## OFF

### 1NC---OFF

#### The Committee on the Peaceful use of Outer Space should establish an application system for property rights on celestial bodies conditioned upon open disclosure of data and applications. Private entities will only be granted one property grant per celestial body.

#### The counterplan establishes international norms for safe extraction of resources in outer space.

**Steffen 21** [Olaf Steffen, Olaf is a scientist at the Institute of Composite Structures and Adaptive Sytems at the German Aerospace Center. 12-2-2021, "Explore to Exploit: A Data-Centred Approach to Space Mining Regulation," Institute of Composite Structures and Adaptive Systems, German Aerospace Center, [https://www.sciencedirect.com/science/article/pii/S0265964621000515 accessed 12/12/21](https://www.sciencedirect.com/science/article/pii/S0265964621000515%20accessed%2012/12/21)] Adam

4. The data-centred approach to space mining regulation

4.1. Core description of the regulatory regime and mining rights acquisition process

The data gathered in the exploration of a [celestial body](https://www.sciencedirect.com/topics/social-sciences/astronomical-systems) is not only of value for space mining companies for informing them whether, where and how to exploit resources from the body in question, but also for science. The irretrievability of information relating to the solar system contained in the body that will be lost during resource exploitation carries a value for humanity and future generations and can thus be assigned the characteristic of a common heritage for all mankind as invoked in the Moon Agreement. This characteristic makes exploration data an exceptional and unique candidate for use in a mechanism for acquiring mining rights because its preservation is of public interest and its disclosure in exchange for exclusive mining rights does not place any additional burden on the mining company. The following principles would form the cornerstones of the proposed regulatory regime and rights acquisition mechanism based on exploration data:

Without preconditions, no entity has a right to mine the resources of a celestial body.

An international regulatory body administers the existing rights of companies for mining a specific celestial body.

Mining rights to such bodies can be applied for from this international regulatory body, with applications made public. The application expires after a pre-set period.

Mining rights are granted on the provision and disclosure of exploration data on the celestial body within the pre-set period, proposedly gathered in situ, characterising this body and its resources in a pre-defined manner.

The explorer's mining right to the resources of the celestial body is published by the regulatory body in a mining rights grant.

The data concerning the celestial body are made public as part of the rights grant within the domain of all participating members of the regulatory regime.

The exclusive mining rights to any specific body are tradeable.

The scope of the regulatory body with respect to the granting of mining rights is not revenue-oriented.

The international regulatory body would thus act as a curator of a rights register and an attached database of exploration data. The concept is superficially comparable to patent law, where exclusive rights are granted following the disclosure of an invention to incentivise the efforts made in the development process. In the following section, the characteristics of such a regulatory regime are further discussed with respect to the formation of [monopolies](https://www.sciencedirect.com/topics/social-sciences/monopolies), market dynamics, conflict avoidance, inclusivity towards less developed countries and the viability of implementation.

4.2. Discussion and means of implementation

The proposed regulatory mechanism has advantages both from a business/investor and society perspective. First, it prevents already highly capitalised companies from acquiring exploitation rights in bulk to deny competitors those objects that are easiest to exploit or most valuable, which would otherwise be possible in any kind of pay-for-right mechanism and could result in preventing market access to smaller, emerging companies. Thus, early monopoly formation can be avoided.

The use of data disclosure for the granting of mining rights ensures the scientific community has access to this invaluable source of information. In this way, space mining prospecting missions can lead to a boost in research on small celestial bodies at a speed unmatchable by pure government/agency funded science probes. This usefulness to the scientific community could lead to sustained partnerships between prospecting companies and scientific institutions and could even provide a source of funding for the companies through R&D grants and public-private partnerships. The results of the exploration efforts contribute to research on the formation of planets and the history of the solar system and provide valuable insight for space defence against asteroids. The transition of exploration from a tailored mission profile with a purpose-built spacecraft to a standard task in space flight would also lead to a cost reduction of the respective exploration spacecraft through [economies of scale](https://www.sciencedirect.com/topics/social-sciences/economies-of-scale). This describes the very benefits Elvis [[24](https://www.sciencedirect.com/science/article/pii/S0265964621000515" \l "bib24)] and Crawford [[25](https://www.sciencedirect.com/science/article/pii/S0265964621000515" \l "bib25)] imagined as possible effects of a space economy. Thus, there is an immediate return for society from the exploitation rights grant. It also reconciles the adverse interests of space development and [space science](https://www.sciencedirect.com/topics/social-sciences/space-sciences) as laid out by Schwartz [[26](https://www.sciencedirect.com/science/article/pii/S0265964621000515" \l "bib26)]. It ensures that, by exploitation, information contained in celestial bodies is not lost for future generations.The application period should not be set in a manner that creates a situation that can be abused through the potential for stockpiling inventory rights. Rather, it is intended to prevent conflict in the phase before exploration data gathered by a mission, as a prerequisite to the mining rights grant, is available. In other words, only one exploration effort at a time can be permitted for a specific body. The time frame between the application and the granting of mining rights (meaning: availability of the required exploration data set) should be tight and should only consider necessary exploration time on site, transit time and possibly a reasonable launch preparation and data processing markup. These contributors to the application period make it clear that the time frame could be dynamic and individualistic, depending on the exploration target (transit time and duration of exploration) and the technology of the exploration probe (transit time). After the expiration of the application period, applications for the exploration target would again be permissible. To prevent the previously mentioned stockpiling of inventory rights, credible proof of an imminent exploration intention would need to be part of the application process, for example, a fixed launch contract or the advanced build status of the exploration probe. Such a mechanism would not contradict the statement in the OST that outer space shall be free for both exploration and scientific investigation. Applications would not apply to purely scientific exploration. An application would only be necessary as a prerequisite for mining. Even resource prospecting could take place without an application (for whatever reason), with a subsequent application comprising in situ data already gathered. For such cases, the application process would need to provide a short period for objections to enable the secretive explorer to make their efforts public. The publication of the application for the mining rights, which is nothing more than a statement of intention to explore, thus provides a strong measure for avoiding conflict.

The transparency of where exploration spacecraft are located and, at a later stage, where mining activities take place, provides additional benefits for the sustainable use of space, trust building and deterrence against malign misuse of mining technology. Involuntary spacecraft collisions of competitors in deep space are prevented by the reduction of exploration efforts at the same destination through the application for mining rights by one applicant at a time. As pointed out by Newman and Williamson [[20](https://www.sciencedirect.com/science/article/pii/S0265964621000515" \l "bib20)], this is relevant because space debris does not de-orbit in deep space as in the case of LEO. Deep space may be vast, but the velocities involved mean that small debris particles are no less dangerous. Considering NEO mining with fleets of small spacecraft, malfunctions and/or destructive events could create debris clouds crossing Earth's orbit around the sun on a regular basis, presenting another danger to satellites in Earth's own orbit. Thus, by effectively preventing the collision of two spacecraft, one source of debris creation can be mitigated through this regulation mechanism. With respect to Deudney's [[11](https://www.sciencedirect.com/science/article/pii/S0265964621000515" \l "bib11)] scepticism of asteroid mining and the dual-use character of technology to manipulate orbits of celestial bodies, it has to be stated that this potential is truly inherent to asteroid mining. An asteroid redirect mission for scientific purposes was pursued by NASA [[49](https://www.sciencedirect.com/science/article/pii/S0265964621000515" \l "bib49)] before reorientation towards a manned lunar mission. In one way or another, each type of asteroid mining will require the delivery of the targeted resource to a destination via a comparable technology as formerly envisioned by NASA, be it as a raw material or a useable resource processed in situ, even if this is not necessarily done through redirecting the whole asteroid and placing it in a lunar orbit. However, to be misused as a weapon, space mined resources would have to surpass a certain mass threshold to survive atmospheric entry at the target. This seems unfeasible for currently discussed mining concepts using small-scale spacecraft as described in this article. Redirecting larger masses or whole asteroids would require far more powerful mining vessels or small amounts of thrust over long periods of time. The continuous, (for a mining activity) untypical change in the orbit of an asteroid would make a redirect attempt with hostile intent easily identifiable, effectively deterring such an activity in the first place by ensuring the identification of the aggressor long before the projectile hits its target. The proposed database would provide a catalogue of asteroids with exploration and mining activities in place that should be tracked more closely because of their interaction with spacecraft. This would, in fact, be necessary per se as a precaution to avoid catastrophic mishaps, such as the accidental change of a NEO's orbit to intercept Earth by changing its mass through mining.

#### 1AR theory is skewed towards the aff – a) the 2NR must cover substance and over-cover theory, since they get the collapse and persuasive spin advantage of the 3min 2AR, b) their responses to my counter interp will be new, which means 1AR theory necessitates intervention. Implications – a) drop the arg to minimize the chance the round is decided unfairly, b) use reasonability with a bar of defense or the aff always wins since the 2AR can line by line the whole 2NR without winning real abuse. C) if intervention is inevitable on theory then intervene and vote on substance since it’s the only portable impact we get from debate

#### Infinite abuse claims are wrong- A] Spikes solve-you can just preempt paradigms in the 1AC B] Functional limits- 1nc is only 7 minutes long

#### Pics are good they encourage innovative research that avoids stale debates and bridges different parts of the literature. Our PIC directly engages the literature base of the AC

#### Condo is good proving a CP is bad doesn’t prove the plan is good, a logical policy maker can always choose not to act. Logic outweighs – it’s the basis of all rational arguments.

#### Space mining kills the terrestrial mining industry – oversaturation.

Zeisl 19 [Yasemin Zeisl, MSc in International Relations and Affairs from the London School of Economics and Political Science (LSE), “Three Salient Risks of Mining in Space,” 05/03/19, *GlobalRiskIntel*, https://www.globalriskintel.com/insights/three-salient-risks-mining-space, EA]

A potential overhaul of the mining industry if not the global economy is the second risk of mining in outer space. While resources of essential metals on Earth are also slowly declining, they will likely not deplete in the near future. Importing **metals from space** would therefore not substitute depleted terrestrial reserves but could rather cause an oversaturation of certain resources on the market. This development would lead to a price drop of metals that are sourced from space. Additionally, a reduction in price of rare metals such as rhodium, platinum, or gold may change the value of existing reserves on Earth. Metals that are expensive now may then be used more lavishly, and this development could boost future progress in technology and engineering. Despite this positive outlook, a transformation of the global economy through space mining may imperil profits and jobs in the existing mining industry.

#### Perceived vulnerability to China hurts readiness and causes conflict.

Parthemore 11, Christine. "Elements of security: mitigating the risks of US dependence on critical minerals." (2011). (Fellow at Center for a New American Security)//Elmer

Minerals are a subject of much contention. On one hand, the United States remains less prepared for supply disruptions, price spikes and trade disagreements related to the global minerals trade than most experts realize. On the other hand, public concern over reliable access to the minerals required in key sectors of the U.S. economy, in particular those needed to produce military equipment, is growing. Too frequently, however, such concerns are based on inaccurate assumptions. A sober and informed analysis suggests there are real vulnerabilities, which place critical national security and foreign policy interests at risk. In worst-case scenarios, supplies of minerals that the United States does not produce domestically may be disrupted, creating price spikes and lags in delivery. Even short of major supply disruptions, supplier countries can exert leverage over the United States by threatening to cut off certain key mineral supplies. The United States may also lose ground strategically if it continues to lag in managing mineral issues, as countries that consider assured access to minerals as far more strategically important are increasingly setting the rules for trade in this area. China’s rising dominance is at the heart of this growing public debate. Its 2010 cutoff of rare earth elements2 – a unique set of minerals that are difficult to process yet critical to many hightech applications – attracted particular attention. After Japan detained a Chinese trawler captain over a skirmish in the East China Sea, Japanese companies reported weeks of stalled shipments of rare earths from China amid rumors of an official embargo. This may sound like a minor trade dispute, but China currently controls production of about 95 percent of the world’s rare earths, which are critical to building laser-guidance systems for weapons, refining petroleum and building wind turbines. Coinciding with possessing this incredible leverage over the rest of the world, China has also reduced its export quotas for these minerals. For its part, the Chinese government contended that it did not put any formal export embargo in place, and that its plans to reduce exports simply reflect the need to meet growing domestic demand for rare earths. Japan-China relations experienced further strain in their already tense relationship. In the United States, many reporters, policy analysts and decision makers did not foresee this challenge. Feeling blindsided, some in the United States characterized the situation in a manner that demonized China rather than using the opportunity to better understand the true nature of U.S. supply chain vulnerabilities. The 2010 rare earths case and others are increasing interest in critical minerals among U.S. policymakers. Congress held hearings on the strategic importance of minerals between 2007 and 2010, and the 2010 National Defense Authorization Act required DOD to study and report on its dependence on rare earth elements for weapons, communications and other systems.3 During a 2009 hearing on minerals and military readiness, Republican Representative Randy Forbes of Virginia called minerals, “one of those things that no one really talks about or worries about until something goes wrong. It’s at that point – the point where we don’t have the steel we need to build MRAPs [Mine Resistant Ambush Protected vehicles] or the rhenium we need to build a JSF [Joint Strike Fighter] engine that the stockpile becomes critically important.”4 In October 2010, Secretary of State Hillary Rodham Clinton stated that it would be “in our interests commercially and strategically” to find additional sources of supply for rare earth minerals, and stated that China’s recent cuts to rare earth exports “served as a wakeup call that being so dependent on only one source, disruption could occur for natural disaster reasons or other kinds of events could intervene.”5 In January 2011, Sen. Mark Begich, D-Alaska, Sen. Lisa Murkowski, R-Alaska, and Rep. Mike Coffman, R-Colo., wrote a letter to Defense Secretary Robert Gates expressing concern for minerals required for producing defense equipment such as Joint Direct Attack Munitions (JDAMs), which stated, “Clearly, rare earth supply limitations present a serious vulnerability to our national security. Yet early indications are that DOD has dismissed the severity of the situation to date.”6 Additionally, the Department of Energy (DOE) launched a multiyear effort to explore potential vulnerabilities in supply chains for minerals that will be critical to four distinct areas of energy technology innovation. While concern is growing, the media and policymakers often focus too narrowly on what may seem the most compelling indicators – usually import dependence or scarcity – in prescribing solutions to reduce U.S. vulnerabilities, in particular to supply disruptions in critical minerals such as rare earths. This focus is sparking protectionist attitudes, with some worrying that import dependence poses an inherent risk to the U.S. economy. Discussion of minerals also frequently focuses on supply scarcity and resource depletion in absolute terms. However, both the rhenium and rare earth minerals disruptions of the past five years were triggered by deliberate decisions made by political leaders to leverage their positions of strength, not by market forces, disorder or scarcities of these minerals. Countries often revert to hoarding, pressuring suppliers and otherwise behaving as if scarcities are present even when they are not, based solely on concerns that shortages are likely in the near term. In fact, neither scarcity nor import dependence alone is sufficient to signal vulnerability, and a combination of factors including concentration of suppliers is most often required for mineral issues to become security or foreign policy problems. This report, based on two years of research, site visits and discussions with stakeholders, explores how the supply, demand and use of minerals can impair U.S. foreign relations, economic interests and defense readiness. It examines cases of five individual minerals – lithium, gallium, rhenium, tantalum and niobium – and rare earth elements, such as neodymium, samarium and dysprosium, as a sixth group in order to show the complexity of addressing these concerns. Each of these minerals is critical for defense technologies and U.S. economic growth plans. They share characteristics with minerals that have caused important political or economic concerns for the United States in the past. Additionally, lithium is frequently cited in the media and in discussions of how clean energy supply chains are critical to meeting America’s future economic, energy and environmental goals. Within the past five years, two of these cases – rhenium and rare earth minerals – have involved supply disruptions or important threats of disruptions for the United States and its allies. Each of these minerals will require federal government attention in the coming years. Pg. 6-10

#### Strong Readiness solves conflict – amplifies diplomacy, strengthens alliances, and shores up credibility

Inboden 16 William Inboden 2016 “The Role of a Strong National Defense” <https://s3.amazonaws.com/ims-2016/PDF/2016_Index_of_US_Military_Strength_ESSAYS_INBODEN.pdf> (PhD, is Executive Director of the William P. Clements, Jr. Center for History, Strategy, and Statecraft and Associate Professor of Public Affairs at the University of Texas-Austin)//Elmer

One of the few core responsibilities of the federal government mandated by the Constitution of the United States is “to provide for the common defence.”2 Upon commissioning, every American military officer swears an oath to “support and defend” this Constitution.3 Accordingly, the core mission of the American military is to protect and defend our nation. This means **deterring potential aggressors** and, if deterrence fails, fighting and winning wars. Any consideration of the military’s role and American defense policy must start with that foundational principle. Yet if **the need for a strong military begins with the mission to fight and win wars, it does not end there**. As the quote from Theodore Roosevelt at the beginning of this essay illustrates, American leaders have long appreciated that a formidable military can produce abundant diplomatic and economic dividends, even—especially—when not wielded in wartime. The United States’ military capability supported our nation’s rise to global greatness over the past century, but this was often because of the **increased influence and credibility** produced by this capability rather than the overt use of force. Along the way, there developed an American strategic tradition that integrated military strength with diplomatic acumen, economic growth, and international influence.4 It is an historic tradition with an impressive heritage and continuing salience today. Drawing on the historical record, there are many ways beyond the kinetic use of force that a strong national defense bolsters our national power and global influence. A robust defense budget and defense policy also strengthens our nation in manifest other ways. A well-equipped defense enhances our capabilities and influence across virtually all **other elements** of national power: **our economy, our diplomacy, our alliances, and our credibility and influence in the world**. Conversely, an underresourced national defense threatens to diminish our national power across all of these other dimensions. **A strong national defense is thus indispensable for a peaceful, successful, and free America**—even if a shot is never fired. The diplomatic successes in building and maintaining a stable and peaceful international order achieved by the United States over the past century have been enabled by **America’s military dominance**. Conversely, the calamitous defense budget cuts and corresponding rise of potential peer competitors in the present day are already undermining America’s diplomatic and economic influence. A well-appointed military improves diplomacy with adversaries, **strengthens our alliances, signals credibility** and resolve, **deters aggression**, and enhances national morale. Yet this is not to disregard the manifest other dividends that a strong military can pay. There are multiple pathways by which investments in military hard power produce economic benefits. For example, the military’s role in protecting a stable international environment also creates predictable and secure conditions in which economic growth can flourish. **The American security umbrella facilitated Western Europe’s postwar reconstruction and economic revival, and Asia’s half-century economic boom has been partly a function of America’s treaty alliances in the region maintaining peace and stability, exemplified by the United States Navy’s Seventh Fleet protecting an open maritime order, freedom of navigation, and secure sea lanes**.

#### Asteroid Mining solves Warming – a] Key to REM’s that spur Renewables and b] Reduces Terrestrial Mining that wrecks the environment.

MacWhorter 15, Kevin. "Sustainable mining: Incentivizing asteroid mining in the name of environmentalism." Wm. & Mary Envtl. L. & Pol'y Rev. 40 (2015): 645. (J.D. Candidate, William & Mary Law School)//Elmer

A. Rare Element Mining on Earth In the next sixty years, scientists predict that certain elements crucial to modern industry such as platinum, zinc, copper, phosphorous, lead, gold, and indium could be exhausted on Earth. 12 Many of these have no synthetic alternative, unlike chemical elements such as oil or diamonds.13 Liquid-crystal display (LCD) televisions, cellphones, and laptops are among the various consumer technologies that use precious metals.14Further, green technologies including wind turbines, solar panels, and catalytic converters require these rare elements. 15 As demand rises for both types of technologies, and as reserves of rare metals fall, prices skyrocket.16 Demand for nonrenewable resources creates conflict, and consumerism in rich countries results in harsh labor treatment for poorer countries.17 In general, the mining industry is extremely destructive to Earth’s environment.18 In fact, depending on the method employed, mining can destroy entire ecosystems by polluting water sources and contributing to deforestation.19 It is by its nature an unsustainable practice, because it involves the extraction of a finite and non-renewable resource.20 Moreover, by extracting tiny amounts of metals from relatively large quantities of ore, the mining industry contributes the largest portion of solid wastes in the world.21 The Environmental Protection Agency (EPA) describes the industry as the source of more toxic and hazardous waste than any other industrial sector [in the United States], costing billions of dollars to address the public health and environmental threats to communities. 22 Poor regulations and oxymoronic corporate definitions of sustainability, however, make it unclear as to just how much waste the industry actually produces.23 Platinum provides an excellent case study of the issue, because it is an extremely rare and expensive metal—an ore expected to exist in vast quantities in asteroids.24 Further, production of platinum has increased sharply in the past sixty years in order to keep up with growing demand for use in new technologies.25 In fact, despite their high costs, platinum **group metals are** so useful **that** [one] of [four] **industrial** goods **on Earth** require them **in production. 26 Scholars do not expect demand to slow any time soon**.27 Among other technologies, industries use platinum in products such as catalytic converters, jewelry production, various catalysts for chemical processing, and hydrogen fuel cells.28 While there is no consensus on how far the Earth’s reserves of platinum will take humanity, many scientists agree that platinum ore reserves will deplete in a relatively short amount of time.29 With the rate of mining at an all-time high,30 it is increasingly clear that historical patterns of mineral resources and development cannot simply be assumed to continue unaltered into the future. 31 The platinum mining industry, however, has a strong incentive to increase its rate of extraction as profits grow with the rate of demand. Without any alternative, this destructive practice will continue into the future.32 So-called platinum-group metal (PGM) ores are mined through underground or open cut techniques.33 Due to these practices, all but a very small fraction of the mined platinum ore is disposed of as solid waste.34 The environmental consequences of platinum production are thus quite significant, but like the mining industry in general, the amount of waste is typically under-reported.35 While this is due to high production levels at the moment, those levels will only increase given the estimated future demand of platinum.36 In spite of the negative consequences, mining continues unabated because it is economically important to many areas.37 The future environmental costs provide a major challenge in creating a sustainable system. Relegating at least some mining companies to near-Earth asteroids would reduce the negative effects of future mining levels on Earth. The economic benefits of mining need not be sacrificed for the sake of the environment.38

#### Shortage of REM’s now endangers renewable transition.

Opray 18 Max Opray 9-28-2018 "Could a rare metals shortage disrupt the global renewable energy transition?" <https://www.metabolic.nl/news/could-a-rare-metals-shortage-disrupt-the-global-renewable-energy-transition/> (content specialist with sustainability consultants at Metabolic.)//Elmer

The world urgently needs to safeguard supply of the rare metals needed to build enough wind turbines and solar panels to meet Paris climate agreement targets, according to Metabolic’s latest analysis. Produced with partners Copper8, our white paper Metal Demands of the Dutch Energy Transition uses the Netherlands as a case study for examining what materials are needed to build the country’s planned renewable energy infrastructure. The study found that between 3.2 and 4.5 million tons of metals are required by 2030 to achieve the Dutch renewable energy targets – rising to between 11.8 and 16.4 million tons by 2050.Roughly 87% of of these metals are common materials such as steel and iron for the foundation, shaft and blades of wind turbines. However, global production of six rare metals used in solar panels and wind turbines is low enough that if the rest of the world matched Dutch targets, there would not be enough of these materials to enable the shift to renewable energy needed to avert catastrophic climate change. The situation also has significant geopolitical consequences as China has established near complete market dominance in rare metal extraction and processing. **One of the most in-demand metals is neodymium, an important ingredient in wind turbine magnets, of which the report estimates the Netherlands should only consume 0.6% to 1% of global production, but is instead on track to consume up to 3%. The other metals in critical short supply are tellurium, terbium, indium, dysprosium and praseodymium**.

#### Earth mining kills the environment.

Williams 19 Matthew S Williams 8-1-2019 “Asteroid Mining: What Will It Involve and Is This the Future of Wealth?” <https://interestingengineering.com/asteroid-mining-what-will-it-involve-and-is-this-the-future-of-wealth> (writer at Universe Today)//Elmer

Of course, this raises the obvious question: wouldn't it be really expensive to do all this mining? Why not simply continue to rely on Earth for sources of precious metals and resources and simply learn to use them better? To put it simply, we are running out of resources. To be clear, learning to use our resources better and more sustainably is always a great idea. And while it is certainly true than Earth-based mining is far cheaper than going to space would be, that may not be the case indefinitely. Aside from the fact that off-world minerals and ices would be of considerable value to Earth's economy, there is also the way that growing consumption is leading our reserves to become slowly exhausted. In fact, according to some estimates, it is possible that our planet will run out of key elements that are needed for modern industry and food production within the next 50 to 60 years. This alone is a pretty good incentive to tap the virtually inexhaustible supply of elements located off-world. Plus, there are a lot of benefits to expanding humanity's resource base beyond Earth. Here on Earth, mining takes a considerable toll on the natural environment. In fact, depending on the methods used, it can result in erosion, sinkholes, habitat destruction, and the destruction of native animal and plant life. There's also the dangers of toxic runoff and the contamination of soil, groundwater, and surface water, which is a danger to humans, as well as to wildlife and the natural environment. As for smelting, machining, and manufacturing, the environmental damage that results is well-documented. Combined with power generation, these industrial processes are one of the leading contributors to air, water, and pollution. By shifting these burdens off-world, humanity could dramatically-reduce the impact it has on the natural environment.

### 1NC---OFF

#### We will concede ethical frameworks must be theoretically justified – util ows

#### 1] Prep – small school debaters only need a few good generics like deterrence, the civilian casualties disad, and the ICJ counterplan to win every util round. But under agonism, since contentions are less variable and analytics are more important, big-school block-writing hoses them every round. Blocks don’t matter nearly as much for util since innovation checks coaching bias.

#### 2] Innovation – there are simply more articles written in the context of util than in agonism – simple Google search proves. Proves util incentivizes a wider variety of arguments than agonism, which causes recycling of old args – proven by the fact that the same kant justifications have been read every phil round for decades. Think about it – new advantages are broken often, but phil contentions are established at the beginning of the topic and never change for two months.

#### 3] Ground – non-util philosophies conclude overwhelmingly on one side of most topics – for example, Kant won every neg round on the national service topic. Only util generates robust debates with equitable ground.

#### 4] Real-world – abstract debates about philosophy have much less grounding in the real world than util – discussing consequences gives students education about fopo, economics, IR, etc. Outweighs since portable skills are the ultimate goal of debate.

#### Our defense – 1] Education outweighs fairness – every fairness justification collapses to ‘better for debate’ which proves debate’s only valuable if we can learn from it. To win fairness first they need to win this round was so unfair that education couldn’t be gained which is disproven by these args.

#### 2] Resource disparities is wrong – A] Disparities are inevitable but Kant makes them worse – that was above. B] Small schools like Appleton prove everyone has the ability to engage in util rounds. C] Open-sourced wiki and briefs solve – just steal cards from HW. D] No brightline for small schools – DebateDrills and independent coaching proves their standard is arbitrary.

#### Theoretical justifications outweigh – 1] Frameworks are essentially T debates about the word ought which proves the better model of debate is what matters. 2] Turns substance – it doesn’t matter how true a philosophy is if it can’t be engaged or is impossible to learn from – even if Kant was correct, we shouldn’t use his philosophy in debate specifically. 3] Exclusionary rule – we’ve won Agonism is unfair which means all their substantive arguments should be presumed false – the only reason they seem true is because it was impossible to engage in the first place.

#### 4] No 1AC stance means shouldn’t get 1AR clarification

#### Presumption and permissibility negate-

#### A. We assume statements to be false – if I said there’s an invisible unicorn next to me you would need proof. If we assume statements to be true then assume the NC to be true as well.

#### B. Negating is harder so if all else is equal I’ve done the better debating.

#### C. Skep and phil NCs with triggers are core neg generics – the aff already has infinite prep, they don’t need more phil.

#### D. Ought implies a moral obligation which proves the aff has to win the resolution is a positive good.

#### Extinction first –

#### 1 – Forecloses future improvement – we can never improve society because our impact is irreversible which proves moral uncertainty

#### 2 – Turns suffering – mass death causes suffering because people can’t get access to resources and basic necessities

#### 3 – Objectivity – body count is the most objective way to calculate impacts because comparing suffering is unethical

## Case

### 1NC---AT: FW

You don’t have to justify every action – certain things are definitionally morally neutral – this also assumes moral decisions take long amounts of time we can do things instantly – we should have to justify every moral claim that’s the only way we can prevent atrocities under the guise of there not being a moral conclusion

### 1NC---AT: Underview

#### CI- The violation

#### 1] Negative testing- we should get to test the affirmative from multiple angles and sides that o/w’s since it’s the constitutive and inescapable role of the negative

#### 2] Phil Ed- Reading an alternative framework is key to clashing over core philosophical issues and learning the nuances of them. That outweighs A] Uniqueness- it’s the only thing unique to LD debate B] Time frame- philosophical knowledge helps us make ethical decisions in the future outside debate.

#### 3] Strategic Case Writing- Contesting your framework forces the aff to write the most strategic framework that they can leverage. Turns fairness offense since it means aff teams are able to win framing debates more efficiently

#### 4] Inclusion- Frameworks could be morally repugnant and justify horrible atrocities. We need to be able to contest their framework to hedge against ethical practices that impose psychic violence onto some debaters. That outweighs A] Pre-req- it’s an impact filter to other standards B] Performativity- you making arguments assumes your voice is included

A2 Time Skew/Strat skew

#### 1] Non-unique- all arguments skew time and strategy to some extent.

#### 2] Inevitable- Any argument that operates on a higher layer like 1ar theory would moot speech times

#### 3] Turn- reading turns to only your offense would moot the time you spent reading the FW

#### 4] Turn- our interp forces 1ar critical thinking and efficiency which is better since it lets them get faster for more abusive NC’s

we get rvis to prevent the 1ar from extending blippy 1ac shells which split the 2nr and decreases substantive education – no 7 min dump 1ncs cant spend that long or they

### 1NC---AT: Contention

the a point is consequentialist article is literally called the “unintended consequences of privatizing space” and private companies lobbying isn’t intrinsic to appropriation

The b point – not a reason privatization is intrinsically wrong it’s a reason privatization absent government officials is wrong but that first requires initial acquisitions of property to have a government

#### Acquisition of property can never be unjust – to create rights violations, there must already be an owner of the property being violated, but that presupposes its appropriation by another entity.

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

There is a serious difficulty with this criticism of Nozick, however. It is just this: There is no such thing as an unjust initial acquisition of resources; therefore, there is no case to be made for redistributive taxation on the basis of alleged injustices in initial acquisition. This is, to be sure, a bold claim. Moreover, in making it, I contradict not only Nozick’s critics, but Nozick himself, who clearly thinks it is at least possible for there to be injustices in acquisition, whether or not there have in fact been any (or, more realistically, whether or not there have been enough such injustices to justify continual redistributive taxation for the purposes of rectifying them). But here is a case where Nozick has, I think, been too generous to the other side. Rather than attempt —unsatisfactorily, in the view of his critics—to meet the challenge to show that initial acquisition has not in general been unjust, he ought instead to have insisted that there is no such challenge to be met in the first place. Giving what I shall call “the basic argument” for this audacious claim will be the task of Section II of this essay. The argument is, I think, compelling, but by itself it leaves unexplained some widespread intu- itions to the effect that certain specific instances of initial acquisition are unjust and call forth as their remedy the application of a Lockean proviso, or are otherwise problematic. (A “Lockean proviso,” of course, is one that forbids initial acquisitions of resources when these acquisitions do not leave “enough and as good” in common for others.) Thus, Section III focuses on various considerations that tend to show how those intuitions are best explained in a way consistent with the argument of Section II. Section IV completes the task of accounting for the intuitions in question by considering how the thesis of self-ownership itself bears on the acqui- sition and use of property. Section V shows how the results of the previ- ous sections add up to a more satisfying defense of Nozickian property rights than the one given by Nozick himself, and considers some of the implications of this revised conception of initial acquisition for our under- standing of Nozick’s principles of transfer and rectification. II. The Basic Argument The reason there is no such thing as an unjust initial acquisition of resources is that there is no such thing as either a just or an unjust initial acquisition of resources. The concept of justice, that is to say, simply does not apply to initial acquisition. It applies only after initial acquisition has already taken place. In particular, it applies only to transfers of property (and derivatively, to the rectification of injustices in transfer). This, it seems to me, is a clear implication of the assumption (rightly) made by Nozick that external resources are initially unowned. Consider the following example. Suppose an individual A seeks to acquire some previously unowned resource R. For it to be the case that A commits an injustice in acquiring R, it would also have to be the case that there is some individual B (or perhaps a group of individuals) against whom A commits the injustice. But for B to have been wronged by A’s acquisi- tion of R, B would have to have had a rightful claim over R, a right to R. By hypothesis, however, B did not have a right to R, because no one had a right to it—it was unowned, after all. So B was not wronged and could not have been. In fact, the very first person who could conceivably be wronged by anyone’s use of R would be, not B, but A himself, since A is the first one to own R. Such a wrong would in the nature of the case be an injustice in transfer—in unjustly taking from A what is rightfully his—not in initial acquisition. The same thing, by extension, will be true of all unowned resources: it is only after some- one has initially acquired them that anyone could unjustly come to possess them, via unjust transfer. It is impossible, then, for there to be any injustices in initial acquisition.7

#### To own yourself and use your own freedom is to be able to interact with external objects. Anything else makes you unable to exercise your own freedom on other things and creates a contradiction.

Feser 2, (Edward Feser, 1-1-2005, accessed on 12-15-2021, Cambridge University Press, "THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION | Social Philosophy and Policy | Cambridge Core", Edward C. Feser is an American philosopher. He is an Associate Professor of Philosophy at Pasadena City College in Pasadena, California. [https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1)[brackets](https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1)%5bbrackets) for gen lang]//phs st

There is. An alternative, soft-line approach could acknowledge that the initial acquirer who abuses a monopoly over a water hole (or any similar crucial resource) does commit an injustice against those who are disad- vantaged, but such an approach could still hold that the acquirer never- theless has not committed an injustice in acquisition —his acquisition was, as I have said, neither just nor unjust. Nor does he fail to own what he has acquired; he still cannot be said to have stolen the water from anyone. Rather, his injustice is an unjust use of what he owns, on a par with the unjust use I make of my self-owned fist when I wield it, unprovoked, to bop you on your self-owned nose. In what sense does the water-hole owner use his water unjustly, though? He doesn’t try to drown anyone in it, after all— indeed, the whole problem is that he won’t let anybody near it! Eric Mack gives us the answer we need in what he has put forward as the “self-ownership proviso” (SOP).28 This is a proviso not (as the Lock- ean proviso is) on the initial acquisition of property, but rather on how one can use his property in a way that respects others’ self-ownership rights. It is motivated by consideration of the fact that the talents, abilities, capac- ities, energies, etc., that a person rightfully possesses as a self-owner are inherently “world-interactive”; that is, it is of their very essence that they are directed toward the extra-personal environment.29 Your capacity to use your hand, for instance, is just a capacity to grasp and manipulate external objects; thus, what you own in owning your hand is something essentially grasping and manipulating.30 Now if someone were to cut off your hand or invasively keep you from using it (by tying your arm against your body or holding it behind your back), he would obviously be violating your self-ownership rights. But there are, Mack suggests, other, noninvasive ways in which those rights might be violated. If, to use an example of Mack’s, I effectively nullify your ability to use your hand by creating a device that causes anything you reach for to be propelled beyond your grasp, making it impossible for you ever to grasp or manip- ulate anything, I have violated your right to your hand as much as if I had cut it off or tied it down. I have, in any case, prevented your right to your hand from being anything more than a formal right, one that is practically useless. In the interests of guaranteeing respect for substantive, robust rights of self-ownership, then, “[t]he SOP requires that persons not deploy their legitimate holdings, i.e., their extra-personal property, in ways that severely, albeit noninvasively, disable any person’s world-interactive powers.” 31 The SOP follows, in Mack’s view, from the thesis of self-ownership itself; or, at any rate, the considerations that would lead anyone to accept that thesis should also, in his view, lead one to accept the proviso.32 A brief summary of a few of Mack’s thought experiments should suffice to give a sense of why this is so.33 In what Mack calls the Adam’s Island example, Adam acquires a previously uninhabited island and later refuses a shipwrecked Zelda permission to come ashore, as a result of which she remains struggling at sea (and presumably drowns). In the Paternalist Caging example, instead of drowning, Zelda becomes caught offshore in a cage Adam has constructed for catching large sea mammals, and, rather than releasing her, Adam keeps her in the cage and feeds her regularly. In the Knuckle-Scraper Barrier example, Zelda falls asleep on some unowned ground, whereupon a gang of oafish louts encircles her and, using their bodies and arms as barriers, refuses to let her out of the circle (accusing her of assault if she touches them in order to climb over or break through). In the Disabling Property Barrier example, instead of a human barrier, Adam constructs a plastic shield over and around the unowned plot of ground upon which Zelda sleeps, accusing her of trespassing upon his property when she awakens and tries to escape by breaking through the plastic. And in the (similarly named) Disabling Property Barriers example, seem to suggest an Aristotelian-Thomistic conception of natural function, and though this by no means troubles me, it might not be what Mack himself has in mind (nor, of course, is it something every philosopher is going to sympathize with). Mack’s view nevertheless seems to require something like this conception. And something like it —enough like it to do the job Mack needs to be done, anyway—is arguably to be found in Larry Wright’s well- known reconstruction, in modern Darwinian terms, of the traditional notion of natural function. See Larry Wright, “Functions,” Philosophical Review 82, no. 2 (1973): 139–68. Adam, instead of enclosing Zelda in a plastic barrier, encloses in plastic barriers every external object that Zelda would otherwise be able to use — thus, in effect, enclosing her in a larger, all-encompassing plastic barrier of a more eccentric shape. In all of these cases, Mack says, although Zelda’s formal rights of self-ownership have not been violated—no one has invaded the area enclosed by the surface of her skin —her rights over her self-owned powers, and in particular her ability to exercise those powers, have nevertheless been nullified. But a plausible self-ownership- based theory surely cannot allow for this. It cannot, for instance, allow the innocent Zelda justly to be imprisoned in any of the ways described! If Mack is right, then it seems we have, in the SOP, grounds for holding that a water-hole monopolist would indeed be committing an injustice against anyone he refuses water to, or to whom he charges exorbitant prices for access. The injustice would be a straightforward violation of a person’s rights to self-ownership, a case of nullifying a person’s self- owned powers in a way analogous to Adam’s or the knuckle-scrapers’ nullification of Zelda’s self-owned powers. It would not be an injustice in initial acquisition, however. The water-hole monopolist still owns the water hole as much as he ever did; he just cannot use it in a way that violates other individuals’ self-ownership rights (either by drowning them in it or by nullifying their self-owned powers by denying them access to it when there is no alternative way for them to gain access to the water necessary for the use of their self-owned powers). Is Mack right? The hard-liner might dig in his heels and insist that none of Mack’s examples amount to self-ownership-violating injustices; instead, they are merely subtle but straightforward property rights violations or cases of moral failings of various other sorts (cruelty, selfishness, etc.). The Adam’s Island case, for starters, is roughly analogous to the example of the water-hole monopolist, so that it arguably cannot give any non-question- begging support to the SOP, if the SOP is then supposed to show that the water-hole example involves an injustice. The Disabling Property Barriers case might also be viewed as unable to provide any non-question-begging support, since Adam’s encasing everything in plastic might plausibly be interpreted as his acquiring everything, in which case we are back to a water-hole-type monopoly example. The Knuckle-Scraper Barrier and Dis- abling Property Barrier examples might be explained by saying that in falling asleep on the unowned plot of land, Zelda in effect has come (at least temporarily) to acquire it, and (by virtue of walking) to acquire also the path she took to get to it, so that the knuckle-scrapers and Adam violate her property rights (not her self-ownership rights) in not allowing her to escape. The Paternalist Caging example can perhaps be explained by arguing that in building the cage, Adam has acquired the water route leading to it, so that in swimming this route (and thus getting caught in the cage) Zelda has violated his property rights and, therefore, can justly be caged. Accordingly, the hard-liner might insist, we can explain all of these examples in a hard-line way and thus avoid commitment to the SOP. Such a hard-line response would be ingenious (well, maybe), but still, I think, ultimately doomed to failure. Can the Paternalist Caging example, to start with, plausibly be explained away in the manner that I have suggested? Does Adam commit no injustice against Zelda even if he never lets her out? It will not do to write this off merely as a case of excessive punishment (explaining the injustice of which would presumably not require commitment to the SOP). For suppose Adam says, after a mere five minutes of confinement, “I’m no longer punishing you; you’ve paid your debt and are free to go, as far as I’m concerned. But I’m not going to bother exerting the effort to let you out. I never forced you to get in the cage, after all —you did it on your own —and you have no right to the use of my self-owned cage-opening powers to fix your mistake! So teleport out, if you can. Or get someone else —if you can find someone —to let you out.” Adam would be neither violating Zelda’s rights to external property nor excessively punishing her in this case; nor would he be invasively vio- lating her self-ownership rights. But wouldn’t he still be committing an injustice, however noninvasively? Don’t we need something like the SOP to explain why this is so? The barrier examples, for their part, do not require Zelda’s walking and falling asleep on virgin territory, which thus (arguably) becomes her prop- erty. We can, to appeal to the sort of science-fiction scenario beloved of philosophers, imagine instead a bizarre chance disruption of the structure of space-time that teleports Zelda into Adam’s plastic shell or into the midst of the knuckle-scrapers. There is no question now of their violating her property rights; yet don’t they still commit an injustice by nullifying her self-owned powers in refusing to allow her to exit? Consider a parallel example concerning property ownership itself. If your prized $50,000 copy of Captain America Comics number 1, due to another rupture in space-time or just to a particularly strong wind that blows it out of your hands and through my window, suddenly appears on the floor of my living room, do I have the right to refuse to bring it back out to you or to allow you to come in and get it? Suppose I attempt to justify my refusal by saying, “I won’t touch it, and you’re free to have it back if you can arrange another space-time rupture or gust of wind. But I refuse to exert my self-owned powers to bring it out to you, or to allow you on my property to get it. I never asked for it to appear in my living room, after all!” Would anyone accept this justification? Doesn’t your property right in the comic book require me to give it back to you? The hard-liner might suggest that this example transports the SOP advocate out of the frying pan and into the fire. For if the SOP is true, wouldn’t we also have to commit ourselves to a “property-ownership proviso” (POP) that requires us not to nullify anyone’s ability to use his external private property in a way consistent with its “world-interactive powers”? If I build a miniature submarine in my garage, and you have the only swimming pool within one thousand miles, must you allow me the use of your pool lest you nullify my ability to use the sub? If (to take an example of Cohen’s cited by Mack) I own a corkscrew, must I be provided with wine bottles to open lest the corkscrew sadly fail to fulfill its full potential?34 Mack’s response to this line of thought seems basically to amount to a bit of backpedaling on the claim that his proviso really follows from the notion of self-ownership per se —so as to avoid the conclusion that a (rather unlibertarian and presumably redistributionist) POP would also, in par- allel fashion, follow from the concept of property ownership. His response seems, instead, to emphasize the idea that the considerations favoring self-ownership also favor, via an independent line of reasoning, the SOP.35 In my view, however, a better response would be one that took note of some relevant disanalogies between property in oneself and property in external things. Note first that the self-owned world-interactive powers, the possible use of which the SOP is intended to guarantee, are possessed by a living being who is undergoing development, which involves passing through various stages; therefore, these powers are ones that flourish with use and atrophy or even disappear with disuse.36 To nullify these powers even for a limited time, then, is (very often at least) not merely temporarily to inconvenience their owner, but, rather, to bring about a permanent reduc- tion or even disablement of these powers. By contrast, a submarine (or a corkscrew) retains its powers even when left indefinitely in a garage (or a drawer). This difference in the effect that nullification has on self-owned powers versus extra-personal property plausibly justifies a difference in our judgments concerning the acceptability, from the point of view of justice, of such nullification in the two cases; that is, it justifies adoption of the SOP but not of the POP.37 Second, there is an element of choice (and in particular, of voluntary acquisition) where extra-personal property is concerned that is morally relevant here. One’s self-owned powers, along with the SOP-guaranteed right to the non-nullification of those powers, are not something one chooses or acquires; one just has them —indeed, to a great degree one just is the constellation of those powers, abilities, etc.—and owns them fully. By contrast, extra-personal property is something one chooses to acquire or not to acquire, and as we have seen, one always acquires property rights in various degrees, from partial to full ownership—and this would include the rights guaranteed by a POP. If one chooses to acquire a corkscrew under conditions where wine bottles are unavailable, or are even likely at some point to become unavailable, one can hardly blame others if one finds oneself bottle-less. To fail to acquire POP-like rights regarding the corkscrew (by, say, contracting with someone else to provide one with wine bottles in perpetuity) is not the same thing as to have those rights and then have them violated. Someone who buys a corkscrew and then finds that he cannot use it is like the person who acquires only partial property rights in a water hole that others have already acquired partial use rights over. He cannot complain that his co-owners have violated his rights; he never acquired those other rights in the first place. Similarly, the corkscrew owner cannot complain that he has no bottles to open; he never acquired the right to those bottles, only to the corkscrew. If full ownership of a corkscrew requires POP-like rights over it, then all that follows is that corkscrew owners who lack bottles are not full owners of their corkscrews.

### 1NC---AT: Adv

#### Collision risk is infinitesimally small

Fange 17 Daniel Von Fange 17, Web Application Engineer, Founder and Owner of LeanCoder, Full Stack, Polyglot Web Developer, “Kessler Syndrome is Over Hyped”, 5/21/2017, http://braino.org/essays/kessler\_syndrome\_is\_over\_hyped/

The orbital area around earth can be broken down into four regions. Low LEO - Up to about 400km. Things that orbit here burn up in the earth’s atmosphere quickly - between a few months to two years. The space station operates at the high end of this range. It loses about a kilometer of altitude a month and if not pushed higher every few months, would soon burn up. For all practical purposes, Low LEO doesn’t matter for Kessler Syndrome. If Low LEO was ever full of space junk, we’d just wait a year and a half, and the problem would be over. High LEO - 400km to 2000km. This where most heavy satellites and most space junk orbits. The air is thin enough here that satellites only go down slowly, and they have a much farther distance to fall. It can take 50 years for stuff here to get down. This is where Kessler Syndrome could be an issue. Mid Orbit - GPS satellites and other navigation satellites travel here in lonely, long lives. The volume of space is so huge, and the number of satellites so few, that we don’t need to worry about Kessler here. GEO - If you put a satellite far enough out from earth, the speed that the satellite travels around the earth will match the speed of the surface of the earth rotating under it. From the ground, the satellite will appear to hang motionless. Usually the geostationary orbit is used by big weather satellites and big TV broadcasting satellites. (This apparent motionlessness is why satellite TV dishes can be mounted pointing in a fixed direction. You can find approximate south just by looking around at the dishes in your northern hemisphere neighborhood.) For Kessler purposes, GEO orbit is roughly a ring 384,400 km around. However, all the satellites here are moving the same direction at the same speed - debris doesn’t get free velocity from the speed of the satellites. Also, it’s quite expensive to get a satellite here, and so there aren’t many, only about one satellite per 1000km of the ring. Kessler is not a problem here. How bad could Kessler Syndrome in High LEO be? Let’s imagine a worst case scenario. An evil alien intelligence chops up everything in High LEO, turning it into 1cm cubes of death orbiting at 1000km, spread as evenly across the surface of this sphere as orbital mechanics would allow. Is humanity cut off from space? I’m guessing the world has launched about 10,000 tons of satellites total. For guessing purposes, I’ll assume 2,500 tons of satellites and junk currently in High LEO. If satellites are made of aluminum, with a density of 2.70 g/cm3, then that’s 839,985,870 1cm cubes. A sphere for an orbit of 1,000km has a surface area of 682,752,000 square KM. So there would be one cube of junk per .81 square KM. If a rocket traveled through that, its odds of hitting that cube are tiny - less than 1 in 10,000.

#### Uncertainty from debris collisions creates restraint not instability.

MacDonald 16, B., et al. "Crisis stability in space: China and other challenges." Foreign Policy Institute. Washington, DC (2016). (senior director of the Nonproliferation and Arms Control Project with the Center for Conflict Analysis and Prevention)//Elmer

In any crisis that threatens to escalate into major power conflict, political and military leaders will face uncertainty about the effectiveness of their plans and decisions. This uncertainty will be compounded when potential conflict extends to the space and cyber domains, where weapon effectiveness is largely untested and uncertain, infrastructure interdependencies are unclear, and damaging an adversary could also harm oneself or one’s allies. Unless the stakes become very high, no country will likely want to gamble its well-being in a “single cosmic throw of the dice,” in Harold Brown’s memorable phrase. 96 The novelty of space and cyber warfare, coupled with risk aversion and worst-case assessments, could lead space adversaries into a situation of what can be called “hysteresis,” where each adversary is restrained by its own uncertainty of success. This is conceptually shown in Figures 1 and 2 for offensive counter-space capabilities, though it applies more generally. 97 These graphs portray the hypothetical differences between perceived and actual performance capabilities of offensive counter-space weapons, on a scale from zero to one hundred percent effectiveness. Where uncertainty and risk aversion are absent for two adversaries, no difference would exist between the likely performance of their offensive counter-space assets and their confidence in the performance of those weapons: a simple, straight-line correlation would exist, as in Figure 1. The more interesting, and more realistic, case is notionally presented in Figure 2, which assumes for simplicity that the offensive capabilities of each adversary are comparable. In stark contrast to the case of Figure 1, uncertainty and risk aversion are present and become important factors. Given the high stakes involved in a possible large-scale attack against adversary space assets, a cautious adversary is more likely to be conservative in estimating the effectiveness of its offensive capabilities, while more generously assessing the capabilities of its adversary. Thus, if both side’s weapons were 50% effective and each side had a similar level of risk aversion, each may conservatively assess its own capabilities to be 30% effective and its adversary’s weapons to be 70% effective. Likewise, if each side’s weapons were 25% effective in reality, each would estimate its own capabilities to be less than 25% effective and its adversary’s to be more than 25% effective, and so on. In Figure 2, this difference appears, in oversimplified fashion, as a gap that represents the realistic worry that a country’s own weapons will under-perform while its adversary’s weapons will over-perform in terms of effectiveness. If both countries face comparable uncertainty and exhibit comparable risk aversion, each may be deterred from initiating an attack by its unwillingness to accept the necessary risks.

This gap could represent an “island of stability,” as shown in Figure 2. In essence, given the enormous stakes involved in a major strike against the adversary’s space assets, a potential attacker will likely demonstrate some risk aversion, possessing less confidence in an attack’s effectiveness. It is uncertain how robust this hysteresis may prove to be, but the phenomenon may provide at least some stabilizing influence in a crisis. In the nuclear domain, the immediate, direct consequences of military use, including blast, fire, and direct radiation effects, were appreciated at the outset. Nonetheless, significant uncertainty and under-appreciation persisted with regard to the collateral, indirect, and climatological effects of using such weapons on a large scale. In contrast, the immediate, direct effects of major space conflict are not well understood, and potential indirect and interdependent effects are even less understood. Indirect effects of large-scale space and cyber warfare would be virtually impossible to confidently calculate, as the infrastructures such warfare would affect are constantly changing in design and technology. Added to this is a likely anxiety that if an attack were less successful than planned, a highly aggrieved and powerful adversary could retaliate in unanticipated ways, possibly with highly destructive consequences. As a result, two adversaries facing potential conflict may lack confidence both in the potential effectiveness of their own attacks and in the ineffectiveness of any subsequent retaliation. Such mutual uncertainty would ultimately be stabilizing, though probably not particularly robust. This is reflected in Figure 2, where each side shows more caution than the technical effectiveness of its systems may suggest. Each curve notionally represents one state’s confidence in its offensive counter-space effectiveness relative to their actual effectiveness. Until true space asset resilience becomes a trusted feature of space architectures, deterrence by risk aversion, and cross-domain deterrence, may be the only means for deterrence to function in space.

#### Squo tracking, shielding, and removal plans solve

Dr. Brian Koberlein 16, Professor of Physics at the Rochester Institute of Technology and PhD in Astrophysics from the University of Connecticut, “Cascade Effect”, 5-4, https://archive.briankoberlein.com/2016/05/04/cascade-effect/index.html

In the movie Gravity the driving force of the plot is a catastrophic cascade of space debris. An exploding satellite sends high speed debris into the path of other satellites, and the resulting collisions create more space debris until everything from a space shuttle to the International Space Station faces an eminent threat of destruction. Not unexpectedly, the movie portrayal of such a situation is not particularly accurate, but the risk of a debris cascade is very real.

It’s known as the Kessler syndrome, after Donald Kessler, who first imagined the scenario in the 1970s. The problem comes down to the fact that small objects in Earth orbit can stay in orbit for a very long time. If an astronaut drops a bolt, it can stay in orbit for decades or centuries. Because the relative speed of two objects in orbit can be quite large, it doesn’t take a big object to pose a real threat to your spacecraft. On the highway a small pebble can chip your car windshield. In space it can be done by a chip of paint traveling at thousands of kilometers per hour. In the history of the space shuttle missions, there were more than 1,600 debris strikes. Because of such strikes, more than 90 space shuttle windows had to be replaced over the lifetime of shuttle missions.

While that might sound alarming, it’s actually quite manageable. Upgrades and maintenance were quite common on the shuttle missions, and we tend to err on the side of caution when it comes to replacing parts. Modern spacecraft also have ways to mitigate the risk of small impacts, such as Whipple shields made of thin layers of material spaced apart so that objects disintegrate when hitting the shield rather than the spacecraft itself. We also have a tracking system that currently tracks more than 300,000 objects bigger than 1 cm, so we can make sure that most spacecraft avoid these objects.

But the risk of big collisions isn’t negligible. In 2009 the Iridium 33 and Kosmos-2251 satellites collided at high speed, destroying both spacecraft and creating more dangerous debris. It wouldn’t take many collisions like this for the debris numbers to rise dramatically, and more debris means a greater risk of collisions. In Gravity the cascade happens very quickly, triggered by a single event. The reality is not quite so grave. Instead of happening overnight, Kessler syndrome would occur gradually, raising collision risks to the point where certain orbits become logistically impractical. It could occur so gradually that we might not notice it early on, and there are some that argue it’s already underway.

The good news is that we’re aware of the threat. And, as the old saying goes, knowing is half the battle. Already we take steps to limit the amount of debris created. New spacecraft include end of life plans

to remove them from orbit, either by sending them into Earths atmosphere to burn up, or sending them to a “graveyard orbit” that poses little risk to other spacecraft. There are also plans on the drawing board to clear orbits of debris, particularly in low-Earth orbit where the risk is greatest. The cascade effect is a real risk, but it’s also one we can likely manage with a bit of ingenuity.