### FW – Util

#### The standard is maximizing expected well-being. Calc indicts don’t link—our impacts are bad because as far as we know, it would cause suffering.

#### 1] Actor spec—governments must use util because they don’t have intentions and are constantly dealing with tradeoffs—outweighs since different agents have different obligations—takes out calc indicts since they are empirically denied.

Woller 97, Gary [BYU Professor]. “An Overview by Gary Woller”; June, 1997; *A Forum on the Role of Environmental Ethics*

Moreover, virtually all public policies entail some redistribution of economic or political resources, such that one group's gains must come at another group's ex- pense. Consequently, public policies in a democracy must be justified to the public, and especially to those who pay the costs of those policies. Such justification cannot simply be assumed a priori by invoking some higher-order moral principle. Appeals to a priori moral principles, such as environmental preservation, also often fail to acknowledge that public policies inevitably entail trade-offs among competing values. Thus since policymakers cannot justify inherent value conflicts to the public in any philosophical sense, and since public policies inherently imply winners and losers, the policymakers' duty [is] to the public interest requires them to demonstrate that the redistributive effects and value trade-offs implied by their polices are somehow to the overall advantage of society. At the same time, deontologically based ethical systems have severe practical limitations as a basis for public policy. At best, a priori m oral principles provide only general guidance to ethical dilemmas in public affairs and do not themselves suggest appropriate public policies, and at worst, they create a regimen of regulatory unreasonableness while failing to adequately address the problem or actually making it worse. For example, a moral obligation to preserve the environment by no means implies the best way, or any way for that matter, to do so, just as there is no a priori reason to believe that any policy that claims to preserve the environment will actually do so. Any number of policies might work, and others, although seemingly consistent with the moral principle, will fail utterly. That deontological principles are an inadequate basis for environmental policy is evident in the rather significant irony that most forms of deontologically based environmental laws and regulations tend to be implemented in a very utilitarian manner by street-level enforcement officials. Moreover, ignoring the relevant costs and benefits of environmental policy and their attendant incentive structures can, as alluded to above, actually work at cross purposes to environmental preservation. (There exists an extensive literature on this aspect of regulatory enforcement and the often perverse outcomes of regulatory policy. See, for example, Ackerman, 1981; Bartrip and Fenn, 1983; Hawkins, 1983, 1984; Hawkins and Thomas, 1984.) Even the most die-hard preservationist/deontologist would, I believe, be troubled by this outcome. The above points are perhaps best expressed by Richard Flathman, The number of values typically involved in public policy decisions, the broad categories which must be employed and above all, the scope and complexity of the consequences to be anticipated militate against reasoning so conclusively that they generate an imperative to institute a specific policy. It is seldom the case that only one policy will meet the criteria of the public interest (1958, p. 12). It therefore follows that in a democracy, policymakers have an ethical duty to establish a plausible link between policy alternatives and the problems they address, and the public must be reasonably assured that a policy will actually do something about an existing problem; this requires the means-end language and methodology of utilitarian ethics. Good intentions, lofty rhetoric, and moral piety are an insufficient though perhaps at times a necessary, basis for public policy in a democracy.

#### 2] Pleasure and pain are the starting point for moral reasoning—they’re our most baseline desires and the only things that explain the intrinsic value of objects or actions

Moen 16, Ole Martin (PhD, Research Fellow in Philosophy at University of Oslo). "An Argument for Hedonism." Journal of Value Inquiry 50.2 (2016): 267.

Let us start by observing, empirically, that **a widely shared judgment about intrinsic value** and disvalue **is that pleasure is intrinsically valuable and pain is intrinsically disvaluable**. On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues. This inclusion makes intuitive sense, moreover, for **there is something undeniably good about the way pleasure feels and something undeniably bad about the way pain feels**, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have. “Pleasure” and “pain” **are** here **understood inclusively**, as encompassing anything hedonically positive and anything hedonically negative. 2 The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values. If you tell me that you are heading for the convenience store**, I might ask: “What for**?” This is a reasonable question, for when you go to the convenience store you usually do so, not merely for the sake of going to the convenience store, but for the sake of achieving something further that you deem to be valuable. You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. **The reason is that the pleasure is not good for anything further; it is simply that for which going to the convenience store and buying the soda is good**. 3 As Aristotle observes: “**We never ask** [a man] **what** his **end is in being pleased, because we assume that pleasure is choice worthy in itself**.”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that **if something is painful, we have a sufficient explanation of why it is bad**. If we are onto something in our everyday reasoning about values, it seems that **pleasure and pain are both places where we reach the end of the line in matters of value**. Although **pleasure and pain thus seem to be good candidates for intrinsic value and disvalue**, several objections have been raised against this suggestion: (1) that pleasure and pain have instrumental but not intrinsic value/disvalue; (2) that pleasure and pain gain their value/disvalue derivatively, in virtue of satisfying/frustrating our desires; (3) that there is a subset of pleasures that are not intrinsically valuable (so-called “evil pleasures”) and a subset of pains that are not intrinsically disvaluable (so-called “noble pains”), and (4) that pain asymbolia, masochism, and practices such as wiggling a loose tooth render it implausible that pain is intrinsically disvaluable. I shall argue that these objections fail. Though it is, of course, an open question whether other objections to P1 might be more successful, I shall assume that if (1)–(4) fail, we are justified in believing that P1 is true itself a paragon of freedom—there will always be some agents able to interfere substantially with one’s choices. The effective level of protection one enjoys, and hence one’s actual degree of freedom, will vary according to multiple factors: how powerful one is, how powerful individuals in one’s vicinity are, how frequent police patrols are, and so on. Now, we saw above that what makes a slave unfree on Pettit’s view is the fact that his master has the power to interfere arbitrarily with his choices; in other words, what makes the slave unfree is the power relation that obtains between his master and him. The difﬁculty is that, in light of the facts I just mentioned, there is no reason to think that this power relation will be unique. A similar relation could obtain between the master and someone other than the slave: absent perfect state control, the master may very well have enough power to interfere in the lives of countless individuals. Yet it would be wrong to infer that these individuals lack freedom in the way the slave does; if they lack anything, it seems to be security. A problematic power relation can also obtain between the slave and someone other than the master, since there may be citizens who are more powerful than the master and who can therefore interfere with the slave’s choices at their discretion. Once again, it would be wrong to infer that these individuals make the slave unfree in the same way that the master does. Something appears to be missing from Pettit’s view. If I live in a particularly nasty part of town, then it may turn out that, when all the relevant factors are taken into account, I am just as vulnerable to outside interference as are the slaves in the royal palace, yet it does not follow that our conditions are equivalent from the point of view of freedom. As a matter of fact, we may be equally vulnerable to outside interference, but as a matter of right, our standings could not be more different. I have legal recourse against anyone who interferes with my freedom; the recourse may not be very effective—presumably it is not, if my overall vulnerability to outside interference is comparable to that of a slave— but I still have full legal standing.68 By contrast, the slave lacks legal recourse against the interventions of one speciﬁc individual: his master. It is that fact, on a Kantian view—a fact about the legal relation in which a slave stands to his master—that sets slaves apart from freemen. The point may appear trivial, but it does get something right: whereas one cannot identify a power relation that obtains uniquely between a slave and his master, the legal relation between them is undeniably unique. A master’s right to interfere with respect to his slave does not extend to freemen, regardless of how vulnerable they might be as a matter of fact, and citizens other than the master do not have the right to order the slave around, regardless of how powerful they might be. This suggests that Kant is correct in thinking that the ideal of freedom is essentially linked to a person’s having full legal standing. More speciﬁcally, he is correct in holding that the importance of rights is not exhausted by their contribution to the level of protection that an individual enjoys, as it must be on an instrumental view like Pettit’s. Although it does matter that rights be enforced with reasonable effectiveness, the sheer fact that one has adequate legal rights is essential to one’s standing as a free citizen. In this respect, Kant stays faithful to the idea that freedom is primarily a matter of standing—a standing that the freeman has and that the slave lacks. Pettit himself frequently insists on the idea, but he fails to do it justice when he claims that freedom is simply a matter of being adequately (and reliably) shielded against the strength of others. As Kant recognizes, the standing of a free citizen is a more complex matter than that. One could perhaps worry that the idea of legal standing is something of a red herring here—that it must ultimately be reducible to a complex network of power relations and, hence, that the position I attribute to Kant differs only nominally from Pettit’s. That seems to me doubtful. Viewing legal standing as essential to freedom makes sense only if our conception of the former includes conceptions of what constitutes a fully adequate scheme of legal rights, appropriate legal recourse, justiﬁed punishment, and so on. Only if one believes that these notions all boil down to power relations will Kant’s position appear similar to Pettit’s. On any other view—and certainly that includes most views recently defended by philosophers—the notion of legal standing will outstrip the power relations that ground Pettit’s theory.

#### 3] No intent-foresight distinction for states.

Enoch 07 Enoch, D [The Faculty of Law, The Hebrew Unviersity, Mount Scopus Campus, Jersusalem]. (2007). INTENDING, FORESEEING, AND THE STATE. Legal Theory, 13(02). doi:10.1017/s1352325207070048 https://www.cambridge.org/core/journals/legal-theory/article/intending-foreseeing-and-the-state/76B18896B94D5490ED0512D8E8DC54B2

The general difficulty of the intending-foreseeing distinction here stemmed, you will recall, from the feeling that attempting to pick and choose among the foreseen consequences of one’s actions those one is more and those one is less responsible for looks more like the preparation of a defense than like a genuine attempt to determine what is to be done. Hiding behind the intending-foreseeing distinction seems like an attempt to evade responsibility, and so thinking about the distinction in terms of responsibility serves 39. Anderson & Pildes, supra note 38. I will use this text as my example of an expressive theory here. 40. See id. at 1554, 1564. 41. For a general critique, see Mathew D. Adler, Expressive Theories of Law: A Skeptical Overview, 148 U. PA. L. REV. 1363 (1999–2000). 42. As Adler repeatedly notes, the understanding of expression Anderson & Pildes work with is amazingly broad, so that “To express an attitude through action is to act on the reasons the attitude gives us”; Anderson & Pildes, supra note 38, at 1510. If this is so, it seems that expression drops out of the picture and everything done with it can be done directly in terms of reasons. 43. This may be true of what Anderson and Pildes have in mind when they say that “expressive norms regulate actions by regulating the acceptable justifications for doing them”; id. at 1511. http://journals.cambridge.org Downloaded: 03 Aug 2014 IP address: 134.153.184.170 Intending, Foreseeing, and the State 91 to reduce even further the plausibility of attributing to it intrinsic moral significance. This consideration—however weighty in general—seems to me very weighty when applied to state action and to the decisions of state officials. For perhaps it may be argued that individuals are not required to undertake a global perspective, one that equally takes into account all foreseen consequences of their actions. Perhaps, in other words, individuals are entitled to (roughly) settle for having a good will, and beyond that let chips fall where they may. But this is precisely what stateswomen and statesmen—and certainly states—are not entitled to settle for.44 In making policy decisions, it is precisely the global (or at least statewide, or nationwide, or something of this sort) perspective that must be undertaken. Perhaps, for instance, an individual doctor is entitled to give her patient a scarce drug without thinking about tomorrow’s patients (I say “perhaps” because I am genuinely not sure about this), but surely when a state committee tries to formulate rules for the allocation of scarce medical drugs and treatments, it cannot hide behind the intending-foreseeing distinction, arguing that if it allows45 the doctor to give the drug to today’s patient, the death of tomorrow’s patient is merely foreseen and not intended. When making a policy-decision, this is clearly unacceptable. Or think about it this way (I follow Daryl Levinson here):46 perhaps restrictions on the responsibility of individuals are justified because individuals are autonomous, because much of the value in their lives comes from personal pursuits and relationships that are possible only if their responsibility for what goes on in the (more impersonal) world is restricted. But none of this is true of states and governments. They have no special relationships and pursuits, no personal interests, no autonomous lives to lead in anything like the sense in which these ideas are plausible when applied to individuals persons. So there is no reason to restrict the responsibility of states in anything like the way the responsibility of individuals is arguably restricted.47 States and state officials have much more comprehensive responsibilities than individuals do. Hiding behind the intending-foreseeing distinction thus more clearly constitutes an evasion of responsibility in the case of the former. So the evading-responsibility worry has much more force against the intending-foreseeing distinction when applied to state action than elsewhere.

#### 4] Only consequentialism explains degrees of wrongness—if I break a promise to meet up for lunch, that is not as bad as breaking a promise to not kill. Only the consequences of breaking the promise explain why the second one is much worse than the first which is the most intuitive. Outweighs—a) parsimony—metaphysics relies on long chains of questionable claims that make conclusions less likely b) hijacks—intuitions are inevitable since even every framework must take some unjustified assumption as a starting point.

#### 5] You don’t get the choice to determine death for other people.

Paterson 2 – Department of Philosophy, Providence College, Rhode Island. (Craig, “A Life Not Worth Living?”, Studies in Christian Ethics, <http://sce.sagepub.com>)

In determining whether a life is worth living or not, **attention should be focused upon an array of ‘interests’ of the person**, and these, for the competent patient at least, are going to vary considerably, since they will be informed by the patient’s underlying dispositions, and, for the incompetent, by a minimal quality threshold. It follows that for competent patients, a broad-ranging assessment of quality of life concerns is the trump card as to whether or not life continues to be worthwhile. Different patients may well decide differently. That is the prerogative of the patient, for the only unpalatable alternative is to force a patient to stay alive. For Harris, life can be judged valuable or not when the person assessing his or her own life determines it to be so. **If a person values his or her own life, then that life is valuable, precisely to the extent that he or she values it**. Without any real capacity to value, there can be no value. As Harris states, ‘. . . the value of our lives is the value we give to our lives’. It follows that the **primary** **injustice** done to a person is to deprive the person of a life **he or she may think valuable**. Objectivity in the value of human life, for Harris, essentially becomes one of negative classification (ruling certain people out of consideration for value), allied positively to a broad range of ‘critical interests’; interests worthy of pursuing — **friendships, family, life goals, etc**. — which are subjected to de facto **self-assessment** for the further determination of meaningful value. Suicide, assisted suicide, and voluntary euthanasia, can therefore be justified, on the grounds that once the competent nature of the person making the decision has been established, the thoroughgoing commensuration between different values, in the form of interests or preferences, is essentially left up to the individual to determine for himself or herself.

#### 6] Only util respects justice by giving equal weight to all

#### 7] Util is a lexical prerequisite to other moral theories. Threats to bodily harm preclude moral decision making preventing moral actors from utilizing other theories.

### DA – Asteroid Mining

#### Asteroid mining is coming

MacWhorter 16, Kevin [J.D. Candidate at William & Mary Law School]. “Sustainable Mining: Incentivizing Asteroid Mining in the Name of Environmentalism”; February 2016; *William and Mary Environmental Law and Policy Review* [https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1653&context=wmelpr]

Although companies likely are not able to send mining ventures to asteroids immediately, as the preceding section suggested, asteroid mining is a possibility in the near future.70 First of all, two companies are developing the technology needed to mine asteroids.71Planetary Resources is creating cheaper prospecting spacecraft small enough to hitch a ride into space with larger, primary payloads. 72 Another company, Deep Space Industries (DSI), is developing a four-stage system for mining in space: Prospecting, Processing, Harvesting, and Manufacturing.73 It has already invented one spacecraft to be used for the Prospecting stage: a tiny probe, called FireFly, designed to scout asteroids and study their size, shape, spin and composition . . . . 74 For the Processing phase, DSI is creating technology required to transform regolith to raw materials for manufacture.75 The company is currently developing another spacecraft, called a Harvestor, for the third stage to collect and transport resources.76Finally, the company is creating technology to manufacture finished products in space

#### The plan prevents asteroid mining because it prohibits appropriation.

Leon 18, Amanda M. [J.D., University of Virginia School of Law, 2017]. “Mining for Meaning: An Examination of the Legality of Property Rights in Space Resources”; May 15, 2018; *Virginia Law Review* [https://www.caplindrysdale.com/files/24323\_leon\_final\_note.pdf]

Appropriation. The term “appropriation” also remains ambiguous. Webster’s defines the verb “appropriate” as “to take to oneself in exclusion of others; to claim or use as by an exclusive or pre-eminent right; as, let no man appropriate a common benefit.”165 Similarly, Black’s Law Dictionary describes “appropriate” as an act “[t]o make a thing one’s own; to make a thing the subject of property; to exercise dominion over an object to the extent, and for the purpose, of making it subserve one’s own proper use or pleasure.”166 Oftentimes, appropriation refers to the setting aside of government funds, the taking of land for public purposes, or a tort of wrongfully taking another’s property as one’s own. The term appropriation is often used not only with respect to real property but also with water. According to U.S. case law, a person completes an appropriation of water by diversion of the water and an application of the water to beneficial use.167 This common use of the term “appropriation” with respect to water illustrates two key points: (1) the term applies to natural resources—e.g., water or minerals—not just real property, and (2) mining space resources and putting them to beneficial use—e.g., selling or manufacturing the mined resources— could reasonably be interpreted as an “appropriation” of outer space. While the ordinary meaning of “appropriation” reasonably includes the taking of natural resources as well as land, whether the drafters and parties to the OST envisioned such a broad meaning of the term remains difficult to determine with any certainty. The prohibition against appropriation “by any other means” supports such a reading, though, by expanding the prohibition to other types not explicitly described.16

#### Asteroid mining replaces terrestrial mining.

Ross 01, Shane D. [Control and Dynamical Systems Caltech]. “Near-Earth Asteroid Mining”; December 14, 2001; *Space Industry Report* [http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.614.9343&rep=rep1&type=pdf]

Many terrestrial resources, such as precious metals and fossil fuels, are running out. As new terrestrial sources are sought, materials are obtained at increasing economic and environmental cost. Society pays for this depletion of resources in the form of higher prices for manufactured goods, would-be technologies that are not developed for lack of raw materials, global and regional conflicts spurred by competition for remaining resources, and environmental damage caused by development of poorer and more problematic deposits. Utilization of asteroid resources may provide a partial solution to the problem, as they hold the potential for becoming the main sources of some metals and other materials. Precious metals and semiconducting elements in iron meteorites, which form the metallic cores of asteroids, are found in relatively large concentrations compared to Earth sources. In such sources, it may be possible to extract up to 187 parts per million (ppm) of precious metals, which includes Au, the Pt-group metals (Pt, Ru, Rh, Pd, Os, and It), Re, and Ge. More than 1000 ppm of other metals, semiconductors, and nonmetals may may one day be extracted and imported by Earth from asteroids, such as Ag, In, Co, Ga, and As

#### Asteroid mining prevents extinction in two ways.

#### 1] Only asteroid mining can provide us with the research and understanding to prevent extinction

Elvis 21 [Martin Elvis is a senior astrophysicist at the Center for Astrophysics | Harvard & Smithsonian. He is the author of Asteroids: How Love, Fear, and Greed Will Determine Our Future in Space (2021). “Riches in space.” Aeon. July 2, 2021. <https://aeon.co/essays/asteroid-mining-could-pay-for-space-exploration-and-adventure>] HW AL

If knowledge or greed isn’t motivation enough to set your sights on the asteroids, then the one thing virtually all people agree on is that having humanity wiped off the face of Earth would be bad, at least for us. Of all the multiple threats to humanity’s existence, the only one that we can definitely eliminate is that of a large asteroid slamming into our home planet and killing us off, together with most other species, following the lead of the dinosaurs who were made extinct by an asteroid slamming into the ocean. There’s a T-shirt popular among space cadets that has the slogan ‘Asteroids are nature’s way of saying “How’s that space programme coming along?”’ If we can find all the killer asteroids, then we can divert them to render them harmless. Best to play it safe. There are several searches underway for undiscovered, potentially dangerous asteroids. Thanks to the first big survey, Spaceguard, 90 per cent of the dinosaur-killer-sized asteroids out there have already been found. None of them pose any danger for the next century at least. That still leaves an uneasily large number of about 100 extinction-event-sized rocks out there that we haven’t found yet. Smaller, city-killer asteroids are much less well-surveyed for. To remedy this concern, two new surveys will begin in the next few years, and they will both be more or less done by 2030. They are the Vera C Rubin Observatory ‘Legacy Survey of Space and Time’, which will start scanning the whole sky every few nights from 2023 onwards. Its mission has been complicated by the mushrooming constellations of thousands of internet satellites now being launched by several companies, with SpaceX being the most visible. Hopefully a solution will be found. The Vera C Rubin Observatory, on a mountain in Chile, will record its image using normal visible light. For asteroids, that light is reflected sunlight. But many asteroids are pitch black, reflecting only a few percent of the sunlight pouring on to their surfaces. How do you find those dark asteroids? The answer is to use the long wavelength – infrared – light they emit because they’re warm: their ‘black body radiation’. NASA is building a special mission just for this purpose. Developed by a team lead by Amy Mainzer, now of the University of Arizona, Tucson, it’s called the Near-Earth Object Surveillance Mission. Starting around 2025, it will scan the sky repeatedly for five years looking for moving objects that are bright in infrared light, and has wavelengths some 10 to 20 times longer than we can see with our eyes. The team’s tagline is ‘Finding Asteroids Before They Find Us.’ Good idea! This will be the first time that humanity has deliberately changed the orbit of any celestial body An advantage of using the black body radiation is that it also tells us quite accurately how big each asteroid is. That helps in assessing their threat, as well giving us a first guess at how much they might yield in resources. Combining the two surveys will indicate how much sunlight each asteroid reflects – its ‘albedo’ – and that’s a clue to what they’re made of. We want to know that because a metal asteroid of a given size is more dangerous than one made of rock, and is more difficult to push out of the way. The composition also helps us explore all two dozen types of asteroid out there, the better to decipher the history of our solar system. As a side product, the surveys will pin down their potential value. By 2030, we’ll have better rockets than we have today. Several are set to fly within five years. They’ll let us reach many more asteroids with more massive payloads to deflect them, study them or mine them. Also by 2030, several more asteroids will have been visited by our exploration spacecraft. JAXA, the Japanese space agency, and NASA each had recent missions to return samples from carbonaceous asteroids. The Japanese Hayabusa2 went to the spinning-top-shaped asteroid named Ryugu, and NASA’s OSIRIS-REx went to the asteroid called Bennu. Such carbonaceous asteroids are the least changed, we believe, from the time of their formation at the beginning of the solar system’s formation. They are called carbonaceous because they are chockfull of organic (carbon-containing) molecules; many of them also contain quite a lot of water. There are more missions planned to more distant asteroids such as Psyche, a metal asteroid in the Main Belt, and to the Trojan asteroids trailing Jupiter’s orbit. OSIRIS-REx samples and leaves asteroid Bennu. Courtesy of NASA **Every time we visit an asteroid, it surprises us.** Bennu was found to be throwing rocks off its surface as it spun around its axis, and when OSIRIS-REx put down its outstretched arm to grab a sample off the surface, the arm sank half a metre into the asteroid; it stopped going deeper only when the retrorockets fired to stop it. That’s really not how rubble behaves on Earth! The more we know about asteroids, the more confident we can be that we can deflect their path away from Earth. A NASA mission called DART will make a high-speed impact on the small moon of the asteroid Didymos in late 2022 to see if we can slow down a dangerous asteroid to stop it causing devastation on Earth. (Don’t worry: the target was chosen to be a safe one for us.) This will be the first time that humanity has deliberately changed the orbit of any celestial body. It isn’t likely to be the last. Once all the good-sized accessible asteroids have been found, their orbits mapped, their sizes known, and at least a good clue found as to what they’re made of, the barriers to mining them will be much lower. **After visiting a half dozen asteroids up close, we’ll have learned a great deal about their origins, how to deflect them should one be headed our way, and how to handle them.** That will put us in a good place to begin to extract their resources. I predict this will happen right around 2030, when demand for in-space materials should be picking up. **The stars seem to be aligning for mining the asteroids. Mining will expand our capabilities in space, especially making it easier to deflect a dangerous asteroid.** In a virtuous cycle, those new capabilities will lead us on to greater exploration of the many worlds in our solar system and, with bigger, better telescopes, to the Universe beyond. It should be fun.

#### 2] Provides the resources for a space solar array

Taylor 19, Chris [Veteran journalist and the author of 'How Star Wars Conquered the Universe.']. “The Asteroid Boom”; 2019; *Mashable* [https://mashable.com/feature/asteroid-mining-space-economy]

Secondly, there’s the climate change fix. Suarez sees asteroid mining as the only way we’re going to build solar power satellites. Which, as you probably know, is a form of uninterrupted solar power collection that is theoretically more effective, inch for inch, than any solar panels on Earth at high noon, but operating 24/7. (In space, basically, it’s always double high noon). The power collected is beamed back to large receptors on Earth with large, low-power microwaves, which researchers think will be harmless enough to let humans and animals pass through the beam. A space solar power array like the one China is said to be working on could reliably supply 2,000 gigawatts — or over 1,000 times more power than the largest solar farm currently in existence. “We're looking at a 20-year window to completely replace human civilization's power infrastructure,” Suarez told me, citing the report of the Intergovernmental Panel on Climate Change on the coming catastrophe. Solar satellite technology “has existed since the 1970s. What we were missing is millions of tons of construction materials in orbit. Asteroid mining can place it there.”

#### Climate change causes global extinction

Schultz 16, Robert A. [Received a Ph.D. in philosophy from Harvard University]. “Modern Technology and Human Extinction”; 2016; *Proceedings of Informing Science & IT Education Conference* [http://proceedings.informingscience.org/InSITE2016/InSITE16p131-145Schultz2307.pdf]

There is consensus that there is a relatively short window to reduce carbon emissions before drastic effects occur. Recent credible projections of the result of lack of rapid drastic action is an average temperature increase of about 10o F by 2050. This change alone will be incredibly disruptive to all life, but will also cause great weather and climate change. For comparison purposes, a 10 degree (Fahrenheit) decrease was enough to cause an ice layer 4000 feet thick over Wisconsin (Co2gether, 2012). Recently relevant information has surfaced about a massive previous extinction. This is the Permian extinction, which happened 252 million years ago, during which 95% of all species on earth, both terrestrial and aquatic, vanished. The ocean temperature after almost all life had disappeared was 15 degrees (Fahrenheit) above current ocean temperatures. Recent information about the Permian extinction indicates it was caused by a rapid increase in land and ocean temperatures, caused by the sudden appearance of stupendous amounts of carbon in the form of greenhouse gases (Kolbert, 2014, pp. 102-144). The origin of the carbon in these enormous quantities is not yet known, but one possibility is the sudden release of methane gases stored in permafrost. This is also a possibility in our current situation. If so, extinction would be a natural side effect of human processes. There is also a real but smaller possibility of what is called “runaway greenhouse,” in which the earth’s temperature becomes like Venus’ surface temperature of 800o The threat of extinction here is not entirely sudden. The threat is, if anything, worse. Changes in the atmosphere--mainly increases in the concentration of greenhouse gases in the atmosphere-- can start processes that can’t be reversed but which take long periods of time to manifest. “Runaway greenhouse” may be the worst. Once again, suggestions of technological solutions to this situation should be treated with some skepticism. These proposals are often made by technophiles ignoring all the evidence that technology is very much subject to unanticipated side effects and unanticipated failures. What has happened concerning the depletion of the ozone layer should be a clear warning against the facile uses of technology through geoengineering to alter the makeup of the entire planet and its atmosphere. The complicating factor in assessing extinction likelihood from climate change is corporations, especially American fossil fuel corporations such as Exxon-Mobil and Shell. Through their contributions, they have been able to delay legislation ameliorating global warming and climate change. As mentioned before, recently released papers from Exxon-Mobil show that the corporation did accept the scientific findings about global warming and climate change. But they concluded that maintaining their profits was more important than acting to ameliorate climate change. Modern Technology and Human Extinction 140 Since it is not a matter of getting corporations to appreciate scientific facts, the chances of extinction from climate change are good. To ameliorate climate change, it is important to leave a high percentage of fossil fuel reserves in the ground. But this is exactly what a profit-seeking fossil fuel corporation cannot do. One can still hope that because fossil fuel corporations are made up of individuals, increasingly bad consequences of global warming and climate change will change their minds about profits. But because of the lag in effects, this mind change will probably be too late. So I conclude we will probably see something like the effects of the Permian extinction perhaps some time around 2050. (The Permian extinction was 95% extinction of all species.) This assumes the release of methane from the arctic will take place around then.

### DA – Innovation

#### Space Commercialization drives Tech Innovation in the Status Quo – it provides a unique impetus.

Hampson 17 Joshua Hampson 1-25-2017 “The Future of Space Commercialization” <https://republicans-science.house.gov/sites/republicans.science.house.gov/files/documents/TheFutureofSpaceCommercializationFinal.pdf> (Security Studies Fellow at the Niskanen Center)//Elmer

The size of the space economy is far larger than many may think. In 2015 alone, the global market amounted to $323 billion. Commercial infrastructure and systems accounted for 76 percent of that 9 total, with satellite television the largest subsection at $95 billion. The global space launch market’s 10 11 share of that total came in at $6 billion dollars. It can be hard to disaggregate how space benefits 12 particular national economies, but in 2009 (the last available report), the Federal Aviation Administration (FAA) estimated that commercial space transportation and enabled industries generated $208.3 billion in economic activity in the United States alone. Space is not just about 13 satellite television and global transportation; while not commercial, GPS satellites also underpin personal navigation, such as smartphone GPS use, and timing data used for Internet coordination.14 Without that data, there could be problems for a range of Internet and cloud-based services.15 There is also room for growth. The FAA has noted that while the commercial launch sector has not grown dramatically in the last decade, there are indications that there is latent demand. This 16 demand may catalyze an increase in launches and growth of the wider space economy in the next decade. The Satellite Industry Association’s 2015 report highlighted that their section of the space economy outgrew both the American and global economies. The FAA anticipates that growth to 17 continue, with expectations that small payload launch will be a particular industry driver.18 In the future, emerging space industries may contribute even more the American economy. Space tourism and resource recovery—e.g., mining on planets, moons , and asteroids—in particular may become large parts of that industry. Of course, their viability rests on a range of factors, including costs, future regulation, international problems, and assumptions about technological development. However, there is increasing optimism in these areas of economic production. But the space economy is not just about what happens in orbit, or how that alters life on the ground. The growth of this economy can also contribute to new innovations across all walks of life. Technological Innovation Innovation is generally hard to predict; some new technologies seem to come out of nowhere and others only take off when paired with a new application. It is difficult to predict the future, but it is reasonable to expect that a growing space economy would open opportunities for technological and organizational innovation. In terms of technology, the difficult environment of outer space helps incentivize progress along the margins. Because each object launched into orbit costs a significant amount of money—at the moment between $27,000 and $43,000 per pound, though that will likely drop in the future —each 19 reduction in payload size saves money or means more can be launched. At the same time, the ability to fit more capability into a smaller satellite opens outer space to actors that previously were priced out of the market. This is one of the reasons why small, affordable satellites are increasingly pursued by companies or organizations that cannot afford to launch larger traditional satellites. These small 20 satellites also provide non-traditional launchers, such as engineering students or prototypers, the opportunity to learn about satellite production and test new technologies before working on a full-sized satellite. That expansion of developers, experimenters, and testers cannot but help increase innovation opportunities. Technological developments from outer space have been applied to terrestrial life since the earliest days of space exploration. The National Aeronautics and Space Administration (NASA) maintains a website that lists technologies that have spun off from such research projects. Lightweight 21 nanotubes, useful in protecting astronauts during space exploration, are now being tested for applications in emergency response gear and electrical insulation. The need for certainty about the resiliency of materials used in space led to the development of an analytics tool useful across a range of industries. Temper foam, the material used in memory-foam pillows, was developed for NASA for seat covers. As more companies pursue their own space goals, more innovations will likely come from the commercial sector. Outer space is not just a catalyst for technological development. Satellite constellations and their unique line-of-sight vantage point can provide new perspectives to old industries. Deploying satellites into low-Earth orbit, as Facebook wants to do, can connect large, previously-unreached swathes of 22 humanity to the Internet. Remote sensing technology could change how whole industries operate, such as crop monitoring, herd management, crisis response, and land evaluation, among others. 23 While satellites cannot provide all essential information for some of these industries, they can fill in some useful gaps and work as part of a wider system of tools. Space infrastructure, in helping to change how people connect and perceive Earth, could help spark innovations on the ground as well. These innovations, changes to global networks, and new opportunities could lead to wider economic growth.

#### Strong Innovation solves Extinction.

Matthews 18 Dylan Matthews 10-26-2018 “How to help people millions of years from now” <https://www.vox.com/future-perfect/2018/10/26/18023366/far-future-effective-altruism-existential-risk-doing-good> (Co-founder of Vox, citing Nick Beckstead @ Rutgers University)//Re-cut by Elmer

If you care about improving human lives, you should overwhelmingly care about those quadrillions of lives rather than the comparatively small number of people alive today. The 7.6 billion people now living, after all, amount to less than 0.003 percent of the population that will live in the future. It’s reasonable to suggest that those quadrillions of future people have, accordingly, hundreds of thousands of times more moral weight than those of us living here today do. That’s the basic argument behind Nick Beckstead’s 2013 Rutgers philosophy dissertation, “On the overwhelming importance of shaping the far future.” It’s a glorious mindfuck of a thesis, not least because Beckstead shows very convincingly that this is a conclusion any plausible moral view would reach. It’s not just something that weird utilitarians have to deal with. And Beckstead, to his considerable credit, walks the walk on this. He works at the Open Philanthropy Project on grants relating to the far future and runs a charitable fund for donors who want to prioritize the far future. And arguments from him and others have turned “long-termism” into a very vibrant, important strand of the effective altruism community. But what does prioritizing the far future even mean? The most literal thing it could mean is preventing human extinction, to ensure that the species persists as long as possible. For the long-term-focused effective altruists I know, that typically means identifying concrete threats to humanity’s continued existence — like unfriendly artificial intelligence, or a pandemic, or global warming/out of control geoengineering — and engaging in activities to prevent that specific eventuality. But in a set of slides he made in 2013, Beckstead makes a compelling case that while that’s certainly part of what caring about the far future entails, approaches that address specific threats to humanity (which he calls “targeted” approaches to the far future) have to complement “broad” approaches, where instead of trying to predict what’s going to kill us all, you just generally try to keep civilization running as best it can, so that it is, as a whole, well-equipped to deal with potential extinction events in the future, not just in 2030 or 2040 but in 3500 or 95000 or even 37 million. In other words, caring about the far future doesn’t mean just paying attention to low-probability risks of total annihilation; it also means acting on pressing needs now. For example: We’re going to be better prepared to prevent extinction from AI or a supervirus or global warming if society as a whole makes a lot of scientific progress. And a significant bottleneck there is that the vast majority of humanity doesn’t get high-enough-quality education to engage in scientific research, if they want to, which reduces the **odds that we have enough trained scientists to come up with the breakthroughs** we need as a civilization to survive and thrive. So maybe one of the best things we can do for the far future is to improve school systems — here and now — to harness the group economist Raj Chetty calls “lost Einsteins” (potential innovators who are thwarted by poverty and inequality in rich countries) and, more importantly, the hundreds of millions of kids in developing countries dealing with even worse education systems than those in depressed communities in the rich world. What if living ethically for the far future means living ethically now? Beckstead mentions some other broad, or very broad, ideas (these are all his descriptions): Help make computers faster so that people everywhere can work more efficiently Change intellectual property law so that technological innovation can happen more quickly Advocate for open borders so that people from poorly governed countries can move to better-governed countries and be more productive Meta-research: improve incentives and norms in academic work to better advance human knowledge Improve education Advocate for political party X to make future people have values more like political party X ”If you look at these areas (economic growth and technological progress, access to information, individual capability, social coordination, motives) a lot of everyday good works contribute,” Beckstead writes. “An implication of this is that a lot of everyday good works are good from a broad perspective, even though hardly anyone thinks explicitly in terms of far future standards.” Look at those examples again: It’s just a list of what normal altruistically motivated people, not effective altruism folks, generally do. Charities in the US love talking about the lost opportunities for innovation that poverty creates. Lots of smart people who want to make a difference become scientists, or try to work as teachers or on improving education policy, and lord knows there are plenty of people who become political party operatives out of a conviction that the moral consequences of the party’s platform are good. All of which is to say: Maybe effective altruists aren’t that special, or at least maybe we don’t have access to that many specific and weird conclusions about how best to help the world. If the far future is what matters, and generally trying to make the world work better is among the best ways to help the far future, then effective altruism just becomes plain ol’ do-goodery.

### AT: ILaw

#### 1] International law was founded by, and continues to maintain, colonialism

**Gardner:** Gardner 10 David, Graduate student at San Diego State University, “The Colonial Nature of International Law”, E-International Relations Students. 2010.

In this paper I will argue that international law is colonial. In order to argue this effectively I will start by defining international law and colonialism.  After which, I will show how international law is a colonial relic, having been developed at a time of colonialism, with roots in the Greek and Roman Empires.  I will then argue that international law is not based on an ‘inherent natural law’, and thus that it is merely a tool for the imposition of western political ideas upon the world as a whole. Finally, I will argue that international law is colonial in the sense that by ceding sovereignty to be governed by law, sovereigns are being colonised by the western, primarily, European legal system. For the purpose of this paper I define ‘international law’, as the law of states, made for states.  It is the law, which governs sovereign powers.  “In considering the nature and development of international law …  **states are the primary subjects of international law.” Equally, “colonialism is a practice of domination, which involves the subjugation of one people to another.”** Colonialism is the creation and building of colonies in a territory by the people of another territory.   It is the process where, the sovereignty over the colony is claimed by the coloniser.  Colonialism brings with it the removal of a subject’s sovereignty.  Colonialism implies inequality and subjugation, while international law should be equal and universal.  In being universally applicable to all, international law could not be considered simply as a method of imposing one’s values on weaker states. Bederman suggests that, “**while the modern international system can be traced back some 400 years, certain of the basic concepts of international law can be discerned in political relationships thousands of years ago.**” Nicolson argues that even the earliest developing man may have dealt with one another on such matters as hunting grounds and ending battles. If this were the case, one of the first laws governing such relationships, and consequently one of the first examples of inter-territorial law may have been the inviolability of a messenger or negotiator; potentially an early example of diplomatic immunity. However, such examples from ancient civilisations are geographically and culturally restricted, and one can not logically argue, without being overly reductionist, that such examples are the origins of modern international law. There has been much discourse surrounding this question from a merely historical point of view.  Historians may argue that law was developed at a time of colonialism dating back to the Chinese, Greek and Roman Empires.  “The Romans had a profound respect for organisation and the law.”[6] The early Roman, jus civile, applied solely to Roman citizens. However, such laws were unable to provide a legal framework for expanding sovereigns.  Jus gentium, was later developed for this purpose; it was designed to govern relations between foreigners and Roman citizens.  Shaw explains that “the instrument through which this particular system evolved was the officially known as the Praetor Peregrinus, whose function it was to oversee all legal relationships, including bureaucratic and commercial matters, within the empire”[7].  **However, it must be remembered that there was no acceptance of other nations on a basis of equality or universality**, and thus jus gentium remained solely a domestic law for colonies under control of the Roman Empire.  Such empires did develop import axioms and theories of law, which have since become integral to international law but they did not establish an international law, due to the fact that they acted with disregard to external rules in their dealings with those territories that were not already part of their respective empires. One of the most influential of Greek concepts taken up by the Romans was the idea of natural law[8]: the argument that there is a body of rules of universal relevance.  Grotius, like many others believed that laws were constructed by men, but ultimately they reflected essential natural law.  Grotius maintained that natural law came from an essential universal reason, common to all man.  He argued that law was not imposed from above, but rather derived from principles.  Due to his argument that the ideas and precepts of the ‘law of nature’ were rooted in human intelligence, he maintained that such rules could not be restricted to any nation or any group but were of worldwide relevance.  Advocates of international law argue that international law is based on natural law and is, therefore, universally applicable to all.  In principle, there is a strong case to be made for a law that is inherent in all man.  Basing international law on natural law is mistaking an a posteriori argument for an a priori truth, and would perpetuate the spread of and dominance of western academic thought through what is essentially a socially constructed belief and not an a priori given.  The classic problem associated with natural law is, who decides what natural law is?  Using a putative theory as a basis for law, means that natural law will always be interpreted through one’s self-interest.   It is intrinsically subjective to interpret natural law and this led O’Connell to argue that natural law “will be constantly found to be aimed at a particular state or group of states; and for this reason, if for no other, the power element is obvious in international law.” The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, are often criticised as being based too heavily on the West’s importance of liberalism and individualism.  **Accepting such rights as  intrinsic norms, rather than western social constructions is to risk undermining alternatives.  For states to commit to one single declaration of international law would “require sacrificing diverse cultures and their unique way of viewing the world”.** Commitment to a single declaration of international law would mean the loss of culture, and from some perspectives, **it would mean commitment to a law that “has supported imperialism, militarism, male supremacy, racism, and other pathologies of human history**”.  Within O’Connell’s view is the argument that international law has allowed, and at times required, the subjugation of people and suppression of distinct cultures in a similar way that colonialism did at a time of imperialistic expansion.  **As a result, international law is not universal, is not based on a given natural law, and is subject to the manipulation and interpretation of powerful states, consequently “international law perpetuates current power structures”**. Concrete rules of international law are derived from what states actually do, and what precedents they set, rather than what the ‘law of nature’ suggests they ought to do.  Morgenthau argues that “the great majority of the rules of international law are generally observed …. (because) it is in the interests of the state to oblige.” Where national self-interest demands action contrary to international law, the only obligation on states is to act in their own self-interest.  Such a realist argument suggests that if states are economically rational they will only comply with international law if the cost, such as war, economic sanctions or trade embargoes outweigh the benefits of such a move.  However, such enforcement methods allow the perpetuation of power to manifest itself in selective enforcement and shows that the cost of contravening international law to the most powerful is too small to force compliance as it they themselves who created such laws.  Equally, imposing sanctions on ‘criminal countries’ may be to the detriment of the ‘policing’ body.  An interesting example is the comparison between the differing enforcement policies adopted by the international community against China and Uzbekistan.  Recently, there has been much media attention about numerous counts of Human Rights abuses in China, as well as their emotive treatment of Tibet: yet, no trade sanctions, punishments or international court appearances have resulted.  This is unlike in Uzbekistan, where after a “bloody crackdown”[14] in 2007, heavy economic, diplomatic and arms sanctions were imposed on the central Asian state with a low GDP[15], compared to a powerful emerging super-power.  It could be argued that western powers and international organisations, did not impose sanctions on China, due to the large amount of exports from and the economic importance of China, in the international system, while a weaker state such as Uzbekistan is forced to abide by international law due to it’s less powerful position in the international system.  In this case, we see that international law, although allegedly universally applicable to all, may only be enforced upon certain states and that “international law is  used by the already powerful to protect that power”. Post-modern critiques of international law hold a lot in common with classical realist arguments.  They maintain that if international law is not law, in that one has the choice to subscribe to it.  It is not international morality, as morality is a societal construct.  Then law is merely an aspect of politics, which can be manipulated to one’s self-interest and politics.  If we accept colonialism as “a practice of domination, which involves the subjugation of one people to another”, which brings with it the removal of a subject’s sovereignty, then international law is arguably colonising the states, who consent to international law.  Bodin argued in De Republica that to be sovereign a prince must be “freed from laws”, yet in consenting to international law, it seems that states are ceding their sovereignty and thus, I would argue, are being colonised by international law, and socially constructed western values.   **Such values are being imposed on weaker states, who are not powerful enough to contest international law**.  The threat of becoming outcast in the global system is one that means“the strong do what they can and the weak suffer what they must”. **As I have shown, the origins of international law are rooted in colonial empires.** Such empires, primarily in the west, developed domestic law and treatise, which formed the basis for an adoption of international law.  International law is not objective, nor is it universal and despite being constructed on western values, it has, however, become widely adopted by ‘sovereign’ states.  Ultimately, I have argued that international law is colonial.

#### Continued reliance on international law will only result in war and inequality -- we must suspend our faith in the neutrality of international law.

**Schmidt:** Schmidt 10 (Patrick, Department of Political Science, Macalester College, “MEETING THE ENEMY: AMERICAN EXCEPTIONALISM AND INTERNATIONAL LAW, by Natsu Taylor Saito.” 2010

I do not have to go out on a limb to assume that the substantial majority of those in academia were pleased to see the end of the George W. Bush administration, and a significant percentage of those likely looked for President Obama to usher in a policy sea-change, doing much to return equanimity and mutual respect to America’s international engagements.  In MEETING THE ENEMY, Natsu Taylor Saito leaves no doubt about her place in the former camp, but the life of this book is her effort to put short-term changes of tone into historical relief.  In so doing she puts herself at odds with the latter camp: to Saito, it will never be enough for the United States to live up to its international obligations or to engage existing international institutions, because those structures are inherently flawed.  This book, part of the “Critical America” series edited by Richard Delgado and Jean Stefancic for NYU Press, takes on the challenging task of detailing her objections to contemporary international law. The primary preoccupation of this book is to chronicle and critique the origins and development of international law, revealing the ways that the entire intellectual foundations of American and Western thinking have brought the world to the perilous condition it is in today.  Saito puts the problem starkly at the conclusion of chapter 8: “If…one sees extant problems of global instability – ongoing wars, ecological disintegration, and the growing disparities in income or social well-being – as incapable of being resolved by the current international regime, perhaps even as caused by the policies and practices of ‘civilized’ states, a different story will have to be told, and lived by, that challenges both the contemporary framework of international law and the precepts of American exceptionalism.” (p. 228) That is, even though the Introduction and first chapter invoke the post-2001 politics of the War of Terror, the recent behavior of the United States is a single scene in a longer play, the central plot of which can be sketched quite simply.  **The contemporary failure of the United States to prosecute the war according to international law demonstrates the deeply held belief that America is exceptional;** **recent wars carry on a frame of seeing the civilized world struggling against an uncivilized enemy; and, the nation has an obligation to make safe the path and lead the world toward civilization, ends trumping means if necessary**.  Co-incident with these ideological commitments is the belief that the democracy, liberty, and human rights are rational and universal values; as is the belief that the urbane, civilized peoples must assimilate the Other [\*510] to these norms through education and economic development. The bulk of the book – Chapters 2 through 8 – substantiates the role of this understanding of exceptionalism in the American project.  **The central conceptual narrative in this history is not international law qua international law but colonialism**.  From the development of European colonialism, the need to justify conquest resulted in the rehearsal of tropes about civilization and savages, cementing the terms of international law today.  Thus, the long journey of American Indians drives Chapters 3 through 5, which retell how the belief in the Manifest Destiny of Americas enabled white Americans to build an empire without concern (and sometimes with overt malevolence) for indigenous peoples.  Slavery and Mexico make appearances in these chapters as well, before Chapter 6 extends the account of the American Empire to Hawai’i, Cuba, Puerto Rico, and the Philippines.  Saito’s unforgiving approach to these chapters emphasizes the unvarnished racism, greed, and brutality of America’s 19th century pursuit of empire.  Saito leaves no heroes in her wake, cherry picking the most damning quotations to represent the views of Presidents from George Washington to Theodore Roosevelt and many other figures along the way (such as Frank Baum, author of the “much beloved” Wizard of Oz [p.111]).  Her approach throughout is to draw extensively on secondary materials, weaving together episodes and legal cases with illustrative primary material. The histories likely least familiar to readers (such as the Philippines) form the bridge between Saito’s vision of America and the rise of the 20th century global legal order, which is the subject of Chapters 7 and 8.  Chapter 7’s more tightly focused progression from the Hague Peace Conferences to the United Nations at mid-century contrasts with the looser tour of international economic and legal instruments in Chapter 8.  Yet, the arc remains one of colonialism, for however rapidly the European powers shed their colonial holdings, the precepts of that system became part of the American approach to international law, in which Western values would be imposed on the Other while the United States asserted the right to act unilaterally in the interests of civilization. There are natural tensions in the argument Saito advances.  From the Introduction and the first chapter the reader might detect and share an investment in international law, with the attendant hope that the United States would put short term interests aside and stand by principles.  At the same time, she asks the reader to confront the centuries-old colonialism behind international law as we know it.  **How deeply can one feel an attachment to international law when it fails so consistently as to appear fundamentally flawed?** Realists and cynics resolve the tension here by abandoning any idealism about the international legal order (if not law in general), taking in their stride the failure of legal rhetoric to induce compliant behaviors.  **Doesn’t every nation, not just the United States, desire to live by the slogan, “don’t do as I do, do as I say**”?  A more critical generalization about law might be inspired by the ease with which Saito switches between making “America” and “Western civilization” the target. [\*511] Saito’s America is explicitly treated as a case study of colonialism and the law, and moving from the case study she could have gone further to consider how power and law connect at a higher level of generality. Some abstraction is on display in Chapter 9’s concluding discussion of prescriptions.  However much a reader might find themselves persuaded that an assumption of the superiority of Western civilization is laced through contemporary international law, the final chapter offers a bucket of cold water.  What can anyone do to provoke wholesale change in a centuries-old conceptual frame?  Perhaps not much, barring more imagination or optimism than most readers will muster.  All that seems available are general, jargon-laced calls to “unleash the liberatory potential of alternative systems of world order” (p.245) by suspending “the notion of universality and its concomitant division of humanity into the ‘civilized’ and the Other,” (p.238), thus giving “room for all voices and a multiplicity of perspectives” (p.241).  Yet, don’t judge this book by the final chapter but rather by the diagnosis of the problem.  **Students of both American history and law should find thought-provoking the extent to which the traditional zones of “domestic” and “foreign” policy blend, chapter-by-chapter, into one unified account about the dominance of racist, Otherizing, colonializing ambitions**. **That narrative folds into the wider argument about Western legal traditions, drawing on episodes and discussions that implicate everything from political philosophy to development economic**s.  In total the book makes it difficult if not impossible to ignore the historic continuities between international politics today and the overt racism of a century ago.  Though not well suited for younger undergraduates, MEETING THE ENEMY is likely to generate substantial discussion and reflection beginning at the advanced undergraduate level.

#### This is a voting issue – reject colonialism in debate

#### 2] International makes no sense – countries break it all the time, nobody follows it completely, util solves it’s a better way of understanding ethics

#### 3] Link turn – iLaw creates standards that are oppressive because not every country can live up to iLaw, if countries aren’t perfect, they get viewed as “less than” because they violated ilaw

#### 4[ Util o/w, it applies to all scenarios, of government, iLaw isn’t good for everything

### AT: OST Bans Private Appropriation

#### 1] The OST doesn’t extend to private entities

Gorove 69, Stephan [Professor of space law and director of space studies and policy at the University of Mississippi]. “Interpreting Article II of the Outer Space Treaty”; 1969; *Fordham Law Review* [https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1966&context=flr]

Turning to the second question which involves the meaning of "national" appropriation, it has been suggested that only the United Nations acting on behalf of the world community as a whole, should be entitled to appropriate.3 While further developments in space law, by international custom or treaty, may eventually prohibit spatial appropriations by an individual or a chartered company or the European communities, the Treaty in its present form appears to contain no prohibition regarding individual appropriation or acquisition by a private association or an international organization, even if other than the United Nations. Thus, at present, an individual acting on his own behalf or on behalf of another individual or a private association or an international organization could lawfully appropriate any part of outer space, including the moon and other celestial bodies. Whether or not an ad hoc international organization could be created for the exclusive purpose of enabling it to appropriate.

#### 2] The OST can be nullified

Thomas 05, Jonathan [Brigham Young University]. “Privatization of Space Ventures: Proposing a Proven Regulatory Theory for Future Extraterrestral Appropriation”; August 16, 2005; *Brigham Young University International Law & Management Review* [https://digitalcommons.law.byu.edu/cgi/viewcontent.cgi?article=1006&context=ilmr]

The Vienna Convention on the Law of Treaties (1969) recognizes that states should not be bound by a treaty when there has been a fundamental change in circumstances. xo Aliicle 62 of the Vienna Convention explains the appropriate circumstances for states to terminate or withdraw from a treaty: A fundamental change of circumstances which has occuned with regard to those existing at the time of the conclusion of a treaty, and which was not foreseen by the parties, may not be invoked as a ground for terminating or withdrawing from the treaty unless: (a) the existence of those circumstances constituted an essential basis of the consent of the parties to be bound by the treaty; and (b) the effect of the change is radically to transform the extent of the obligations still to be perfonTIed under the treaty. States commonly regard this principle contained in the Vienna Convention as customary international law.x

#### 3] Phil doesn’t matter without consequences, iLaw must defend consequences at some point, so default to util