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### Mining

#### Private entities are increasing mining now – US is key

Robert Garcia 18, currently an LLM Candidate in Cornell Law School's Law, Entrepreneurship & Technology program at Cornell Tech in NYC., “Regulating International Space Mining, an Enormous Industry,” Pacific Council on International Policy, 10-23-2018, https://www.pacificcouncil.org/newsroom/regulating-international-space-mining-enormous-industry

In 2015, the United States passed the U.S. Commercial Space Launch Competitiveness Act. The law’s passage has caused some consternation in the international space exploration community, as it specifically contemplates U.S. citizens performing commercial recovery in what would be a clear appropriation of asteroid and space resources. The law in pertinent part states that such U.S. citizens: shall be entitled to any asteroid resource or space resource obtained, including to possess, own, transport, use and sell the asteroid resource or space resource obtained in accordance with applicable law, including the international obligations of the United States (emphasis added). Luxembourg was quick to follow suit, and it passed its own national space mining law styled the Law of 20 July 2017 on the Exploration and Use of Space Resources. This law seeks to parallel U.S. law. However, according to a spokesman for the Luxembourg Ministry of Economy, there is one significant expansion over U.S. law, in that "in the U.S. law, a majority of a company's stakeholders must be in the United States, while the Luxembourg law places no restrictions on stakeholder locations." Critics state that the controlling international law is to be found in the United Nations treaties on space exploration. There are five major space treaties, but two specifically address exploitation of outer space resources. The first is the "Outer Space Treaty" (OST). One hundred nations, including the major spacefaring nations-the United States, China, Japan, and the Russian Federation-have ratified it. A subsequent treaty-the Moon Agreement-provides in a relevant part in Article 11, Paragraph 2, that "[t]he moon is not subject to national appropriation by any claim of sovereignty, by means of use or occupation, or by any other means." As of January 2018, relatively few states (18 total) had ratified the Moon Agreement and four additional states had signed but not ratified the agreement. However, of these 22 states, perhaps only Australia, France, and India have the capability to launch space vehicles. The Moon Agreement could have provided some guidance on exploitation of space resources, as it ostensibly prohibits claiming lunar natural resources for private ownership. However, the United States and Luxembourg are not parties to the Moon Agreement, and in consequence the treaty has no "governing effect." Nonetheless, some legal scholars contend that the United States would be in breach of its international obligations if it were to "unilaterally pretend" that its citizens may exercise ownership over extracted space resources, given the absence of recognition of such rights under international law. Clearly it is the stated aim of both the United States and Luxembourg to promote the commercial exploitation of space resources. The two nations’ respective pieces of legislation attempt to provide a legal basis for private citizens to engage in such activities, which some critics would characterize as prohibited "appropriation" under international law. The international community would be well-served by resolving the issue conclusively with an appropriate body of rules. As the technologies advance, we are inexorably headed toward space mining becoming a reality. Whether it will lead to increased resources, providing a net benefit for all people on earth, or serve to increase economic inequality by disproportionately favoring the spacefaring nations remains to be seen.

#### It causes dangerous space mining and deregulation globally – multilateralism solves.

Edd Gent 20, freelance science and technology writer, “Space Mining Should Be a Global Project—But It's Not Starting Off That Way,” Singularity Hub, 10-12-2020, https://singularityhub.com/2020/10/12/the-us-is-trying-to-hijack-space-mining-and-there-could-be-disastrous-consequences/

Exploiting the resources of outer space might be key to the future expansion of the human species. But researchers argue that the US is trying to skew the game in its favor, with potentially disastrous consequences. The enormous cost of lifting material into space means that any serious effort to colonize the solar system will require us to rely on resources beyond our atmosphere. Water will be the new gold thanks to its crucial role in sustaining life, as well as the fact it can be split into hydrogen fuel and oxygen for breathing. Regolith found on the surface of rocky bodies like the moon and Mars will be a crucial building material, while some companies think it will eventually be profitable to extract precious metals and rare earth elements from asteroids and return them to Earth. But so far, there’s little in the way of regulation designed to govern how these activities should be managed. Now two Canadian researchers argue in a paper in Science that recent policy moves by the US are part of a concerted effort to refocus international space cooperation towards short-term commercial interests, which could precipitate a “race to the bottom” that sabotages efforts to safely manage the development of space. Aaron Boley and Michael Byers at the University of British Columbia trace back the start of this push to the 2015 Commercial Space Launch Competitiveness Act, which gave US citizens and companies the right to own and sell space resources under US law. In April this year, President Trump doubled down with an executive order affirming the right to commercial space mining and explicitly rejecting the idea that space is a “global commons,” flying in the face of established international norms. Since then, NASA has announced that any countries wishing to partner on its forthcoming Artemis missions designed to establish a permanent human presence on the moon will have to sign bilateral agreements known as Artemis Accords. These agreements will enshrine the idea that commercial space mining will be governed by national laws rather than international ones, the authors write, and that companies can declare “safety zones” around their operations to exclude others. Speaking to Space.com Mike Gold, the acting associate administrator for NASA’s Office of International and Interagency Relations, disputes the authors’ characterization of the accords and says they are based on the internationally-recognized Outer Space Treaty. He says they don’t include agreement on national regulation of mining or companies’ rights to establish safety zones, though they do assert the right to extract and use space resources. But given that they’ve yet to be released or even finalized, it’s not clear how far these rights extend or how they are enshrined in the agreements. And the authors point out that the fact that they are being negotiated bilaterally means the US will be able to use its dominant position to push its interpretation of international law and its overtly commercial goals for space development. Space policy designed around the exploitation of resources holds many dangers, say the paper authors. For a start, loosely-regulated space mining could result in the destruction of deposits that could hold invaluable scientific information. It could also kick up dangerous amounts of lunar dust that can cause serious damage to space vehicles, increase the amount of space debris, or in a worst-case scenario, create meteorites that could threaten satellites or even impact Earth. By eschewing a multilateral approach to setting space policy, the US also opens the door to a free-for-all where every country makes up its own rules. Russia is highly critical of the Artemis Accords process and China appears to be frozen out of it, suggesting that two major space powers will not be bound by the new rules. That potentially sets the scene for a race to the bottom, where countries compete to set the laxest rules for space mining to attract investment. The authors call on other nations to speak up and attempt to set rules through the UN Committee on the Peaceful Uses of Outer Space. Writing in The Conversation, Scott Shackelford from Indiana University suggests a good model could be the 1959 Antarctic Treaty, which froze territorial claims and reserved the continent for “peaceful purposes” and “scientific investigation.” But the momentum behind the US’ push might be difficult to overcome. Last month, the agency announced it would pay companies to excavate small amounts of regolith on the moon. Boley and Byers admit that if this went ahead and was not protested by other nations, it could set a precedent in international law that would be hard to overcome. For better or worse, it seems that US dominance in space exploration means it’s in the driver’s seat when it comes to setting the rules. As they say, to the victor go the spoils.

#### Dangerous mining greatly increases the risk of space debris.

Sarah Scoles 15, “Dust from asteroid mining spells danger for satellites,” New Scientist, 5-27-2015, https://www.newscientist.com/article/mg22630235-100-dust-from-asteroid-mining-spells-danger-for-satellites/

NASA chose the second option for its Asteroid Redirect Mission, which aims to pluck a boulder from an asteroid’s surface and relocate it to a stable orbit around the moon. But an asteroid’s gravity is so weak that it’s not hard for surface particles to escape into space. Now a new model warns that debris shed by such transplanted rocks could intrude where many defence and communication satellites live – in geosynchronous orbit. According to Casey Handmer of the California Institute of Technology in Pasadena and Javier Roa of the Technical University of Madrid in Spain, 5 per cent of the escaped debris will end up in regions traversed by satellites. Over 10 years, it would cross geosynchronous orbit 63 times on average. A satellite in the wrong spot at the wrong time will suffer a damaging high-speed collision with that dust. The study also looks at the “catastrophic disruption” of an asteroid 5 metres across or bigger. Its total break-up into a pile of rubble would increase the risk to satellites by more than 30 per cent (arxiv.org/abs/1505.03800). That may not have immediate consequences. But as Earth orbits get more crowded with spent rocket stages and satellites, we will have to worry about cascades of collisions like the one depicted in the movie Gravity. Handmer and Roa want to point out the problem now so that we can find a solution before any satellites get dinged. “It is possible to quantify and manage the risk,” says Handmer. “A few basic precautions will prevent harm due to stray asteroid material.”

#### Clustering makes the risk of collisions *uniquely high* and the risk is understated

Dr. Darren McKnight 17, Ph.D., Technical Director for Integrity Applications, Previously Senior Vice President and Director of Science and Technology Strategy at Science Applications International Corporation, “Proposed Series of Orbital Debris Remediation Activities,” 3rd International Conference and Exhibition on Satellite & Space Missions, 5/13/2017, https://iaaweb.org/iaa/Scientific%20Activity/debrisminutes03166.pdf [graphics omitted]

In the future, this population will be added to primarily from collisions between large objects in orbit as the number of LNT produced is proportional to the mass involved in a collision (or explosion).2 Cataloged debris produced from a catastrophic collision will be liberated at about 1-3 fragments per kilogram of mass involved while LNT production is around 10-40 fragments per kilogram of mass involved. The Iridium/Cosmos collision involved a total mass of 2,000kg and produced over 3,000 trackable fragments and likely 10,000-15,0003 LNT debris. The Feng-Yun purposeful collision yielded over 2,200 trackable fragments and likely over 30,000 LNT from only ~850kg of mass involved. While it is important to prevent these types of events from occurring in the future, the consequence of a collision (based on number of LNT produced) will be proportional to the mass involved in the collision. The term “mass involved” implies a good coupling of the impactor mass with the target mass. For a large fragment (e.g., several kilograms) striking a typical payload (that is densely built) in its main satellite body (vice striking a solar array or other appendage) at hypervelocity speeds (i.e., above 6km/s) will result in all the mass being “involved” in the debris. However, a large fragment striking a derelict rocket body, due to the way that the mass is concentrated at the ends of a rocket body, will likely not result in all of the mass being “involved” in the liberated debris. However, it is likely that when two large derelicts, either rocket bodies or payloads, collide with each other, then all of the mass will be involved due to the likely direct physical interaction between the mass. The table below summarizes the mass involvement scenarios which highlight why the massive-on-massive collisions are the focus of our analyses. Therefore, it is best to prevent the collision of the most massive objects with each other (higher consequence) and the ones that are the most likely (higher probability) since risk is probability multiplied by consequence. Our ability to model and predict the rate of collisions is based empirically upon only one catastrophic accidental collision event and a model developed on the kinetic theory of gases (KTG). However, clusters of massive objects that have identical inclinations plus similar and overlapping apogees/perigees may indeed have a greater probability of collision than predicted by the KTG-based algorithms as they are not randomly distributed and their orbital element evolution (e.g., change in right ascension of ascending node and argument of perigee) is also similar. It is hypothesized that these similarities could result in resonances of collision dynamics that may lead to larger probability of collision values than predicted with current algorithms. The not well-known fact is that many of the most massive objects are in tightly clumped clusters that will likely produce greater probability of collision than estimated by the KTG approach (see attached paper) and with the much larger consequence (i.e., creation of catalogued LNT fragments). The attached paper that studied this possibility shows some initial indications that this may indeed be true but much more analysis is needed to provide this conclusively. This table of clusters represents well over 50% of the total derelict mass in LEO. However, no one is currently monitoring these potential events. It is proposed that it would be a prudent risk management approach for space flight safety to monitor and characterize this inter-cluster collision risk. The Massive Collision Monitoring Activity (MCMA) is proposed whereby the encounters between members of these clusters are constantly monitored and close encounter information collected, plotted, analyzed, and shared. This would provide a rich research base for scientists and a predictive service for spacefaring countries. I am currently executing a subset of this proposed activity in an ad hoc fashion in conjunction with JSpOC. I have been monitoring the interaction dynamics between the SL-16 population in the 820- 865km altitude region for the last nine months.

#### Debris cascades cause global nuke war

Les Johnson 13, Deputy Manager for NASA's Advanced Concepts Office at the Marshall Space Flight Center, Co-Investigator for the JAXA T-Rex Space Tether Experiment and PI of NASA's ProSEDS Experiment, Master's Degree in Physics from Vanderbilt University, Popular Science Writer, and NASA Technologist, Frequent Contributor to the Journal of the British Interplanetary Sodety and Member of the American Institute of Aeronautics and Astronautics, National Space Society, the World Future Society, and MENSA, Sky Alert!: When Satellites Fail, p. 9-12 [language modified]

Whatever the initial cause, the result may be the same. A satellite destroyed in orbit will break apart into thousands of pieces, each traveling at over 8 km/sec. This virtual shotgun blast, with pellets traveling 20 times faster than a bullet, will quickly spread out, with each pellet now following its own orbit around the Earth. With over 300,000 other pieces of junk already there, the tipping point is crossed and a runaway series of collisions begins. A few orbits later, two of the new debris pieces strike other satellites, causing them to explode into thousands more pieces of debris. The rate of collisions increases, now with more spacecraft being destroyed. Called the "Kessler Effect", after the NASA scientist who first warned of its dangers, these debris objects, now numbering in the millions, cascade around the Earth, destroying every satellite in low Earth orbit. Without an atmosphere to slow them down, thus allowing debris pieces to bum up, most debris (perhaps numbering in the millions) will remain in space for hundreds or thousands of years. Any new satellite will be threatened by destruction as soon as it enters space, effectively rendering many Earth orbits unusable. But what about us on the ground? How will this affect us? Imagine a world that suddenly loses all of its space technology. If you are like most people, then you would probably have a few fleeting thoughts about the Apollo-era missions to the Moon, perhaps a vision of the Space Shuttle launching astronauts into space for a visit to the International Space Station (ISS), or you might fondly recall the "wow" images taken by the orbiting Hubble Space Telescope. In short, you would know that things important to science would be lost, but you would likely not assume that their loss would have any impact on your daily life. Now imagine a world that suddenly loses network and cable television, accurate weather forecasts, Global Positioning System (GPS) navigation, some cellular phone networks, on-time delivery of food and medical supplies via truck and train to stores and hospitals in virtually every community in America, as well as science useful in monitoring such things as climate change and agricultural sustainability. Add to this the [weakening] ~~crippling~~ of the US military who now depend upon spy satellites, space-based communications systems, and GPS to know where their troops and supplies are located at all times and anywhere in the world. The result is a nightmarish world, one step away from nuclear war, economic disaster, and potential mass starvation. This is the world in which we are now perilously close to living. Space satellites now touch our lives in many ways. And, unfortunately, these satellites are extremely vulnerable to risks arising from a half-century of carelessness regarding protecting the space environment around the Earth as well as from potential adversaries such as China, North Korea, and Iran. No government policy has put us at risk. It has not been the result of a conspiracy. No, we are dependent upon them simply because they offer capabilities that are simply unavailable any other way. Individuals, corporations, and governments found ways to use the unique environment of space to provide services, make money, and better defend the country. In fact, only a few space visionaries and futurists could have foreseen where the advent of rocketry and space technology would take us a mere 50 years since those first satellites orbited the Earth. It was the slow progression of capability followed by dependence that puts us at risk. The exploration and use of space began in 1957 with the launch of Sputnik 1 by the Soviet Union. The United States soon followed with Explorer 1. Since then, the nations of the world have launched over 8,000 spacecraft. Of these, several hundred are still providing information and services to the global economy and the world's governments. Over time, nations, corporations, and individuals have grown accustomed to the services these spacecraft provide and many are dependent upon them. Commercial aviation, shipping, emergency services, vehicle fleet tracking, financial transactions, and agriculture are areas of the economy that are increasingly reliant on space. Telestar 1, launched into space in the year of my birth, 1962, relayed the world's first live transatlantic news feed and showed that space satellites can be used to relay television signals, telephone calls, and data. The modern telecommunications age was born. We've come a long way since Telstar; most television networks now distribute most, if not ali, of their programming via satellite. Cable television signals are received by local providers from satellite relays before being sent to our homes and businesses using cables. With 65% of US households relying on cable television and a growing percentage using satellite dishes to receive signals from direct-to-home satellite television providers, a large number of people would be cut off from vital information in an emergency should these satellites be destroyed. And communications satellites relay more than television signals. They serve as hosts to corporate video conferences and convey business, banking, and other commercial information to and from all areas of the planet. The first successful weather satellite was TIROS. Launched in 1960, TIROS operated for only 78 days but it served as the precursor for today's much more long-lived weather satellites, which provide continuous monitoring of weather conditions around the world. Without them, providing accurate weather forecasts for virtually any place on the globe more than a day in advance would be nearly impossible. Figure !.1 shows a satellite image of Hurricane Ivan approaching the Alabama Gulf coast in 2004. Without this type of information, evacuation warnings would have to be given more generally, resulting in needless evacuations and lost economic activity (from areas that avoid landfall) and potentially increasing loss of life in areas that may be unexpectedly hit. The formerly top-secret Corona spy satellites began operation in 1959 and provided critical information about the Soviet Union's military and industrial capabilities to a nervous West in a time of unprecedented paranoia and nuclear risk. With these satellites, US military planners were able to understand and assess the real military threat posed by the Soviet Union. They used information provided by spy satellites to help avert potential military confrontations on numerous occasions. Conversely, the Soviet Union's spy satellites were able to observe the United States and its allies, with similar results. It is nearly impossible to move an army and hide it from multiple eyes in the sky. Satellite information is critical to all aspects of US intelligence and military planning. Spy satellites are used to monitor compliance with international arms treaties and to assess the military activities of countries such as China, Russia, Iran, and North Korea. Figure 1.2 shows the capability of modem unclassified space-based imaging. The capability of the classified systems is presumed to be significantly better, providing much more detail. Losing these satellites would place global militaries on high alert and have them operating, literally, in the blind. Our military would suddenly become vulnerable in other areas as well. GPS, a network of 24-32 satellites in medium-Earth orbit, was developed to provide precise position information to the military, and it is now in common use by individuals and industry. The network, which became fully operational in 1993, allows our armed forces to know their exact locations anywhere in the world. It is used to guide bombs to their targets with unprecedented accuracy, requiring that only one bomb be used to destroy a target that would have previously required perhaps hundreds of bombs to destroy in the pre-GPS world (which, incidentally, has resulted in us reducing our stockpile of non-GPS-guided munitions dramatically). It allows soldiers to navigate in the dark or in adverse weather or sandstorms. Without GPS, our military advantage over potential adversaries would be dramatically reduced or eliminated.

#### Debris removal tech is interpreted as weaponry – that escalates

David 21 (Leonard David, [a space journalist, reporting on space activities for over 50 years. Leonard is author of the new book, Moon Rush: The New Space Race, published by National Geographic in May 2019. Mr. David is also author of Mars – Our Future on the Red Planet published by National Geographic in October 2016.], 4-14-2021, “Space Junk Removal Is Not Going Smoothly“, Scientific American, accessed: 1-22-2022, https://www.scientificamerican.com/article/space-junk-removal-is-not-going-smoothly/) ajs

There is no doubt that active orbital debris removal is technically challenging, Gorman says. “However, the big issue is that any successful technology that can remove an existing piece of debris can also be used as an antisatellite weapon,” she says. “This is a whole other can of worms that requires diplomacy and negotiation and, most importantly, trust at the international level.”

Indeed, the ability to cozy up to spacecraft in orbit and perform servicing or sabotage has spurred considerable interest from military planners in recent years, says Mariel Borowitz, an associate professor at the Georgia Institute of Technology’s Sam Nunn School of International Affairs. “These rapidly advancing technologies have the potential to be used for peaceful space activities or for warfare in space,” she says. “Given the dual-use nature of their capabilities, it’s impossible to know for sure in advance how they’ll be used on any given day.”

#### Misperception means it goes nuclear.

Rovner 17 – Professor of Political Science, SMU (Joshua, “Two kinds of catastrophe: nuclear escalation and protracted war in Asia,” Journal of Strategic Studies, <http://www.tandfonline.com/doi/abs/10.1080/01402390.2017.1293532?journalCode=fjss20>)

This clash of great power interests has led to concerns that a US–China war may be over the horizon. Such a war is not inevitable, of course, and both sides have obvious reasons to avoid any military conflict. But neither has shown much willingness to back down from the political issues at stake, some of which are infused with nationalism. As long as these issues remain unresolved, and as long as the United States remains committed to the allies who are at loggerheads with Beijing, then conflict will remain a possibility. The fact that both sides possess nuclear weapons raises the danger of a nuclear exchange, even over crises that begin over what to be relatively minor disputes.1 In the event of a war, both China and the United States would seek a quick decisive victory. Any war is likely to exact high costs in blood and treasure. Their high level of trade and financial interdependence, and the centrality of the United States and China to the global economy, means that a prolonged war would be an economic calamity. Chinese military doctrine increasingly stresses the importance of winning quickly, and it puts a premium on seizing the initiative and controlling the pace of combat under what it calls “informatized conditions.” The examples of the US wars in Iraq, Kosovo, and Afghanistan convinced Chinese thinkers that high-intensity conventional combat is no longer a question of relative industrial power. Instead, it is a competition for control of communications. In future conflicts, long-range attacks coupled with aggressive information operations will sew confusion and allow China to dictate the crucial opening stages. The 2001 edition of the Science of Military Strategy (SMS) states that China envisions precision strikes in order to “paralyze the enemy in one stroke.” 2 Organizational changes in the years that followed gave the People’s Liberation Army Air Force (PLAAF) more autonomy and responsibility for long-range strike. In addition, the 2013 edition of SMS called for the PLAAF to develop information operations capable of “effective suppression and destruction” of enemy’s information systems alongside an “information protection capability.” 3 Chinese leaders have committed to the PLA’s military space and counter-space capabilities, investing in more missions, more launches, and more satellites. Finally, the PLA has deliberately merged electronic warfare with psychological operations, based on the idea that confusing the enemy by undermining its communications will force it into operational sclerosis and have a profound psychological effect. The goal is to win fast. The PLA must “seize and control the battlefield initiative, paralyze and destroy the enemy’s operational system of systems, and shock the enemy’s will for war.” 4 This approach closely resembles the US model, which relies on prompt attacks on communications and intelligence networks, which will make it safe for follow-on forces to surge into theater and dictate the scope and pace of combat. American officers have become accustomed to short conventional clashes since the first Gulf War, and their basic operational concept remains largely unchanged. Doctrine continues to emphasize the importance of seizing the initiative, confusing the enemy, and establishing control. The standing joint publication on operations provides a neat summary of the US approach: As operations commence, the (joint force commander) needs to exploit friendly advantages and capabilities to shock, demoralize, and disrupt the enemy immediately. The JFC seeks decisive advantage through the use of all available elements of combat power to seize and maintain the initiative, deny the enemy the opportunity to achieve its objectives, and generate in the enemy a sense of inevitable failure and defeat.5 Rapid attacks cause physical destruction and psychological damage, turning dangerous adversaries into helpless, disorganized, and vulnerable targets. Under these conditions, enemies have neither the ability nor the desire to fight on, and the United States can consolidate its initial gains with additional forces who face little or no resistance. In sum, China and the United States are preparing for a kind of highintensity warfare that requires executing rapid and complex operations while simultaneously disrupting the enemy’s command and control. Both sides believe this operational concept can lead to victory at a reasonably low cost, and are tailoring military doctrine to achieve specific political objectives without risking national disaster. What if both sides are wrong? Great powers often exaggerate their capabilities and minimize the importance of contingency and chance in war. Sometimes they launch campaigns with the false belief that war will be brief and painless, only to learn the opposite. Combat against a thinking adversary reveals the limits of existing capabilities in ways that are impossible to know before the fact. Strategic interaction during war plays havoc with prewar expectations, because the combatants do their utmost to undermine the other. Ambiguous information may not allow either side to judge whether it is succeeding, or, indeed, whether its forces are actually carrying out operations as intended. Great power wars rarely go according to plan. Good strategies thus contain a reasonable margin of error, and good strategists learn to think about what might go wrong. Contingency planning is especially important in cases where nuclear weapons may come into play This article discusses the relationship between conventional and nuclear weapons in a hypothetical war between the United States and China. Both countries have spent lavishly on new conventional military capabilities. Beijing is developing “anti-access” systems to make operations dangerous for US forces in the region, and Washington has responded by refining its operational approach. In the nuclear realm, China is undergoing a modernization of its arsenal and has revised its posture, while the United States has invested in increasingly accurate missiles, lethal warheads, and remote sensing technologies that enable rapid precision strikes. These trends may have important and troubling effects on the dynamics of a potential conventional military confrontation. While optimists imagine a quick and decisive victory, the presence of nuclear weapons opens the possibility of unexpected scenarios that neither side can fully control. The following discussion describes two such scenarios. The first section discusses the prospects for nuclear use. The second section discusses the opposite scenario by looking at the prospects for a protracted conventional war. While escalation concerns have attracted a great deal of scrutiny, scholars have paid much less attention to the possibility of a drawn-out fight. The third section evaluates which scenario is more likely in a US–China conflict. The conclusion discusses the political and military trade-offs leaders will face in a future crisis. Efforts to win quickly will increase the risk of nuclear use. Efforts to reduce the risk of escalation, on the other hand, will increase the risk of a prolonged war. Escalation What would cause leaders to cross the nuclear threshold? In some cases, the choice may be a conscious decision to marry conventional and nuclear doctrine and incorporate escalatory moves in prewar plans. This would be the case if they believe they can execute a preemptive first strike and disable or destroy the adversary’s arsenal. Preemptive attacks are particularly appealing against states with incautious or irrational leaders, especially if they possess small and vulnerable forces. Deliberate escalation is also possible if leaders believe that they must signal resolve by indicating their control at all levels of violence. Preparations for conventional war would transparently include plans for nuclear use in the case of certain contingencies. According to this logic, a clear signal of “escalation dominance” is necessary to convince the enemy that the risks are overwhelming and the prospects of victory are slim. If demonstrations of dominance fail, however, then the stronger state can simply execute its plan in order to defeat the enemy. US leaders in the Cold War invested in capabilities to enable attacks on enemy nuclear weapons and associated systems.6 If this was the case in the Cold War, when the United States faced a superpower adversary with a sprawling nuclear weapons complex, then leaders today probably remain interested in counterforce. Open-source analyses of US technology, along with some telling statements from US leaders, reveal an ongoing program for building and deploying weapons to preempt enemy escalation during a conventional conflict.7 They are also concerned with adversary innovations that complicate counterforce strikes.8 But suppose that leaders have no intention of using nuclear weapons. It is one thing to develop impressive technologies, but quite another to use them, and policymakers may blanch at the real prospect of authorizing first use. Even in these cases, there are several theoretical pathways to escalation. The first is psychological. Cognitive biases may cause leaders to misperceive rival intentions, mistaking signals of restraint for signs of danger. Prewar expectations strongly influence how individuals interpret new information, and they will ignore or reframe dissonant information so it fits into their existing beliefs. Misperceptions intensify after the shooting starts, when information is ambiguous and incomplete. Carl von Clausewitz dwelt on the problem in the aftermath of the Napoleonic Wars, noting that intelligence reports were often contradictory and unreliable “in the thick of fighting.” Despite advances in intelligence and communications, the fog of war remains an enduring problem. Organized violence is an iterative process, and each side has incentives to hide its actions and deceive its adversary. Violence also unleashes intense emotions that obscure the material effects of battle. Commanders may not understand whether they are winning or losing, and in lieu of reliable intelligence they are likely to let passion overtake good judgment. “In short,” Clausewitz concluded, “most intelligence is false, and the effect of fear is to multiply lies and inaccuracies.” 9 Wartime leaders are prone to attribution bias, or the belief that their counterparts are inherently evil. Leaders in conflict are likely to assume the worst about their rivals or else they would not have picked a fight in the first place. Attribution bias causes them disregard the notion that their enemies have limited goals and are willing to accept partial victories. They are also prone to reject peace overtures as meaningless gestures at best, or as efforts to lull them into passivity before escalating the conflict.10 Finally, prospect theory tells us that individuals will fight harder to avoid losing a possession than they will to gain something new. If leaders equate settling with losing, then they will be tempted to risk escalation. All of these psychological pressures are exacerbated under stress and tight time constraints.11 Domestic pressures might lead to escalation if one or both governments fear that regime change will be the political penalty for battlefield failure. Escalation is also possible if the issues at stake are wrapped up in nationalism or ideologies that inflate the value of the object. Leaders will be hard pressed to accept defeat in such cases, especially if military outcome is particularly lopsided and humiliating. Leaders who depend on particularly hawkish constituencies to remain in power are especially likely to take new risks even against long odds. Rather than negotiating an end to the war, they might gamble for resurrection by escalating to the nuclear level.12 Such a move would not necessarily be irrational. Instead, resurrection succeeds by shifting the war towards the balance of interests rather than the balance of capabilities. A retreating combatant, battered in the early stages of a conflict, may still affect the enemy’s calculation by taking extraordinary risks. Escalation signals a willingness to fight to the finish and a reminder that it has powerful interests at stake. Such a strategy is admittedly risky, but it may be effective, especially if the escalating state is fighting to defend its own territory against a distant rival. Transforming a conflict into a test of resolve makes sense when a state is failing the test of arms.13 Finally, inadvertent escalation may occur when conventional attacks put the adversary’s nuclear force at risk. Under these conditions, the target state might reasonably worry that the attack is only the first phase of a larger war. There may be no way to offer credible reassurances that it is not. Fearing the destruction or incapacitation of its nuclear deterrent, the target state might face a “use it or lose it” dilemma. Inadvertent escalation is especially likely if key command and control nodes are vulnerable or if conventional and nuclear target sets are indistinguishable. The danger also increases if military organizations indulge organizational preferences for offensive action. This encourages planners to err on the side of attacking all available targets. While it might sense to allow the adversary to retain some capabilities in order to reduce the incentives for escalation, planners may bridle at the thought of consciously allowing the enemy to retain the capacity for attack.14 In recent years, China has invested heavily in capabilities that will complicate US maritime operations and threaten US bases in Japan and Guam. Equipped with a range of anti-access capabilities, China may be able to deter the United States from intervening in the case of a regional war. If it does intervene, China may attempt to damage or destroy US assets or force carrier groups to operate at prohibitively long distances from the mainland.

#### Nuke war causes extinction – won’t stay limited

Edwards 17 [Paul N. Edwards, CISAC’s William J. Perry Fellow in International Security at Stanford’s Freeman Spogli Institute for International Studies. Being interviewed by EarthSky. How nuclear war would affect Earth’s climate. September 8, 2017. earthsky.org/human-world/how-nuclear-war-would-affect-earths-climate] **Note, we are only reading parts of the interview that are directly from Paul Edwards -- MMG**

In the nuclear conversation, what are we not talking about that we should be?

We are not talking enough about the climatic effects of nuclear war. The “nuclear winter” theory of the mid-1980s played a significant role in the arms reductions of that period. But with the collapse of the Soviet Union and the reduction of U.S. and Russian nuclear arsenals, this aspect of nuclear war has faded from view. That’s not good. In the mid-2000s, climate scientists such as Alan Robock (Rutgers) took another look at nuclear winter theory. This time around, they used much-improved and much more detailed climate models than those available 20 years earlier. They also tested the potential effects of smaller nuclear exchanges. The result: an exchange involving just 50 nuclear weapons — the kind of thing we might see in an India-Pakistan war, for example — could loft 5 billion kilograms of smoke, soot and dust high into the stratosphere. That’s enough to cool the entire planet by about 2 degrees Fahrenheit (1.25 degrees Celsius) — about where we were during the Little Ice Age of the 17th century. Growing seasons could be shortened enough to create really significant food shortages. So the climatic effects of even a relatively small nuclear war would be planet-wide. What about a larger-scale conflict? A U.S.-Russia war currently seems unlikely, but if it were to occur, hundreds or even thousands of nuclear weapons might be launched. The climatic consequences would be catastrophic: global average temperatures would drop as much as 12 degrees Fahrenheit (7 degrees Celsius) for up to several years — temperatures last seen during the great ice ages. Meanwhile, smoke and dust circulating in the stratosphere would darken the atmosphere enough to inhibit photosynthesis, causing disastrous crop failures, widespread famine and massive ecological disruption. The effect would be similar to that of the giant meteor believed to be responsible for the extinction of the dinosaurs. This time, we would be the dinosaurs. Many people are concerned about North Korea’s advancing missile capabilities. Is nuclear war likely in your opinion? At this writing, I think we are closer to a nuclear war than we have been since the early 1960s. In the North Korea case, both Kim Jong-un and President Trump are bullies inclined to escalate confrontations. President Trump lacks impulse control, and there are precious few checks on his ability to initiate a nuclear strike. We have to hope that our generals, both inside and outside the White House, can rein him in. North Korea would most certainly “lose” a nuclear war with the United States. But many millions would die, including hundreds of thousands of Americans currently living in South Korea and Japan (probable North Korean targets). Such vast damage would be wrought in Korea, Japan and Pacific island territories (such as Guam) that any “victory” wouldn’t deserve the name. Not only would that region be left with horrible suffering amongst the survivors; it would also immediately face famine and rampant disease. Radioactive fallout from such a war would spread around the world, including to the U.S. It has been more than 70 years since the last time a nuclear bomb was used in warfare. What would be the effects on the environment and on human health today? To my knowledge, most of the changes in nuclear weapons technology since the 1950s have focused on making them smaller and lighter, and making delivery systems more accurate, rather than on changing their effects on the environment or on human health. So-called “battlefield” weapons with lower explosive yields are part of some arsenals now — but it’s quite unlikely that any exchange between two nuclear powers would stay limited to these smaller, less destructive bombs.

### Deflection

#### Commercialized proximity mining operations create dual-use deflection risks – inherent interoperability makes dangerous repurposing easy and likely

Howe 15 [Jim Howe is a writer and policy analyst who focuses on space and national security issues. He works in the nuclear power industry. COMMON GROUND: Asteroid Mining and Planetary Defense. Summer 2015. https://space.nss.org/media/Asteroid-Mining-And-Planetary-Defense.pdf]

Extensive and prolonged proximity operations will be an essential element of most types of planetary defense mitigation missions. The most technologically mature method for fragmentation or deflection of a hazardous object is through a surface, subsurface, or stand-off nuclear explosion: The tremendous impulsive force of the blast and resulting surface ablation could, in one moment, deliver the necessary velocity change to the body to miss its future collision with Earth. Time permitting, to assure exact positioning and maximum deflective or fragmentation effect, the nuclear device would be buried, anchored to the surface, or orbiting just above the asteroid, an effort that would involve precise proximity operations.

On the opposite end of the spectrum for deflecting an inbound body are the “slow push" methods, which would deliver a minute but steady deflective force to the asteroid or comet, over time providing a cumulative change in velocity. With few exceptions, every proposed slow push technique would be dependent on extended operations in close proximity to the body. Gravity tractors would hover a spacecraft near the asteroid for years or decades, slowly imparting a deflective gravitational force; an enhanced gravity tractor would first collect boulders or regolith from the threatening body, to increase the mass and gravitational pull of the spacecraft. Laser or solar ablation methods would require the stationing of a spacecraft near the asteroid to direct the ablative beam. Using thrusters or a space tug would require direct physical contact with the body for years on end, nudging it to alter its velocity. Mass driver systems would land and anchor a robotic mining apparatus on the asteroid’s surface, to cast a steady stream of regolith into space and produce a minute but steady deflective counterforce.

Similarly, asteroid or comet mining would rely entirely on the ability to conduct reliable, long-term, repetitive proximity operations. Several mining concepts have been analyzed. The most common concept would land and anchor robotic mining and support systems on the asteroid or comet; these systems would methodically drill, scrape, crush, lift, or scoop the desired minerals or ice from the body. Support systems would discard unwanted tailings and transport the ore to a processing station or collection facility. The mining operation could occur on the surface, in pits, or in caverns cut into the interior of the asteroid or comet.

Alternative mining methods include leaching minerals through the injection of high pressure steam, fully encapsulating a small asteroid or comet and capturing the escaping water as the container is heated by the Sun, and collecting water vapor from a passing comet using a spacecraft stationed in a trailing position behind it. Each of these activities would require the ability to operate on and near the surface of the body for long periods.

The commonalities between planetary defense and asteroid mining are extensive for the wide range of proximity operations. For both endeavors, hovering, orbiting, landing, and anchoring on the space body are essential competencies. The same base technologies that can be used to mine metals could be employed in burying a nuclear device to fragment an asteroid, or as a mass driver apparatus used in deflection. The technologies that could be employed to secure thrusters or a solar sail to a tumbling asteroid to change its orbit could be adapted to anchor a full suite of mining equipment to the surface of a resource-rich body.

#### That increases the risk of accidental collisions, astro-terror, and space weaponization

Mares 15 [Miroslav Mares, Professor, at the Division of Security and Strategic Studies, Masaryk University, Czech Republic. Jakub Drmola PhD student, at the Divison of Security and Strategic Studies, Masaryk University, Czech Republic. Revisiting the deflection dilemma. October 1, 2015. https://academic.oup.com/astrogeo/article/56/5/5.15/235650]

Sooner or later, in order to avoid the fate of the dinosaurs, humanity needs to develop scientific and technological capabilities to prevent extinction-level impact events. But most solutions bring about new challenges, because new technologies rarely have only one application. Here lies the dilemma: any technology allowing us to deflect asteroids from a collision trajectory with the Earth could also be used to direct them towards the Earth. This means we could potentially turn any future near-miss into an impact, with all its devastating consequences.

Sagan & Ostro (1994b) concluded that this is a risk not worth taking. Considering the very low probabilities of impacts with objects larger than 1 km (generally less than 1 in 5000 for a given century), they were more worried about the misuse of such trajectory-altering technology than the undiverted asteroids themselves. Humans visited a great deal of violence upon each other during the 20th century; war has been prevalent and increasingly technological. The beginning of the 21st century does not seem overly promising either. The risk that one of humanity's irrational totalitarian powers decides to have some nearby asteroid steered towards Earth might simply be too high. Many people still see the default cosmic odds as preferable to the lessons of recent history.

Later on, a modification of sorts to the deflection dilemma appeared, positing that the “real” dilemma (Schweickart 2004, Morrison 2010) lies in putting various parts of the Earth and its population in harm's way during a deflection attempt. Inevitably, any mission to deflect an object that is on a collision course with the Earth will involve moving its supposed point of impact across the surface until it misses the planet entirely. Should such a deflection attempt fail to modify the trajectory sufficiently, the impact would still occur, albeit in a different area. This could expose to risk countries that were not originally threatened by the asteroid (depending on its size and path), while diminishing the risk to those living near the original point of impact. The damage and casualties around this new and modified point of impact would then, to some extent, be caused by those who tried but failed to deflect the asteroid. The repercussions of such an event would certainly be grave.

Privatization and industry

Both of these versions of the deflection dilemma are essentially state-centric and neither presumes that this technology might be wielded by private companies and non-state actors. But the current trend of greater involvement of private companies in space suggests that states might be unable (or unwilling) to maintain their exclusive hold on the advanced space technologies. The private sector is currently hot on the heels of national and international space agencies in exploring feasible and economically viable options. At the moment, private companies are already in the business (or at least in the process of making it a profitable business) of resupplying the International Space Station, taking tourists to the edge of space and operating communication satellites. And, recently, a new area of potential commercialization of space, asteroid mining, has received increased attention and investment. It has already spawned private companies (such as Deep Space Industries and Planetary Resources, Inc.); this industry is highly relevant to the deflection dilemma (Ostro 1999).

While the idea of mining asteroids carries with it an air of science fiction (as all space-based endeavours do, at some stage), it is based on science fact. One of the most significant facts on which to base a space mining industry is the apparent abundance of highly valued raw materials in asteroids. Platinum, rhodium and other precious metals are extremely useful because of their catalytic and electrical properties, but are also exceedingly rare in the Earth's crust. While such metals sank deep into the planet during core formation, asteroids retained their original composition and even delivered much of the accessible reserves to our planet in the form of meteorite bombardment (Willbold et al. 2011). Some of the largest known deposits of these metals on Earth are found within ancient impact craters. Platinum-group metals are deemed critical to our modern technology-based civilization, without substitutes in many applications, and their supply is at risk of “geopolitical machinations” (Graedel 2013). The combination of natural scarcity and industrial demand leads to their high price, which easily rivals that of gold. Because space missions are inherently expensive, these precious metals are prime high-value candidates for economically viable asteroid mining. Since the projected market value of these metals within an asteroid is in the order of billions or even hundreds of billions of US dollars (depending on the size of the asteroid), the success of the industry comes down to developing technically feasible and cost-effective methods of mining them and retrieving them (Blair 2000, Gerlach 2005). The other interesting and potentially worthwhile resource we could harvest from asteroids is water. Not only is liquid water required by astronauts to survive, but it can also be broken down into oxygen and hydrogen to be used as fuel. And, while water is abundant and cheap here on Earth, it is very expensive to transport it to orbit. It costs $3000–$10 000 per kilogramme to launch water (or anything else) to low Earth orbit and about two or three times more for geostationary transfer orbit (Jain & Trost 2013). It is not the prospect of procuring something we covet here on the surface of the Earth that makes this venture attractive, but rather the idea of not having to wage an expensive battle with Earth's gravity each time we want to make use of something as mundane as water in space. If the costs associated with mining water from asteroids can be brought below the cost of launching water from Earth, this seemingly counter-intuitive industry might take off and become profitable. Additionally, through the use of some form of refuelling depots, it would probably in turn make space endeavours more affordable and sustainable. The same would apply if some of the more common metals found in asteroids (such as iron or nickel) were used to build structures directly in orbit instead of launching them from the Earth. The risks of mining asteroids There are two basic ways to go about moving the resources contained within a given asteroid to the Earth. They can be extracted from the asteroid during its natural orbit and then transported to the Earth, or the entire asteroid might be moved closer to a more convenient location before starting mining. Thus repositioned, it might even be used as a shielded habitat, once hollowed out (Ostro 1999). There are different speculative costs and benefits associated with either option, which would vary with the size, orbit and composition of the asteroid. But, crucially, the second option would entail putting asteroids into orbit around the Earth, the Moon or possibly at one of the Earth's Lagrangian points. Indeed, NASA has already planned a mission to capture a small asteroid and place it in a high cislunar orbit, where it would serve as a destination for future manned missions and experiments. This “Asteroid Redirect Mission” is to take place in the next decade and is being pitched mainly as a stepping stone towards a future mission to Mars (see box “NASA's Asteroid Redirect Mission”; Brophy et al. 2012, Burchell 2014, Gates et al. 2015).

Programmes to redirect asteroids and, especially, plans to mine asteroids on an industrial scale essentially resurrect the deflection dilemma. But it is no longer a matter of superpowers intentionally misusing technology designed to prevent dangerous impacts. It becomes an issue of proliferation among private entities. Once private mining companies acquire the technical ability to redirect suitable NEOs (Baoyin et al. 2011) in order to extract platinum or water from them, perilous inflections become more likely.

The probability of accidents will rise with the number of asteroids whose trajectories we decide to manipulate. Such accidents might be very unlikely, but even a tiny technical or human error in the execution of an inflection meant to place an asteroid into the lunar or geocentric orbit might send it crashing into the Earth with potentially devastating consequences. And while we might find solace in the low probabilities associated with such an accident, even contemporary industries which are considered very safe suffer from unlikely tragedies. Despite being dependable and reliable, airliners do crash; there are a lot of them flying and very improbable accidents do happen if the dice are rolled often enough. Undoubtedly, we will not be steering as many asteroids as we steer planes any time soon, but industries tend to be more accident-prone during their infancy. Furthermore, a single asteroid can do a lot more damage than a single plane. And who is to say how much metal or water we are going to need in space over the course of the 21st century, or the next?

The second source of risk is the intentional misuse, similar to the original deflection dilemma. But the entry barrier for asteroid weaponization gets much lower if mining them and moving them around becomes a common industrial activity. This is in stark contrast to the original scenario which envisioned this technology to be used solely for planetary defence and under control of a very small number of the most powerful countries (Morrison 2010). If such a powerful technology becomes widely and commercially available, even rogue states and well-funded terrorist groups might be tempted to use it for an unexpected and devastating attack. In addition, an active asteroid mining industry would make it more difficult to detect any hostile inflection attempts among the number of legitimate and benign ones.

#### The dilemma causes the most power WMD ever – it’s more likely than natural hits and structurally outweighs

Deudney 20 [Daniel H. Deudney is professor of political science, international relations and political theory at Johns Hopkins University. He holds a BA in political science and philosophy from Yale University, a MPA in science, technology, and public policy from the George Washington University, and a PhD in political science from Princeton University. "Dark Skies: Space Expansionism, Planetary Geopolitics, and the Ends of Humanity." Google Books]

While asteroids loom large in the horizons of habitat and some military expansionists, they receive little attention from arms controllers and most global security thinkers. As a planetary defense project, diverting asteroids seems a logical part of a Whole Earth Security program and international space infrastructure security cooperation, but opponents of military space expansion are sharply divided about asteroidal diversion. In part these disputes carry over from Cold War nuclear debates, with Edward Teller, Darth Vader for arms controllers, pushing nuclear solutions to the asteroid threat, and arms controllers raising alarms.

An important analysis of the dangers inherent in the deflection of asteroidal bodies is provided by Carl Sagan and Stephen Ostro.67 Few figures of the Space Age have been as productive and prominent as Sagan, a planetary astronomer, science educator, and SF author.68 Over the later decades of the twentieth century Sagan’s work on planetary science, particularly Mars, his television series Cosmos, and his science fiction, most notably Contact (coauthored with Ann Druyan), made him an international celebrity and influential voice for science and space exploration. Unlike virtually all other space scientists and engineers of his era, Sagan also was active in advancing nuclear arms control, studying— and publicizing—the “nuclear winter” hypothesis and promoting cooperation in space to improve Soviet-American relations.69 Although a strong supporter of the larger habitat expansionist vision, Sagan insists large-scale space activities should occur only after nuclear disarmament and planetary habitat stability have been achieved because of an ominous asteroid “deflection dilemma.”70

The essence of the deflection dilemma is simple: species and civilizational survival inevitably will eventually require the development of the ability to deflect asteroids and comets away from Earth, but this technology also inherently creates the possibility that such objects could be directed toward the Earth. The existential stakes are clear: “the destructive energy latent in a large near-Earth asteroid dwarfs anything else the human species can get its hands on,” making them potentially “the most powerful weapon of mass destruction ever devised”71 (see Table 7.4. A and B).72 Once the population of these bodies is fully mapped, and technologies to deflect them are developed, Sagan argues, the prospects for collision increase over the natural rate due to the possibility of intentional bombardment. Given these possibilities, perhaps the reason the dinosaurs lasted for nearly two hundred million years is because they did not have a space program.

In his major book on the human space future, Pale Blue Dot, Sagan lays out several scenarios for intentional collisions. His arguments are essentially the arguments of nuclear arms controllers. Madmen exist, and some “achieve the highest levels of political power in modern industrial nations.”'3 Recalling the extreme destruction caused by Hitler and Stalin, Sagan posits the possibility that a “misanthropic psychopath” or a “megalomaniac lusting after ‘greatness’ or glory, a victim of ethnic violence bent on revenge, someone in the grip of severe testosterone poisoning, some religious fanatic hastening the Day of Judgment, or just some technicians incompetent or insufficiently vigilant” will bring about a catastrophic collision.74 Earth-approaching asteroids amount to “30,000 swords of Damocles hanging over our heads,” for which “there is no acceptable national solution.”75 And, like Cole and Salkeld (not mentioned), Sagan points to the possibilities of clandestine use of this technology.

#### Accidental and intentional deflection attacks outweigh the threat of conventional hits – only building in response time with enhanced tracking and attribution solves rogue strikes that bypass conventional deterrence

Dello-Iacovo 18 [Michael, PhD candidate (Mining Engineering), emphasis on space science, looking at asteroid exploration, mining and impact risk @ University of New South Wales. “Asteroids and comets as space weapons,” <http://www.michaeldello.com/asteroids-comets-space-weapons/>]

Ignoring accidental deflection, which might occur when an asteroid is moved to an Earth or Lunar orbit for research or mining purposes (see this now scrapped proposal to bring a small asteroid in to Lunar orbit), there are two categories of actors that might maliciously deflect such a body; state actors and terrorist groups.

A state actor might be incentivised to authorise an asteroid strike on an enemy or potential enemy in situations where they wouldn’t necessarily authorise a nuclear strike or conventional invasion. For example, let us consider an asteroid of around 20 m in diameter. Near Earth orbit asteroids of around this size are often only detected several hours or days before passing between Earth and the Moon. If a state actor is able to identify an asteroid that will pass near Earth in secret before the global community has, they can feasibly send a mission to alter its orbit to intersect with Earth in a way such that it would not be detected until it is much too late. Assuming the state actor did its job well enough, it would be impossible for anyone to lay blame on them, let alone even guess that it might have been caused by malicious intent.

An asteroid of this size would be expected to have enough energy to cause an explosion 30 times the strength of the nuclear bomb dropped over Hiroshima in WWII.

Footnote

\* An ‘existential threat’ typically refers to an event that could kill either all human life, or all life in general. A ‘catastrophic threat’ refers to an event that would cause substantial damage and suffering, but wouldn’t be expected to kill all human life, which would eventually rebuild.

#### Even limited deflection failures cause nuke war because they look like preemptive strikes and the risk is inversely proportion to size

Lovett 19, [Richard Lovett is a Cosmos contributor, The biggest danger about an asteroid strike? Lawyers, Blasting away at incoming space rock raises real risks of nuclear war, experts say. Richard A Lovett reports, May 7, https://cosmosmagazine.com/space/the-biggest-danger-about-an-asteroid-strike-lawyers]

Governments and space agencies seeking to protect the Earth by changing the courses of potentially hazardous asteroids might face major legal hurdles, even if our planet is in the crosshairs of a bolide big enough to kill millions, experts say. One problem is what would happen if one country, worried about protecting its own citizens, attempted to deflect the asteroid, screwed up, and accidentally dumped it on a neighbour. Space law, says David Koplow of Georgetown University Law Centre, Washington DC, is based on the principle of strict liability. “The concept is that space activities are hazardous and therefore the harm should not fall on an innocent bystander,” Koplow says. Another problem stems from the fact that only a few countries have the technological ability to deflect an incoming asteroid, and there is, at present, no international authority tasked with making sure everyone else is represented in the decision-making process. In fact, says Cordula Steinkogler, a space law expert at the University of Vienna, Austria, current treaties don’t even require nations to share information about such hazards, let alone act to protect each other. She notes, however, that the United Nations charter does establish a “very general” duty for them to act toward solving international problems that affect economic, social, cultural, educational, and health wellbeing. Failure to share information can be more than just an inconvenience. To start with, says Petr Boháček, of Charles University in Prague in the Czech Republic, it could make countries wonder if, instead of international cooperation, the rule is actually everyone for themselves. It’s a particularly important problem, he says, because the nations at risk of being hit by an asteroid may not be the ones with the greatest geopolitical power. “Asteroids do not discriminate,” he notes. The nation-state concept of sovereignty, he adds, dates back several hundred years. “I’m not sure how many concepts from the seventeenth century you use in your decision-making,” he says, “but making decisions for planetary defence based on this dinosaur method of decision-making may not be the best choice.” Another problem is that the nation hit by an asteroid might see it as an attack by a foe, and retaliate. “[It] could look like the damage of a nuclear attack,” says Seth Baum, executive director of the Global Catastrophic Risk Institute, a US-based think tank, “so the prospect [of] a counterattack seems like something worth taking very seriously.” Ironically, the risk of this is probably inversely proportional to the size of asteroid. A big asteroid, capable of wiping out an enormous swath of territory, would be seen coming well in advance, and have generated a media frenzy (assuming people didn’t brand it as “fake news”).

### Plan

#### Plan: Space faring states should restrict asteroid mining done by private entities.

### Framework

#### The standard is maximizing expected wellbeing.

#### 1] Extinction outweighs – value to life is inevitable, so subjective it can’t be the basis for impact calculus, and discussing extinction is good even if we don’t solve it

Khan 18 [Risalat, activist and entrepreneur from Bangladesh passionate about addressing climate change, biodiversity loss, and other existential challenges. He was featured by The Guardian as one of the “young climate campaigners to watch” (2015). As a campaigner with the global civic movement Avaaz (2014-17), Risalat was part of a small core team that spearheaded the largest climate marches in history with a turnout of over 800,000 across 2,000 cities. After fighting for the Paris Agreement, Risalat led a campaign joined by over a million people to stop the Rampal coal plant in Bangladesh to protect the Sundarbans World Heritage forest, and elicited criticism of the plant from Crédit Agricolé through targeted advocacy. Currently, Risalat is pursuing an MPA in Environmental Science and Policy at Columbia University as a SIPA Environmental Fellow, “5 reasons why we need to start talking about existential risks,” https://www.weforum.org/agenda/2018/01/5-reasons-start-talking-existential-risks-extinction-moriori/]

Infinite future possibilities I find the story of the Moriori profound. It teaches me two lessons. Firstly, that human culture is far from immutable. That we can struggle against our baser instincts. That we can master them and rise to unprecedented challenges. Secondly, that even this does not make us masters of our own destiny. We can make visionary choices, but the future can still surprise us. This is a humbling realization. Because faced with an uncertain future, the only wise thing we can do is prepare for possibilities. Standing at the launch pad of the Fourth Industrial Revolution, the possibilities seem endless. They range from an era of abundance to the end of humanity, and everything in between. How do we navigate such a wide and divergent spectrum? I am an optimist. From my bubble of privilege, life feels like a rollercoaster ride full of ever more impressive wonders, even as I try to fight the many social injustices that still blight us. However, the accelerating pace of change amid uncertainty elicits one fundamental observation. Among the infinite future possibilities, only one outcome is truly irreversible: extinction. Concerns about extinction are often dismissed as apocalyptic alarmism. Sometimes, they are. But repeating that mankind is still here after 70 years of existential warning about nuclear warfare is a straw man argument. The fact that a 1000-year flood has not happened does not negate its possibility. And there have been far too many nuclear near-misses to rest easy. As the World Economic Forum’s Annual Meeting in Davos discusses how to create a shared future in a fractured world, here are five reasons why the possibility of existential risks should raise the stakes of conversation: 1. Extinction is the rule, not the exception More than 99.9% of all the species that ever existed are gone. Deep time is unfathomable to the human brain. But if one cares to take a tour of the billions of years of life’s history, we find a litany of forgotten species. And we have only discovered a mere fraction of the extinct species that once roamed the planet. In the speck of time since the first humans evolved, more than 99.9% of all the distinct human cultures that have ever existed are extinct. Each hunter-gatherer tribe had its own mythologies, traditions and norms. They wiped each other out, or coalesced into larger formations following the agricultural revolution. However, as major civilizations emerged, even those that reached incredible heights, such as the Egyptians and the Romans, eventually collapsed. It is only in the very recent past that we became a truly global civilization. Our interconnectedness continues to grow rapidly. “Stand or fall, we are the last civilization”, as Ricken Patel, the founder of the global civic movement Avaaz, put it. 2. Environmental pressures can drive extinction More than 15,000 scientists just issued a ‘warning to humanity’. They called on us to reduce our impact on the biosphere, 25 years after their first such appeal. The warning notes that we are far outstripping the capacity of our planet in all but one measure of ozone depletion, including emissions, biodiversity, freshwater availability and more. The scientists, not a crowd known to overstate facts, conclude: “soon it will be too late to shift course away from our failing trajectory, and time is running out”. In his 2005 book Collapse, Jared Diamond charts the history of past societies. He makes the case that overpopulation and resource use beyond the carrying capacity have often been important, if not the only, drivers of collapse. Even though we are making important incremental progress in battles such as climate change, we must still achieve tremendous step changes in our response to several major environmental crises. We must do this even while the world’s population continues to grow. These pressures are bound to exert great stress on our global civilization. 3. Superintelligence: unplanned obsolescence? Imagine a monkey society that foresaw the ascendance of humans. Fearing a loss of status and power, it decided to kill the proverbial Adam and Eve. It crafted the most ingenious plan it could: starve the humans by taking away all their bananas. Foolproof plan, right? This story describes the fundamental difficulty with superintelligence. A superintelligent being may always do something entirely different from what we, with our mere mortal intelligence, can foresee. In his 2014 book Superintelligence, Swedish philosopher Nick Bostrom presents the challenge in thought-provoking detail, and advises caution. Bostrom cites a survey of industry experts that projected a 50% chance of the development of artificial superintelligence by 2050, and a 90% chance by 2075. The latter date is within the life expectancy of many alive today. Visionaries like Stephen Hawking and Elon Musk have warned of the existential risks from artificial superintelligence. Their opposite camp includes Larry Page and Mark Zuckerberg. But on an issue that concerns the future of humanity, is it really wise to ignore the guy who explained the nature of space to us and another guy who just put a reusable rocket in it? 4. Technology: known knowns and unknown unknowns Many fundamentally disruptive technologies are coming of age, from bioengineering to quantum computing, 3-D printing, robotics, nanotechnology and more. Lord Martin Rees describes potential existential challenges from some of these technologies, such as a bioengineered pandemic, in his book Our Final Century. Imagine if North Korea, feeling secure in its isolation, could release a virulent strain of Ebola, engineered to be airborne. Would it do it? Would ISIS? Projecting decades forward, we will likely develop capabilities that are unthinkable even now. The unknown unknowns of our technological path are profoundly humbling. 5. 'The Trump Factor' Despite our scientific ingenuity, we are still a confused and confusing species. Think back to two years ago, and how you thought the world worked then. Has that not been upended by the election of Donald Trump as US President, and everything that has happened since? The mix of billions of messy humans will forever be unpredictable. When the combustible forces described above are added to this melee, we find ourselves on a tightrope. What choices must we now make now to create a shared future, in which we are not at perpetual risk of destroying ourselves? Common enemy to common cause Throughout history, we have rallied against the ‘other’. Tribes have overpowered tribes, empires have conquered rivals. Even today, our fiercest displays of unity typically happen at wartime. We give our lives for our motherland and defend nationalistic pride like a wounded lion. But like the early Morioris, we 21st-century citizens find ourselves on an increasingly unstable island. We may have a violent past, but we have no more dangerous enemy than ourselves. Our task is to find our own Nunuku’s Law. Our own shared contract, based on equity, would help us navigate safely. It would ensure a future that unleashes the full potential of our still-budding human civilization, in all its diversity. We cannot do this unless we are humbly grounded in the possibility of our own destruction. Survival is life’s primal instinct. In the absence of a common enemy, we must find common cause in survival. Our future may depend on whether we realize this.

#### 2] only util can explain degrees of wrongness – it is worse to lie about taking a dying friend to the hospital than it is to lie about how someone looks – either ethical theories cannot explain comparative badness, or they collapse to util

#### 3] Non util ethics are impossible

Greene 10 – Joshua, Associate Professor of Social science in the Department of Psychology at Harvard University

(The Secret Joke of Kant’s Soul published in Moral Psychology: Historical and Contemporary Readings, accessed: www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf)

**What turn-of-the-millennium science** **is telling us is that human moral judgment is not** a **pristine rational enterprise**, that our **moral judgments are driven by a hodgepodge of emotional dispositions, which themselves were shaped by** a hodgepodge **of evolutionary forces, both biological and cultural**. **Because of this, it is exceedingly unlikely that there is any rationally coherent normative moral theory that can accommodate our moral intuitions**. Moreover, **anyone who claims to have such a theory**, or even part of one, **almost certainly doesn't**. Instead, what that person probably has is a moral rationalization. It seems then, that we have somehow crossed the infamous "is"-"ought" divide. How did this happen? Didn't Hume (Hume, 1978) and Moore (Moore, 1966) warn us against trying to derive an "ought" from and "is?" How did we go from descriptive scientific theories concerning moral psychology to skepticism about a whole class of normative moral theories? The answer is that we did not, as Hume and Moore anticipated, attempt to derive an "ought" from and "is." That is, our method has been inductive rather than deductive. We have inferred on the basis of the available evidence that the phenomenon of rationalist deontological philosophy is best explained as a rationalization of evolved emotional intuition (Harman, 1977). Missing the Deontological Point I suspect that **rationalist deontologists will remain unmoved by the arguments presented here**. Instead, I suspect, **they** **will insist that I have simply misunderstood what** Kant and like-minded **deontologists are all about**. **Deontology, they will say, isn't about this intuition or that intuition**. It's not defined by its normative differences with consequentialism. **Rather, deontology is about taking humanity seriously**. Above all else, it's about respect for persons. It's about treating others as fellow rational creatures rather than as mere objects, about acting for reasons rational beings can share. And so on (Korsgaard, 1996a; Korsgaard, 1996b). **This is, no doubt, how many deontologists see deontology. But this insider's view**, as I've suggested, **may be misleading**. **The problem**, more specifically, **is that it defines deontology in terms of values that are not distinctively deontological**, though they may appear to be from the inside. **Consider the following analogy with religion. When one asks a religious person to explain the essence of his religion, one often gets an answer like this: "It's about love**, really. It's about looking out for other people, looking beyond oneself. It's about community, being part of something larger than oneself." **This sort of answer accurately captures the phenomenology of many people's religion, but it's nevertheless inadequate for distinguishing religion from other things**. This is because many, if not most, non-religious people aspire to love deeply, look out for other people, avoid self-absorption, have a sense of a community, and be connected to things larger than themselves. In other words, secular humanists and atheists can assent to most of what many religious people think religion is all about. From a secular humanist's point of view, in contrast, what's distinctive about religion is its commitment to the existence of supernatural entities as well as formal religious institutions and doctrines. And they're right. These things really do distinguish religious from non-religious practices, though they may appear to be secondary to many people operating from within a religious point of view. In the same way, I believe that most of **the standard deontological/Kantian self-characterizatons fail to distinguish deontology from other approaches to ethics**. (See also Kagan (Kagan, 1997, pp. 70-78.) on the difficulty of defining deontology.) It seems to me that **consequentialists**, as much as anyone else, **have respect for persons**, **are against treating people as mere objects,** **wish to act for reasons that rational creatures can share, etc**. **A consequentialist respects other persons, and refrains from treating them as mere objects, by counting every person's well-being in the decision-making process**. **Likewise, a consequentialist attempts to act according to reasons that rational creatures can share by acting according to principles that give equal weight to everyone's interests, i.e. that are impartial**. This is not to say that consequentialists and deontologists don't differ. They do. It's just that the real differences may not be what deontologists often take them to be. What, then, distinguishes deontology from other kinds of moral thought? A good strategy for answering this question is to start with concrete disagreements between deontologists and others (such as consequentialists) and then work backward in search of deeper principles. This is what I've attempted to do with the trolley and footbridge cases, and other instances in which deontologists and consequentialists disagree. **If you ask a deontologically-minded person why it's wrong to push someone in front of speeding trolley in order to save five others, you will get** characteristically deontological **answers**. Some **will be tautological**: **"Because it's murder!"** **Others will be more sophisticated: "The ends don't justify the means**." "You have to respect people's rights." **But**, as we know, **these answers don't really explain anything**, because **if you give the same people** (on different occasions) **the trolley case** or the loop case (See above), **they'll make the opposite judgment**, even though their initial explanation concerning the footbridge case applies equally well to one or both of these cases. **Talk about rights, respect for persons, and reasons we can share are natural attempts to explain, in "cognitive" terms, what we feel when we find ourselves having emotionally driven intuitions that are odds with the cold calculus of consequentialism**. Although these explanations are inevitably incomplete, **there seems to be "something deeply right" about them because they give voice to powerful moral emotions**. **But, as with many religious people's accounts of what's essential to religion, they don't really explain what's distinctive about the philosophy in question**.