## 1AC

### 1AC – Plan

#### Plan: The United States Federal Government should reduce anticompetitive business practices in regard to the appropriation of outer space by private entities in accordance with the higher ethical principles of the outer space treaty

#### Antitrust is uniquely compatible with the OST---the plan generates momentum for international harmonization.

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Equality and Free Access

Secondly, it could be argued that the principle of “equality” and “free access” as enshrined within article I of the OST would seem to preclude monopolies insofar as equal access to celestial bodies must be maintained while, in theory, monopolization would potentially bar such equal access:

(...) Outer space, including the moon and other celestial bodies, shall be free for exploration and use by all States without discrimination of any kind, on a basis of equality and in accordance with international law, and there shall be free access to all areas of celestial bodies (...) (42). (emphasis added)

The main concern raised by the above-cited paragraph is to determine to what extent the article I applies to space resources on the celestial bodies in question. Since celestial bodies are not defined, as previously stated, and since there is no mention of space “resources” within the OST, national law or doctrine can be used to answer the question. The only national legislations mentioning space resources are the ones in favor of the commercialization, as listed supra (43). Secondary sources, or doctrine, reflect divergent views expressed by scholars at the international level (44). This situation illustrates how national law is filling the legal void previously referred to. Nevertheless, which void does it precisely try to fill? The term “appropriation” appears in article II of the OST, alongside with the term “celestial body” which, in article I appears next to “free access”, “equality” and “benefit”. By association, it can be inferred that the States in favor of space commerce do not object to the idea of the extension of these principles to space resources. In this case, as space resources regulation seems to emanate from the national level, national antitrust measures constitute, (at the first stage) an adequate legal response, in parallel, to contain and monitor the risk of monopolization or other anti-competitive behavior in space (an international level field). Such measures could indeed be included within current and future national space legislation and enforce fair competition based on the OST principles. This could in turn generate enough momentum and critical mass to trigger an international framework and intensify harmonization efforts (at the second stage), especially with regards to the commercialization of the space sector.

#### Universal application of U.S. antitrust law has direct and indirect causal mechanisms that encourage conformity.

David Gerber 12, Distinguished Professor, Law, Chicago-Kent College of Law, Illinois Institute of Technology. President, American Society of Comparative Law, "US Antitrust Law: Models and Lens," in Global Competition: Law, Markets, and Globalization, Chapter 5, 2012, pg. 151-158. edited for OCR errors.

US law and US antitrust experience have played central roles in the development of competition law virtually everywhere, and they are central to global competition law development. The US system is often referred to as a ‘model,’ and this model role has shaped the dynamics of global competition law development. Many foreign officials and commentators assume that they should or must follow it.50 Others have been skeptical that it is appropriate for their own circumstances.

I hear use the term ‘model’ in a broad sense to refer to an identifiable set of legal principles and institutions to which others commonly refer. In this sense, US antitrust law is a model, because it is commonly referred to as such. As we shall see, a model can have many functions, and can be used in a variety of ways. As we investigate the role played by US antitrust, it is important to emphasize that its roles are typically based on perceptions and images rather than extensive knowledge of the US system. The term does not necessarily imply a positive assessment of the identified characteristics.

1. Distinguishing among roles

The US model plays several roles and performs several functions. Distinctions among them are seldom clearly drawn, but failure to make them can distort analysis of the dynamics of global competition law today as well as assessment of future policies. At a basic level, the US model is important because it is a common point of reference for virtually all who participate in the global competition law arena. Some have studied US antitrust formally, but most have merely picked up pieces of information about it. All have at least some idea of some of its features. This dimension of the US role often goes unnoticed, but it frames assessments of the US system and anchors assumptions about the directions of global competition law. It is important to identify such cognitive factors, because many are unaware of them, and thus their influence can easily be underestimated.

The US model’s role as a common reference point is associated with its role as a heuristic—a cognitive device for thinking about complicated issues. Basic images of US antitrust law often orient discussions of competition law issues and supply a language for those discussions. Discussions of global competition law often contain comments such as ‘we’re moving toward a US system’ or ‘this is like the US model.’ In this way, the US model simplifies and structures complex information and facilitates discussion of competition law issues among participants who may share few other points of reference.

Use of US antitrust as a shared point of reference easily blends into a related use in which it serves as a standard of comparison and a criterion for evaluating competition law systems. Comments such as ‘country X’s system is still immature or undeveloped in comparison to the US antitrust system’ are common. The assumption here is that the US system is not only a point of reference, but it also represents a better or more mature system that others should emulate.

The US model also plays more specifically normative roles. It is often used as a source of authority for claims about what competition law should be. In this use, a proponent of a particular viewpoint or decision in a foreign system seeks to strengthen [their] ~~her~~ argument by showing that [they are] ~~she is~~ advocating a position from US law. US antitrust law here represents a form of normative ‘authority’ that can be used to support claims in other antitrust systems. Similarity to the US system in and of itself supports such claims. No further argument is required. The low cost of arguments based on this type of authority makes them particularly attractive for use by those with limited resources and those for whom lack of experience or other constraints make more sophisticated analysis difficult.

Finally, US experience also serves as a source of data. Here the focus is on the evolution of the US model rather than on the model itself. The long history of US antitrust law makes it a valuable source of antitrust experience. Th ere is an unparalleled depth of judicial opinions spanning more than a century, and many contain far more material about the practices involved than is available in other systems. In addition, there is a rich body of scholarly writing about antitrust law, and it includes a wide variety of theoretical perspectives. Importantly, the material is available in English, and it is thus far more accessible than are other rich sources of competition law experience such as German experience in the twentieth century.

2. Evolution of the model’s functions

These functions are intertwined, and their relative importance has changed over time, generally paralleling the changing role of the US in global economic and political affairs in the twentieth century. As noted in chapter two, reviews of the US antitrust system prior to the Second World War tended to be negative, and they appear to have often been based on very little actual knowledge of the system. Comments often focused on the then ‘radical’ practice of prohibiting certain conduct that was deemed anticompetitive. European economic thinking and political realities made such a prohibition seem unwarranted and unrealistic. Moreover, the US prohibition system was portrayed as harmful, because it forced fi rms to merge rather than cooperate, thus intensifying the concentration of industry, a spectre that haunted Europe during the early decades of the twentieth century.

In the aftermath of the Second World War, European views changed dramatically. The US was now in a dominant position in the market-oriented part of the world, and it promoted antitrust as a tool for fostering democracy and peace and for generating wealth. Many forgot that there had been a different model of competition law in Europe in the 1920s, and they came to identify competition law with its US variant. Over the next forty years, the US model was effectively imposed on transnational markets, because its courts and institutions applied or threatened to apply US antitrust law anywhere, and US hegemony generally blunted resistance to its imposition. This meant that scholars, lawyers and officials involved with competition law throughout the world had little choice but to learn at least something about US antitrust law and to respect its potential impact.

The fall of the Soviet Union and the successes of the US economy in the 1990s opened another chapter in the evolution of this model role. The return of global markets and their new prominence brought renewed attention to competition law, and much of the attention underscored the model role of US antitrust law. US officials, lawyers and economists have taken leading roles in the internationalizing networks that have formed during this period. They have promulgated US antitrust thinking, touting it as an important factor in building economic progress and political stability in countries previously operating on non-market principles. Officials in the many new competition law systems have needed technical assistance, and the US has been willing and able to provide it. All of this reinforces the image of US antitrust as the ‘leader’ in the field.

3. Influences and incentives

Why have others sought to know, use and follow the US antitrust model? Isolating these factors allows us to assess their impact on current dynamics as well as on future strategies. One factor is the status of US antitrust as the oldest and best-established antitrust system in the world. This ‘father’ image itself tends to confer status and authority on it. A decision maker outside the US, particularly one with a little developed competition law, can often support a position or claim by identifying it as a borrowing from the world’s oldest and most ‘mature’ system. The claim is thereby sanctioned by time and experience. A more refined version of this claim is that the long history of US antitrust does not by itself justify its authority, but that US antitrust has undergone a long process of trial-and-error learning that has revealed mistakes and produced a better system. US writers are fond of using this latter version of the claim, and often fervently believe that US experiences in the 1950s and 1960s show the follies of older and less economically based versions of competition law.

US economic successes, particularly in the 1990s and early 2000s, created another set of incentives to follow the US model. For many, the soaring US economy of the period appeared to confirm the superiority of US economic policy. Antitrust is part of that economic policy package and thus derives status and authority from its success. Ideological factors have sometimes enhanced this attractiveness and augmented the authority it provides. US antitrust is a symbol of ‘US-style capitalism’ with its resistance to government interference with business, and thus those who support this view of the relationship between government and markets have tended to welcome and support the introduction of US antitrust principles and practices into their own systems. For almost two decades prior to the financial crisis that began in 2008, governments virtually everywhere sought to emulate at least portions of this policy package.

US antitrust law is often also seen as a surrogate for an international standard. Discussions of economic globalization often seek international standards, and this has been particularly prominent in discussions of competition law. A competition law decision maker can expect support for a claim to the extent that it represents ‘what the others are doing,’ i.e. an international standard. Although there is no international standard, many assume that US power will require that US antitrust law serve that function.

US economic and political power sometimes also directly supports the influence of US antitrust law. These issues are seldom discussed, but their influence can be extensive. One form of power is governmental. The US government has actively sought to influence the development of foreign systems. Sometimes this is overt and well-publicized, as, for example, during the early 1990s when the US government pressured the government of Japan to increase enforcement of its antitrust laws, thereby hoping to increase the access of US fi rms to the Japanese market. More commonly, pressure is exerted in the context of aid and technical assistance programs, where a country can expect to gain US support and/or assistance by conforming its conduct to the wishes of the US authorities.

Private power and influence play somewhat similar, less obvious, but potentially more pervasive roles. Here there is no direct use of governmental power. Instead, the power is ‘soft’—i.e., the capacity to induce others without coercion to make decisions that correspond to the interests of the private parties involved.51 One forum for this exercise of soft power is the international competition law conferences that have become increasingly common since the mid-1990s. These conferences provide fora where lawyers, economists and public officials present their views and experiences make contacts and often seek to influence each other. In these contexts, US officials and lawyers have played leading roles. They often host the most prestigious of these conferences, and they are often featured speakers.52 As a group, their prominence is based on many factors, including their experience in international competition law matters, the richness of US scholarship, and the practical importance of US antitrust enforcement throughout the world. US lawyers and economists also benefit from the weight and influence of the institutions with which they are associated. Especially since the 1990s, very large international law firms have formed, primarily to provide services to large, internationally-structured business firms. These firms often commit significant resources to influencing foreign decision makers to favor the interests of their clients. This creates incentives for lawyers, officials and economists from other countries to seek contacts with them for their own benefit, e.g., through the potential for client referrals and so on. Large multinational corporations represent a potentially significant source of income for lawyers and consultants in the competition law fi eld. Th ese factors can also influence the literature of antitrust.

E. US Antitrust Experience as a Lens: A Leader’s Perspective

US antitrust experience is also the lens through which members of the US antitrust community and many of those associated with it view transnational competition law issues and assess foreign antitrust laws. It is common for members of this community to assume that the US antitrust system is generally superior to others and that others should follow it, perhaps shorn of some of its inconsistencies and weaknesses (such as vestiges of classical-era case law thinking). The unique evolution of the US system and its relations with other competition law systems combine to shape these US attitudes. The lens they have shaped is the source of US confidence in competition law convergence as a strategy and the generally negative US views on multilateral commitment. We look briefly at the characteristics of this lens and the images it has shaped.

A key feature of the lens is its narrow focus. There have been few incentives in US antitrust experience to look at competition law broadly, i.e., to view US antitrust as just one competition law among many. US antitrust law officials, scholars and lawyers have seldom had occasion to look carefully at foreign competition law experiences or to learn from them. There is, for example, very little in-depth comparative law writing in the antitrust field and what there is typically suggests that US antitrust law should instruct others. The general tenor of US writing that deals with foreign systems is to point out their inadequacies in relation to US antitrust learning.

Related to this is a general tendency of the lens to exclude or marginalize political and social factors in considering antitrust law and its influence. US antitrust law is made by courts. In contrast to virtually all other competition law regimes, legislative influences have been minimal in its history, and thus there has been no vehicle for direct political influence. As a result, the US antitrust community pays primary attention to court decisions, which are generally less concerned with issues of political support.

Using this lens, members of the US antitrust community generally view the basic principles and approaches of US antitrust law with satisfaction, or at least as preferable to its alternatives. Few would consider it unblemished, but most consider it to be basically ‘right.’ The rapid victory of this economics-based conception of antitrust has imbued members of the US antitrust community with confidence that current US antitrust thinking provides the ‘right answers’ to basic antitrust questions. There is little in US experience that generates questions as to whether what is ‘right’ in the US is also ‘right for the rest of the world. It is a universalizing view of US antitrust law. When it is combined with the power and influence of the US it can easily appear to others as arrogance, whereas from within the US antitrust community it is just a ‘better way’ developed through hard won experience.

Confidence in the ‘superiority’ of US antitrust law is not new. It has long been common within the US antitrust community. US antitrust law was the first prominent antitrust system, and this long-ago accustomed member of the US antitrust community to seeing their system as the ‘father’ of modern competition law and to having it seen as such by others. This father image has tended to generate and support the impression that others do and should look to the US system for leadership.

Th is self-image was strengthened in the aftermath of the Second World War. Th e US promoted antitrust as part of its ‘mission’ to help democratize countries such as Germany and Japan and to spread market principles and democracy. Th is led many to forget that there had been a different model of competition law in Europe prior to the war. US antitrust law became the model for antitrust law. The missionary tenor of this message has had a lasting, if altered and reduced impact.

Th e reformulation of US antitrust philosophy that began in the 1970s strengthened the perception in the US antitrust community that US antitrust thinking had found the right answers to basic antitrust questions. It urged that an economics-based antitrust law was superior to earlier conceptions of antitrust law in which issues such as fairness and bigness had influenced decisions. In this image, US antitrust law has learned from its mistakes and now provides a convincing and analytically consistent basis for antitrust. This understanding of US antitrust experience leads many in US antitrust law to scorn forms of competition law in other countries that resemble those earlier US ‘mistakes.’ A common refrain is that ‘we did that, and we know that it doesn’t work.’ When this lens is applied internationally, it readily leads to the conclusion that foreign systems that are concerned with issues such as fairness that have been discredited in the US domestic context deserve limited respect.

The 1990s again spotlighted the leadership role of US antitrust. The US was prominent in providing technical assistance based on US experience, and since then US officials and lawyers have generally been in the forefront of discussions of transnational competition law in many areas of the world. All this reinforces the image of the US as the most prominent antitrust system, i.e., the ‘leader’ in the field.

Finally, the image that US law is ‘the right way’ to do antitrust gives members of the US antitrust community something to ‘sell.’ US lawyers, economists and officials (many of whom expect to return soon to private practice) have incentives to promote the superiority of the US approach.53 Where others adapt the US system, they will undoubtedly turn to the US for guidance and advice.

US antitrust law and experience have long been at the center of discussions about competition law. For those outside, US antitrust law has often been a point of reference for thinking about their own decisions. For those within US antitrust, US experience has been a lens for viewing and evaluating the decisions of others and thinking about the future of competition law on both national and transnational levels. The centrality of these roles makes US antitrust experience unique and exceptionally important. It can be of great value to others and to global competition law development, but it can also obstruct and distort that development.

There are two basic ways of looking at the relevance of US experience for other countries and for global competition law development. One is to see US experience as an evolutionary process that has produced a universally valid ‘best’ approach. Here the claim is that the US has experimented with competition law longer than have other systems; that ‘trial and error’ experience has led to the rejection of approaches that have been shown to be ineffective; and that this has led to a superior system that should be copied by others. In this view, US experience is relevant to all countries and should be the model for global competition law development. A second view asks whether US experience is specifically relevant to the development of competition law in other countries and for global development. Does US experience in setting goals and creating and maintaining institutions relate specifically to the problems and issues faced in developing competition law on a global level? Here the answer is that US experience can be of great value, but that it must be used with careful attention to its uniqueness.

#### Exemptions collapse Rule of the Road – those are necessary to a thriving space industry.

Larsen 18, Paul B. "Minimum International Norms for Managing Space Traffic, Space Debris, and Near Earth Object Impacts." J. Air L. & Com. 83 (2018): 739. (taught air and space law for more than 40 years respectively at Southern Methodist University and at Georgetown University. He is co-author of Lyall and Larsen, Space Law a Treatise (2ne edition Routledge 2017) and of Larsen, Sweeney and Gillick, Aviation Law.)//Miller

D. NON-GOVERNMENTAL ORGANIZATIONS AS MODELS FOR MINIMUM SPACE NORMS Space industry operators are concerned that national and international government-established operating norms may be too restrictive and may kill off the inventive start-up space business initiatives now appearing in the marketplace. No one state or non-governmental entity can appropriate or assert sovereignty over outer space. The Outer Space Treaty Article IX requires states to pay due regard to the corresponding activities of other states.218 But that requirement does not give one state regulatory authority over the business authorities of other states. Article IX merely requires appropriate international consultations.219 Individual space businesses need room to experiment.220 At the same time, they are concerned about the intense competition and the need for some basic safety and traffic rules. Another complication is that the competing space businesses are of different nationalities, and the space businesses authorized by one state may receive inadequate protection from their authorizing state against competing businesses authorized by another state. The nations have to coordinate in order to establish order and basic operating rules for non-sovereign outer space by voluntary agreement. Several operators have sought to join together in associations for their own protection and coordination. A good example is the Space Data Association, in which large space operators like Intelsat, SES, and Euelsat have joined with large manufacturers such as Airbus, and even some space agencies like NASA and the German DLR, to pool information about traffic in outer space.221 They have formed subcommittees on urgent issues such as safety, procedural developments, and interference with radio frequencies.222 However, the large number of small satellite operators have tended to form their own association representing New Space. It is recognized that industry standardsetting organizations, such as the International Standardization Organization (ISO),223 and the new space standardization organization, CONFERS,224 have important roles for setting product standards for the space industry. However, the norms needed for management of space traffic, space debris, and NEOs require minimum government coordination among the states to establish international uniformity. Several industry observers call for some kind of international policing of outer space.225 The private associations can only depend on the goodwill of their competitors in obeying and complying with association rules. Private associations have no inherent police powers for enforcement other than legal action for breach of contract.226 Enforcement of contracts may depend on national laws and on national courts that may favor domestic business over foreign business. Furthermore, associations may be restricted by national antitrust and anti-monopoly laws. Conflicting with the idea of operators working in unison for their common good is the proposition that space operators are basically in business for individual profit. Thus, an individual business may not be willing to sacrifice its profit motives for the sake of public safety. That becomes the nub of the question of whether to leave safety in outer space to be resolved by the non governmental entities: each of the operators will always be motivated by self-interest. A neutral policing authority would therefore be more acceptable to direct traffic than competing business operators. Importantly, the individual national governmental authorities do not have exclusive policing authority in outer space. The only effective solution is to establish international minimum operating norms for space debris generation, space traffic, and planetary defense. It appears that, for space business to succeed, international norms with adequate input from business operators will be the best solution for these urgent public safety problems for space business to succeed. Standards and norms are commercial necessities. They enable businesses to satisfy a larger market demand for their products and services. Some technical standards and norms can be established by the commercial interests without government involvement, but others require minimum governmental regulation and oversight. Space traffic norms will benefit business enterprises, but they require international coordination and policing to assure uniformity. Reduction and elimination of space debris is another activity that requires international coordination combined with national enforcement. Planetary defense against threatening NEOs is yet another area beyond the ability of commercial enterprises to control. These three space activities requiring minimum government safety norms will help businesses prosper and allow space exploration to continue.

### 1AC – Space Law

#### International space law isn’t equipped for the privatization of space BUT US-led space antitrust checks its erosion AND allows for international harmonization

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11. Discussion

Traditionally, international space law, as opposed to national space law, is not equipped to deal directly with the private sector. However, antitrust has the tools to do so. The broader range of space antitrust might help delve further down into the elusive and transnational commercial law, which is likely to accelerate in the near future and multiply interest around the commodification of the space market. As suggested throughout this paper, space concentration, leading to monopolies, is a likely outcome of the further development of space commerce. To mitigate the risks of monopolization, collusive and of other anti-competitive behavior, especially when considering the particular nature of space resources, to be exchanged on the emerging space-based market – including the complex and specialized services attendant thereto – special ethical and legal safeguards must be put in place to incentivize competition while containing the risks of fragmentation mentioned previously.

This is important to enable a healthy expansion of the ecosystem. Our emphasis on the market forces at play is rooted in the assumption that through the observation of the current trends of commercialization and of the growing number of non-traditional actors (either public or private) stemming from old and from new space-faring nations, it is easier to anticipate risk and to provide supporting regulatory proposals.

Our suggested approach toward an adaptive and polycentric governance model attempts to resolve some of these challenges, by allowing for a bottom-up framework that fosters commercialization, to surface organically, from the players, with minimal outside intervention. Our goal is to prevent the risk of privatization and commercialization that might gradually erode the ethical principles of international space law. To use the analogy of the carrot and the stick in striking a balance between regulatory intervention and free initiative, we prefer the carrot approach. Incentivizing the private sector to compete around ethically balanced markets has the potential to unlock new and unforeseen forces of antitrust in space to channel the fragmentation of forces in a sustainable manner while ensuring the respect of the conventional set of ethical principles to which many corporations already subscribe to in the context of their corporate compliance programs. Here we would an additional layer of space law higher ethical principles (such as enumerated supra) and investigate into further incentivizing soft law implementations. These higher principles are rooted in system interconnectivity and complexity, and have direct consequences on life, planetary protection, environmental aspects, intergenerational equity, etc. In approaching these issues through the angle of antitrust, we argue that antitrust is bound to evolve and to adapt, both in Space and on Earth. Furthermore, a broad space antitrust scope might also benefit from polycentric governance when concrete self-determination claims would manifest, such as Elon Musk’s self-governing principles on Mars. Any future space colonies (or settlements) would either rely on their own resources or would depend on the import and the export of resources, and therefore, on resource commodification. It then follows that having an ethical space antitrust regime well in place appears as a foreseeable necessity. An ethical space antitrust should also consider non-market factors such as the potential new rights granted to specific resources and regulate accordingly (e.g. the equivalent in space of legal rights to natural resources, etc.). Without such an ethical regime framework harnessing uncoordinated competitive forces, one possible outcome would be the dystopia described by Andy Weir’ Artemis economy on the Moon based on “soft landing grams” credits directly applied to one’s consumption of oxygen. A bleak perspective. Finally, antitrust is an adequate response to space property and resources, as property law is, at its basis, domestic law and so is competition law. They can evolve in parallel in the space sector and merge into an international framework, adapted to the international space law forum. There is no internationally harmonized antitrust framework as of this writing, except non-binding UN guidelines. Perhaps, a “space antitrust” would help bridge that gap and contribute to reducing growing issues such as “forum shopping,” fragmentation and “conflict of laws.”

12. Limitations and further research

While this paper is at the exploratory level, further research is necessary in determining the scope of antitrust in space, property and commodities and how ethics can play a role specifically, at the implementation level. Case studies should be conducted with a clear methodology. Moreover, the research must include other financial aspects such as spacebased assets and securities, notably the Space Assets Protocol of the UNIDROIT Cape Town Convention. Finally, more work must be done in terms of international/transnational recommendations for antitrust, as there is no internationally harmonized antitrust governance or regime and it remains heavily politicized – or not enough, depending on the school of thought (Teachout, 2020, p. 212).

13. Conclusion

This paper explored a roadmap into managing fragmentation triggered by the accelerated development of the outer space ecosystem and the rise in non-traditional space actors, be they public or private. International space law no longer suffices to cope with all the new actors, and therefore, transnational alternates are recommended. This paper recommends a transformed antitrust regime, adapted to space, based on the corpus juris spatialis ethics. This could help preventing the risk of space law erosion while privatization and commercialization of space are trending and potentially leading to the commodification of the space market and ecosystem, while space lawyers are still debating internationally as per the principle of non-appropriation and as per what a “space object” should consist of and what property rights could be applicable in space. An interdisciplinary approach could prove very helpful to address this problem. For instance, E. Ostrom’s work on classifying the goods into four categories from an economic standpoint might help space lawyers into classifying space goods once and for all and this could serve as a catalyst for polycentric space governance, governed inter alia, by competing forces. However, these competing forces should rather be seen as the dark matter in a space ecosystem, enabling sustainable synergies and interactions, with intergenerational equity in mind. This would be essential to avoid unregulated speculation based on space commodities, which could prove to be more detrimental in such an extreme environment as space. For instance, speculation benefits from climate change impact on crops and other commodities on Earth. We are all too familiar with the consequences. Imagine what space weather-based speculation could do in space. It could obliterate entire economies at once. One could argue that either space antitrust monitors the space commoditization closely, either space derivatives should be significantly regulated.

#### Space law erosion causes space wars.

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Interregional Academy of Personnel Management, “Private International Space Law. Philosophical and Legal Factors of Approval by the World Community,” 2019, Philosophy and Cosmology, Volume 22, p. 21-22

Consequences of the lack of legal rules of conduct for individuals in space

As the authors have shown above, public international law well regulates the exploration and use of outer space by States. However, more and more private companies and individuals are making real or virtual use of comic space and space bodies. So far, private companies are working closely with the relevant national structures. For example, SpaceX works closely with NASA. It works for profit, but according to public international and national space laws of the United States. Accordingly, while significant problems in this area do not arise. However, after the withdrawal of the orbit of the Earth by the SpaceX company of about 12000 satellites that will give away “free” Internet traffic of all comers, problems without doubt arises. First of all, it will be connected with the protection of intellectual property rights and counter-terrorism. The such States, such as China and Russia, will be categorically against all available Internet because they profess the theory and practice of the state-controlled Internet. In other words, the activities of a private company that will operate under soft (softlaw) space law will conflict with the national laws of sovereign States. Consequently, in the context of private companies and individuals, when using space, they enjoy soft law and act in accordance with a constitutional principle of English law: “Everything which is not forbidden is allowed”.

Even more, there is a violation of the principle of justice and sometimes common sense about the virtual use of cosmic bodies. For example, Dennis M. Hope, the formal owner of the Moon since 1980. In 2015, two private companies, Moonestates and Moonlife Ltd, merged and merged is bring together the community of over 6 million space enthusiasts that have purchased land on the Moon (https://www.moonestates.com/about-us/). MoonEstates.com, and Moonlife Ltd view the “legalities” of selling extraterrestrial property and are quite legally valid in the U.S.A. legislative field (<https://www.moonestates.com/about-us/space-law/>).

From our point of view, it is unacceptable that individuals and organizations that do not enjoy any legitimacy from society should (albeit virtually) use or dispose of space objects as their property. This is a direct road to the future confrontation for the natural resources of space. The worst consequence of which can be real space wars. Philosophy of War and Peace, as well as its influence on the formation of the foundations of national and planetary security strategies, are considered in the study Philosophy of War and Peace: in Search of New European Security Strategy [Bazaluk & Svyrydenko, 2017]. Private international space law, adopted by the international community through the legalization in the UN, has the right to regulate the activities of individuals about comic objects. Consequently, the lack of legal rules of conduct for individuals in space leads to two main types of incidents:

1. Not the settlement of the right of private ownership of space bodies, will not lead to the fair capture of space bodies by persons who do not have the right to do so, and the redistribution of such objects will objectively lead to space wars.

2. Not controlled by the right of private companies to use the near-earth space will lead to a threat to the life and health of the inhabitants of the Earth, negative environmental consequences and legal conflicts, both interstate and private.

#### They go nuclear---AND erode nuclear deterrence.

Dr. Robert Farley 22, Assistant Professor of Security and Diplomacy at the Patterson School at the University of Kentucky, Ph.D. in Political Science from the University of Washington, B.A. from the University of Oregon, “Does A Space War Mean A Nuclear War?,” 1945, 1/9/2022, https://www.19fortyfive.com/2022/01/does-a-space-war-mean-a-nuclear-war/

The recent Russian anti-satellite test didn’t tell the world anything new, but it did reaffirm the peril posed by warfare in space. Debris from explosions could make some earth orbits remarkably risky to use for both civilian and military purposes. But the test also highlighted a less visible danger; attacks on nuclear command and control satellites could rapidly produce an extremely dangerous escalatory situation in a war between nuclear powers. James Acton and Thomas Macdonald drew attention to this problem in a recent article at Inside Defense. As Acton and MacDonald point out, nuclear command and control satellites are the connective tissue of nuclear deterrence, assuring countries that they’re not being attacked and that they’ll be able to respond quickly if they are.

For a long time, these strategic early-warning satellites were akin to a center of gravity in ICBM warfare. Nuclear deterrence requires awareness that an attack is underway. Attacks on the monitoring system could easily be read as an attempt to blind an opponent in preparation for general war, and could themselves incur nuclear retaliation. Thus, the nuclear command and control satellites are critical to the maintenance of nuclear deterrence. They make it possible to distribute an order from the chief of government to the nuclear delivery systems themselves. Consequently, their destruction might lead to hesitation or delay in performing a nuclear launch order.

It was only later that the relevance of satellites for conventional warfare became clear. Satellites could reconnoiter enemy positions and, more importantly, provide communications for friendly forces. Indeed, the expansion of the role of satellites in conventional warfare has complicated the prospect of space warfare. States have a clear reason for targeting enemy satellites which support conventional warfare, as those satellites enable the most lethal part of the kill chain, the communications and recon networks that link targets with shooters. Thus, we now have a situation in which space military assets have both nuclear and conventional roles. In a conflict confusion and misperception could rapidly become lethal. If one combatant views an attack against nuclear command and control as a prelude to a general nuclear attack, it might choose to pre-empt.

Nuclear powers have dealt with problems in this general category for a good long while; would a conventional attack against tactical nuclear staging areas represent an escalation, for example? Would the use of ballistic missiles that can carry either conventional or nuclear weapons trigger a nuclear response? Do attacks against air defense networks that have both strategic and tactical responsibilities run the risk of triggering a nuclear response? There’s also the danger that damage to communications networks designated for conventional combat could force traffic onto the nuclear control systems, further confusing the issue.

No one has ever fought a nuclear war, and no two nuclear powers have engaged in a prolonged, high-intensity conventional conflict. Now that conventional systems have become implicated in space technologies for reconnaissance, targeting, and communications, leaders will have to make very difficult, very careful decisions on what enemy capabilities they want to disrupt. Acton and MacDonald propose a straightforward ban on attacks against nuclear satellite infrastructure, which would also require agreement to keep nuclear and conventional communications networks separate. This is the little ask; countries should plan to fight more carefully. The big ask is for a multilateral ban to prevent future anti-satellite weapons tests in space. This would reduce the danger that debris could close off, temporarily or permanently, human access to certain locations in earth orbit. But given that countries use satellites for the conduct of conventional military operations, it’s a lot to ask for warfighters to consider critical military infrastructure off-limits in any particular conflict.

#### Nuke war causes extinction AND outweighs other existential risks

PND 16. internally citing Zbigniew Brzezinski, Council of Foreign Relations and former national security adviser to President Carter, Toon and Robock’s 2012 study on nuclear winter in the Bulletin of Atomic Scientists, Gareth Evans’ International Commission on Nuclear Non-proliferation and Disarmament Report, Congressional EMP studies, studies on nuclear winter by Seth Baum of the Global Catastrophic Risk Institute and Martin Hellman of Stanford University, and U.S. and Russian former Defense Secretaries and former heads of nuclear missile forces, brief submitted to the United Nations General Assembly, Open-Ended Working Group on nuclear risks. A/AC.286/NGO/13. 05-03-2016. <http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/OEWG/2016/Documents/NGO13.pdf> //Re-cut by Elmer

Consequences human survival 12. Even if the 'other' side does NOT launch in response the smoke from 'their' burning cities (incinerated by 'us') will still make 'our' country (and the rest of the world) uninhabitable, potentially inducing global famine lasting up to decades. Toon and Robock note in ‘Self Assured Destruction’, in the Bulletin of Atomic Scientists 68/5, 2012, that: 13. “A nuclear war between Russia and the United States, even after the arsenal reductions planned under New START, could produce a nuclear winter. Hence, an attack by either side could be suicidal, resulting in self assured destruction. Even a 'small' nuclear war between India and Pakistan, with each country detonating 50 Hiroshima-size atom bombs--only about 0.03 percent of the global nuclear arsenal's explosive power--as air bursts in urban areas, could produce so much smoke that temperatures would fall below those of the Little Ice Age of the fourteenth to nineteenth centuries, shortening the growing season around the world and threatening the global food supply. Furthermore, there would be massive ozone depletion, allowing more ultraviolet radiation to reach Earth's surface. Recent studies predict that agricultural production in parts of the United States and China would decline by about **20 percent** for four years, and by 10 percent for a decade.” 14. A conflagration involving USA/NATO forces and those of Russian federation would most likely cause the deaths of most/nearly all/all humans (and severely impact/extinguish other species) as well as destroying the delicate interwoven techno-structure on which latter-day 'civilization' has come to depend. Temperatures would drop to below those of the last ice-age for up to 30 years as a result of the lofting of up to 180 million tonnes of very black soot into the stratosphere where it would remain for decades. 15. Though human ingenuity and resilience shouldn't be underestimated, human survival itself is arguably problematic, to put it mildly, under a 2000+ warhead USA/Russian federation scenario. 16. The Joint Statement on Catastrophic Humanitarian Consequences signed October 2013 by 146 governments mentioned 'Human Survival' no less than 5 times. The most recent (December 2014) one gives it a highly prominent place. Gareth Evans’ ICNND (International Commission on Nuclear Non-proliferation and Disarmament) Report made it clear that it saw the threat posed by nuclear weapons use as one that at least threatens what we now call 'civilization' and that potentially threatens human survival with an immediacy that even climate change does not, though we can see the results of climate change here and now and of course the immediate post-nuclear results for Hiroshima and Nagasaki as well.

### 1AC – Framework

#### Pleasure and pain are intrinsic value and disvalue – everything else regresses – robust neuroscience.

Blum et al. 18

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**Pleasure** is not only one of the three primary reward functions but it also **defines reward.** As homeostasis explains the functions of only a limited number of rewards, the principal reason why particular stimuli, objects, events, situations, and activities are rewarding may be due to pleasure. This applies first of all to sex and to the primary homeostatic rewards of food and liquid and extends to money, taste, beauty, social encounters and nonmaterial, internally set, and intrinsic rewards. Pleasure, as the primary effect of rewards, drives the prime reward functions of learning, approach behavior, and decision making and provides the **basis for hedonic theories** of reward function. We are attracted by most rewards and exert intense efforts to obtain them, just because they are enjoyable [10]. Pleasure is a passive reaction that derives from the experience or prediction of reward and may lead to a long-lasting state of happiness. The word happiness is difficult to define. In fact, just obtaining physical pleasure may not be enough. One key to happiness involves a network of good friends. However, it is not obvious how the higher forms of satisfaction and pleasure are related to an ice cream cone, or to your team winning a sporting event. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure [14]. Pleasure as a hallmark of reward is sufficient for defining a reward, but it may not be necessary. A reward may generate positive learning and approach behavior simply because it contains substances that are essential for body function. When we are hungry, we may eat bad and unpleasant meals. A monkey who receives hundreds of small drops of water every morning in the laboratory is unlikely to feel a rush of pleasure every time it gets the 0.1 ml. Nevertheless, with these precautions in mind, we may define any stimulus, object, event, activity, or situation that has the potential to produce pleasure as a reward. In the context of reward deficiency or for disorders of addiction, homeostasis pursues pharmacological treatments: drugs to treat drug addiction, obesity, and other compulsive behaviors. The theory of allostasis suggests broader approaches - such as re-expanding the range of possible pleasures and providing opportunities to expend effort in their pursuit. [15]. It is noteworthy, the first animal studies eliciting approach behavior by electrical brain stimulation interpreted their findings as a discovery of the brain’s pleasure centers [16] which were later partly associated with midbrain dopamine neurons [17–19] despite the notorious difficulties of identifying emotions in animals. Evolutionary theories of pleasure: The love connection BO:D Charles Darwin and other biological scientists that have examined the biological evolution and its basic principles found various mechanisms that steer behavior and biological development. Besides their theory on natural selection, it was particularly the sexual selection process that gained significance in the latter context over the last century, especially when it comes to the question of what makes us “what we are,” i.e., human. However, the capacity to sexually select and evolve is not at all a human accomplishment alone or a sign of our uniqueness; yet, we humans, as it seems, are ingenious in fooling ourselves and others–when we are in love or desperately search for it. It is well established that modern biological theory conjectures that **organisms are** the **result of evolutionary competition.** In fact, Richard Dawkins stresses gene survival and propagation as the basic mechanism of life [20]. Only genes that lead to the fittest phenotype will make it. It is noteworthy that the phenotype is selected based on behavior that maximizes gene propagation. To do so, the phenotype must survive and generate offspring, and be better at it than its competitors. Thus, the ultimate, distal function of rewards is to increase evolutionary fitness by ensuring the survival of the organism and reproduction. It is agreed that learning, approach, economic decisions, and positive emotions are the proximal functions through which phenotypes obtain other necessary nutrients for survival, mating, and care for offspring. Behavioral reward functions have evolved to help individuals to survive and propagate their genes. Apparently, people need to live well and long enough to reproduce. Most would agree that homo-sapiens do so by ingesting the substances that make their bodies function properly. For this reason, foods and drinks are rewards. Additional rewards, including those used for economic exchanges, ensure sufficient palatable food and drink supply. Mating and gene propagation is supported by powerful sexual attraction. Additional properties, like body form, augment the chance to mate and nourish and defend offspring and are therefore also rewards. Care for offspring until they can reproduce themselves helps gene propagation and is rewarding; otherwise, many believe mating is useless. According to David E Comings, as any small edge will ultimately result in evolutionary advantage [21], additional reward mechanisms like novelty seeking and exploration widen the spectrum of available rewards and thus enhance the chance for survival, reproduction, and ultimate gene propagation. These functions may help us to obtain the benefits of distant rewards that are determined by our own interests and not immediately available in the environment. Thus the distal reward function in gene propagation and evolutionary fitness defines the proximal reward functions that we see in everyday behavior. That is why foods, drinks, mates, and offspring are rewarding. There have been theories linking pleasure as a required component of health benefits salutogenesis, (salugenesis). In essence, under these terms, pleasure is described as a state or feeling of happiness and satisfaction resulting from an experience that one enjoys. Regarding pleasure, it is a double-edged sword, on the one hand, it promotes positive feelings (like mindfulness) and even better cognition, possibly through the release of dopamine [22]. But on the other hand, pleasure simultaneously encourages addiction and other negative behaviors, i.e., motivational toxicity. It is a complex neurobiological phenomenon, relying on reward circuitry or limbic activity. It is important to realize that through the “Brain Reward Cascade” (BRC) endorphin and endogenous morphinergic mechanisms may play a role [23]. While natural rewards are essential for survival and appetitive motivation leading to beneficial biological behaviors like eating, sex, and reproduction, crucial social interactions seem to further facilitate the positive effects exerted by pleasurable experiences. Indeed, experimentation with addictive drugs is capable of directly acting on reward pathways and causing deterioration of these systems promoting hypodopaminergia [24]. Most would agree that pleasurable activities can stimulate personal growth and may help to induce healthy behavioral changes, including stress management [25]. The work of Esch and Stefano [26] concerning the link between compassion and love implicate the brain reward system, and pleasure induction suggests that social contact in general, i.e., love, attachment, and compassion, can be highly effective in stress reduction, survival, and overall health. Understanding the role of neurotransmission and pleasurable states both positive and negative have been adequately studied over many decades [26–37], but comparative anatomical and neurobiological function between animals and homo sapiens appear to be required and seem to be in an infancy stage. Finding happiness is different between apes and humans As stated earlier in this expert opinion one key to happiness involves a network of good friends [38]. However, it is not entirely clear exactly how the higher forms of satisfaction and pleasure are related to a sugar rush, winning a sports event or even sky diving, all of which augment dopamine release at the reward brain site. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure. Remarkably, there are pathways for ordinary liking and pleasure, which are limited in scope as described above in this commentary. However, there are **many brain regions**, often termed hot and cold spots, that significantly **modulate** (increase or decrease) our **pleasure or** even **produce the opposite** of pleasure— that is disgust and fear [39]. One specific region of the nucleus accumbens is organized like a computer keyboard, with particular stimulus triggers in rows— producing an increase and decrease of pleasure and disgust. Moreover, the cortex has unique roles in the cognitive evaluation of our feelings of pleasure [40]. Importantly, the interplay of these multiple triggers and the higher brain centers in the prefrontal cortex are very intricate and are just being uncovered. Desire and reward centers It is surprising that many different sources of pleasure activate the same circuits between the mesocorticolimbic regions (Figure 1). Reward and desire are two aspects pleasure induction and have a very widespread, large circuit. Some part of this circuit distinguishes between desire and dread. The so-called pleasure circuitry called “REWARD” involves a well-known dopamine pathway in the mesolimbic system that can influence both pleasure and motivation. In simplest terms, the well-established mesolimbic system is a dopamine circuit for reward. It starts in the ventral tegmental area (VTA) of the midbrain and travels to the nucleus accumbens (Figure 2). It is the cornerstone target to all addictions. The VTA is encompassed with neurons using glutamate, GABA, and dopamine. The nucleus accumbens (NAc) is located within the ventral striatum and is divided into two sub-regions—the motor and limbic regions associated with its core and shell, respectively. The NAc has spiny neurons that receive dopamine from the VTA and glutamate (a dopamine driver) from the hippocampus, amygdala and medial prefrontal cortex. Subsequently, the NAc projects GABA signals to an area termed the ventral pallidum (VP). The region is a relay station in the limbic loop of the basal ganglia, critical for motivation, behavior, emotions and the “Feel Good” response. This defined system of the brain is involved in all addictions –substance, and non –substance related. In 1995, our laboratory coined the term “Reward Deficiency Syndrome” (RDS) to describe genetic and epigenetic induced hypodopaminergia in the “Brain Reward Cascade” that contribute to addiction and compulsive behaviors [3,6,41]. Furthermore, ordinary “liking” of something, or pure pleasure, is represented by small regions mainly in the limbic system (old reptilian part of the brain). These may be part of larger neural circuits. In Latin, hedus is the term for “sweet”; and in Greek, hodone is the term for “pleasure.” Thus, the word Hedonic is now referring to various subcomponents of pleasure: some associated with purely sensory and others with more complex emotions involving morals, aesthetics, and social interactions. The capacity to have pleasure is part of being healthy and may even extend life, especially if linked to optimism as a dopaminergic response [42]. Psychiatric illness often includes symptoms of an abnormal inability to experience pleasure, referred to as anhedonia. A negative feeling state is called dysphoria, which can consist of many emotions such as pain, depression, anxiety, fear, and disgust. Previously many scientists used animal research to uncover the complex mechanisms of pleasure, liking, motivation and even emotions like panic and fear, as discussed above [43]. However, as a significant amount of related research about the specific brain regions of pleasure/reward circuitry has been derived from invasive studies of animals, these cannot be directly compared with subjective states experienced by humans. In an attempt to resolve the controversy regarding the causal contributions of mesolimbic dopamine systems to reward, we have previously evaluated the three-main competing explanatory categories: “liking,” “learning,” and “wanting” [3]. That is, dopamine may mediate (a) liking: the hedonic impact of reward, (b) learning: learned predictions about rewarding effects, or (c) wanting: the pursuit of rewards by attributing incentive salience to reward-related stimuli [44]. We have evaluated these hypotheses, especially as they relate to the RDS, and we find that the incentive salience or “wanting” hypothesis of dopaminergic functioning is supported by a majority of the scientific evidence. Various neuroimaging studies have shown that anticipated behaviors such as sex and gaming, delicious foods and drugs of abuse all affect brain regions associated with reward networks, and may not be unidirectional. Drugs of abuse enhance dopamine signaling which sensitizes mesolimbic brain mechanisms that apparently evolved explicitly to attribute incentive salience to various rewards [45]. Addictive substances are voluntarily self-administered, and they enhance (directly or indirectly) dopaminergic synaptic function in the NAc. This activation of the brain reward networks (producing the ecstatic “high” that users seek). Although these circuits were initially thought to encode a set point of hedonic tone, it is now being considered to be far more complicated in function, also encoding attention, reward expectancy, disconfirmation of reward expectancy, and incentive motivation [46]. The argument about addiction as a disease may be confused with a predisposition to substance and nonsubstance rewards relative to the extreme effect of drugs of abuse on brain neurochemistry. The former sets up an individual to be at high risk through both genetic polymorphisms in reward genes as well as harmful epigenetic insult. Some Psychologists, even with all the data, still infer that addiction is not a disease [47]. Elevated stress levels, together with polymorphisms (genetic variations) of various dopaminergic genes and the genes related to other neurotransmitters (and their genetic variants), and may have an additive effect on vulnerability to various addictions [48]. In this regard, Vanyukov, et al. [48] suggested based on review that whereas the gateway hypothesis does not specify mechanistic connections between “stages,” and does not extend to the risks for addictions the concept of common liability to addictions may be more parsimonious. The latter theory is grounded in genetic theory and supported by data identifying common sources of variation in the risk for specific addictions (e.g., RDS). This commonality has identifiable neurobiological substrate and plausible evolutionary explanations. Over many years the controversy of dopamine involvement in especially “pleasure” has led to confusion concerning separating motivation from actual pleasure (wanting versus liking) [49]. We take the position that animal studies cannot provide real clinical information as described by self-reports in humans. As mentioned earlier and in the abstract, on November 23rd, 2017, evidence for our concerns was discovered [50] In essence, although nonhuman primate brains are similar to our own, the disparity between other primates and those of human cognitive abilities tells us that surface similarity is not the whole story. Sousa et al. [50] small case found various differentially expressed genes, to associate with pleasure related systems. Furthermore, the dopaminergic interneurons located in the human neocortex were absent from the neocortex of nonhuman African apes. Such differences in neuronal transcriptional programs may underlie a variety of neurodevelopmental disorders. In simpler terms, the system controls the production of dopamine, a chemical messenger that plays a significant role in pleasure and rewards. The senior author, Dr. Nenad Sestan from Yale, stated: “Humans have evolved a dopamine system that is different than the one in chimpanzees.” This may explain why the behavior of humans is so unique from that of non-human primates, even though our brains are so surprisingly similar, Sestan said: “It might also shed light on why people are vulnerable to mental disorders such as autism (possibly even addiction).” Remarkably, this research finding emerged from an extensive, multicenter collaboration to compare the brains across several species. These researchers examined 247 specimens of neural tissue from six humans, five chimpanzees, and five macaque monkeys. Moreover, these investigators analyzed which genes were turned on or off in 16 regions of the brain. While the differences among species were subtle, **there was** a **remarkable contrast in** the **neocortices**, specifically in an area of the brain that is much more developed in humans than in chimpanzees. In fact, these researchers found that a gene called tyrosine hydroxylase (TH) for the enzyme, responsible for the production of dopamine, was expressed in the neocortex of humans, but not chimpanzees. As discussed earlier, dopamine is best known for its essential role within the brain’s reward system; the very system that responds to everything from sex, to gambling, to food, and to addictive drugs. However, dopamine also assists in regulating emotional responses, memory, and movement. Notably, abnormal dopamine levels have been linked to disorders including Parkinson’s, schizophrenia and spectrum disorders such as autism and addiction or RDS. Nora Volkow, the director of NIDA, pointed out that one alluring possibility is that the neurotransmitter dopamine plays a substantial role in humans’ ability to pursue various rewards that are perhaps months or even years away in the future. This same idea has been suggested by Dr. Robert Sapolsky, a professor of biology and neurology at Stanford University. Dr. Sapolsky cited evidence that dopamine levels rise dramatically in humans when we anticipate potential rewards that are uncertain and even far off in our futures, such as retirement or even the possible alterlife. This may explain what often motivates people to work for things that have no apparent short-term benefit [51]. In similar work, Volkow and Bale [52] proposed a model in which dopamine can favor NOW processes through phasic signaling in reward circuits or LATER processes through tonic signaling in control circuits. Specifically, they suggest that through its modulation of the orbitofrontal cortex, which processes salience attribution, dopamine also enables shilting from NOW to LATER, while its modulation of the insula, which processes interoceptive information, influences the probability of selecting NOW versus LATER actions based on an individual’s physiological state. This hypothesis further supports the concept that disruptions along these circuits contribute to diverse pathologies, including obesity and addiction or RDS.

#### Thus, the standard is maximizing expected well-being or act hedonistic util. Prefer additionally –

#### 1] Death is bad and outweighs – a) agents can’t act if they fear for their bodily security which constrains every ethical theory, b) it destroys the subject itself – kills any ability to achieve value in ethics since life is a prerequisite which means it’s a side constraint since we can’t reach the end goal of ethics without life

#### 2] 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.

### 1AC – Underview

#### 1] 1AR theory is legit – anything else means infinite abuse – drop the debater, competing interps, no rvis and the highest layer of the round – 1AR is too short to make up for the time trade-off – no RVIs or 2NR theory and paradigm issues– 6 min 2NR means they can brute force me every time.

#### 2] Aff RVIs

#### ---A] I have a 4 minute 1AR to answer T or Theory which skews my time from other arguments. T bites out of a higher percentage of my rebuttal time.

#### ---B] No risk issue for the negative, you can go for it in the 2nr if I undercover but if I overallocate you can just kick it.

#### 3] Nothing in the 1AC triggers presumption or permissibility – but they should affirm:

#### ---A] 1ar time skew means 1ar has to answer 7 minutes of offense and hedge against a 6 minute 2nr collapse, if the neg can’t prove the aff false you should presume its true

#### ---B] You presume statements true unless proven false – If I tell you my name is Nathan you believe me unless you have evidence to the contrary

#### ---C] Presuming statements are false is impossible – we can’t operate in the world if we can’t trust anything we hear

#### 4] The role of the ballot is to vote for the debater that proves their advocacy is better – to clarify, comparative worlds

#### A] Truth testing kills clash – With truth testing, the 1NC doesn’t have to engage in the offense of the 1AC which kills education

#### B] Time skew – truth testing allows for squirrely arguments like NIBs and a prioris that the NEG can always up layer, which skews the time of the AFF

#### C] Reciprocity – if the AFF is forced to defend a resolution, the NEG should also need to defend either the squo or counterplan – key to fairness because both sides should have the same burden

### 1AC – Method

#### The 1AC foreclosed a chance to develop skills of space policy literacy - space scenario planning can develop emancipatory skills, combat inequality, and fracture expertism in space activities - without stifling the 1AC’s radical energies.

Weeks, 12—Adjunct Professor of International Relations Online Program, Webster University (Edythe, “OUTER SPACE DEVELOPMENT: THE SOLUTION FOR GLOBAL INEQUALITY,” *Outer Space Development, International Relations and Space Law: A Method for Elucidating Seeds*, Chapter 7, pg 171-174, dml)

This is the time to discuss equality. Once societies in outer space are established it will be too late. The first wave of outer space development in the last half of the 20th century changed the world. This process included establishing a satellite telecommunications infrastructure in the geostationary orbit along with the globalization of new high-tech products and services. The retirement of the NASA space shuttle program symbolized the start of the second wave of outer space development, which is likely to be propelled by the privatization of space tourism and space mining. This type of space industrialization will undoubtedly result in extreme wealth for a few who know what is happening, while those who have no knowledge will be left behind. Decision makers, scholars, trouble-shooters, and others worry constantly about existing inequality gaps, lack of development, poverty, and economic hardship. This chapter suggests a method for preventative maintenance prior to humankind’s next development project. It argues that education, information, and sharing knowledge can become tools for generating perpetual equality as we embark on our journey to colonize the final frontier. Those historically disenfranchised can gain a fresh advantage through preparation and education to develop an expertise aimed at providing valuable knowledge useful for space endeavors. In addition, in these times of crashing economies, job loss, high unemployment rates, and school system failures, people are searching for ways to create prosperous futures for themselves and their families. Outer space could prove to be a way for many to find their answer. Newly Emerging Trends Relevant for Outer Space Development The passage of the NASA Authorization Act of 2010 demonstrates a willingness by the U.S. to fund a stepped-up phase of space activities. During bad economic times, this Act provides $58,400,000,000 for various space-related programs from 2011 to 2013. In 2010/2011, media reports constantly alerted the general public to be ready for the retirement of the NASA Space Shuttle program. This initiative complemented the New Vision for U.S. Space Exploration Policy (2004), as well as various other laws and policies initiated by the United States and discussed in previous chapters. When read together, it is fair to assume the newly emerging space industries will be related to achieving advanced space transportation systems, private spacecraft development, commercial space habitats, space stations, space settlements, commercial space mining, spacecraft trajectory optimization techniques for landing on near-Earth asteroids, commercial spaceport construction, interplanetary telecommunications, and space exploration missions. The thing for teachers, students, and members of the general public to do in order to prepare to take advantage of these linked opportunities is to imagine how these goals are likely to play out, and what types of goods, services, and skill-sets will be needed. Education as the Solution Outer space development historically has been the purview of skilled professionals in the science, technology, engineering, and math (STEM) fields. The STEM-oriented opportunities for those proficient in physics, astrophysics, space medicine, engineering, calculus, etc., have always been limited to a few select students. But now global society is calling for something, more since the STEM fields have failed to attract diverse people on an equal footing.186 A bridge can be created by using social and behavioral sciences curricula, thereby to attract people from a wider range of backgrounds to learn about outer space development and newly emerging industries. New education paradigms can help ensure equity and enable wider citizen participation throughout the international community. Curricula using the new paradigm can be used to motivate and inspire a new generation of scholars who can play a key role in the process of outer space development. In effect, an educational system that unleashes human creativity and curiosity will empower students with the knowledge and competencies not only for the second wave of outer space development, but also for the global engagement necessary for the 21st century and beyond (Weeks and Tamashiro, 2011). It is never too early to begin cultivating a person’s intellectual and academic talents. Most children are naturally curious. As part of the curriculum, students of all ages can be shown how to do research, how to write a research paper, to compile and present data, perform critical analytical thinking, and to anticipate and develop relevant skill-sets for newly emerging industry trends. Learning these skills will enable more people to develop an expertise aimed at supplying talent that will be in demand as future industries emerge. This can change people’s lives. Students can learn how to anticipate and prepare for future emerging industries while they are at the K-12 level. Students can also learn at young ages how to get recognized by publishers, editors, the mass media, and others. In situations where the resources necessary for teaching science are unavailable, space studies can be introduced through the social and behavioral sciences and the arts. For many years, space studies has remained the exclusive purview of engineers, scientists, and technology experts. However, there is room at the table for social and behavioral sciences students to join in and develop a specialty area of expertise. Key actors within the outer space development community have expressed an interest in advancing space studies to a broader audience. Orchestrating such a process carries with it the power to improve international relations, education, inspiration, dreams, and creativity, and to boost the global economy by creating a myriad of new jobs and degree programs. We can open an additional door to allow a broader range of knowledge into the minds of more people by introducing outer space development studies through the social and behavioral sciences (Hammond and Weeks, 2011). Unlike engineering, an interdisciplinary social and behavioral sciences lens enables us to interpret the meaning behind sets and patterns of human behaviors—this includes the behavior of individuals, institutions, groups, presidents, members of congress, business and other organizations, mass media, international organizations, and lawmakers. Humankind can progress beyond the “STEMs = space studies” model by including, encouraging, involving, and preparing a new breed of social and behavioral sciences geniuses. These would be people who are naturals in international relations, conflict resolution, and peace studies, as well as versed in international law, politics, social psychology, critical analysis, discourse analysis, international communication, artistic architecture, race and ethnic studies, gender studies, religious studies, economics, finance, business and entrepreneurship, history, and political economy, while also being concerned with inequality gaps, oppression, subjugation, revolts, uprisings, revolutions, and various other social and behavioral phenomena. People who understand the issues concerning human beings now have a way of participating in future emerging space industries. The audience of learners scheduled to receive cutting-edge knowledge of fields relevant for outer space development will be expanded by online learning techniques and sharing of information through the open-source technologies of the Internet. Shaping Ideology Imagine teaching students about the newly emerging trends related to outer space development. This would give students permission to envision and carve out their role in designing future space societies. Students from all disciplines can be taught to see what’s coming next by learning to research and interpret economic policies, laws, and international relations. This will enable them to detect newly emerging industries and to anticipate the elements likely to be in demand. Students can then shape their skill-sets and prepare to satisfy these emerging needs. Students can be taught to perform this type of interdisciplinary analysis and to research combined dynamics—government hearings and transcripts, policy statements and speeches, laws, economic initiatives, and international treaties. They can also be taught to combine this type of primary data with theoretical understandings of historical, ideological, institutional, political, economic, psychological, and structural phenomena.