling that despite far fewer staff and hospitals, the United States outspent the Soviets by more than $184 billion in 1979 ($645 billion in today’s money) and the US government paid less than half this amount compared to the 92% share the Soviet Union planners contributed. Capitalism enabled the United States to mobilise and efficiently allocate its resources, as well as create far more efficient hospitals than its rival and was able to show a clear health benefit to its population as a result.

Other areas of living standards have skyrocketed such as education (and female education), skills, information and social mobility. But most of all, capitalism as a form of trade and enterprise has been the engine in the **immense reduction of world** absolute **poverty** as The Guardian writes “In the past 200 years, extreme poverty has collapsed from a whopping 94% of the entire world population to less than 10% today”. **60,000** people **are escaping extreme poverty every day** because of trade. But if capitalism is so good, why are there huge swathes of populations still poor and suffering today? Capitalism isn’t the cause of this poverty but rather that there is a lack of capitalism that affects these areas. Government corruption, war, political instability and other structural problems prevent power being placed into the markets and operating efficiently in these areas.

## Contention 2

### Turn

#### Capitalism incentivizes peace—outweighs all other factors Bandow 5

Bandow 5, senior fellow at the Cato Institute, Nov 10, 2005

[Doug, Spreading Capitalism is Good for Peace, <http://www.cato.org/pub_display.php?pub_id=5193>]

But World War I demonstrated that increased trade was not enough. The prospect of economic ruin did not prevent rampant nationalism, ethnic hatred, and security fears from trumping the power of markets. An even greater conflict followed a generation later. Thankfully, World War II left war essentially unthinkable among leading industrialized - and democratic - states. Support grew for the argument, going back to Immanual Kant, that republics are less warlike than other systems. Today's corollary is that creating democracies out of dictatorships will reduce conflict. This contention animated some support outside as well as inside the United States for the invasion of Iraq. But Gartzke argues that "the 'democratic peace' is a mirage created by the overlap between economic and political freedom." That is, democracies typically have freer economies than do authoritarian states. Thus, while "democracy is desirable for many reasons," he notes in a chapter in the latest volume of Economic Freedom in the World, created by the Fraser Institute, "representative governments are unlikely to contribute directly to international peace." Capitalism is by far the more important factor. The shift from statist mercantilism to high-tech capitalism has transformed the economics behind war. Markets generate economic opportunities that make war less desirable. Territorial aggrandizement no longer provides the best path to riches. Free-flowing capital markets and other aspects of globalization simultaneously draw nations together and raise the economic price of military conflict. Moreover, sanctions, which interfere with economic prosperity, provides a coercive step short of war to achieve foreign policy ends. Positive economic trends are not enough to prevent war, but then, neither is democracy. It long has been obvious that democracies are willing to fight, just usually not each other. Contends Gartzke, "liberal political systems, in and of themselves, have no impact on whether states fight." In particular, poorer democracies perform like non-democracies. He explains: "Democracy does not have a measurable impact, while nations with very low levels of economic freedom are 14 times more prone to conflict than those with very high levels." Gartzke considers other variables, including alliance memberships, nuclear deterrence, and regional differences. Although the causes of conflict vary, the relationship between economic liberty and peace remains.