## 1AC – Framing[LONG]

#### The starting point of morality is practical reason.

#### 1] Bindingness – A theory is only binding when you can answer the question “why should I do this?” and not continue to ask “why”. Only practical reason provides a deductive foundation for ethics since the question “why should I be rational” already concedes the authoritative power of agency since your agency is at work.

#### 2] Empirical uncertainty – Evil demon deceiving us or inability to know others’ experience make empiricism/induction an unreliable basis for universal ethics. Outweighs since it would be escapable since people could say they don’t experience the same.

#### 3] Is/ought gap – experience only tells us what is since we can only perceive what is, not what ought to be. But it’s impossible to derive an ought from descriptive premises, so there needs to be additional a priori premises to make a moral theory.

#### Rationality necessitates a free will – rational action must set before itself objective ends that we can categorically pursue through setting and pursuing ends. All frameworks concede the validity of a free will because otherwise people can’t be held culpable for actions they didn’t cause.

#### Next, the relevant feature of reason is universality – 3 warrants:

#### 1] Absent universal ethics, morality becomes arbitrary and fails to guide action, which means that ethics is rendered useless, necessitating a priori abstraction from physical experience.

#### 2] A priori principles like reason definitionally apply to everyone since they are independent of human experience therefore ethics is universal.

#### 3] Any non-universal norm is contradictory as it justifies someone’s ability to impede on your ends, which also means universalizability acts as a side constraint on ends-based frameworks.

#### Key for following rules since rules are arbitrary since the agent can form a unique interpretation and understanding which makes it impossible to verify a violation. Only universality solves since universalizing a violation of freedom entails a violation of your own freedom, thus a recognizable violation appears.

#### Thus, the standard is consistency with the categorical imperative as enacted through the omnilateral will.

#### Prefer:

#### [1] Performativity—freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place. Thus, it is logically incoherent to justify the neg arguments/standard without first willing that we can pursue ends free from others.

#### [2] Theoretically Prefer [a] Resource disparity – a focus on evidence and statistics privileges debaters with the most preround prep which excludes lone-wolfs who lack huge evidence files. A Kantian debate can easily be won without any prep since only analytical arguments are required which o/w accessibility. [b] Real World Education – Governments operate in consistency to Kantian conceptions of the state. Empirically proven – legitimate states have deontic side constraints like a bill of rights or constitutional courts, but no state is allowed to violate citizens’ liberties for the purpose of the greater good

#### [3] Consequences Fail: [A] Every action has infinite stemming consequences, because every consequence can cause another consequence. [B] Induction is circular because it relies on the assumption that nature will hold uniform and we could only reach that conclusion through inductive reasoning based on observation of past events. [C] Aggregation Fails – suffering is not additive can’t compare between one migraine and 10 headaches [D] Predictions are impossible because anything could lead to a butterfly effect of unexpected consequences i.e. sneezing becoming a tornado and killing thousands

#### [4] There is an intent-foresight distinction. Multiple people can intend the same action looking for different consequences i.e. going home to avoid work vs to see family

#### [5] The Categorical Imperative unites the abstract with the concrete—this is key to challenging oppression.

Farr 2, Arnold Farr (prof of phil @ UKentucky, focusing on German idealism, philosophy of race, postmodernism, psychoanalysis, and liberation philosophy). “Can a Philosophy of Race Afford to Abandon the Kantian Categorical Imperative?” JOURNAL of SOCIAL PHILOSOPHY, Vol. 33 No. 1, Spring 2002, 17–32.

**One** of the most popular **criticism**s **of Kant’s moral philosophy is that it is too formalistic.**13 That is, the universal nature of the categorical imperative leaves it devoid of content. Such a principle is useless since moral decisions are made by concrete individuals in a concrete, historical, and social situation. This type of criticism lies behind Lewis Gordon’s rejection of any attempt to ground an antiracist position on Kantian principles. The rejection of universal principles for the sake of emphasizing the historical embeddedness of the human agent is widespread in recent philosophy and social theory. I will argue here on Kantian grounds that **although a distinction between the universal and the concrete is** a **valid** distinction, **the unity of the two is required for** an understanding of human **agency.** The attack on Kantian formalism began with Hegel’s criticism of the Kantian philosophy.14 The list of contemporary theorists who follow Hegel’s line of criticism is far too long to deal with in the scope of this paper. Although these theorists may approach the problem of Kantian formalism from a variety of angles, the spirit of their criticism is basically the same: The universality of the categorical imperative is an abstraction from one’s empirical conditions. **Kant is** often **accused of making the moral agent an abstract, empty**, noumenal **subject. Nothing could be further from the truth. The Kantian subject is** an **embodied**, empirical, concrete subject. However, this concrete subject has a dual nature. Kant claims in the Critique of Pure Reason as well as in the Grounding that human beings have an intelligible and empirical character.15 It is impossible to understand and do justice to Kant’s moral theory without taking seriously the relation between these two characters. The very concept of morality is impossible without the tension between the two. By “empirical character” Kant simply means that we have a sensual nature. We are physical creatures with physical drives or desires. **The** very **fact that I cannot simply satisfy my desires without considering the rightness** or wrongness **of my actions suggests that my empirical character must be held in check** by something, or else I behave like a Freudian id. My empiri- cal character must be held in check **by my intelligible character**, which is the legislative activity of practical reason. It is through our intelligible character that **we formulate principles that keep our** empirical **impulses in check.** The categorical imperative is the supreme principle of morality that is constructed by the moral agent in his/her moment of self-transcendence. What I have called self-transcendence may be best explained in the following passage by Onora O’Neill: In restricting our maxims to those that meet the test of the categorical imperative we refuse to base our lives on maxims that necessarily make our own case an exception. The reason why a universilizability criterion is morally signiﬁcant is that it makes our own case no special exception (G, IV, 404). In accepting the Categorical Imperative we accept the moral reality of other selves, and hence the possibility (not, note, the reality) of a moral community. **The Formula of Universal Law enjoins no more than that we act only on maxims that are open to others also.**16 O’Neill’s description of the universalizability criterion includes the notion of self-transcendence that I am working to explicate here to the extent that like self-transcendence, universalizable moral principles require that the individ- ual think beyond his or her own particular desires. **The individual is not allowed to exclude others as** rational **moral agents** who have the right to act as he acts in a given situation. For example, if I decide to use another person merely as a means for my own end I must recognize the other person’s right to do the same to me. I cannot consistently will that I use another as a means only and will that I not be used in the same manner by another. **Hence,** the **universalizability** criterion **is a principle of consistency and** a principle of **inclus[ive]ion.** That is, in choosing my maxims **I** attempt to **include the perspective of other moral agents.**

#### [6] Practical identities – we set ends based on practical identities like student or debater. However, human identity – or agency – is the source of practical identity, since it’s necessary to choose which roles to take on. Impacts: A] Justifies valuing humanity as an end – we find our lives worth living under our practical identities and activities, but that means we must value agency as the source of that value. B] Hijacks the role of the judge – judge is a practical identity, which requires first valuing human identity.

## 1AC – Contention

#### 1] Out of the possibility of extraterrestrial reasoners, we have an obligation to respect their habitats and not interfere through exploration.

Brian Patrick Green 2014, Santa Clara University, "Ethical Approaches to Astrobiology and Space Exploration: Comparing Kant, Mill, and Aristotle," Scholar Commons, <https://scholarcommons.scu.edu/markkula/5/> //Dulles VN

But to assume that Kant has not considered these questions is an enormous mistake. In 1755, quite early in his career, Kant published the book Universal Natural History and Theory of the Heavens, where he described the solar nebular hypothesis (now the accepted theory for how the solar system formed).4 More than that, Kant not only allowed that extraterrestrial intelligences might exist, he believed that if they did not yet exist, that someday they would,5 and that some of these ETIs would be inferior and some superior to humans in intelligence.6 One might wonder if the young Kant’s belief in ETIs continued into his older years, when he was writing on ethics. There is good evidence that it does. Writing his Foundations of the Metaphysics of Morals, 30 years after his work on the nebular hypothesis, Kant is explicit – he is not just discussing humans, but “all rational beings.” 7 So with respect deontology and extraterrestrial intelligent life, Case 1) on the chart, Kant would extend the same full dignity and respect to ETIs which humans owe to each other, in accord with his categorical imperative, which requires the universalizability of moral norms8 and treating all rational beings as ends in themselves.9 For deontology and non-intelligent life, Case 2), Kant argues that animals, as non-rational beings, are of only relative worth. They are not as ends in themselves, not persons, but things.10 If humans discovered non-intelligent life on other worlds (most likely microbes, but if larger then we would have to carefully evaluate what it means to be intelligent, and make sure the discovered life does not qualify), according to Kant, we could do with it as we pleased. While some contemporary moral philosophers have tried to reinterpret or rehabilitate Kant on animals, these works are developments of Kant’s philosophy; they are not his philosophy itself.11 So while Kantianism might be modifiable into a system which is more friendly towards the rest of the living world, without these modifications it is not. For non-life and Kantian deontology, Case 3), there is likewise a simple answer: nonliving things are just things. Non-living things are not a moral concern, they are merely instrumental, and as such intelligent creatures can treat these things as they wish. However, there is an odd exception to this conclusion which is worth mentioning (and which I note with a star in the table). Kant believed that if other planets were not yet inhabited, they someday would be. If this is the case, then what of planets currently without intelligent life but which may someday have it? Ought we to anticipate these intelligent creatures and therefore respect them proactively by respecting their prospective goods? Kant does not say (perhaps because he was not interested in speculating or because humans were, in his time, far from being in a position to affect the futures of these planets). However, given the importance of rational beings in Kant’s system (rationality, teleology, and morality are the purpose of universe) the answer is possibly, or even probably, yes.

#### 2] Private entities are incapable of making omnilateral decisions as privatization entails that they withhold information which limits deliberation over making maxims.

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The intrinsic wrong of privatization, I will suggest, rather consists in the creation of an institutional arrangement that, by its very constitution, denies those who are subject to it equal freedom. I understand freedom as an interpersonal relationship of reciprocal independence. To be free is not to be subordinated to another person’s unilateral will. By building on an analytical reconstruction of Kant’s Doctrine of Right, I will argue that current forms of privatization reproduce (to a different degree) within a civil condition the very same defects that Kant attributes to the state of nature, or to a pre-civil condition, thereby making a rightful condition of reciprocal independence impossible. Importantly, this is so even if private actors are publicly authorized through contract and subject to regulations, and even if they are committed to reason in accordance with the public good. The reason for this, as I will explain, derives from the fact that private agents are constitutionally incapable of acting omnilaterally, even if their actions are omnilaterally authorized by government through some delegation mechanism, e.g. a voluntary contract. Omnilateralness, I will suggest, must be understood as a function of 1) rightful judgment and 2) unity. By rightful judgment I mean the capacity to reason publicly and to make universal rules that are valid for everyone, according to a juridical ideal of right, as necessary to solve the problem of the unilateral imposition of private wills on others. By unity I mean the capacity to make rules and decisions that change the normative situation of others, as a part of a unified system of decision-making. The condition of unity is crucial, as I shall later explain, insofar as there might be multiple interpretations compatible with rightful judgment, which would still problematically leave the definition of people’s rightful entitlements indeterminate. Further, the practical realization of the juridical idea of an omnilateral will, I will contend, requires embeddedness within a shared collective practice of decision-making. In practice, rightful judgment can only obtain when certain shared background frameworks that structure practical reasoning and confer unity to that reasoning are in place. The rules of public administration and the authority structure of bureaucracy should be understood as playing this essential function of giving empirical and practical reality to the omnilateral will, as far as the execution of rules and the concrete definition of entitlements are concerned. Together, these two requirements are necessary, (whether they are also sufficient is a different question), to make an action the omnilateral action of a state, which has the moral power to change the normative situation of citizens, by fixing the content of their rights and duties in accordance with the equal freedom of all. The phenomenon of privatization thus raises the fundamental questions of why we need political institutions to begin with, and what makes an action an action of the state. Insofar as private agents make decisions that fundamentally alter the normative situation (the rights and duties) of citizens, and insofar as, by definition, private agents are not public officials embedded in that shared collective practice, their decisions, even if well intentioned and authorized through contract, cannot count as omnilateral acts of the state. They rather and necessarily remain unilateral acts of men. Hence, I will conclude, for the very same reasons that we have, following Kant, a duty to exit the state of nature so as to solve the twofold problems of the unilateral imposition of will on others and the indeterminacy of rights, we also have a duty to limit privatization and to support, on normative grounds, a case for the re-bureaucratization of certain functions. Therefore, my paper provides foundational reasons to agree with Richard Rorty’s nonfoundational defense of bureaucracy as stated in the opening epigraph, since only agents who are appropriately embedded within a bureaucratic structure, properly understood, are, in many cases, capable of acting omnilaterally. The “bosses” I am here concerned with are not primarily those who 5 can unilaterally impose their will on us in their capacity as private employers, but rather any private actor who acts unilaterally while in the garb of the state.

#### 3] Space Exploration is non universalizable - a). Entails that everyone leaves Earth which means that no one would be around to create the means to leave earth b). Assumes all agents have access to the resources to fund a space trip, and is thus exclusionary.

Benjamin Segobaetso 2018, Project Officer at United Nations Association in Canada “Ethical Implications of the Colonization, Privatization and Commercialization of Outer Space.” https://ruor.uottawa.ca/bitstream/10393/38318/1/Benjamin\_Segobaetso\_2018.pdf?fbclid=IwAR2yROoOf\_np9HL97WmBB-xDUGSZnQrRPbvs2Gmo6V5NlyEFBoSLWxQFuV0 //Dulles VN

It can be argued through Kantian ethics that our record here on Earth paints a picture of neoliberal and capitalist policies with tendencies to favour the highest bidder at the exclusion of the under privileged and puts profit first at the expense of the environment. For Kantians, there are two questions that we must ask ourselves whenever we decide to act: (i) Can I rationally will that everyone act as I propose to act? If the answer is no, then we must not perform the action. (ii) Does my action respect the goals of human beings? Again, if the answer is no, then we must not perform the action. Kantian ethicists would argue that extending to space neoliberal and capitalist policies is immoral because these systems create economic disparities and life threatening environmental injustices; therefore, they are set up in a way that we could 16 not rationally will everyone to act the way they act either here on Earth or in space. Also, Kantian ethicists would ask whether the action of extending neoliberal and capitalist policies to space would respect the goals of extra-terrestrial intelligent life if any rather than merely using them for humans’ own purposes? If the answer is no, then the participating agent must not perform the action. Kant wrote on the possible existence of extra-terrestrial intelligent species in the final pages of the last book that he published, Anthropology from a Pragmatic Point of View [Anthropologie in pragmatischer Hinsicht] (1978). In this publication, Kant hinted that the highest concept of the Alien species may be that of a terrestrial rational being [eines irdischen vernünftigen ]; however, he argued that it will be difficult to describe its characteristics because there is no knowledge available of a non-terrestrial rational being [nicht irdischen Wesen] which could be used as a reference in regards to its properties and ultimately classify that terrestrial being as rational. This dilemma will continue until extraterrestrial intelligent life is discovered because comparing two species of rational beings has to be on the basis of experience, but that experience has not been possible yet (Kant, 237-238).

#### 4] Space is not subject to property rights – a). It has no physical manifestation as space is by definition the absence of matter which means it cannot be measured, bordered, or divided, thus it cannot be owned b). Owning unexplored planets/space is incoherent –it can’t be deemed an agents property unless agents have a rational conception of it.

#### 5] Libertarianism turns don’t apply:

#### A] Privatization of space inherently relies on an anti-libertarian state-based model

Shammas and Holen 19 [(Victor L. Oslo Metropolitan University, Tomas B. Independent scholar) “One giant leap for capitalistkind: private enterprise in outer space,” Palgrave Communications, 1-29-19, https://www.nature.com/articles/s41599-019-0218-9] TDI //recut Dulles VN

But the entrepreneurial libertarianism of capitalistkind is undermined by the reliance of the entire NewSpace complex on extensive support from the state, ‘a public-private financing model underpinning long-shot start-ups' that in the case of Musk’s three main companies (SpaceX, SolarCity Corp., and Tesla) has been underpinned by $4.9 billion dollars in government subsidies (Hirsch, 2015). In the nascent field of space tourism, Cohen (2017) argues that what began as an almost entirely private venture quickly ground to a halt in the face of insurmountable technical and financial obstacles, only solved by piggybacking on large state-run projects, such as selling trips to the International Space Station, against the objections of NASA scientists. The business model of NewSpace depends on the taxpayer’s dollar while making pretensions to individual self-reliance. The vast majority of present-day clients of private aerospace corporations are government clients, usually military in origin. Furthermore, the bulk of rocket launches in the United States take place on government property, usually operated by the US Air Force or NASA.Footnote13 This inward tension between state dependency and capitalist autonomy is itself a product of neoliberalism’s contradictory demand for a minimal, “slim” state, while simultaneously (and in fact) relying on a state reengineered and retooled for the purposes of capital accumulation (Wacquant, 2012). As Lazzarato writes, ‘To be able to be “laissez-faire”, it is necessary to intervene a great deal' (2017, p. 7). Space libertarianism is libertarian in name only: behind every NewSpace venture looms a thick web of government spending programs, regulatory agencies, public infrastructure, and universities bolstered by research grants from the state. SpaceX would not exist were it not for state-sponsored contracts of satellite launches. Similarly, in 2018, the US Defense Advanced Research Projects Agency (DARPA)—the famed origin of the World Wide Web—announced that it would launch a ‘responsive launch competition', meaning essentially the reuse of launch vehicles, representing an attempt by the state to ‘harness growing commercial capabilities' and place them in the service of the state’s interest in ensuring ‘national security' (Foust, 2018b).

## 1AC - Plan

#### Text – Member nations of the Outer Space Treaty ought to rule that appropriation of outer space by private actors is unjust by explicitly applying Article II of the Outer Space Treaty to private actors.

#### To Clarify – this is a whole resolution Affirmative that’s defends implementation through the Outer Space Treaty.

## 1AC – Advantage

#### Advantage 1 is the OST:

#### Vagueness in the OST that reflect democratized advances in Space cause ambiguity concerns – risks rendering the OST extinct.

CFR 17 10-10-2017 "The Outer Space Treaty’s Midlife Funk" <https://www.cfr.org/blog/outer-space-treatys-midlife-funk> (Council of Foreign Relations)//Elmer

Today marks the fiftieth anniversary of the Outer Space Treaty’s entry into force. The UN agreement, which took effect on October 10th, 1967, created a binding legal regime for the cosmos (Earth notwithstanding). Declaring outer space to be the “province of all mankind” and dictating that it be used for peaceful purposes, the treaty eased U.S.-Soviet tensions, helping to lay the groundwork for the détente of the following decade. The agreement was, in many respects, a triumph for multilateralism. More on: Space Global Commons Global Governance Technology and Innovation Half a century later, however, the Outer Space Treaty has entered something of a funk. Despite the universal aspirations of the UN Committee on the Peaceful Uses of Outer Space, which molded the document into its completed form, many of the principles enshrined within the text are less suited to the present than they were to their native Cold War milieu. While the anachronism has not reached crisis levels, current and foreseeable developments do present challenges for the treaty, heightening the potential for disputes. At the crux of the matter is the ongoing democratization of space. During the 1950s and ‘60s, when the fundamental principles of international space law took shape, only large national governments could afford the enormous outlays required for creating and maintaining a successful space program. In more recent decades, technological advances and new business models have broadened the range of spacefaring actors. Thanks to innovations such as reusable rockets, micro- and nanosatellites, and inflatable space station modules, costs are decreasing and private companies are crowding into the sector. This flurry of activity, known as New Space, promises nothing less than a complete transformation of the way that humans interact with space. Asteroid mining, for example, could eliminate the need to launch many essential materials from Earth, lowering logistical hurdles and enabling largescale in-space fabrication. Companies like Planetary Resources and Deep Space Industries, by extracting and selling useful resources in situ, could help to jumpstart a sustainable space economy. They might also profit from selling valuable commodities back on terra firma. As a recent (bullish) Goldman Sachs report noted, a single football-field-sized asteroid could contain $25 to $50 billion worth of platinum—enough to upend the terrestrial market. With astronomical sums at stake and the commercial sector kicking into high gear, legal questions are becoming a major concern. Many of these questions focus on Article II of the Outer Space Treaty, which prohibits national appropriation of space and the celestial bodies. Since another provision (Article VI) requires nongovernmental entities to operate under a national flag, some experts have suggested that asteroid mining, which would require a period of exclusive use, may violate the agreement. Others, however, contend that companies can claim ownership of extracted resources without claiming ownership of the asteroids themselves. They cite the lunar samples returned to Earth during the Apollo program as a precedent. Hoping to promote American space commerce, Congress formalized this more charitable legal interpretation in Title IV of the 2015 U.S. Commercial Space Launch Competitiveness Act. Luxembourg, which announced a €200 million asteroid mining fund last year, followed suit with its own law in August. Controversies like the one surrounding asteroid mining are par for the course when it comes to the Outer Space Treaty. The agreement’s insistence that space be used “for peaceful purposes” has long been the subject of intense debate. During the treaty-making process, Soviet jurists argued that peaceful meant “non-military” and that spy satellites were illegal; Americans, who enjoyed an early lead in orbital reconnaissance, interpreted peaceful to mean “non-aggressive” and came to the opposite conclusion. Decades later, the precise meaning of the phrase remains a matter of contention.

#### Credible OST solves Space War.

Johnson 17 Christopher Johnson 1-23-2017 “The Outer Space Treaty at 50” , <http://thespacereview.com/article/3155/1> (graduate of Leiden University’s International Institute of Air and Space Law and the International Space University)//Elmer

As mentioned, many of the provisions of the Outer Space Treaty were borrowed from previous UN General Assembly resolutions. But as resolutions alone, these documents were non-binding and did not require states to alter their behavior. And while UN General Assembly resolutions are not normally law-making exercises, they do record the commonly-held expression of intentions by the states in the General Assembly, and make political recommendations to UNGA Members (or to the UN Security Council). UNGA Resolutions can also set priorities and mold opinion for inclusion in subsequent treaties. The prohibition on the placement of nuclear weapons and other weapons of mass destruction in outer space or their installation on celestial bodies was taken from UNGA Resolution 1884 of 1963. The resolution: [s]olemnly calls upon all States… [t]o refrain from placing in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, installing such weapons on celestial bodies, or stationing such weapons in outer space in any other manner. This prohibition was transferred to the Outer Space Treaty, and thereby remade into international treaty law. As President Johnson pointed out in his recommendation to Congress to ratify the Outer Space Treaty, “the realms of space should forever remain realms of peace.”5 He continued: We know the gains of cooperation. We know the losses of the failure to cooperate. If we fail now to apply the lessons we have learned, or even if we delay their application, we know that the advances into space may only mean adding a new dimension to warfare. If, however, we proceed along the orderly course of full cooperation we shall, by the very fact of cooperation, make the most substantial contribution toward perfecting peace.6 The agreement contained in Article IV of the Outer Space Treaty reflects an agreement between the US and the USSR, as obligations restricting their freedom of action. Why would a state intentionally place a restriction on itself? Isn’t it better to merely keep outer space as unregulated as possible? Since there were only two states then capable of venturing into outer space, why did either state agree to rules governing its actions? It may seem counterintuitive, but the deeper rationale behind security arrangements like this is that the parties actually benefit in the long-term from placing mutual restrictions on their behavior. Agreeing to restrict your freedom of action has deep links to the usefulness or utility of law itself. Consider driving a car: in order to get a license, you agree to observe certain rules, and the license signals your obligation to obey these rules. However, sometimes adhering to those rules is not only inconvenient (such as stopping at stop signs when there’s nobody else at the intersection), it is also against your short term-interests (you have an appointment or will otherwise suffer from observing the rules.) However, agreeing to operate within a system where your freedoms are sometimes restricted can have the effect of actually increasing your freedom over the long term. Wouldn’t you rather live in a state where traffic laws exist, and other drivers agree to observe them? Isn’t that system preferable to living in a state without traffic rules? Indeed, a system with traffic rules increases not just freedom in general, but overall safety and orderliness. Consequently, because the system with rules is preferable to the system without rules, your willingness to use the roads allows you to travel with greater security and ease. You are better assured of the likelihood that you will get to your intended destination without some other driver crashing into you. Knowing that safe travel is likely, you are more willing to take trips more often, and to farther destinations. Your freedom is actually increased over the long term because you are willing to suffer temporary, short-term restrictions such as inconvenient red lights. Long-term rationality warrants adherence to efficient systems of law. Correctly-balanced rules help increase long-term benefits (like safety and security) that would otherwise be unattainable without a system of rules. It is this rationale that also underpins international treaty-making. Today, the current absence of nuclear weapons or other weapons of mass destruction in outer space attests to the bargain struck in the Outer Space Treaty being a successful one, where security (and the liberty and freedom possible with security) were furthered by the mutual exchange of restrictions that states placed upon themselves. The more than 50 years of peaceful uses of outer space, including cooperation between states who remain rivals elsewhere, are the rich long-term gains resulting from the Outer Space Treaty.

#### Space War cause Nuclear War.

Gallagher 15 “Antisatellite warfare without nuclear risk: A mirage” <http://thebulletin.org/space-weapons-and-risk-nuclear-exchanges8346> (interim director of the Center for International and Security Studies in Maryland, previous Executive Director of the Clinton Administration’s CTBT Treaty Committee, an arms control specialist at the State Dept., and a faculty member at Wesleyan)//Elmer

In recent decades, however, as space-based reconnaissance, communication, and targeting capabilities have become integral elements of modern military operations, strategists and policy makers have explored whether carrying out antisatellite attacks could confer major military advantages without increasing the risk of nuclear war. In theory, the answer might be yes. In practice, it is almost certainly no. Hyping threats. No country has ever deliberately and destructively attacked a satellite belonging to another country (though nations have sometimes interfered with satellites' radio transmissions). But the United States, Russia, and China have all tested advanced kinetic antisatellite weapons, and the United States has demonstrated that it can modify a missile-defense interceptor for use in antisatellite mode. Any nation that can launch nuclear weapons on medium-range ballistic missiles has the latent capability to attack satellites in low Earth orbit. Because the United States depends heavily on space for its terrestrial military superiority, some US strategists have predicted that potential adversaries will try to neutralize US advantages by attacking satellites. They have also recommended that the US military do everything it can to protect its own space assets while maintaining a capability to disable or destroy satellites that adversaries use for intelligence, communication, navigation, or targeting. Analysis of this sort often exaggerates both potential adversaries’ ability to destroy US space assets and the military advantages that either side would gain from antisatellite attacks. Nonetheless, some observers are once again advancing worst-case scenarios to support arguments for offensive counterspace capabilities. In some other countries, interest in space warfare may be increasing because of these arguments. If any nation, for whatever reason, launched an attack on a second nation's satellites, nuclear retaliation against terrestrial targets would be an irrational response. But powerful countries do sometimes respond irrationally when attacked. Moreover, disproportionate retaliation following a deliberate antisatellite attack is not the only way in which antisatellite weapons could contribute to nuclear war. It is not even the likeliest way. As was clearly understood by the countries that negotiated the Outer Space Treaty, crisis management would become more difficult, and the risk of inadvertent deterrence failure would increase, if satellites used for reconnaissance and communication were disabled or destroyed. But even if the norm against attacking another country’s satellites is never broken, developing and testing antisatellite weapons still increase the risk of nuclear war. If, for instance, US military leaders became seriously concerned that China or Russia were preparing an antisatellite attack, pressure could build for a pre-emptive attack against Chinese or Russian strategic forces. Should a satellite be struck by a piece of space debris during a crisis or a low-level terrestrial conflict, leaders might mistakenly assume that a space war had begun and retaliate before they knew what had actually happened. Such scenarios may seem improbable, but they are no more implausible than the scenarios that are used to justify the development and use of antisatellite weapons.

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

* Checked

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 – Underview

#### 1] AFF theory is no RVI, Drop the debater, competing interps, and the highest layer of the round under an interp that aff theory is legit regardless of voters a) infinite abuse since otherwise it would be impossible to check NC abuse b) it would justify the aff never getting to read theory which is a reciprocity issue c) Time crunched 1ar means it becomes impossible to justify paradigm issues and win the shell. d) the 2n can dump on a script to a CI and go for RVI’s making it impossible to check abuse e) The 1ar is too short to win theory and substance f) The 2n can always create infinite reasonability arguments the 2ar can’t get through

#### 2] No 2n theory arguments and paradigm issues. a) overloads the 2AR with a massive clarification burden b) it becomes impossible to check NC abuse if you can dump on reasons the shell doesn't matter in the 2n.

#### 3] The role of the ballot is to determine the truth or falsity of the resolution

#### [a] – the ballot says vote aff or neg based on a topic and five dictionaries[[1]](#footnote-1) define to negate as to deny the truth of and affirm[[2]](#footnote-2) as to prove true which means it’s constitutive and jurisdictional. Text comes first – a) Controls the internal link to fairness since it’s the basis of things like predictability and prep b) Key to jurisdiction since the judge can only endorse what is within their burden c) Even if another role of the ballot is better for debate, that is not a reason it ought to be the role of the ballot, just a reason we ought to discuss it.

#### 4] Presumption and Permissibility affirm- [a] – Freezes action: requiring pro-active justification for all our actions would make it impossible to make morally neutral claims like ‘I ought to drink water’ which means we always assume we can take an action absent a proactive reason not to. [b] – Epistemics: We could never start a strand of reasoning if we had to question that reasoning. [c] – If I told you my name was Vishnu you’d believe me

1. <http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate> [↑](#footnote-ref-1)
2. *Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true* [↑](#footnote-ref-2)