### 1 – extra T

#### I: The aff must only defend that the appropriation of outer space by private entities is unjust

#### “Appropriation” means to take as property – prefer our definition since it’s contextual to space

**Leon 18** (Amanda M., Associate, Caplin & Drysdale, JD UVA Law) "Mining for Meaning: An Examination of the Legality of Property Rights in Space Resources." Virginia Law Review, vol. 104, no. 3, May 2018, p. 497-547. HeinOnline.

**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."16 5 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**.168

As illustrated by this analysis, considerable ambiguity remains after this ordinary-meaning analysis and thus, the question of Treaty obligations and property rights remains unresolved. In order to resolve these ambiguities, an analysis of preparatory materials, historical context, and state practice follows.

2. Preparatory Materials

A review of meeting reports of the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee regarding the Treaty reveals little to clear up the ambiguities of Articles I and II of the OST. In fact, the reports indicate that, despite several negotiating states expressing concern about the lack of clarity with respect to the meaning of "use" and the scope of the non-appropriation principle, no meaningful discussion occurred and no consensus was reached.16 9 Some commentators still conclude that the preparatory work does in fact confirm the drafters' intent for "use" to include exploitation. 170 These commentators do admit, however, that discussions of the term "exploitation" supporting their conclusion focused on remote sensing and communications satellites rather than on resource extraction.17 1 Further skepticism about such an intent for "use" to include "exploitation" also arises given the uncertainty amongst negotiating states about the meaning of these terms. A mere few months before the Treaty opened for signature in January 1967, negotiators were still asking questions about the meaning of "use" during the last few Legal Sub-Committee meetings. For example, in July 1966, the representative of France inquired: "Did the latter term ["use"] imply use for exploration purposes, such as the launching of satellites, or did it mean use in the sense of exploitation, which would involve far more complex issues?" 172 The representative noted that while some activities such as extraction of minerals were difficult to imagine presently, "[i]t was important for all States, and not only those engaged in space exploration, to know exactly what was meant by the term 'use.'173 In the same meeting, the representative from the USSR offered an interesting response to the question posed by the representative of France:

[A]dequate clarification was to be found in article II of the USSR draft, which specified that outer space and celestial bodies should not be subject to national appropriation by means of use or occupation, or by any other means. In other words no human activity on the moon or any other celestial body could be taken as justification for national appropriation. 174

This response implies that Article II acts as a qualification on Article I's broad provision for free exploration and use of outer space by all. Activity such as resource extraction would be viewed as national appropriation and such activity cannot be justified given Article II's prohibition, not even by falling within the ordinary meaning of "use." Despite this clarification, uncertainty appears to have remained, as lingering concerns were communicated in subsequent meetings by several other states, including Australia, Austria, and France."' Nevertheless, the committee put the Treaty in front of the General Assembly two months later without final resolution of the ambiguities regarding property rights arising from Articles I and II176 The preparatory materials ultimately fail to fully clarify the ambiguities of the meanings of "use" and "appropriation." The statement of the representative of the Soviet Union, one of the two main drafting parties, does, however, help push back on the interpretation of some academics that the nonappropriation principle fails to overcome the presumption of freedom of use.7

**3. Historical Context**

**Two interrelated, major historical events cannot be ignored when considering the meaning of the OST: (1) the Cold War and (2) the Space Race**. The success of Sputnik I in 1957 showed space travel and exploration no longer to be a dream, but a reality.7 While exciting, this news also brought fear in light of the world's fragile balance of power and tensions between the United States and the Soviet Union. 17 9 What if the Soviet Union managed to launch a nuclear weapon into space? What if the United States greedily claimed the Moon as the fifty-first state? To many, the combination of the Cold War and Space Race made the late 1950s and the 1960s a perilous time.so **When viewed as a response to this perilous era, the OST begins to look much more like a nuclear arms treaty and an attempt to ease Cold War tensions than a treaty concerned with the issue of property rights in space**."' **The Treaty's emphasis on "peaceful purposes" supports this contextual interpretation**. 1 82

On the one hand, as many suggest, this context leads to the conclusion that the vague nonappropriation principle of Article II does not prevent private property rights in space resources and the presumption of broad "use" prevails.1 83 Private property rights were simply not a concern of the Treaty drafters and therefore, the Treaty does not address-nor prohibit-such claims. On the other hand, **the context surrounding the treaty's drafting does not necessarily lead to this conclusion**. In fact, **the emphasis on "peaceful purposes" and reducing international tension might instead suggest a stricter reading of Articles I and II**. **If things were so unstable** and tense **on Earth, the drafters may have instead intended Article II as a qualification on the general right to explore and use outer space in Article I, recognizing the simple fact that disputes over property, both land and minerals, have sparked some of history's bloodiest conflicts.**

The Antarctic treaty experience evidences Cold War concern over potential resource rights disputes. Leading up to the finalization of the Antarctic Treaty of 1959,184 seven nations had already made official territorial claims over varying portions of the frozen landscape in hopes of laying claim to the plethora of resources thought to be located within the subsurface."' Although the Treaty itself did not directly address rights to mineral resources in the Antarctic,186 the treaty is interpreted to have frozen these claims in the interest of "[f]reedom of scientific investigation in Antarctica and cooperation toward that end.""' In a manner notably similar to the terms of Articles XI and XII of the OST, the Treaty promotes scientific exploration by encouraging information sharing of scientific program plans, personnel, and observations' and inspection of stations on a reciprocal basis.189 This Treaty along with several later treaties and protocols constitute the "Antarctic Treaty System," which as a whole manages the governance of Antarctica.1 9 0 In 1991, the Protocol on Environmental Protection to the Antarctic Treaty 91 ("Madrid Protocol") settled the question of property rights for the fifty years following the Protocol's entry into force. 192 The Madrid Protocol provides for "the comprehensive protection of the Antarctic environment ... [and] designate[s] Antarctica as a natural reserve, devoted to peace and science."193 Article 7 explicitly-and simplystates "[a]ny activity relating to mineral resources, other than scientific research, shall be prohibited."1 94 Though Article 25 allows for the creation of a binding legal regime to determine whether and under what conditions mineral resource activity be allowed, no such international legal regime has been created to date. 195 The ban on mineral resource exploitation may only be amended by unanimous consent of the parties. 19 6 The United States signed and ratified both the Antarctic Treaty of 1959 and the Madrid Protocol. 197

The freezing of territorial claims in the Antarctic 98 by the Antarctica Treaty of 1959199 illustrates the existence of true concern over potential resource dispute and conflict during the Cold War, in addition to the major concerns posed by nuclear weapons.2 00 The drafting states also recognized the potential for conflict over property in outer space and drew on the language of the Antarctic Treaty of 1959 to draft the OST.2 01 Given these driving concerns, Article II could be reasonably read as qualifying Article I's general rule. Under this reading, Article II serves the same qualifying purpose as Article IV regarding military and nuclear weapon use in space. Some might push back on this interpretation by claiming that the drafters could have used language such as that in the Madrid Protocol to explicitly prohibit mining in space. However, this argument is flawed. The Madrid Protocol was not written until well after both the original Antarctic Treaty of 1959 and the OST. Furthermore, the timing of the Madrid Protocol perhaps provides further evidence that resources in space are not to be harvested until a subsequent agreement regarding rights over them can be agreed upon internationally. While the historical context does leave some ambiguity as to whether the OST permits property rights over space resources, the Antarctic experience provides a compelling analogy and suggests that the OST does not allow for property rights in space resources.

4. State Practice

In its Frequently Asked Questions released about the SREU Act, the House Committee on Science, Space, and Technology forcefully asserted that the Act does not violate international law.20 2 in fact, according to the committee, the Act's provision of property rights "is affirmed by State practice and by the U.S. State Department in [c]ongressional testimony and written correspondence."2 03 Proponents of this view base their beliefs on several examples. One, "no serious objection" arose to the United States and the Soviet Union bringing samples of rocks and other materials from the Moon back by manned and robotic missions in the late 1960s, nor to Japan successfully collecting a small asteroid sample in 2010.204 Two, a practice of respecting ownership over such retrieved samples and a terrestrial market for such items exists, as illustrated by the fact that no one doubts that the American Museum of Natural History "owns" three asteroids found in Greenland by arctic explorer Robert E. Peary that are now part of the museum's Arthur Ross Hall of Meteorites. 205 Three, Congressmen also cite to a federal district court case, United States v. One Lucite Ball Containing Lunar Material,2 06 to illustrate state practice in favor of ownership over spaces resources. The case involved an Apollo lunar sample gifted to Honduras by the United States. The sample was stolen and sold to an individual in the United States.2 07 When caught during a sting operation intended to uncover illegal sales of imposter samples, the buyer was forced to forfeit the lunar sample after the court concluded the moon rocks had in fact been stolen, basing its decision in part on its recognition of Honduras having national property ownership over the sample. 208

These examples appear overwhelming, but they are not actually examples of activities of the same "form and content" that the SREU Act approves. 2 09 These examples all involve collection of samples in limited amounts and for scientific purposes, while the SREU Act approves large-scale collection and for commercial exploitation. The OST explicitly emphasizes a "freedom of scientific investigation in outer space," and the collection of scientific samples reasonably fall under this enumerated right. 2 10 Alternatively, the OST says nothing with respect to commercial exploitation, only discussing "benefits" of space in terms of sharing those benefits with all mankind.211 Furthermore, the American Museum of Natural History and Lucite Ball examples relied upon are misleading because they suggest that types of celestial artifacts found or gifted on Earth are subject to the same legal regime as resources mined or collected in space, which may not necessarily be true. The analogy of ownership over fish extracted from the high seas is also often cited in response to this pushback. Much like outer space, the high seas are open to all participants, yet the law of the seas still recognizes the right to title over fish extracted on the high seas by fishermen, who can then sell the fish.212 But again, this analogy has limited import because both the 1958 Geneva Convention on the High Seas and the United Nations Convention on the Law of the Sea ("UNCLOS") explicitly recognize the right to fish, while the OST grants no such right to exploit space resources. 2 1 3

Furthermore, state practice relevant to the question of property rights under the OST goes beyond these examples and analogies of ownership of resources taken from commons. State practice regarding property rights in general must be considered. For example, Professor Fabio Tronchetti disagrees with the oft-cited notion that state practice affirms the SREU Act.2 14 According to the professor, "under international law, property rights require a superior authority, a State, entitled to attribute and enforce them." 2 15 By granting property rights in the SREU Act, the United States impliedly claims that it has the authority to confer property rights over space resources-an authority traditionally reserved for the owner of a resource. This notion clashes with the nonappropriation principles of the OST. Though there is no consensus regarding whether the nonappropriation principle prohibits claims of sovereignty over resources, a strong consensus at least exists that the principle prohibits states from claiming sovereignty over real property in space.216 In some traditional systems of mineral ownership, however, ownership over resources ran with ownership over land.217 For example, under Roman law, property rights over subsurface minerals belonged to the landowner. 2 18 Thus, if the United States cannot have title in space lands under the nonappropriation principle, it cannot have title to the space resources in those lands either. Without title to the resources, the United States cannot bestow such title to its citizens under traditional international property law; by claiming that it can bestow such title, the United States is abrogating Article II of the OST. One could also argue that the in situ resources the Act grants rights in are actually still part of the celestial bodies; thus, the resources are real property prior to their removal, and are off limits under the Treaty.2 19 Given the limited import of the cited examples of state practice (limited quantity and scientific versus large-scale and commercial), the traditional practice of property rights being conferred from a sovereign to a citizen become incredibly compelling and suggest the SREU Act may abrogate the United States' treaty obligations.

A final piece of evidence, however, again inserts ambiguity into the interpretation: the sweeping rejection of the Moon Agreement and its limitations on property rights by the international community discussed supra Part JJJ.A.2. On the one hand, the rejection may imply that the international community approved of property rights. On the other hand, however, there were other reasons for the sweeping rejection. For example, Professors Francis Lyall and Paul B. Larsen claim the "main area of controversy"2 2 0 actually surrounded the Agreement's proclamation of the Moon and celestial bodies and their natural resources as the "common heritage of mankind" in Article 11.1,221 rather than the Agreement's general property-right provisions. Many believed the invocation of the "common heritage of mankind" language would impart actual obligations upon parties to share extracted resources, whereas the "province of all mankind" and "for the benefit and interest of all" language of the OST did not.222 As with ordinary meaning, preparatory materials, and historical context, state practice leaves some ambiguities and state interpretations should also be considered.

5. State Interpretations

Much like the preparatory materials discussed supra Part IV.A.1, subsequent state interpretation of the OST fails to fully address the question of the legality of property rights in space resources. On the one hand, the Senate Committee on Foreign Relations found that the drafters intended Articles I, II, and III of the Treaty to be general in nature when reviewing the Treaty,223 which perhaps suggests Article II's nonappropriation principle does not qualify Article I's general right to use or act as an exception. Yet, the committee also found the Treaty to be in response to the "potential for international competition and conflict in outer space." 2 24 To the committee, Articles I, II, and III stressed the importance of free scientific investigation, guaranteed free access to all areas of celestial bodies, and prohibited claims of sovereignty.225 Not only would property rights in natural resources potentially ignite and exacerbate conflict in space, but they also seemed somewhat incompatible with scientific investigation, free access, and the prohibition on sovereignty. During its hearing on the Treaty, the Senate Committee on Foreign Relations focused a majority of its discussion of Article I on whether or not the language "province of all mankind" imparted strict obligations, while devoting little to no time to the issue of the meaning of "use." 22 6 Former Justice Arthur Goldberg, then U.S. ambassador to the United Nations, did note the goal of the article was to "cnot subject space to exclusive appropriation by any particular power." 227 Nevertheless, this statement fails to resolve whether natural resources may be exploited, as such exploitation could be carried out in an inclusive manner.

The committee's review of Article II consumes only eight lines of the hearing transcript, merely adding that the Article is complementary to Article I and that space cannot be claimed for the country (likely referring to land rather than resources).2 28 A different exchange between Ambassador Goldberg, Senator Lausche, and the Chairman leaves further ambiguity regarding the use of natural resources in space: Mr. Goldberg: We wanted to establish our right to explore and use outer space. Senator Lausche: Yes. That is, any one of the signatory nations shall have the right to the use of whatever might be found in one of the space bodies. Mr. Goldberg: No, no. It doesn't mean that. It means that they shall be free on their own to explore outer space. The Chairman: Or to use it. Mr. Goldberg: To use it. The Chairman: But not on an exclusive basis. Mr. Goldberg: Everyone is free.229

At first, Ambassador Goldberg appears to have refuted the notion that a signatory could simply "use" anything found in one of the space bodies, such as a mineral, implying Senator Lausche's example exceeded the scope of Article I. He then went on to emphasize exploratory activities. But then, Ambassador Goldberg backtracked and reasserted the right to use without clarifying his initial qualification.

This sense of ambiguity remains today despite Congress signing off on the SREU Act. While sponsors of the bill and statements from resource extraction companies emphasized the broad scope of the right to "use" outer space and state practice in support of the legality of 230 property rights, several expert witnesses expressed genuine concern that obligations under the Treaty remain unclear and require additional analysis.231

B. Compatibility

Employing the treaty interpretation tools of ordinary meaning, preparatory materials, historical context, state practice, and state interpretation offers many possible understandings of the obligations imparted by Articles I and II of the OST. For example, while the ordinary meaning of "use" could reasonably include the exploitation of materials, the meeting summaries of the Fifth Session of the U.N. Committee on the Peaceful Uses of Outer Space Legal Sub-Committee make clear that no consensus was ever reached regarding whether "use" includes large-scale exploitation of space resources, let alone fee-simple ownership and the ability to sell commercially. State practice dealing with extraterrestrial samples also sheds little light on the confusion, as the examples cited all deal instead with scientific samples of limited quantity. The international community's rejection of the Moon Agreement also fails to bring clarity. While on the one hand the rejection could be read as a rejection of the idea that the OST prohibits private property rights, it could also be read as a rejection of the common heritage of mankind doctrine. Finally, the prospect of privateventure space mining and extraterrestrial resource extraction remained far off and futuristic at the time of the Treaty's negotiation, making drawing legal conclusions about the legality of these revolutionary activities extremely difficult.

**Overall**, however, **the Treaty's structure and its purposes** (**preserving peace and avoiding international conflict in outer space**) **ultimately indicate that private property rights in space resources are prohibited by Article II's non-appropriation principle**, **at least until future international delegation determines otherwise** (**like in the Antarctic**). **The Treaty's structure confirms this interpretation**. **Article I lays down a general rule for activity in space**. **Subsequent** **articles** of the Treaty **then lay out more specific requirements of and qualifications** to this general rule. Much like Article IV restricts the use of nuclear weapons in space, **Article II restricts the use of space in ways that might result in potentially controversial property claims**. **Historically, claims to mineral rights have resulted in just as contentious conflict as those over sovereign lands**. **Treaty efforts to avoid conflicts in Antarctica and the high seas reflect similar sentiments**. **The Soviet Union's representative even hinted at this structural relationship between Articles I and II during Treaty S1 232 negotiations.**22 **In light of the imminent need to ease Cold War tensions**, **the potential for conflict over property, and the final structure of the Treaty, this Note concludes that the large-scale extraction of space resources is incompatible with the non-appropriation principle of Article II of the OST**.23 3 As a result, the United States' provision of property rights to its citizens to possess, own, transport, use, and sell space and asteroid resources extracted through the SREU Act contravenes its international obligations established by the OST.

#### Private entity = majority nonstate

**Warners 20** (Bill, JD Candidate, May 2021, at UIC John Marshall Law School) "Patents 254 Miles up: Jurisdictional Issues Onboard the International Space Station." UIC Review of Intellectual Property Law, vol. 19, no. 4, 2020, p. 365-380. HeinOnline.

To satisfy these three necessary requirements for a new patent regime, the ISS IGA must add an additional clause ("Clause 7") in Article 21 specifically establishing a patent regime for private nonstate third parties onboard the ISS. First, Clause 7 would define **the term "private entity" as an individual, organization, or business which is primarily privately owned and/or managed by nonstate affiliates**. Specifically defining the term "private entity" prevents confusion as to what entities qualify under the agreement and the difference between "public" and "private."99 This definition would also support the connection of Clause 1 in Article 21 to "Article 2 of the Convention Establishing the World Intellectual Property Organization." 100 A succinct definition also alleviates international concerns that the changes to the ISS IGA pushes out Partner State influence. 101 Some in the international community may still point out that Clause 7 still pushes towards a trend of outer space privatization. However, this argument fails to consider that private entities in outer space have operated in space almostas comprehensively as national organizations. 102

#### Violation: they defend fully automated luxury communism through the Madrid protocol, which is an additional policy action that is not intrinsic to the banning of private appropriation.

#### 1] Limits – defending more than the topic’s margins opens up infinite affirmatives since they can chain any space policy option to the prohibition of private appropriation. That explodes neg prep, specifically any counterplan or disad I can read since they solve for that anyway

#### 2] Predictability – there is zero basis for how to predict whether an aff is topical under their model of debate, which skews preparation since it is impossible to know what aff to prepare for when there are infinite affs

#### Voters:

#### Fairness – debate is a competitive activity

#### Drop the debater – the round is skewed, so T is key to rectify

#### Competing interps – they should defend their own model of debate to set consistent norms

#### No rvis – chilling effect, means debaters are deterred from reading theory

### 2 – cap good

#### Capitalism is self-correcting and sustainable – war and environmental destruction are not profitable and innovation solves their impacts

Kaletsky ’11 (Anatole, editor-at-large of *The Times* of London, where he writes weekly columns on economics, politics, and international relationsand on the governing board of the New York-based Institute for New Economic Theory (INET), a nonprofit created after the 2007-2009 crisis to promote and finance academic research in economics, Capitalism 4.0: The Birth of a New Economy in the Aftermath of Crisis, p. 19-21)

Democratic capitalism is a system built for survival. It has adapted successfully to shocks of every kind, to upheavals in technology and economics, to political revolutions and world wars. Capitalism has been able to do this because, unlike communism or socialism or feudalism, it has an inner dynamic akin to a living thing. It can adapt and refine itself in response to the changing environment. And it will evolve into a new species of the same capitalist genus if that is what it takes to survive. In the panic of 2008—09, many politicians, businesses, and pundits forgot about the astonishing adaptability of the capitalist system. Predictions of global collapse were based on static views of the world that extrapolated a few months of admittedly terrifying financial chaos into the indefinite future. The self-correcting mechanisms that market economies and democratic societies have evolved over several centuries were either forgotten or assumed defunct. The language of biology has been applied to politics and economics, but rarely to the way they interact. Democratic capitalism’s equivalent of the biological survival instinct is a built-in capacity for solving social problems and meeting material needs. This capacity stems from the principle of competition, which drives both democratic politics and capitalist markets. Because market forces generally reward the creation of wealth rather than its destruction, they direct the independent efforts and ambitions of millions of individuals toward satisfying material demands, even if these demands sometimes create unwelcome by-products. Because voters generally reward politicians for making their lives better and safer, rather than worse and more dangerous, democratic competition directs political institutions toward solving rather than aggravating society’s problems, even if these solutions sometimes create new problems of their own. Political competition is slower and less decisive than market competition, so its self-stabilizing qualities play out over decades or even generations, not months or years. But regardless of the difference in timescale, capitalism and democracy have one crucial feature in common: Both are mechanisms that encourage individuals to channel their creativity, efforts, and competitive spirit into finding solutions for material and social problems. And in the long run, these mechanisms work very well. If we consider democratic capitalism as a successful problem-solving machine, the implications of this view are very relevant to the 2007-09 economic crisis, but diametrically opposed to the conventional wisdom that prevailed in its aftermath. Governments all over the world were ridiculed for trying to resolve a crisis caused by too much borrowing by borrowing even more. Alan Greenspan was accused of trying to delay an inevitable "day of reckoning” by creating ever-bigger financial bubbles. Regulators were attacked for letting half-dead, “zombie” banks stagger on instead of putting them to death. But these charges missed the point of what the democratic capitalist system is designed to achieve. In a capitalist democracy whose raison d’etre is to devise new solutions to long-standing social and material demands, a problem postponed is effectively a problem solved. To be more exact, a problem whose solution can be deferred long enough is a problem that is likely to be solved in ways that are hardly imaginable today. Once the self-healing nature of the capitalist system is recognized, the charge of “passing on our problems to our grand-children”—whether made about budget deficits by conservatives or about global warming by liberals—becomes morally unconvincing. Our grand-children will almost certainly be much richer than we are and will have more powerful technologies at their disposal. It is far from obvious, therefore, why we should make economic sacrifices on their behalf. Sounder morality, as well as economics, than the Victorians ever imagined is in the wistful refrain of the proverbially optimistic Mr. Micawber: "Something will turn up."

#### Free market capitalism is vital to preventing extinction and ensuring equality, value to life including individual rights– also solves disease and poverty

Rockwell 02

(Llewellyn H., President of the Mises Institute, The Free Market, “Why They Attack Capitalism”, Volume 20, Number 10, October, http://www.mises.org/freemarket\_detail.asp?control=418&sortorder-articledate)

If you think about it, this hysteria is astonishing, even terrifying. The market economy has created unfathomable prosperity and, decade by decade, for centuries and centuries, miraculous feats of innovation, production, distribution, and social coordination. To the free market, we owe all material prosperity, all our leisure time, our health and longevity, our huge and growing population, nearly everything we call life itself. Capitalism and capitalism alone has rescued the human race from degrading poverty, rampant sickness, and early death. In the absence of the capitalist economy, and all its underlying institutions, the world’s population would, over time, shrink to a fraction of its current size, in a holocaust of unimaginable scale, and whatever remained of the human race would be systematically reduced to subsistence, eating only what can be hunted or gathered. And this is only to mention its economic benefits. Capitalism is also an expression of freedom. It is not so much a social system but the de facto result in a society where individual rights are respected, where businesses, families, and every form of association are permitted to flourish in the absence of coercion, theft, war, and aggression. Capitalism protects the weak against the strong, granting choice and opportunity to the masses who once had no choice but to live in a state of dependency on the politically connected and their enforcers. The high value placed on women, children, the disabled, and the aged— unknown in the ancient world—owes so much to capitalism’s productivity and distribution of power. Must we compare the record of capitalism with that of the state, which, looking at the sweep of this past century alone, has killed hundreds of millions of people in wars, famines, camps, and deliberate starvation campaigns? And the record of central planning of the type now being urged on American enterprise is perfectly abysmal.

#### Free market capitalism has drastically improved the world.

Empirical education in child mortality and increase in life expectancy, development of tech innovation in the private market k2 medical advances, food production increased with agriculture tech green revolution, also decreased armed conflicts

Feyman 14 Yevgeniy [adjunct fellow at the Manhattan Institute. He writes on health care policy, entitlement reform, and the Affordable Care Act. His research has focused on a variety of topics, including the physician shortage, the cost of health care reform, and consumer-directed health care. Feyman was previously the deputy director of health policy at the Manhattan Institute and is currently a research assistant in the department of health policy at the Harvard T.H. Chan School of Public Health] “The Golden Age Is Now” May 23, 2014. IB

In How Much Have Global Problems Cost the World? Lomborg and a group of economists conclude that, with a few exceptions, the world is richer, freer, healthier, and smarter than it’s ever been. These gains have coincided with the near-universal rejection of statism and the flourishing of capitalist principles. At a time when political figures such as New York City mayor Bill de Blasio and religious leaders such as Pope Francis frequently remind us about the evils of unfettered capitalism, this is a worthwhile message. The doubling of human life expectancy is one of the most remarkable achievements of the past century. Consider, Lomborg writes, that “the twentieth century saw life expectancy rise by about 3 months for every calendar year.” The average child in 1900 could expect to live to just 32 years old; now that same child should make it to 70. This increase came during a century when worldwide economic output, driven by the spread of capitalism and freedom, grew by more than 4,000 percent. These gains occurred in developed and developing countries alike; among men and women; and even in a sense among children, as child mortality plummeted. Why are we living so much longer? Massive improvements in public health certainly played an important role. The World Health Organization’s global vaccination efforts essentially eradicated smallpox. But this would have been impossible without the innovative methods of vaccine preservation developed in the private sector by British scientist Leslie Collier. Oral rehydration therapies and antibiotics have also been instrumental in reducing child mortality. Simply put, technological progress is the key to these gains—and market economies have liberated, and rewarded, technological innovation. People are not just living longer, but better—sometimes with government’s help, and sometimes despite it. Even people in the developing countries of Africa and Latin America are better educated and better fed than ever before. Hundreds of thousands of children who would have died during previous eras due to malnutrition are alive today. Here, we can thank massive advancements in agricultural production unleashed by the free market. In the 1960s, privately funded agricultural researchers bred new, high-yield strains of corn, wheat, and various other crops thanks to advances in molecular genetics. Globalization helped spread these technologies to developing countries, which used them not only to feed their people, but also to become export powerhouses. This so-called “green revolution” reinforced both the educational progress (properly nourished children tend to learn more) and the life-expectancy gains (better nutrition leads to better health) of the twentieth century. These children live in a world with fewer armed conflicts, netting what the authors call a “peace dividend.” Globalization and trade liberalization have surely contributed to this more peaceful world (on aggregate). An interdependent global economy makes war costly. Of course, problems remain. As Lomborg points out, most foreign aid likely does little to boost economic welfare, yet hundreds of billions of dollars in “development assistance” continue to flow every year from developed countries to the developing world. Moreover, climate change is widely projected to intensify in the second half of the twenty-first century, and will carry with it a significant economic cost. But those familiar with the prior work of the “skeptical environmentalist” understand that ameliorating these effects over time could prove wasteful. Lomborg notes that the latest research on climate change estimates a net cost of 0.2 to 2 percent of GDP from 2055 to 2080. The same report points out that in 2030, mitigation costs may be as high as 4 percent of GDP. Perhaps directing mitigation funding to other priorities—curing AIDS for instance—would be a better use of the resources. Lomborg’s main message? Ignore those pining for the “good old days.” Thanks to the immense gains of the past century, there has never been a better time to be alive.

***Cap solves environmental destruction***

**Veer 12** (Pierre-Guy, Independent journalist writing for the Von Mises Institute, 5/2, “Cheer for the Environment, Cheer for Capitalism,” http://www.mises.ca/posts/blog/cheer-for-the-environment-cheer-for-capitalism/)

No Ownership, No Responsibility How can such a negligence have happened? It’s simple: **no one was the legitimate owner of the resources** (water, air, ground). When a property is state-owned – as was the case under communism – **government has generally little incentive to sustainably exploit it**. In communist Europe, governments wanted to industrialize their country in order, they hoped, to catch up with capitalist economies. Objectives were set, and they had to be met no matter what. This included the use of brown coal, high in sulfur and that creates heavy smoke when burned[4], and questionable farming methods, which depleted the soil. This lack of vision can also be seen in the public sector of capitalist countries. In the US, the Department of Defense creates more dangerous waste than the top five chemical product companies put together. In fact, pollution is such that cleanup costs are estimated at $20 billion. The same goes for agriculture, where Washington encourages overfarming or even farming not adapted for the environment it’s in[5]. Capitalism, the Green Solution In order to solve most of the pollution problems, there exists a simple solution: **laissez-faire capitalism, i.e.** **make sure property rights and profitability can be applied**. The latter helped Eastern Europe; when communism fell, capitalism made the countries seek profitable – and not just cheap – ways to produce, which greatly reduced pollution[6]. As for the former, it proved its effectiveness, notably with the Love Canal[7]. Property rights are also thought of in order to protect some resources, be it fish[8] or endangered species[9]. Why such efficiency? Because an owner’s self-interest is directed towards the maximum profitability of his piece of land. By containing pollution – as Hooker Chemicals did with its canal – he keeps away from costly lawsuit for property violation. At the same time, badly managed pollution can diminish the value of the land, and therefore profits. Any entrepreneur with a long-term vision – and whose property is safe from arbitrary government decisions – thinks about all that in order to protect his investment. One isn’t foolish enough to sack one’s property! In conclusion, I have to mention that I agree with environmentalists that it is importance to preserve the environment in order to protect mother nature and humans. However, I strongly disagree with their means, i.e. government intervention. Considering it very seldom has a long-term vision, it is the worst thing that can happen. In fact, one could says that most environmental disasters are, directly or indirectly, caused by the State, mainly by a lack of clear property rights. Were they clearer, they would let each and everyone of us, out of self-interest, protect the environment in a better manner. That way, everyone’s a winner.

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#### Private sector is key to spurring massive investments to make all the infrastructure of continued space development possible – government alone is insufficient

Weinzierl and Sarang 21 (Matt, PhD in Economics Harvard University, Joseph and Jacqueline Elbling Professor of Business Administration at HBS and a Research Associate at the National Bureau of Economic Research, and Mehak, Research Associate at Harvard Business School and the Lunar Exploration Projects Lead for the MIT Space Exploration Initiative, Harvard Business Review, "The Commercial Space Age is Here," 2/12, <https://hbr.org/2021/02/the-commercial-space-age-is-here> DD)

In contrast to governments, the private sector is eager to put people in space to pursue their own personal interests, not the state’s — and then supply the demand they create. This is the vision driving SpaceX, which in its first twenty years has entirely upended the rocket launch industry, securing 60% of the global commercial launch market and building ever-larger spacecraft designed to ferry passengers not just to the International Space Station (ISS), but also to its own promised settlement on Mars. Today, the space-for-space market is limited to supplying the people who are already in space: that is, the handful of astronauts employed by NASA and other government programs. While SpaceX has grand visions of supporting large numbers of private space travelers, their current space-for-space activities have all been in response to demand from government customers (i.e., NASA). But as decreasing launch costs enable companies like SpaceX to leverage economies of scale and put more people into space, growing private sector demand (that is, tourists and settlers, rather than government employees) could turn these proof-of-concept initiatives into a sustainable, large-scale industry. This model — of selling to NASA with the hopes of eventually creating and expanding into a larger private market — is exemplified by SpaceX, but the company is by no means the only player taking this approach. For instance, while SpaceX is focused on space-for-space transportation, another key component of this burgeoning industry will be manufacturing. Made In Space, Inc. has been at the forefront of manufacturing “in space, for space” since 2014, when it 3D-printed a wrench onboard the ISS. Today, the company is exploring other products, such as high-quality fiber-optic cable, that terrestrial customers may be willing to pay to have manufactured in zero-gravity. But the company also recently received a $74 million contract to 3D-print large metal beams in space for use on NASA spacecraft, and future private sector spacecraft will certainly have similar manufacturing needs which Made In Space hopes to be well-positioned to fulfill. Just as SpaceX has begun by supplying NASA but hopes to eventually serve a much larger, private-sector market, Made In Space’s current work with NASA could be the first step along a path towards supporting a variety of private-sector manufacturing applications for which the costs of manufacturing on earth and transporting into space would be prohibitive. Another major area of space-for-space investment is in building and operating space infrastructure such as habitats, laboratories, and factories. Axiom Space, a current leader in this field, recently announced that it would be flying the “first fully private commercial mission to space” in 2022 onboard SpaceX’s Crew Dragon Capsule. Axiom was also awarded a contract for exclusive access to a module of the ISS, facilitating its plans to develop modules for commercial activity on the station (and eventually, beyond it). This infrastructure is likely to spur investment in a wide array of complementary services to supply the demand of the people living and working within it. For example, in February 2020, Maxar Technologies was awarded a $142 million contract from NASA to develop a robotic construction tool that would be assembled in space for use on low-Earth orbit spacecraft. Private sector spacecraft or settlements will no doubt have need for a variety of similar construction and repair tools. And of course, the private sector isn’t just about industrial products. Creature comforts also promise to be an area of rapid growth, as companies endeavor to support the human side of life in the harsh environment of space. In 2015, for example, Argotec and Lavazza collaborated to build an espresso machine that could function in the zero-gravity environment of the ISS, delivering a bit of everyday luxury to the crew.

#### Strong commercial space industry catalyzes tech innovation – progress at the margins and spinoff tech change global information networks.

**Hampson 17** [Joshua Hampson, 1-27-2017, "The Future of Space Commercialization," Niskanen Center, <https://www.niskanencenter.org/wp-content/uploads/old_uploads/2017/01/TheFutureofSpaceCommercializationFinal.pdf>]//DDPT

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.

#### Tech innovation solves every existential threat – cumulative extinction events outweigh the aff

**Matthews 18** [Dylan Matthews, 10-26-2018, "How to help people millions of years from now," Vox, <https://www.vox.com/future-perfect/2018/10/26/18023366/far-future-effective-altruism-existential-risk-doing-good>]

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](https://docs.google.com/viewer?a=v&pid=sites&srcid=ZGVmYXVsdGRvbWFpbnxuYmVja3N0ZWFkfGd4OjExNDBjZTcwNjMxMzRmZGE).” 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](https://plato.stanford.edu/entries/consequentialism/) 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](https://app.effectivealtruism.org/funds/far-future) 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](https://www.vox.com/future-perfect/2018/10/15/17948062/pandemic-flu-ebola-h1n1-outbreak-infectious-disease), or global warming/out of control geoengineering — and engaging in activities to prevent that specific eventuality.

But in a [set of slides](https://intelligence.org/wp-content/uploads/2013/07/Beckstead-Evaluating-Options-Using-Far-Future-Standards.pdf) 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”](https://www.nytimes.com/2017/12/03/opinion/lost-einsteins-innovation-inequality.html) (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.\*

### Case