# nc

## 1

Nothing about appropriation in the AC

#### **Interp: The affirmative must eliminate private claims of ownership in outer space not merely reduce appropriation for particular uses.**

#### **This is the distinction between the non-appropriation principle and regulations on the use of space. Easy test – if the aff allows the same piece of space to be appropriated for a different use case, or under different conditions, it’s not topical.**

Wrench 19 [John G. Wrench, Non-Appropriation, No Problem: The Outer Space Treaty Is Ready for Asteroid Mining, 51 Case W. Res. J. Int'l L. 437 (2019) <https://scholarlycommons.law.case.edu/jil/vol51/iss1/11>]

The non-appropriation doctrine restricts parties from making sovereign claims over underlying land—the same restriction embedded in each of previous section’s legal regimes. Without violating the nonappropriation principle, those regimes grant parties the right to extract resources from land they do not own, transfer that right, and limit wasteful use. Each system similarly vests an entity with the authority to regulate and enforce those rules. With some tailoring, those rules could graft onto the uniqueness of outer space resource extraction. The property regimes explored in Part II do not provide answers for all claims likely to arise in cases involving outer space resource extraction. One looming issue is that some attempts at resource extraction are bound to straddle the line between use and sovereign claims over land. For example, in instances where parties continually seek extensions on mining permits (to the exclusion of others) or take blatant steps to unreasonably exclude other parties from nearby locations. Those seeking to preserve the line between use and ownership would be wise to police it. Answers to these granular regulatory questions will require some regulatory flexibility, but these issues are only different in scale from those addressed by our existing property regimes.

#### 2 violations

#### The AC regulates “bad” companies, not banning.

#### They’re reducing, not eliminating.

#### Prefer it -

#### Ground—To restrict private property rights in outer space they would have to create private property rights in space because there currently are none. All negative positions have to be based on private property rights being good so they can delink any disad. The most equitable division of ground is that the aff bans and the neg regulates

#### Shiftiness—The aff just defends restricting property rights in space so they become a moving target in the 1ar. If I say that they don’t solve because they don’t eliminate property rights, they will say that the restrictions are big and if I read a disad based on private property rights being good they will say that the restrictions will be tiny. Impossible to assess solvency

#### Drop the debater to preserve fairness and education – they’re not reasonable bc of in round abuse. No RVIs – they don’t get to win for following the rules.

## 2

#### TEXT: The Outer Space Treaty ought to be amended to establish an international legal trust system governing outer space.

#### The Legal trust would include private property rights and would ensure the sustainable development as well as the equitable distribution of space resources.

Finoa ’20 – Ivan Finoa [Department of Law, University of Turin], “An international legal trust system to deal with the new space era,” 71st International Astronautical Congress (IAC) – The CyberSpace Edition, (12-14 October 2020). <<https://d1wqtxts1xzle7.cloudfront.net/66728932/_IAC_20_E7.VP.8.x58518_An_international_legal_trust_system_to_deal_with_the_new_space_era_BY_IVAN_FINO-with-cover-page-v2.pdf?Expires=1642044926&Signature=asvt6StaK5n9UnpXuJIlo4ziI839WzFYjDZy37bm70ObGy3vFJyHwWNGxhn2beze4QzYDPPX0pVEXAwYvDaINVNxN01Ify8YwG5loNRddlat-grf3iawic7KvwqPowxFe2GuemVvbB-KW8ZVBxigwS-gelSKIVy4KYR9UgiDrM6e6deEBnUTcULSwmsH-JdHNg13ytZ3vNVMMlxZW2MPOCRuB2WlOHdCLoC86VqafSoMwuec-d~Aisbgyt5F2vO-GjvI60bR7h2MSp0iT6P7apIDUUpHUsDGbvcdxp22HSxXdlvr7lSqtLnL5rKxujGDYq~R9B~WuGiorVL2hn74UQ__&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA>>CT

Considering the worsening climate change, in the future outer space might be our last Noah’s Ark. Now, humans must look to space as an opportunity to support growing resource requirements. Asteroids are rich in metals, which could be transported back to Earth. Unfortunately, the existing international legal framework discourages investments in the space economy. Once an enterprise invests billions of dollars in discovering and developing a mining site, it cannot claim any ownership because of the non-appropriation principle stipulated in Article 2 of the Outer Space Treaty (OST). Thus, other entities could legally access and exploit the same resource without any participation in the initial financial investment, increasing the risk of potential conflict. Bearing this in mind, the question arises, which legal regime could ensure effective allocation of resources, avoiding a chaotic space race to acquire valuable assets? The aim of this research is to argue that the first two articles of OST should be amended, to set up an international legal trust system which would guarantee different kinds of rights, dependently on the nature of the celestial body. E.g., property rights could be preferable to a lease over asteroids, as they could be exploited to their disappearance. This proposed system would be led by the United Nations Office for Outer Space Affairs (UNOOSA), as the main trustee. The co-trustees would be the nations of the world. Prior to initiating any space activity, every entity would send a request to their national government. If all the legal parameters are respected, the nation would forward the operational request to the UNOOSA. In the case of acceptance, UNOOSA would record the permit on an international public registry. The country in which the company has been registered would investigate whether the activities of its national company are consistent with the permit. This would be the ordinary model. The extraordinary model would be when the applicant for the space activity is a state, then the trustee would be the UN. All lucrative activities would be subject to benefit-sharing. Finally, this research will demonstrate the valuable outcome of the International Legal Trust System and its advantages for all humankind. Private companies would rely on property rights, while the benefit-sharing could be used to finance the 17 Sustainable Development Goals adopted by the UN in 2015, which address peace, climate change, inequalities and poverty.

## 3

#### **Counterplan text: States ought to establish an international anti-trust regime governing outer space, and allow appropriation of outer space by private entities.**

#### **Competes- their plan is just the US imposing its anti-trust standards on its own companies, not harmonizing antitrust laws with other countries, and we allow appropriation which links to the NB.**

#### Their aff fails – single country solutions don’t work. Their own author -

Maria Rhimbassen 21 [Maria Lucas-Rhimbassen serves as a Research Associate at the Chaire SIRIUS and is also a PhD Candidate in space law since 2016. “An Introduction to Space Antitrust”. 6-6-2021. Open Lunar Library. https://www.openlunar.org/library/an-introduction-to-space-antitrust#anti-monopoly-law. Accessed 3-19-2022; MJen]

The extrapolation of anti-monopoly law to outer space (e.g., on orbit, on celestial bodies, etc.), raises the question as to which jurisdiction applies. In theory, the launching State’s jurisdiction extends to the launched space object, in perpetuity, such as in the case of the International Space Station’s modules. However, in many cases, there can be confusion in determining the “launching State”, which is defined at article I of the Liability Convention of 1972 (70), especially when several States are involved in the launching, as opposed to the “State of Registry”, according to article VIII of the OST and the Registration Convention of 1976. Sometimes, the two notions collide head-on (71). The situation gains in further legal complexity in connection with on-orbit transfer of ownership vs title. It is not clear whether ownership can be fully transferred in orbit, as opposed to title, which does not. This may prove over-complicated indeed. Therefore, **it would be next to impossible to assign or attribute antitrust to a specific jurisdiction in space** and that explains the need for a harmonized outer space regime in terms of antitrust, even more when the principles addressed supra stem from international public law. Otherwise, different antitrust regimes would then apply to different sites of activity by different actors, which could end up in aberrant scenarios. It would be more convenient to establish a predictable and harmonious legal certainty, appropriate for each resource system or specific application in outer space and to consider antitrust as a creative tool, not an end in itself. The rationale is to rely on competition law to ensure market sustainability, while reducing the risk of fierce and unfair competition. For instance, in the case of scarce resources (e.g., polar ice water on the Moon), essential services (e.g., oxygen supply on a station, etc.), there is a need for measures against reckless monopolization based on a “first come, first served” logic. As mentioned supra, due regard and non-harmful interference may be used in that sense, but implementation remains to be established. Should that be brought to public international bodies, in the form of binding measures or non-binding guidelines? Should recommendations be made at the national level (e.g., model law clauses (72) to be inserted as amendments to national space legislation? Without harmonization efforts at that level, there is a risk of increasing forum shopping whereby a private actor seeks to register its activities in jurisdictions with less stringent legislation and dubious enforcement resources. This trend starts in the space sector and this is alarming since space is a high risk sector and launching States’ international liability is a complex notion in terms of attribution, especially if the damage takes place in orbit which explains why some private entities either choose a complex forum architecture, mostly through contractual law (73), or try to escape any national jurisdiction altogether by launching from international waters (74), which is considered as yet another example of legal void and deserves more consideration.‍

#### Their author agrees – Marlborough reads yellow

Geoffrey A. Manne 13, Lecturer in Law at Lewis & Clark Law School, Executive Director of the International Center for Law & Economics, JD from the University of Chicago Law School, Former Olin Fellow at the University of Virginia School of Law, and Dr. Seth Weinberger, PhD and MA in Political Science from Duke University, MA in National Security Studies from Georgetown University, AB from the University of Chicago, Associate Professor in the Department of Politics and Government at the University of Puget Sound, “International Signals: The Political Dimension of International Competition Law”, The Antitrust Bulletin, Volume 57, Number 3, Last Revised 7/18/2013, p. 497-503

The surest way to remove the threat of war, increase wealth, conserve resources, and protect human rights is through fundamental agreement between all states (or at least effective agreement between verifiably status quo states) under a normative umbrella that promotes all of those values. This normative convergence can be effected through the stepwise internalization of the sorts of economic and democratic values inherent in international economic liberalization, perhaps most notably through the adoption of principled international antitrust standards.

## 4

#### Decreasing competitive practices scares investors away and spills over to other space activities. Freeland 05

Steven Freeland (BCom, LLB, LLM, University of New South Wales; Senior Lecturer in International Law, University of Western Sydney, Australia; and a member of the Paris-based International Institute of Space Law). “Up, Up and … Back: The Emergence of Space Tourism and Its Impact on the International Law of Outer Space.” Chicago Journal of International Law: Vol. 6: No. 1, Article 4. 2005. JDN. <https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1269&context=cjil>

V. THE NEED FOR CELESTIAL PROPERTY RIGHTS? ¶ The fundamental principle of "non-appropriation" upon which the international law of outer space is based stems from the desire of the international community to ensure that outer space remains an area beyond the jurisdiction of any state(s). Similar ideals emerge from UNCLOS (in relation to the High Seas) as well as the Antarctic Treaty, 42 although in the case of the latter treaty, it was finalised after a number of claims of sovereignty had already been made by various States and therefore was structured to "postpone" rather than prejudice or renounce those previously asserted claims.43 In the case of outer space, its exploitation and use is expressed in Article I of the Outer Space Treaty to be "the province of all mankind," a term whose meaning is not entirely clear but has been interpreted by most commentators as evincing the desire to ensure that any State is free to engage in space activities without reference to any sovereign claims of other States. This freedom is reinforced by other parts of the same Article and is repeated in the Moon Agreement (which also applies to "other celestial bodies within the solar system, other than the earth")." Even though both the scope for space activities and the number of private participants have expanded significantly since these treaties were finalised, it has still been suggested that the **nonappropriation principle constitutes "an absolute barrier** in the realization of every kind of space activity., 4 ' **The amount of capital expenditure required to research, scope, trial, and implement a new space activity is significant.** To bring this activity to the point where it can represent a viable "stand alone" commercial venture **takes many years and almost limitless funding.** From the perspective of a private enterprise contemplating such an activity, it would quite obviously be an important element in its decision to devote resources to this activity that it is able to secure the highest degree of legal rights in order to protect its investment. **Security** of patent and other intellectual property rights, for example, are vital prerequisites for private enterprise research activity on the ISS, and these rights are specifically addressed by the ISS Agreement between the partners to the project and were applicable to the experiments undertaken by Mark Shuttleworth when he was onboard the ISS.46

#### The private sector is essential for asteroid mining – competition is key and government development is not enough. Thiessen 21:

Marc Thiessen, 6-1, 21, Washington Post, Opinion: SpaceX’s success is one small step for man, one giant leap for capitalism, https://www.washingtonpost.com/opinions/2020/06/01/spacexs-success-is-one-small-step-man-one-giant-leap-capitalism/

It was one small step for man, one giant leap for capitalism. Only three countries have ever launched human beings into orbit. This past weekend, SpaceX became the first private company ever to do so, when it sent its Crew Dragon capsule into space aboard its Falcon 9 rocket and docked with the International Space Station. This was accomplished by a company Elon Musk started in 2002 in a California strip mall warehouse with just a dozen employees and a mariachi band. At a time when our nation is debating the merits of socialism, SpaceX has given us an **incredible testament to the power of American free enterprise.** While the left is advocating unprecedented government intervention in almost every sector of the U.S. economy, from health care to energy, **today Americans are celebrating the successful privatization of space travel.** If you want to see the difference between what government and private enterprise can do, consider: It took a private company to give us the first space vehicle with touch-screen controls instead of antiquated knobs and buttons. It took a private company to give us a capsule that can fly entirely autonomously from launch to landing — including docking — without any participation by its human crew. It also took a private company to invent a reusable rocket that can not only take off but land as well. When the Apollo 11 crew reached the moon on July 20, 1969, Neil Armstrong declared “the Eagle has landed.” On Saturday, SpaceX was able to declare that the Falcon had landed when its rocket settled down on a barge in the Atlantic Ocean — ready to be used again. That last development will save the taxpayers incredible amounts of money. The cost to NASA for launching a man into space on the space shuttle orbiter was $170 million per seat, compared with just $60 million to $67 million on the Dragon capsule. The cost for the space shuttle to send a kilogram of cargo into to space was $54,500; with the Falcon rocket, the cost is just $2,720 — a decrease of 95 percent. And while the space shuttle cost $27.4 billion to develop, the Crew Dragon was designed and built for just $1.7 billion — making it the lowest-cost spacecraft developed in six decades. SpaceX did it in six years — far faster than the time it took to develop the space shuttle. ***The private sector does it better, cheaper, faster and more efficiently than government***. Why? Competition. Today, SpaceX has to compete with a constellation of private companies — including legacy aerospace firms such as Orbital ATK and United Launch Alliance and innovative start-ups such as Blue Origin (which is designing a Mars lander and whose owner, Jeff Bezos, also owns The Post) and Virgin Orbit (which is developing rockets than can launch satellites into space from the underside of a 747, avoiding the kinds of weather that delayed the Dragon launch). In the race to put the first privately launched man into orbit, upstart SpaceX had to beat aerospace behemoth Boeing and its Starliner capsule to the punch. It did so — for more than $1 billion less than its competitor. **That spirit of competition and innovation will revolutionize space travel in the years ahead.** Indeed, Musk has his sights set far beyond Earth orbit. Already, SpaceX is working on a much larger version of the Falcon 9 reusable rocket called Super Heavy that will carry a deep-space capsule named Starship capable of carrying up to 100 people to the moon and eventually to Mars. Musk’s goal — the reason he founded SpaceX — is to colonize Mars and make humanity a multiplanetary species. He has set a goal of founding a million-person city on Mars by 2050 complete with iron foundries and pizza joints. Can it be done? Who knows. But this much is certain: **Private-sector innovation is opening the door to a new era of space exploration**. Wouldn’t it be ironic if, just as capitalism is allowing us to explore the farthest reaches of our solar system, Americans decided to embrace socialism back here on Earth?

#### Asteroid mining can happen with private sector innovation and is key to solve a laundry list of impacts--climate change, economic decline and asteroid collisions. Taylor 19

Chris Taylor [journalist, was senior news writer for Time.com, San Francisco bureau chief for Time magazine], 19 - ("How asteroid mining will save the Earth — and mint trillionaires," Mashable, 2019, accessed 12-13-2021, https://mashable.com/feature/asteroid-mining-space-economy)//ML

How much, exactly? We’re only just beginning to guess. [Asterank](http://www.asterank.com/), a service that keeps track of some 6,000 asteroids in NASA’s database, prices out the estimated mineral content in each one in the current world market. More than 500 are listed as “>$100 trillion.” The estimated profit on just the top 10 asteroids judged “most cost effective” — that is, the easiest to reach and to mine, subtracting rocket fuel and other operating costs, is around $1.5 trillion.¶ Is it ours for the taking? Well, here’s the thing — we’re taking it already, and have been doing so since we started mining metals thousands of years ago. Asteroid strikes are the only reason rare metals exist in the Earth’s crust; the native ones were all sucked into our planet’s merciless iron core millions of years ago. Why not go to the source?¶ As a side project, space mining can grab water from the rocks and comets — water which, with a little processing makes rocket fuel. Which in turn makes even more currently unimaginable space operations possible, including ones that could give the planet all the energy it needs to avert climate catastrophe. Cislunar space — the bit around us and the moon, the local neighborhood, basically — is about to get very interesting.¶ It’s hard, even for the most asteroid-minded visionaries, to truly believe the full scope of this future space economy right now. Just as hard as it would have been in 1945, when an engineer named Vannevar Bush first proposed [a vast library of shared knowledge that people the world over would access via personal computers](https://en.wikipedia.org/wiki/Memex), to see that mushroom into a global network of streaming movies and grandmas posting photos and trolls and spies who move the needle on presidential elections. ¶ No technology’s pioneer can predict its second-order effects.¶ The space vision thing is particularly difficult in 2019. Not only do we have plenty of urgent problems with democracy and justice to keep us occupied, but the only two companies on the planet to have gone public with asteroid-mining business plans, startups that seemed to be going strong and had launched satellites already, were just bought by larger companies that are, shall we say, less comfortable executing on long-term visions.¶ Planetary Resources was founded in 2012 in a blaze of publicity. Its funding came from, among others, Larry Page, Eric Schmidt, Ross Perot, and the country of Luxembourg. It had inked an orbital launch deal with Virgin Galactic. And it was sold last October to a blockchain software company. (To 21st century readers, this paragraph would look like I’m playing tech world mad libs.)¶ In January, the other company, Deep Space Industries, also partly funded by Luxembourg (way to get in the space race, Luxembourg!), was sold to Bradford Space, owned by a U.S. investment group called the American Industrial Acquisition Corporation. Maybe these new overlords plan on continuing their acquisitions' asteroid mining endeavors rather than stripping the companies for parts. Both companies have been notably silent on the subject. “The asteroid mining bubble has burst,” [declared The Space Review](http://www.thespacereview.com/article/3633/1), one of the few online publications to even pay attention.¶ That’s also to be expected. After all, anyone trying to build Google in 1945 would go bankrupt. Just as the internet needed a half-dozen major leaps forward in computing before it could even exist, space industry needs its launch infrastructure.¶ Currently, the world’s richest person and its most well-known entrepreneur, Jeff Bezos and Elon Musk, respectively, are working on the relatively cheap reusable rockets asteroid pioneers will need. (As I was writing this, Bezos announced in an email blast that one of his New Shepherd rockets had flown to space and back five times like it was nothing, delivering 38 payloads for various customers while remaining entirely intact.) ¶ Meanwhile, quietly, Earth’s scientists are laying the groundwork of research the space economy needs. Japan’s Hayabusa 2 spacecraft has been in orbit around asteroid Ryugu for the last year and a half, learning everything it can. (Ryugu, worth $30 billion according to Asterank, is the website's #1 most cost-effective target.) The craft dropped [tiny hopping robot rovers](https://www.space.com/41941-hayabusa2-asteroid-rovers-hopping-tech.html) and a [small bomb](https://www.space.com/japan-hayabusa2-asteroid-bomb-video.html) on its target; pictures of the small crater that resulted were released afterwards.¶ Officially, the mission is to help us figure out how the solar system formed. Unofficially, it will help us understand whether all those useful metals clump together at the heart of an asteroid, as some theorize. If so, it’s game on for asteroid prospectors. If not, we can still get at the metals with other techniques, such as optical mining (which basically involves sticking an asteroid in a bag and drilling with sunlight; sounds nuts to us, but [NASA has proved it in the lab](https://www.nasa.gov/directorates/spacetech/niac/2017_Phase_I_Phase_II/Sustainable_Human_Exploration/)). It’ll just take more time.¶ Effectively, we’ve just made our first mark at the base of the first space mineshaft. And there’s more to come in 2020 when Hayabusa 2 returns to Earth bearing samples. If its buckets of sand contain a modicum of gold dust, tiny chunks of platinum or pebbles of compressed carbon — aka diamonds — then the Duchy of Luxembourg won’t be the only deep-pocketed investor to sit up and take notice.¶ The possibility of private missions to asteroids, with or without a human crew, is almost here. The next step in the process that takes us from here to where you are? Tell us an inspiring story about it, one that makes people believe, and start to imagine themselves mining in space. How would you explain the world-changing nature of the internet to 1945? How would you persuade them that there was gold to be mined in Vannevar Bush’s idea? You’d let the new economy and its benefits play out in the form of a novel.¶ As Hayabusa dropped a bomb on Ryugu, Daniel Suarez was making the exact same asteroid the target of his fiction. Suarez is a tech consultant and developer turned New York Times bestselling author. His novels thus far have been techno-thrillers: his debut, [Daemon](https://www.amazon.com/dp/B003QP4NPE/ref=dp-kindle-redirect?_encoding=UTF8&btkr=1), a novel of Silicon Valley’s worst nightmare, AI run rampant, made more than a million dollars.¶ So it was a telling shift in cultural mood that Suarez’s latest thriller is also a very in-depth description of — and thinly-disguised advocacy for — asteroid mining. In [Delta-v](https://www.amazon.com/Delta-v-Daniel-Suarez-ebook/dp/B07FLX8V84/ref=sr_1_1?crid=UMNUUSR3NCBX&keywords=delta-v&qid=1556930756&s=digital-text&sprefix=delta-v%2Cdigital-text%2C204&sr=1-1), published in April, a billionaire in the 2030s named Nathan Joyce recruits a team of adventurers who know nothing about space — a world-renowned cave-diver, a world-renowned mountaineer — for the first crewed asteroid mission.¶ Elon Musk fans might expect this to be Joyce’s tale, but he soon fades into the background. The asteroid-nauts are the true heroes of Delta-v. Not only are they offered a massive payday — $6 million each for four years’ work — they also have agency in key decisions in the distant enterprise. Suarez deliberately based them on present-day heroes. The mission is essential, Joyce declares, to save Earth from its major problems. First of all, the fictional billionaire wheels in a fictional Nobel economist to demonstrate the actual truth that the entire global economy is sitting on a [mountain of debt](https://www.washingtonpost.com/opinions/the-247-trillion-global-debt-bomb/2018/07/15/64c5bbaa-86c2-11e8-8f6c-46cb43e3f306_story.html?noredirect=on&utm_term=.5fb3ff1155d9). It has to keep growing or it will implode, so we might as well take the majority of the industrial growth off-world where it can’t do any more harm to the biosphere.¶ Secondly, there’s the climate change fix. Suarez sees asteroid mining as the only way we’re going to build [solar power satellites](https://en.wikipedia.org/wiki/Space-based_solar_power). Which, as you probably know, is a form of uninterrupted solar power collection that is theoretically more effective, inch for inch, than any solar panels on Earth at high noon, but operating 24/7. (In space, basically, it’s always double high noon). ¶ The power collected is beamed back to large receptors on Earth with large, low-power microwaves, which researchers think will be harmless enough to let humans and animals pass through the beam. A space solar power array like [the one China is said to be working on](https://www.forbes.com/sites/scottsnowden/2019/03/12/solar-power-stations-in-space-could-supply-the-world-with-limitless-energy/#2d3f78a54386) could reliably supply 2,000 gigawatts — or over 1,000 times more power than the largest solar farm currently in existence. ¶ “We're looking at a 20-year window to completely replace human civilization's power infrastructure,” Suarez told me, citing the report of the Intergovernmental Panel on Climate Change on the coming catastrophe. Solar satellite technology “has existed since the 1970s. What we were missing is millions of tons of construction materials in orbit. Asteroid mining can place it there.”¶ The Earth-centric early 21st century can’t really wrap its brain around this, but the idea is not to bring all that building material and precious metals down into our gravity well. Far better to create a whole new commodities exchange in space. You mine the useful stuff of asteroids both near to Earth and far, thousands of them taking less energy to reach than the moon. That’s something else we’re still grasping, how relatively easy it is to ship stuff in zero-G environments. ¶ Robot craft can move 10-meter boulders like they’re nothing. You bring it all back to sell to companies that will refine and synthesize it in orbit for a myriad of purposes. Big pharma, to take one controversial industry, would [benefit by taking its manufacturing off-world](https://medium.com/fitch-blog/why-is-big-pharma-interested-in-the-space-economy-c078ac1bf67c). The molecular structure of many chemicals grows better in microgravity.¶ The expectation is that a lot of these space businesses — and all the orbital infrastructure designed to support them — will be automated, controlled remotely via telepresence, and monitored by AI. But Suarez is adamant that thousands if not millions of actual human workers will thrive in the space economy, even as robots take their jobs in old industries back on Earth.¶ “Our initial expansion into space will most likely be unsettled and experimental. Human beings excel in such environments,” he says. “Humans can improvise and figure things out as we go. Robots must be purpose-built, and it's going to take time and experience for us to design and build them.”¶ Which is another way startups back on Earth will get rich in the new economy: designing and building those robots, the nearest thing to selling picks and shovels to prospectors in the space gold rush. Thousands of humans in space at any one time will also require the design and construction of stations that spin to create artificial gravity. Again, this isn’t a great stretch: Using centrifugal force to simulate gravity in space was first proposed by scientists in the 19th century. NASA has had workable designs for spinning cislunar habitats called [O’Neill cylinders](https://en.wikipedia.org/wiki/O%27Neill_cylinder) since the 1970s. We just haven’t funded them. ¶ But the trillionaires clearly will.¶ In short, Suarez has carefully laid out a vision of the orbital economy that offers something for everyone in our divided society. For Green New Deal Millennials, there’s the prospect of removing our reliance on fossil fuels at a stroke and literally lifting dirty industries off the face of the planet. For libertarians and other rugged individualists, there’s a whole new frontier to be developed, largely beyond the reach of government. ¶ For those who worry about asteroids that could wipe out civilization — though luckily, [this isn't likely to happen any time soon](https://mashable.com/article/armageddon-asteroid-threat) — here is a way for humanity to get proficient in moving them out of the way, fast. Indeed, the National Space Society has offered [a proposal](https://space.nss.org/technologies-for-asteroid-capture-into-earth-orbit/) to capture the asteroid Aphosis (which is set to miss Earth in the year 2029, but [not by a very comfortable margin](https://www.space.com/asteroid-apophis-2029-flyby-planetary-defense.html)), keep it in orbit, and turn it into 150 small solar-power satellites, as a proof of concept. ¶ For the woke folks who care about the bloody history of diamond production, there’s the likelihood that space mining would wipe out Earth’s entire diamond industry. “They will be found in quantities unattainable on Earth,” claims Suarez, with good reason. We are starting to discover that there is more crystalized carbon in the cosmos than we ever suspected. Astronomers have identified one [distant planet made entirely of diamond](https://www.nationalgeographic.com/science/phenomena/2014/06/24/diamond-the-size-of-earth/); there may be more, but they are, ironically, hard to see. ¶ We don’t have diamond planets in our solar system (and we can’t do interstellar missions), but we do have diamond-studded asteroids. Mine them for long enough and you will wear diamonds on the soles of your shoes.¶ For investors and entrepreneurs, there is the thrill of racing to be the first member of the four-comma club. ([Neil deGrasse Tyson believes that the first trillionaire will be an asteroid mining mogul](https://www.nbcnews.com/science/space/neil-degrasse-tyson-says-space-ventures-will-spawn-first-trillionaire-n352271); Suarez isn’t sure whether they’ll be the first, but he suspects that asteroid mining “will mint more trillionaires than any industry in history.”) ¶ For the regular guy or gal with a 401K, there’ll be a fast-rising stock market — inflated not by financial shenanigans this time, but an actual increase in what the world counts as wealth.¶ For workers, there is the promise of sharing in the untold riches, both legally and otherwise. It would be hard to stop miners attaining mineral wealth beyond their paycheck, under the table, when your bosses are millions of miles away. Then there’s the likelihood of rapid advancement in this new economy, where the miners fast gain the knowledge necessary to become moguls.¶ “After several tours in space working for others, perhaps on six-month or year-long contracts, it's likely that some workers will partner to set up their own businesses there,” says Suarez. “Either serving the needs of increasing numbers of workers and businesses in space, marketing services to Earth, or launching asteroid mining startups themselves.” All in all, it’s starting to sound a damn sight more beneficial to the human race than the internet economy is. Not a moment too soon. I’ve written encouragingly about asteroid mining several times before, each time touting the massive potential wealth that seems likely to be made. And each time there’s been a sense of disquiet among my readers, a sense that we’re taking our rapacious capitalist ways and exploiting space.¶ Whereas the truth is, this is exactly the version of capitalism humanity has needed all along: the kind where there is no ecosystem to destroy, no marginalized group to make miserable. A safe, dead space where capitalism’s most enthusiastic pioneers can go nuts to their hearts’ content, so long as they clean up their space junk. ¶ ([Space junk](https://mashable.com/category/space-junk) is a real problem in orbital space because it has thousands of vulnerable satellites clustered closely together around our little blue rock. The vast emptiness of cislunar space, not so much.)¶ And because they’re up there making all the wealth on their commodities market, we down here on Earth can certainly afford to focus less on growing our stock market. Maybe even, whisper it low, we can afford a fully functioning social safety net, plus free healthcare and free education for everyone on the planet.¶ It’s also clearly the area where we should have focused space exploration all along. If we settle on Mars, we may disturb as-yet-undiscovered native bacteria — and as the character Nathan Joyce shouts at a group of “Mars-obsessed” entrepreneurs in Delta-V, Mars is basically filled with toxic sand and is thus looking increasingly impossible to colonize. (Sorry, Mark Watney from The Martian, those potatoes would probably kill you.)

#### Solving warming is not all-or-nothing – every additional fraction of a degree is irreversible and costs millions of lives—prefer IPCC assessments that are the gold standard for warming consensus.

David Wallace-Wells 19 [National Fellow at New America. He is deputy editor of New York Magazine, where he also writes frequently about climate and the near future of science and technology, including his widely read and debated 2017 cover story on worst-case scenarios for global warming], *The Uninhabitable Earth: A Story of the Future* (Kindle Edition: Allen Lane, 2019), pg. 8-30, beckert

* Every degree key – each bit 🡪 hundreds of millions of lives
* IPCC🡪best ev b/c conservative estimate + still really big impact
* Now key – not reversible, feedback loops 🡪 speeds up later

There is almost no chance we will avoid that scenario. The Kyoto Protocol achieved, practically, nothing; in the twenty years since, despite all of our climate advocacy and legislation and progress on green energy, we have produced more emissions than in the twenty years before. In 2016, the Paris accords established two degrees as a global goal, and, to read our newspapers, that level of warming remains something like the scariest scenario it is responsible to consider; just a few years later, with no single industrial nation on track to meet its Paris commitments, two degrees looks more like a best-case outcome, at present hard to credit, with an entire bell curve of more horrific possibilities extending beyond it and yet shrouded, delicately, from public view.28 For those telling stories about climate, such horrific possibilities—and the fact that we had squandered our chance of landing anywhere on the better half of that curve—had become somehow unseemly to consider. The reasons are almost too many to count, and so half-formed they might better be called impulses. We chose not to discuss a world warmed beyond two degrees out of decency, perhaps; or simple fear; or fear of fearmongering; or technocratic faith, which is really market faith; or deference to partisan debates or even partisan priorities; or skepticism about the environmental Left of the kind I’d always had; or disinterest in the fates of distant ecosystems like I’d also always had. We felt confusion about the science and its many technical terms and hard-to-parse numbers, or at least an intuition that others would be easily confused about the science and its many technical terms and hard-to-parse numbers. We suffered from slowness apprehending the speed of change, or semi-conspiratorial confidence in the responsibility of global elites and their institutions, or obeisance toward those elites and their institutions, whatever we thought of them. Perhaps we felt unable to really trust scarier projections because we’d only just heard about warming, we thought, and things couldn’t possibly have gotten that much worse just since the first Inconvenient Truth; or because we liked driving our cars and eating our beef and living as we did in every other way and didn’t want to think too hard about that; or because we felt so “postindustrial” we couldn’t believe we were still drawing material breaths from fossil fuel furnaces. Perhaps it was because we were so sociopathically good at collating bad news into a sickening evolving sense of what constituted “normal,” or because we looked outside and things seemed still okay. Because we were bored with writing, or reading, the same story again and again, because climate was so global and therefore nontribal it suggested only the corniest politics, because we didn’t yet appreciate how fully it would ravage our lives, and because, selfishly, we didn’t mind destroying the planet for others living elsewhere on it or those not yet born who would inherit it from us, outraged. Because we had too much faith in the teleological shape of history and the arrow of human progress to countenance the idea that the arc of history would bend toward anything but environmental justice, too. Because when we were being really honest with ourselves we already thought of the world as a zero-sum resource competition and believed that whatever happened we were probably going to continue to be the victors, relatively speaking anyway, advantages of class being what they are and our own luck in the natalist lottery being what it was. Perhaps we were too panicked about our own jobs and industries to fret about the future of jobs and industry; or perhaps we were also really afraid of robots or were too busy looking at our new phones; or perhaps, however easy we found the apocalypse reflex in our culture and the path of panic in our politics, we truly had a good-news bias when it came to the big picture; or, really, who knows why—there are so many aspects to the climate kaleidoscope that transforms our intuitions about environmental devastation into an uncanny complacency that it can be hard to pull the whole picture of climate distortion into focus. But we simply wouldn’t, or couldn’t, or anyway didn’t look squarely in the face ﻿of the science. This is not a book about the science of warming; it is about what warming means to the way we live on this planet. But what does that science say? It is complicated research, because it is built on two layers of uncertainty: what humans will do, mostly in terms of emitting greenhouse gases, and how the climate will respond, both through straightforward heating and a variety of more complicated, and sometimes contradictory, feedback loops. But even shaded by those uncertainty bars it is also very clear research, in fact terrifyingly clear. The United Nations’ Intergovernmental Panel on Climate Change (IPCC) offers the gold-standard assessments of the state of the planet and the likely trajectory for climate change—gold-standard, in part, because it is conservative, integrating only new research that passes the threshold of inarguability. A new report is expected in 2022, but the most recent one says that if we take action on emissions soon, instituting immediately all of the commitments made in the Paris accords but nowhere yet actually implemented, we are likely to get about 3.2 degrees of warming, or about three times as much warming as the planet has seen since the beginning of industrialization—bringing the unthinkable collapse of the planet’s ice sheets not just into the realm of the real but into the present.29, 30 That would eventually flood not just Miami and Dhaka but Shanghai and Hong Kong and a hundred other cities around the world.31 The tipping point for that collapse is said to be around two degrees; according to several recent studies, even a rapid cessation of carbon emissions could bring us that amount of warming by the end of the century.32 The assaults of climate change do not end at 2100 just because most modeling, by convention, sunsets at that point. This is why some studying global warming call the hundred years to follow the “century of hell.”33 Climate change is fast, much faster than it seems we have the capacity to recognize and acknowledge; but it is also long, almost longer than we can truly imagine. In reading about warming, you will often come across analogies from the planetary record: the last time the planet was this much warmer, the logic runs, sea levels were here. These conditions are not coincidences. The sea level was there largely because the planet was that much warmer, and the geologic record is the best model we have for understanding the very complicated climate system and gauging just how much damage will come from turning up the temperature by two or four or six degrees. Which is why it is especially concerning that recent research into the deep history of the planet suggests that our current climate models may be underestimating the amount of warming we are due for in 2100 by as much as half.34 In other words, temperatures could rise, ultimately, by as much as double what the IPCC predicts. Hit our Paris emissions targets and we may still get four degrees of warming, meaning a green Sahara and the planet’s tropical forests transformed into fire-dominated savanna.35 The authors of one recent paper suggested the warming could be more dramatic still—slashing our emissions could still bring us to four or five degrees Celsius, a scenario they said would pose severe risks to the habitability of the entire planet. “Hothouse Earth,” they called it.36 Because these numbers are so small, we tend to trivialize the differences between them—one, two, four, five. Human experience and memory offer no good analogy for how we should think of those thresholds, but, as with world wars or recurrences of cancer, you don’t want to see even one. At two degrees, the ice sheets will begin their collapse, 400 million more people will suffer from water scarcity, major cities in the equatorial band of the planet will become unlivable, and even in the northern latitudes heat waves will kill thousands each summer.37, 38 There would be thirty-two times as many extreme heat waves in India, and each would last five times as long, exposing ninety-three times more people.39 This is our best-case scenario. At three degrees, southern Europe would be in permanent drought, and the average drought in Central America would last nineteen months longer and in the Caribbean twenty-one months longer. In northern Africa, the figure is sixty months longer—five years. The areas burned each year by wildfires would double in the Mediterranean and sextuple, or more, in the United States. At four degrees, there would be eight million more cases of dengue fever each year in Latin America alone and close to annual global food crises.41 There could be 9 percent more heat-related deaths.40 Damages from river flooding would grow thirtyfold in Bangladesh, twentyfold in India, and as much as sixtyfold in the United Kingdom. In certain places, six climate-driven natural disasters could strike simultaneously, and, globally, damages could pass $600 trillion—more than twice the wealth as exists in the world today. Conflict and warfare could double. Even if we pull the planet up short of two degrees by 2100, we will be left with an atmosphere that contains 500 parts per million of carbon—perhaps more. The last time that was the case, sixteen million years ago, the planet was not two degrees warmer; it was somewhere between five and eight, giving the planet about 130 feet of sea-level rise, enough to draw a new American coastline as far west as I-95.42 Some of these processes take thousands of years to unfold, but they are also irreversible, and therefore effectively permanent. You might hope to simply reverse climate change; you can’t. It will outrun all of us. This is part of what makes climate change what the theorist Timothy Morton calls a “hyperobject”—a conceptual fact so large and complex that, like the internet, it can never be properly comprehended.43 There are many features of climate change—its size, its scope, its brutality—that, alone, satisfy this definition; together they might elevate it into a higher and more incomprehensible conceptual ﻿category yet. But time is perhaps the most mind-bending feature, the worst outcomes arriving so long from now that we reflexively discount their reality. Yet those outcomes promise to mock us and our own sense of the real in return. The ecological dramas we have unleashed through our land use and by burning fossil fuels—slowly for about a century and very rapidly for only a few decades—will play out over many millennia, in fact over a longer span of time than humans have even been around, performed in part by creatures and in environments we do not yet even know, ushered onto the world stage by the force of warming. And so, in a convenient cognitive bargain, we have chosen to consider climate change only as it will present itself this century. By 2100, the United Nations says, we are due for about 4.5 degrees of warming, following the path we are on today.44 That is, farther from the Paris track than the Paris track is from the two-degree threshold of catastrophe, which it more than doubles. As Naomi Oreskes has noted, there are far too many uncertainties in our models to take their predictions as gospel.45 Just running those models many times, as Gernot Wagner and Martin Weitzman do in their book Climate Shock, yields an 11 percent chance we overshoot six degrees.46 Recent work by the Nobel laureate William Nordhaus suggests that better-than-anticipated economic growth means better than one-in-three odds that our emissions will exceed the U.47N.’s worst-case “business as usual” scenario. In other words, a temperature rise of five degrees or possibly more. The upper end of the probability curve put forward by the U.N. to estimate the end-of-the-century, business-as-usual scenario—the worst-case outcome of a worst-case emissions path—puts us at eight degrees. At that temperature, humans at the equator and in the tropics would not be able to move around outside without dying.48 In that world, eight degrees warmer, direct heat effects would be the least of it: the oceans would eventually swell two hundred feet higher, flooding what are now two-thirds of the world’s major cities; hardly any land on the planet would be capable of efficiently producing any of the food we now eat; forests would be roiled by rolling storms of fire, and coasts would be punished by more and more intense hurricanes; the suffocating hood of tropical disease would reach northward to enclose parts of what we now call the Arctic; probably about a third of the planet would be made unlivable by direct heat; and what are today literally unprecedented and intolerable droughts and heat waves would be the quotidian condition of whatever human life was able to endure.49, 50, 51, 52 We will, almost certainly, avoid eight degrees of warming; in fact, several recent papers have suggested the climate is actually less sensitive to emissions than we’d thought, and that even the upper bound of a business-as-usual path would bring us to about five degrees, with a likely destination around four.53 But five degrees is nearly as unthinkable as eight, and four degrees not much better: the world in a permanent food deficit, the Alps as arid as the Atlas Mountains.54 Between that scenario and the world we live in now lies only the open question of human response. Some amount of further warming is already baked in, thanks to the protracted processes by which the planet adapts to greenhouse gas. But all of those paths projected from the present—to two degrees, to three, to four, five, or even eight—will be carved overwhelmingly by what we choose to do now. There is nothing stopping us from four degrees other than our own will to change course, which we have yet to display. Because the planet is as big as it is, and as ecologically diverse; because humans have proven themselves an adaptable species, and will likely continue to adapt to outmaneuver a lethal threat; and because the devastating effects of warming will soon become too extreme to ignore, or deny, if they haven’t already; because of all that, it is unlikely that climate change will render the planet truly uninhabitable. But if we do nothing about carbon emissions, if the next thirty years of industrial activity trace the same arc upward as the last thirty years have, whole regions will become unlivable by any standard we have today as soon as the end of this century. ﻿A few years ago, E. O. Wilson proposed a term, “Half-Earth,” to help us think through how we might adapt to the pressures of a changing climate, letting nature run its rehabilitative course on half the planet and sequestering humanity in the remaining, habitable half of the world.55 The fraction may be smaller than that, possibly considerably, and not by choice; the subtitle of his book was Our Planet’s Fight for Life. On longer timescales, the even-bleaker outcome is possible, too—the livable planet darkening as it approaches a human dusk. It would take a spectacular coincidence of bad choices and bad luck to make that kind of zero earth possible within our lifetime. But the fact that we have brought that nightmare eventuality into play at all is perhaps the overwhelming cultural and historical fact of the modern era—what historians of the future will likely study about us, and what we’d have hoped the generations before ours would have had the foresight to focus on, too. Whatever we do to stop warming, and however aggressively we act to protect ourselves from its ravages, we will have pulled the devastation of human life on Earth into view—close enough that we can see clearly what it would look like and know, with some degree of precision, how it will punish our children and grandchildren. Close enough, in fact, that we are already beginning to feel its effects ourselves, when we do not turn away. ﻿It is almost hard to believe just how much has happened and how quickly. In the late summer of 2017, three major hurricanes arose in the Atlantic at once, proceeding at first along the same route as though they were battalions of an army on the march.56 Hurricane Harvey, when it struck Houston, delivered such epic rainfall it was described in some areas as a “500,000-year event”—meaning that we should expect that amount of rain to hit that area once every five hundred millennia.57 Sophisticated consumers of environmental news have already learned how meaningless climate change has rendered such terms, which were meant to describe storms that had a 1-in-500,000 chance of striking in any given year. But the figures do help in this way: to remind us just how far global warming has already taken us from any natural-disaster benchmark our grandparents would have recognized. To dwell on the more common 500-year figure just for a moment, it would mean a storm that struck once during the entire history of the Roman Empire. Five hundred years ago, there were no English settlements across the Atlantic, so we are talking about a storm that should hit just once as Europeans arrived and established colonies, as colonists fought a revolution and Americans a civil war and two world wars, as their descendants established an empire of cotton on the backs of slaves, freed them, and then brutalized their descendants, industrialized and postindustrialized, triumphed in the Cold War, ushered in the “end of history,” and witnessed, just a decade later, its dramatic return. One storm in all that time, is what the meteorological record has taught us to expect. Just one. Harvey was the third such flood to hit Houston since 2015.58 And the storm struck, in places, with an intensity that was supposed to be a thousand times rarer still. That same season, an Atlantic hurricane hit Ireland, 45 million were flooded from their homes in South Asia, and unprecedented wildfires tilled much of California into ash.59, 60 And then there was the new category of quotidian nightmare, climate change inventing the once-unimaginable category of obscure natural disasters—crises so large they would once have been inscribed in folklore for centuries today passing across our horizons ignored, overlooked, or forgotten. In 2016, a “thousand-year flood” drowned small-town Ellicott City, Maryland, to take but one example almost at random; it was followed, two years later, in the same small town, by another.61 One week that summer of 2018, dozens of places all over the world were hit with record heat waves, from Denver to Burlington to Ottawa; from Glasgow to Shannon to Belfast; from Tbilisi, in Georgia, and Yerevan, in Armenia, to whole swaths of southern Russia.62 The previous month, the daytime temperature of one city in Oman reached above 121 degrees Fahrenheit, and did not drop below 108 all night, and in Quebec, Canada, fifty-four died from the heat.63 That same week, one hundred major wildfires burned in the American West, including one in California that grew 4,000 acres in one day, and another, in Colorado, that produced a volcano-like 300-foot eruption of flames, swallowing an entire subdivision and inventing a new term, “fire tsunami,” along the way.64, 65, 66 On the other side of the planet, biblical rains flooded Japan, where 1.2 million were evacuated from their homes.67 Later that summer, Typhoon Mangkhut forced the evacuation of 2.45 million from mainland China, the same week that Hurricane Florence struck the Carolinas, turning the port city of Wilmington briefly into an island and flooding large parts of the state with hog manure and coal ash.68, 69, 70 Along the way, the winds of Florence produced dozens of tornadoes across the region.71 The previous month, in India, the state of Kerala was hit with its worst floods in almost a hundred years.72 That October, a hurricane in the Pacific wiped Hawaii’s East Island entirely off the map.73 And in November, which has traditionally marked the beginning of the rainy season in California, the state was hit instead with the deadliest fire in its history—the Camp Fire, which scorched several hundred square miles outside of Chico, killing dozens and leaving many more missing in a place called, proverbially, Paradise.74 The devastation was so complete, you could almost forget the Woolsey Fire, closer to Los Angeles, which burned at the same time and forced the sudden evacuation of 170,000. It is tempting to look at these strings of disasters and think, Climate change is here. And one response to seeing things long predicted actually come to pass is to feel that we have settled into a new era, with everything transformed. In fact, that is how California governor Jerry Brown described the state of things in the midst of the state’s wildfire disaster: “a new normal.”75 The truth is actually much scarier. That is, the end of normal; never normal again. We have already exited the state of environmental conditions that allowed the human animal to evolve in the first place, in an unsure and unplanned bet on just what that animal can endure. The climate system that raised us, and raised everything we now know as human culture and civilization, is now, like a parent, dead. And the climate system we have been observing for the last several years, the one that has battered the planet again and again, is not our bleak future in preview. It would be more precise to say that it is a product of our recent climate past, already passing behind us into a dustbin of environmental nostalgia. There is no longer any such thing as a “natural disaster,” but not only will things get worse; technically speaking, they have already gotten worse. Even if, miraculously, humans immediately ceased emitting carbon, we’d still be due for some additional warming from just the stuff we’ve put into the air already. And of course, with global emissions still increasing, we’re very far from zeroing out on carbon, and therefore very far from stalling climate change. The devastation we are now seeing all around us is a beyond-best-case scenario for the future of warming and all the climate disasters it will bring. ﻿What that means is that we have not, at all, arrived at a new equilibrium. It is more like we’ve taken one step out on the plank off a pirate ship. Perhaps because of the exhausting false debate about whether climate change is “real,” too many of us have developed a misleading impression that its effects are binary. But global warming is not “yes” or “no,” nor is it “today’s weather forever” or “doomsday tomorrow.” It is a function that gets worse over time as long as we continue to produce greenhouse gas. And so the experience of life in a climate transformed by human activity is not just a matter of stepping from one stable ecosystem into another, somewhat worse one, no matter how degraded or destructive the transformed climate is. The effects will grow and build as the planet continues to warm: from 1 degree to 1.5 to almost certainly 2 degrees and beyond. The last few years of climate disasters may look like about as much as the planet can take. In fact, we are only just entering our brave new world, one that collapses below us as soon as we set foot on it. Many of these new disasters arrived accompanied by debate about their cause—about how much of what they have done to us comes from what we have done to the planet. For those hoping to better understand precisely how a monstrous hurricane arises out of a placid ocean, these inquiries are worthwhile, but for all practical purposes the debate yields no real meaning or insight. A particular hurricane may owe 40 percent of its force to anthropogenic global warming, the evolving models might suggest, and a particular drought may be half again as bad as it might have been in the seventeenth century. But climate change is not a discrete clue we can find at the scene of a local crime—one hurricane, one heat wave, one famine, one war. Global warming isn’t a perpetrator; it’s a conspiracy. We all live within climate and within all the changes we have produced in it, which enclose us all and everything we do. If hurricanes of a certain force are now five times as likely as in the pre-Columbian Caribbean, it is parsimonious to the point of triviality to argue over whether this one or that one was “climate-caused.” All hurricanes now unfold in the weather systems we have wrecked on their behalf, which is why there are more of them, and why they are stronger. The same is true for wildfires: this one or that one may be “caused” by a cookout or a downed power line, but each is burning faster, bigger, and longer because of global warming, which gives no reprieve to fire season. Climate change isn’t something happening here or there but everywhere, and all at once. And unless we choose to halt it, it will never stop. Over the past few decades, the term “Anthropocene” has climbed out of academic discourse and into the popular imagination—a name given to the geologic era we live in now, and a way to signal that it is a new era, defined on the wall chart of deep history by human intervention. One problem with the term is that it implies a conquest of nature, even echoing the biblical “dominion.” But however sanguine you might be about the proposition that we have already ravaged the natural world, which we surely have, it is another thing entirely to consider the possibility that we have only provoked it, engineering first in ignorance and then in denial a climate system that will now go to war with us for many centuries, perhaps until it destroys us. That is what Wally Broecker, the avuncular oceanographer, means when he calls the planet an “angry beast.”76 You could also go with “war machine.” Each day we arm it more. The assaults will not be discrete—this is another climate delusion. Instead, they will produce a new kind of cascading violence, waterfalls and avalanches of devastation, the planet pummeled again and again, with increasing intensity and in ways that build on each other and undermine our ability to respond, uprooting much of the landscape we have taken for granted, for centuries, as the stable foundation on which we walk, build homes and highways, shepherd our children through schools and into adulthood under the promise of safety—and subverting the promise that the world we have engineered and built for ourselves, out of nature, will also protect us against it, rather than conspiring with disaster against its makers. Consider those California wildfires. In March 2018, Santa Barbara County issued mandatory evacuation orders for those living in Montecito, Goleta, Santa Barbara, Summerland, and Carpinteria—where the previous December’s fires had hit hardest. It was the fourth evacuation order precipitated by a climate event in the county in just three months, but only the first had been for fire.77 The others were for mudslides ushered into possibility by that fire, one of the toniest communities in the most glamorous state of the world’s preeminently powerful country upended by fear that their toy vineyards and hobby stables, their world-class beaches and lavishly funded public schools, would be inundated by rivers of mud, the community as thoroughly ravaged as the sprawling camps of temporary shacks housing Rohingya refugees from Myanmar in the monsoon region of Bangladesh.78 It was. More than a dozen died, including a toddler swept away by mud and carried miles down the mountainslope to the sea; schools closed and highways flooded, foreclosing the routes of emergency vehicles and making the community an inland island, as if behind a blockade, choked off by a mud noose.79 Some climate cascades will unfold at the global level—cascades so large their effects will seem, by the curious legerdemain of environmental change, imperceptible. A warming planet leads to melting Arctic ice, which means less sunlight reflected back to the sun and more absorbed by a planet warming faster still, which means an ocean less able to absorb atmospheric carbon and so a planet warming faster still. A warming planet will also melt Arctic permafrost, which contains 1.8 trillion tons of carbon, more than twice as much as is currently suspended in the earth’s atmosphere, and some of which, when it thaws and is released, may evaporate as methane, which is thirty-four times as powerful a greenhouse-gas warming blanket as carbon dioxide when judged on the timescale of a century; when﻿ judged on the timescale of two decades, it is eighty-six times as powerful.80, 81 A hotter planet is, on net, bad for plant life, which means what is called “forest dieback”—the decline and retreat of jungle basins as big as countries and woods that sprawl for so many miles they used to contain whole folklores—which means a dramatic stripping-back of the planet’s natural ability to absorb carbon and turn it into oxygen, which means still hotter temperatures, which means more dieback, and so on. Higher temperatures means more forest fires means fewer trees means less carbon absorption, means more carbon in the atmosphere, means a hotter planet still—and so on. A warmer planet means more water vapor in the atmosphere, and, water vapor being a greenhouse gas, this brings higher temperatures still—and so on. Warmer oceans can absorb less heat, which means more stays in the air, and contain less oxygen, which is doom for phytoplankton—which does for the ocean what plants do on land, eating carbon and producing oxygen—which leaves us with more carbon, which heats the planet further. And so on. These are the systems climate scientists call “feedbacks”; there are more.82 Some work in the other direction, moderating climate change. But many more point toward an acceleration of warming, should we trigger them. And just how these complicated, countervailing systems will interact—what effects will be exaggerated and what undermined by feedbacks—is unknown, which pulls a dark cloud of uncertainty over any effort to plan ahead for the climate future. We know what a best-case outcome for climate change looks like, however unrealistic, because it quite closely resembles the world as we live on it today. But we have not yet begun to contemplate those cascades that may bring us to the infernal range of the bell curve. Other cascades are regional, collapsing on human communities and buckling them where they fall. These can be literal cascades—human-triggered avalanches are on the rise, with 50,000 people killed by avalanches globally between 2004 and 2016.83 In Switzerland, climate change has unleashed a whole new kind, thanks to what are called “rain-on-snow” events, which also caused the overflow of the Oroville Dam in Northern California and the 2013 flood of Alberta, Canada, with damages approaching $5 billion.84 But there are other kinds of cascade, too. Climate-driven water shortages or crop failures push climate refugees into nearby regions already struggling with resource scarcity. Sea-level rise inundates cropland with more and more saltwater flooding, transforming agricultural areas into brackish sponges no longer able to adequately feed those living off them; flooding power plants, knocking regions offline just as electricity may be needed most; and crippling chemical and nuclear plants, which, malfunctioning, breathe out their toxic plumes. The rains that followed the Camp Fire flooded the tent cities hastily assembled for the first disaster’s refugees. In the case of the Santa Barbara mudslides, drought produced a state full of dry brush ripe for a spark; then a year of anomalously monsoonish rain produced only more growth, and wildfires tore through the landscape, leaving a mountainside without much plant life to hold in place the millions of tons of loose earth that make up the towering coastal range where the clouds tend to gather and the rain first falls. Some of those watching from afar wondered, incredulously, how a mudslide could kill so many. The answer is, the same way as hurricanes or tornadoes—by weaponizing the environment, whether “man-made” or “natural.” Wind disasters do not kill by wind, however brutal it gets, but by tugging trees out of earth and transforming them into clubs, making power lines into loose whips and electrified nooses, collapsing homes on cowering residents, and turning cars into tumbling boulders. And they kill slowly, too, by cutting off food delivery and medical supplies, making roads impassable even to first responders, knocking out phone lines and cell towers so that the ill and elderly must suffer, and hope to endure, in silence and without aid. Most of the world is not Santa Barbara, with its Mission-style impasto of infinite-seeming wealth, and in the coming decades many of the most punishing climate horrors will indeed hit those least able to respond and recover. This is what is often called the problem of environmental justice; a sharper, less gauzy phrase would be “climate caste system.” The problem is acute within countries, even wealthy ones, where the poorest are those who live in the marshes, the swamps, the floodplains, the inadequately irrigated places with the most vulnerable infrastructure—altogether an unwitting environmental apartheid. Just in Texas, 500,000 poor Latinos live in shantytowns called “colonias” with no drainage systems to deal with increased flooding.85 The cleavage is even sharper globally, where the poorest countries will suffer more in our hot new world. In fact, with one exception—Australia—countries with lower GDPs will warm the most.86 That is notwithstanding the fact that much of the global south has not, to this point, defiled the atmosphere of the planet all that much. This is one of the many historical ironies of climate change that would better be called cruelties, so merciless is the suffering they will inflict. But disproportionately as it will fall on the world’s least, the devastation of global warming cannot be easily quarantined in the developing world, as much as those in the Northern Hemisphere would probably, and not to our credit, prefer it. Climate disaster is too indiscriminate for that. In fact, the belief that climate could be plausibly governed, or managed, by any institution or human instrument presently at hand is another wide-eyed climate delusion. The planet survived many millennia without anything approaching a world government, in fact endured nearly the entire span of human civilization that way, organized into competitive tribes and fiefdoms and kingdoms and nation-states, and only began to build something resembling a cooperative blueprint, very piecemeal, after brutal world wars—in the ﻿form of the League of Nations and United Nations and European Union and even the market fabric of globalization, whatever its flaws still a vision of cross-national participation, imbued with the neoliberal ethos that life on Earth was a positive-sum game. If you had to invent a threat grand enough, and global enough, to plausibly conjure into being a system of true international cooperation, climate change would be it—the threat everywhere, and overwhelming, and total. And yet now, just as the need for that kind of cooperation is paramount, indeed necessary for anything like the world we know to survive, we are only unbuilding those alliances—recoiling into nationalistic corners and retreating from collective responsibility and from each other. That collapse of trust is a cascade, too. ﻿Just how completely the world below our feet will become unknown to us is not yet clear, and how we register its transformation remains an open question. One legacy of the environmentalist creed that long prized the natural world as an otherworldly retreat is that we see its degradation as a sequestered story, unfolding separately from our own modern lives—so separately that the degradation acquires the comfortable contours of parable, like pages from Aesop, aestheticized even when we know the losses as tragedy. Climate change could soon mean that, in the fall, trees may simply turn brown, and so we will look differently at entire schools of painting, which stretched for generations, devoted to best capturing the oranges and reds we can no longer see ourselves out the windows of our cars as we drive along our highways.87 The coffee plants of Latin America will no longer produce fruit; beach homes will be built on higher and higher stilts and still be drowned.88 In many cases, it is better to use the present tense. In just the last forty years, according to the World Wildlife Fund, more than half of the world’s vertebrate animals have died; in just the last twenty-five, one study of German nature preserves found, the flying insect population declined by three-quarters.89, 90 The delicate dance of flowers and their pollinators has been disrupted, as have the migration patterns of cod, which have fled up the Eastern Seaboard toward the Arctic, evading the communities of fishermen that fed on them for centuries; as have the hibernation patterns of black bears, many of which now stay awake all winter.91, 92, 93 Species individuated over millions of years of evolution but forced together by climate change have begun to mate with one another for the first time, producing a whole new class of hybrid species: the pizzly bear, the coy-wolf.94 The zoos are already natural history museums, the children’s books already out of date. Older fables, too, will be remade: the story of Atlantis, having endured and enchanted for several millennia, will compete with the real-time sagas of the Marshall Islands and Miami Beach, each sinking over time into snorkelers’ paradises; the strange fantasy of Santa and his polar workshop will grow eerier still in an Arctic of ice-free summers; and there is a terrible poignancy in contemplating how desertification of the entire Mediterranean Basin will change our reading of the Odyssey, or how it will discolor the shine of Greek islands for dust from the Sahara to permanently blanket their skies, or how it will recast the meaning of the Pyramids for the Nile to be dramatically drained.95, 96, 97 We will think of the border with Mexico differently, presumably, when the Rio Grande is a line traced through a dry riverbed—the Rio Sand, it’s already been called.98 The imperious West has spent five centuries looking down its nose at the plight of those living within the pale of tropical disease, and one wonders how that will change when mosquitoes carrying malaria and dengue are flying through the streets of Copenhagen and Chicago, too. But we have for so long understood stories about nature as allegories that we seem unable to recognize that the meaning of climate change is not sequestered in parable. It encompasses us; in a very real way it governs us—our crop yields, our pandemics, our migration patterns and civil wars, crime waves and domestic assaults, hurricanes and heat waves and rain bombs and megadroughts, the shape of our economic growth and everything that flows downstream from it, which today means nearly everything. Eight hundred million in South Asia alone, the World Bank says, would see their living conditions sharply diminish by 2050 on the current emissions track, and perhaps a climate slowdown will even reveal the bounty of what Andreas Malm calls fossil capitalism to be an illusion, sustained over just a few centuries by the arithmetic of adding the energy value of burned fossil fuels to what had been, before wood and coal and oil, an eternal Malthusian trap.99, 100 In which case, we would have to retire the intuition that history will inevitably extract material progress from the planet, at least in any reliable or global pattern, and come to terms, somehow, with just how pervasively that intuition ruled even our inner lives, often tyrannically. Adaptation to climate change is often viewed in terms of market trade-offs, but in the coming decades the trade will work in the opposite direction, with relative prosperity a benefit of more aggressive action. Every degree of warming, it’s been estimated, costs a temperate country like the United States about one percentage point of GDP, and according to one recent paper, at 1.5 degrees the world would be $20 trillion richer than at 2 degrees.101, 102 Turn the dial up another degree or two, and the costs balloon—the compound interest of environmental catastrophe. 3.7 degrees of warming would produce $551 trillion in damages, research suggests; total worldwide wealth is today about $280 trillion.103, 104 Our current emissions trajectory takes us over 4 degrees by 2100; multiply that by that 1 percent of GDP and you have almost entirely wiped out the very possibility of economic growth, which has not topped 5 percent globally in over forty years.105 A fringe group of alarmed academics call this prospect “steady-state economics,” but it ultimately suggests a more ﻿complete retreat from economics as an orienting beacon, and from growth as the lingua franca through which modern life launders all of its aspirations.106 “Steady-state” also gives a name to the creeping panic that history may be less progressive, as we’ve come to believe really only over the last several centuries, than cyclical, as we were sure it was for the many millennia before. More than that: in the vision steady-state economics projects of a state-of-nature competitive scramble, everything from politics to trade and war seems brutally zero-sum. For centuries we have looked to nature as a mirror onto which to first project, then observe, ourselves. But what is the moral? There is nothing to learn from global warming, because we do not have the time, or the distance, to contemplate its lessons; we are after all not merely telling the story but living it. That is, trying to; the threat is immense. How immense? One 2018 paper sketches the math in horrifying detail. In the journal Nature Climate Change, a team led by Drew Shindell tried to quantify the suffering that would be avoided if warming was kept to 1.5 degrees, rather than 2 degrees—in other words, how much additional suffering would result from just that additional half-degree of warming. Their answer: 150 million more people would die from air pollution alone in a 2-degree warmer world than in a 1.1075-degree warmer one. Later that year, the IPCC raised the stakes further: in the gap between 1.1085 degrees and 2, it said, hundreds of millions of lives were at stake. Numbers that large can be hard to grasp, but 150 million is the equivalent of twenty-five Holocausts. It is three times the size of the death toll of the Great Leap Forward—the largest nonmilitary death toll humanity has ever produced. It is more than twice the greatest death toll of any kind, World War II. The numbers don’t begin to climb only when we hit 1.5 degrees, of course. As should not surprise you, they are already accumulating, at a rate of at least seven million deaths, from air pollution alone, each year—an annual Holocaust, pursued and prosecuted by what brand of nihilism? This is what is meant when climate change is called an “existential crisis”—a drama we are now haphazardly improvising between two hellish poles, in which our best-case outcome is death and suffering at the scale of twenty-five Holocausts, and the worst-case outcome puts us on the brink of extinction.109 Rhetoric often fails us on climate because the only factually appropriate language is of a kind we’ve been trained, by a buoyant culture of sunny-side-up optimism, to dismiss, categorically, as hyperbole. Here, the facts are hysterical, and the dimensions of the drama that will play out between those poles incomprehensibly large—large enough to enclose not just all of present-day humanity but all of our possible futures, as well. Global warming has improbably compressed into two generations the entire story of human civilization. First, the project of remaking the planet so that it is undeniably ours, a project whose exhaust, the poison of emissions, now casually works its way through millennia of ice so quickly you can see the melt with a naked eye, destroying the environmental conditions that have held stable and steadily governed for literally all of human history. That has been the work of a single generation. The second generation faces a very different task: the project of preserving our collective future, forestalling that devastation and engineering an alternate path. There is simply no analogy to draw on, outside of mythology and theology—and perhaps the Cold War prospect of mutually assured destruction. Few feel like gods in the face of warming, but that the totality of climate change should make us feel so passive—that is another of its delusions. In folklore and comic books and church pews and movie theaters, stories about the fate of the earth often perversely counsel passivity in their audiences, and perhaps it should not surprise us that the threat of climate change is no different. By the end of the Cold War, the prospect of nuclear winter had clouded every corner of our pop culture and psychology, a pervasive nightmare that the human experiment might be brought to an end by two jousting sets of proud, rivalrous tacticians, just a few sets of twitchy hands hovering over the planet’s self-destruct buttons. The threat of climate change is more dramatic still, and ultimately more democratic, with responsibility shared by each of us even as we shiver in fear of it; and yet we have processed that threat only in parts, typically not concretely or explicitly, displacing certain anxieties and inventing others, choosing to ignore the bleakest features of our possible future and letting our political fatalism and technological faith blur, as though we’d gone cross-eyed, into a remarkably familiar consumer fantasy: that someone else will fix the problem for us, at no cost. Those more panicked are often hardly less complacent, living instead through climate fatalism as though it were climate optimism. Over the last few years, as the planet’s own environmental rhythms have seemed to grow more fatalistic, skeptics have found themselves arguing not that climate change isn’t happening, since extreme weather has made that undeniable, but that its causes are unclear—suggesting that the changes we are seeing are the result of natural cycles rather than human activities and interventions. It is a very strange argument; if the planet is warming at a terrifying pace and on a horrifying scale, it should transparently concern us more, rather than less, that the warming is beyond our control, possibly even our comprehension. That we know global warming is our doing should be a comfort, not a cause for despair, however incomprehensively large and complicated we find the processes that have brought it into being; that we know we are, ourselves, responsible for all of its punishing effects ﻿should be empowering, and not just perversely. Global warming is, after all, a human invention. And the flip side of our real-time guilt is that we remain in command. No matter how out-of-control the climate system seems—with its roiling typhoons, unprecedented famines and heat waves, refugee crises and climate conflicts—we are all its authors. And still writing.

# CASE

### Space Law Advantage

#### Space commercialization is a strong constraint on conflict – solves space war

Wendy N. Whitman **Cobb 20**, is currently an associate professor of strategy and security studies at the US Air Force's School of Advanced Air and Space Studies, 7-21-2020, "Privatizing Peace: How Commerce Can Reduce Conflict in Space," Routledge & CRC Press, <https://www.routledge.com/Privatizing-Peace-How-Commerce-Can-Reduce-Conflict-in-Space/Cobb/p/book/9780367337834> // AAli

By the end of the twentieth century, scholars zeroed in on the democratic peace theory which attempts to explain why democracies do not go to war with other democracies and why, in some analyses, they seem to be more prone to peace in general than non-democracies. Similar to the golden arches, what is it about democracy that seems to induce such peacefulness? Academics have proposed everything from the nature of mediating institutions to the restraint of public opinion, to trade relations. While these variations will be explored further in Chapter 3, of interest here are the versions that focus explicitly on trade, commercial ties, and capitalism. Along these lines, Erik Gartzke argues, "peace ensues when states lack differences worthy of costly conflict."31 If the costs of conflict are too high, then states should be more unlikely to engage in it. To this end, economic globalization can provide the means through which costs are raised. “The integration of world markets not only facilitates commerce, but also creates new interests inimical to war. Financial interdependence ensures that damage inflicted on one economy travels through the global system, afflicting even aggressors."32 Focusing his analysis primarily on the influence of capitalism, Gartzke's findings suggest that states with markets more closely tied to the global economy are far less likely to experience a militarized dispute.

In thinking about the space environment today, there are obvious principles of capitalism at work. However, China, a major spacefaring state that has been making capitalist reforms, arguably remains far from a true capitalist country. This is especially true in their space industry which is heavily subsidized by the state and almost wholly integrated with China's military.34 Many other states continue to subsidize space activities heavily as well. A better approach through which to examine conflict in space is presented by an offshoot of the capitalist peace which is termed the commercial peace. The commercial peace thesis emphasizes the role of trade and the connections made through it to explain a lack of conflict. Han Dorussen and Hugh Ward write:

Trade is important not only because it creates an economic interest in peace but also because trade generates 'connections' between people that promote communication and understanding.... Based on these ideas, the flow of goods between countries creates a network of ties and communication links. If two countries are more embedded in this network, their relations should be more

peaceful 35

Given the interconnectedness of the global economy to space-based assets, a version of the commercial peace thesis can be used to argue that the chance of conflict in space is less than is commonly understood or recognized precisely because of the extent to which the global economy has become dependent on space-based assets.

To understand this argument, consider a scenario in which Russia, in preparation for a new assault on Eastern Europe, attacks a key US military satellite with the purpose of disrupting and disabling military communications in Europe. This action would conceivably enable the Russians to undertake their attack under more favorable conditions and prevent a quicker response from America and its allies. However, if the satellite was attacked via an ASAT that kinetically destroyed the US satellite, the debris cloud created from the attack could have disastrous consequences beyond military communications Much like the movie Gravity, the debris cloud could cause a chain reaction, hitting and ~~disabling~~ dismantling other satellites that would in turn disrupt civilian communications, business transactions, and perhaps even Russian military satellites. The economic effects of lost satellites would not be restricted to one country alone; the global economic consequences in terms of lost property (satellites), lost transactions, and financial havoc would echo throughout the world, including in Russia itself. Finally, the attack on one satellite could even ultimately endanger the ISS and its inhabitants, several of which are Russians. Destruction of the ISS would negate billions of dollars in investment from not just Russia, but other countries that have participated in it including Japan, Italy, and Canada. Therefore, an attack on a US military satellite would not just be an attack on one but an attack on all.

While the previous scenario highlights several reasons why it would not be in Russia's best interest to attack a US satellite, this book argues that the economic argument is both the strongest and the most restraining especially as space becomes more congested, competitive, contested, and commercialized. The emergence of private space companies enhances this argument. "In the commercial sector, companies need reliability and legal enforcement mechanisms if they are going to operate profitably in a shared environment."36 In order to foster the growing area of space commercialization, companies must be assured that the activities they undertake in space will be protected in some way or, at a minimum, allowed to proceed to the extent where they can reap the profit. This could be done through international organizations that would provide some sort of space traffic control, but the likelihood of a major international breakthrough on rules regarding space is unlikely in the near term. Therefore, actors must rely on the protections afforded them by an increasingly globalized economy that is ever more dependent on space-based assets.

**Manne scenarios not unique to space – no solvency**

**Cps solve chow**

**Probability – 0.1% chance of a collision.**

Alexander William **Salter**, **Economics Professor at Texas Tech**, **’16**, “SPACE DEBRIS: A LAW AND ECONOMICS ANALYSIS OF THE ORBITAL COMMONS” 19 STAN. TECH. L. REV. 221 \*numbers replaced with English words

The probability of a collision is currently **low**. Bradley and Wein estimate that the **maximum probability** in LEO of a collision over the lifetime of a spacecraft remains **below one in one thousand**, conditional on continued compliance with NASA’s deorbiting guidelines.3 However, the possibility of a future “snowballing” effect, whereby debris collides with other objects, further congesting orbit space, remains a significant concern.4 Levin and Carroll estimate the average immediate destruction of wealth created by a collision to be approximately $30 million, with an additional $200 million in damages to all currently existing space assets from the debris created by the initial collision.5 The expected value of destroyed wealth because of collisions, currently small because of the low probability of a collision, can quickly become significant if future collisions result in runaway debris growth.

**Space debris is hype---there are thousands of satellites and only 15 debris collisions ever**

Mark **Albrecht 16**, Chairman of the board of USSpace LLC & fmr. head of the National Space Council, “Congested space is a serious problem solved by hard work, not hysteria, 5/9/16, https://spacenews.com/op-ed-congested-space-is-a-serious-problem-solved-by-hard-work-not-hysteria/

There are over a half million pieces of human-made material in orbit around our planet. Some are the size of school buses, some the size of BB gun pellets. They all had a function at some point, but now most are simply space debris littered from 100 to 22,000 miles above the Earth. Yet, all behave perfectly according to the laws of physics. Many in the space community have called the collision hazard caused by space debris a crisis.

Popular culture has embraced the risks of collisions in space in films like Gravity. Some participants have dramatized the issue by producing graphics of Earth and its satellites, which make our planet look like a fuzzy marble, almost obscured by a dense cloud of white pellets meant to conceptualize space congestion.

Unfortunately, for the sake of a good visual, satellites are depicted as if they were hundreds of miles wide, like the state of Pennsylvania (for the record, there are no space objects the size of Pennsylvania in orbit). Unfortunately, this is the rule, not the exception, and almost all of these articles, movies, graphics, and simulations are **exaggerated and misleading**. Space debris and collision risk is real, but it **certainly** is **not a crisis.**

So what are the facts?

On the positive side, space is **empty** and it is **vast**. At the altitude of the International Space Station, **one half a degree** of Earth longitude is almost **40 miles long**. That same one half a degree at geostationary orbit, some 22,000 miles up is over 230 miles long. Generally, we don’t intentionally put satellites closer together than one-half degree. That means at geostationary orbit, they are no closer than 11 times as far as the eye can see on flat ground or on the sea: That’s the horizon over the horizon 10 times over. In addition, other than minute forces like solar winds and sparse bits of atmosphere that still exist 500 miles up, **nothing gets in the way of orbiting objects** and **they behave quite predictably**. The location of the smallest spacecraft can be predicated within a 1,000 feet, 24 hours in advance.

Since we first started placing objects into space there have been 11 known low Earth orbit collisions, and three known collisions at geostationary orbit. Think of it: 135 space shuttle flights, all of the Apollo, Gemini and Mercury flights, **hundreds** of telecommunications satellites, **1,300 functioning satellites** on orbit today, **half a million** total objects in space larger than a marble, and **fewer than 15 known collisions**. **Why** do people **worry?**

### Noble Antitrust Advantage

#### NONUQ - The aff isn’t inherent – antitrust law applies to outer space companies in the squo because it applies to all US companies.

#### Some anticompetitive practices are good for utility – eg electrics

#### TDR used to enforce antitrust law with the trust-busters – the problem is government is captured by neoliberal interests, not lack of faith in anti trust. We’ve tried antitrust before

1. Space isn’t key or a testing ground

### Solvency

#### Hold the line on the spin - vote neg on presumption –

#### No private appropriation now, so the aff has zero impact. No time frame for when future appropriation will lead to anti-competitive practices which will cause space war. The risk that the aff will chill critical space innovation necessary to solve climate change o/ws random spec

#### No explanation of why private space appropriation key to monopolies in general means no link to impact scenarios – they don’t ban use.

#### The word restrict is vague w no consistency which turns the 2nd advantage.

#### No solvency

#### US only plan text means forum shopping.

Dovey 21 [Ceridwen Dovey, “Space Exploration At What Price?,” Readers Digest Asia Pacific, 5/1/21. <https://www.pressreader.com/australia/readers-digest-asia-pacific/20210501/281487869174485>] CT

Lenient supervision. In 2017, Luxembourg – already a corporate tax haven, complicit in international investor tax avoidance and evasion – followed the US’s lead and passed a space-resources law that allows companies to claim resources they extract from space as private property. Guardian journalist Atossa Araxia Abrahamian recounted a chilling comment from an American space executive: “We just want to work with a government who won’t get in the way.” Companies anywhere in the world can stake resource claims in space under this new law; their only requirement is an office in Luxembourg. This sets a murky precedent of ‘regulatory forum-shopping’, where companies choose to incorporate in states where they’ll be most leniently supervised. In 2018, a Silicon Valley start-up called Swarm Technologies illegally launched four miniature satellites known as CubeSats into space from India. They’d been refused launch permission in the US due to safety concerns over whether the satellites could be tracked once in orbit. Fined US$900,000 by the US Federal Communications Commission, the company was subsequently given permission to start communicating with its satellites, and launched more CubeSats as part of a payload on a SpaceX rocket that November. In January 2019, the company raised $25 million in venture capital.

#### Their plan text just entails the US recognizing that private appropriation is unlawful through the OST, but doesn't enact any domestic laws to enforce that treaty.

Mulligan 18 [Stephen P. Mulligan is a legislative attorney. “International Law and Agreements: Their Effect upon US Law”. 09-19-20. Congressional Research Service. [https://sgp.fas.org/crs/misc/RL32528.pdf. Accessed 3-19-2022](https://sgp.fas.org/crs/misc/RL32528.pdf.%20Accessed%203-19-2022); MJen]

International law is derived from two primary sources—international agreements and customary practice. Under the U.S. legal system, international agreements can be entered into by means of a treaty or an executive agreement. The Constitution allocates primary responsibility for entering into such agreements to the executive branch, but Congress also plays an essential role. First, in order for a treaty (but not an executive agreement) to become binding upon the United States, the Senate must provide its advice and consent to treaty ratification by a two-thirds majority. Secondly, Congress may authorize congressional-executive agreements. Thirdly, many treaties and executive agreements are not self-executing, meaning that implementing legislation is required to render the agreement’s provisions judicially enforceable in the United States.

#### The aff does nothing to make antitrust enforcement more effective, they just apply it to outer space appropriation US anti-trust enforcement is a joke, which is why there has been so much business concentration.

Steinbaum et al 18 [Marshall Steinbaum is an Assistant Professor of Economics at the University of Utah and a Senior Fellow in Higher Education Finance at Jain Family Institute. Eric Harris Bernstein is a policy analyst focused on state tax and budgetary policy. “How Lax Antitrust and Concentrated Market Power Rig the Economy Against American Workers, Consumers, and Communities”. 02-18-2018. Roosevelt Institute. https://rooseveltinstitute.org/wp-content/uploads/2020/07/RI-Powerless-201802.pdf. Accessed 3-19-2022; Mjen]

Though antitrust protections of the mid-20th century were crucially important, recent history has proven that they were not enough. The success of these laws hinged on how they were interpreted and enforced by regulators and the judiciary. As interpretations have grown more lax, unanticipated threats have multiplied. Data aggregation and the proliferation of digital platforms like Google and Amazon, for example, pose new, unforeseen threats to workers, consumers, and society as a whole that remain completely unaddressed by existing competition policy. These challenges will require new laws, as well as new applications of existing ones. Although antitrust reform is essential to limiting the consolidation of power by the wealthiest corporations and individuals, it will by no means ensure a just and equitable society on its own. Reining in dominance of those at the top will be impossible without also building power to oppose it through worker organizing. Political reform—to curtail or outlaw the sort of big money lobbying and advocacy that currently dominates our political system— is also essential, as is a stronger social safety net, to ensure that the price of economic competition is not widespread poverty. So, although this report is focused on the evolution and challenges presented by market power, stronger antitrust is by no means a panacea to all economic challenges. Reform in these and many other areas, including on issues of gender and race inequality, is essential to the health of the economy and American society.

#### The aff doesn’t fiat that other countries fiat the US ruling—US only has jurisdiction to rule that American companies appropriation in OS is bad so other countries thump.

#### The aff also doesn't solve international cooperation, the case already says countries can't agree on an anti-trust framework. The aff is unilateral US action. Also, the OST is silent on private appropriation, so no reason why ruling that the OST precludes private appropriation will somehow constitute international cooperation

#### No ev for how appropriation by monopolies are a threat in the squo and certainly dont prove a brink. Any risk of da ow.

#### Turn - the aff kills all activity in space because there is nobody appropriating outer space in the squo which means whoever moves first will be "monopolistic". Lack of definition on “anti-competitive appropriation” means they link.

#### The US needs space private companies– Chinese space heg risks extinction. Autry and Kwast 19:

Greg Autry, Steve Kwast {Greg Autry is a clinical professor of space leadership, policy, and business at Arizona State University’s Thunderbird School of Global Management. He served on the 2016 NASA transition team and as the White House liaison at NASA in 2017. He is the chair of the Safety Working Group for the U.S. Federal Aviation Administration’s Commercial Space Transportation Advisory Committee. Steve Kwast is a Lieutenant General and commander of Recruiting, Training, Educating and Development for the Air Force. He is an astronautical engineer and Harvard Fellow in Public Policy., }, 19 - ("America Is Losing the Second Space Race to China," Foreign Policy, 8-22-2019, https://foreignpolicy.com/2019/08/22/america-is-losing-the-second-space-race-to-china/)//marlborough-wr/

The current U.S. space defense strategy is inadequate and on a path to failure. President Donald Trump’s vision for a Space Force is big enough. As he said on [June 18](https://www.whitehouse.gov/briefings-statements/remarks-president-trump-meeting-national-space-council-signing-space-policy-directive-3/), “It is not enough to merely have an American presence in space. We must have American dominance in space.” But the Air Force is not matching this vision. Instead, the leadership is currently focused on incremental improvements to existing equipment and organizational structures. Dominating the vast and dynamic environment of space will require revolutionary capabilities and resources far deeper than traditional Department of Defense thinking can fund, manage, or even conceive of. Success depends on a much more active partnership with the commercial space industry— and its disruptive capabilities. U.S. military space planners are preparing to repeat a conflict they imagined back in the 1980s, which never actually occurred, against a vanished Soviet empire. Meanwhile, China is executing a winning strategy in the world of today. It is burning hard toward domination of the future space markets that will define the next century. They are planning infrastructure in space that will control 21st-century telecommunications, energy, transportation, and manufacturing. In doing so, they will acquire trillion-dollar revenues as well as the deep capabilities that come from continuous operational experience in space. This will deliver space dominance and global hegemony to China’s authoritarian rulers. Despite the fact that many in the policy and intelligence communities understand exactly what China is doing and have been trying to alert leadership, Air Force leadership has convinced the White House to fund only a slightly better satellite command with the same leadership, while sticking a new label onto their outmoded thinking. A U.S. Space Force or Corps with a satellite command will never fulfill Trump’s call to dominate space. Air Force leadership is demonstrating the same hubris that Gen. George Custer used in convincing Congress, over President Ulysses S. Grant’s better experience intuition, that he could overtake the Black Hills with repeating rifles and artillery. That strategy of technological overconfidence inflamed conflict rather than subduing it, and the 7th Cavalry were wiped out at the Battle of the Little Bighorn. The West was actually won by the settlers, ranchers, miners, and railroad barons who were able to convert the wealth of the territory itself into the means of holding it. They laid the groundwork that made the 20th century the American Century and delivered freedom to millions of people in Europe and Asia. Of course, they also trampled the indigenous people of the American West in their wake—but empty space comes with no such bloody cost. The very emptiness and wealth of this new, if not quite final, frontier, however, means that competition for resources and strategic locations in cislunar space (between the Earth and moon) will be intense over the next two decades. The outcome of this competition will determine the fate of humanity in the next century. China’s impending dominance will neutralize U.S. geopolitical power by allowing Beijing to control global information flows from the high ground of space. Imagine a school in Bolivia or a farmer in Kenya choosing between paying for a U.S. satellite internet or image provider or receiving those services for free as a “gift of the Chinese people.” It will be of little concern to global consumers that the news they receive is slanted or that searches for “free speech” link to articles about corruption in Western democracies. Nor will they care if concentration camps in Tibet and the Uighur areas of western China are obscured, or if U.S. military action is presented as tyranny and Chinese expansion is described as peacekeeping or liberation. China’s aggressive investment in space solar power will allow it to provide cheap, clean power to the world, displacing U.S. energy firms while placing a second yoke around the developing world. Significantly, such orbital power stations have dual use potential and, if properly designed, could serve as powerful offensive weapons platforms. China’s first step in this process is to conquer the growing small space launch market. Beijing is providing nominally commercial firms with government-manufactured, mobile intercontinental ballistic missiles they can use to dump launch services on the market below cost. These start-ups are already [undercutting](https://foreignpolicy.com/2019/04/02/beijing-is-taking-the-final-frontier-space-china/) U.S. pricing by 80 percent. Based on its previous success in using dumping to take out U.S. developed industries such as solar power modules and drones, China will quickly move upstream to attack the leading U.S. launch providers and secure a global commercial monopoly. Owning the launch market will give them an unsurmountable advantage against U.S. competitors in satellite internet, imaging, and power. The United States can still build a strategy to win. At this moment, it holds the competitive advantage in every critical space technology and has the finest set of commercial space firms in the world. It has pockets of innovative military thinkers within groups like the [Defense Innovation Unit](https://www.diu.mil/news-events), under Mike Griffin, the Pentagon’s top research and development official. If the United States simply protects the intellectual property its creative minds unleash and defend its truly free markets from strategic mercantilist attack, it will not lose this new space race. The United States has done this before. It beat Germany to the nuclear bomb, it beat the Soviet Union to the nuclear triad, and it won the first space race. None of those victories was achieved by embracing the existing bureaucracy. Each of them depended on the president of the day following the only proven path to victory in a technological domain: establish a small team with a positively disruptive mindset and empower that team to investigate a wide range of new concepts, work with emerging technologies, and test innovative strategies. Today that means giving a dedicated Space Force the freedom to easily partner with commercial firms and leverage the private capital in building sustainable infrastructure that actually reduces the likelihood of conflict while securing a better economic future for the nation and the world.

#### Turn: the US leaving brings a power vacuum — accelerates both of their impacts. Since their aff is only about ­domestic antitrust laws, Russia and China will take the opportunity to increase space tech – means less space coop.

#### US public sector can’t develop tech— too busy worrying about developing space weapon intersection programs instead of climate change tech bc Russia and China are weaponizing outer space

### Extra

### Tech Impact Turn

#### c/a Thiessen

#### Turn - private space exploration is key to solve all of the aff’s impacts. Rumende 21:

Thevnin Rumende {mechanical engineering junior and Community Voices columnist, }, 21 - ("Opinion: Critics are overlooking the technological benefits of the billionaire space race," Shorthorn, 9-14-2021, https://www.theshorthorn.com/opinion/opinion-critics-are-overlooking-the-technological-benefits-of-the-billionaire-space-race/article\_4cd73e2e-1512-11ec-874b-bb7e3009729b.html)//marlborough-wr/

There has been no shortage of opinion surrounding what has been derisively dubbed by some as the “pointless billionaire space race.” Pundits have not hesitated to express their ire toward what they view as a new pet project for billionaires. Despite the controversy that accompanies the uber-wealthy’s interest in the private space industry, this development and its effects deserve to be treated with more nuance. When discussing the topic of billionaires in space, the hatred and distrust toward these individuals often trumps any positive technological advancements their companies have achieved on the path to civilian space flight. Simply labeling their endeavors in commercial space flight “a rich person’s ‘joyride’” undercuts the sheer immensity of safely ferrying a person to and from the edge of space, and in the case of SpaceX, a private space manufacturer, having docked and undocked with the international space station in low-Earth orbit. While viewing the success of the current era of space transportation, one might overlook the fact that of the 355 astronauts who flew aboard NASA’s space shuttles from 1981 to 2011, 14 were killed. Simply put, many things can and have gone wrong when attempting to enter space, and any step taken closer to a safer launch system benefits all of humanity. However, for some people, they view the contest of private space companies as “a tragically wasteful ego contest,” a distraction from more pressing issues such as proliferating climate catastrophes, inequality, lack of health care and insufficient housing. This view is shortsighted as it fails to recognize the key role space is already playing in combating a host of the aforementioned crises. According to the World Economic Forum, space technology is helping end hunger by imaging vast swathes of agricultural land and by helping produce agricultural indexes, along with ensuring people access to clean water through the monitoring of reservoirs via satellite images. Cheaper and more efficient space launch systems mean deploying even more satellites to help better address these problems. The microgravity environment of space could potentially allow the fabrication of human organs using a 3D bioprinter. With the demand for yearly organ transplants dwarfing the supply, manufacturing organs in space would help address the overwhelming needs of medical patients. The most common contention leveled against these “space billionaires” is that the wealth they accumulate through their endeavors will only serve to enrich them, widening the gap between the haves and the have nots. While these concerns are natural, they often overlook technology’s profound ability to democratize knowledge and reshape society for the better. The private space industry has already significantly reduced the capital investment necessary to embark on projects such as internet satellite constellations. Satellite internet providers have long promised the ability to provide secure internet connectivity to the remaining 3.7 billion unconnected people on the earth, but only now is it attainable. With current technology, nearly a third of the human population could access secure financial accounts and the vast library of human knowledge, once restricted to more developed nations, in under a decade. The significance of these two effects alone toward the advancement of humanity, which could be further advanced through private interests in space, would be incalculable. Like the creation of the internet and the opening of the western frontier in the U.S., the impact that the opening of space will have on the course of humanity is unforeseeable. But the impact is sure to be monumental. We shouldn’t let our distaste of certain billionaires cloud our view of the path that lies ahead. Just as the robber barons of yesteryear played a large role in shaping the nation but are now long forgotten, so too will Jeff Bezos, Elon Musk and Sir Richard Branson.

#### Competition in space increases cooperation and decreases conflict.

Cobb 20 [Whitman, Cobb, Wendy N.. Privatizing Peace : How Commerce Can Reduce Conflict in Space, Taylor & Francis Group, 2020. ProQuest Ebook Central, <http://ebookcentral.proquest.com/lib/marlboroughschool-ebooks/detail.action?docID=6228909>.] CT

The value of competition

As noted in the first chapter, a subsidiary argument offered here is that, even if a space race should break out, military or civilian in nature, competition is not necessarily a bad thing. Much of the technological development noted previously that arose from space investment came at the height of the space race as both the US and the USSR were pouring billions of dollars into a race to the moon. The race itself had a civilian face with a military undertone, but its benefits were on the whole, positive. No overt military conflict arose, there was a significant investment in research, development, and technology, and the two space powers realized that they needed some sort of international framework to preserve their ability to operate in space. Both of these elements continue to be present today.

First, the increased threat of conflict in space could, coming as it does with an increased number of public and private actors and a greater economic threat, impress upon space participants the need to reign in dangerous actions and rhetoric. While it took an atmospheric nuclear test on the part of the Soviets to encourage both the US and USSR to come to the table in the 1960s, increasing awareness of economic and military dependence and the consequences arising from conflict in space could increase the enthusiasm to pursue new international agreements. For its part, the US military increasingly recognizes the dangers and the need to mitigate them, however, mitigation efforts have largely concentrated on offensive rather than defensive capabilities. 59 A focus on offensive weapons can only aggravate the situation and there are still significant technological hurdles in developing on-orbit offensive weapons. As such, a move away from such rhetoric, like Johnson-Freese argues for, is necessary.

Competition can also increase technological capabilities and those technological capabilities can in turn enable cooperation. 60 China is a case in point. In the 1990s and early 2000s when they were beginning to restart a human spaceflight program, Chinese officials often stated their desire to work with other powers in space, particularly the United States. China did in fact forge ties with other countries via space, in particular Brazil. However, as Chinese spaceflight technology advanced, the rhetoric of cooperation was pulled back some over a desire to enter into a partnership on equal footing. Once the Chinese could establish their abilities in space, they would be able to cooperate with potential partners as an equal, rather than junior, partner. 61

As more countries develop space technologies, the ability to help one another out also increases. The Agreement on the Rescue of Astronauts obligates signatories to “take all possible steps to rescue and assist astronauts in distress and promptly return them to the launching state.” 62 More states with the ability to conduct crewed operations in space will only facilitate this type of help and cooperation. While fictional, this is just the type of scenario that played out in the book (and later movie) The Martian . When a supply rocket blows up on launch, NASA turns to China for a replacement that enables a Mars crew to return to Mars to rescue a stranded astronaut. These types of cooperative activities can in turn foster greater cooperation in areas other than space and science. In fact, one of the causal mechanisms through which the economic peace is hypothesized to act is via increased connections between people and private actors which can foster communication and mutual trust. 63 Similarly, sociological liberalism embraces the importance of links among people to create more peaceful global relations. 64 As greater cooperation emerges in space, it can spill over into other areas of interstate relations.

To return to the discussion of space as a global commons, the increased competition and potentially increased cooperation could lead to the type of situation that Ostrom finds powerful in fostering collective action. Increased ties, diplomatically and/or economically, can reduce the costs of engaging in collective action. Historically, space itself has been used to monitor and verify international agreements, thereby lowering the information costs for participants. The openness of space and the vulnerability of space infrastructure makes it an arena that is easily monitored; it takes a fairly low level of technology to track satellites in their orbits. States can provide the means through which private actors are coordinated and norms enforced. Private actors, given their increasing role in the commercial and military aspects of space can also be empowered and lend considerable weight to the discussions. Thus, while the commercial space peace theory presented here may seem rather pessimistic about the possibility of cooperation among states, it can also be seen as an optimistic vision where increased economic ties between space and among actors, state and non-state alike, bring countries to the negotiating table and create the conditions needed to ensure collective action.

The remainder of this book will take up various aspects related to this argument. The next chapter examines military and geopolitical considerations in space conflict while Chapter 6 discusses the various actors involved. Chapter 6, in particular, focuses on the new non-state actors that are driving significant change in earth’s relationship to space. Finally, Chapter 7 looks at the possibility of space races in the future given this new space environment with its proliferation of players. It ends with several policy suggestions that could be pursued to reduce the level of tension among space powers and create a scenario that recognizes both the dangers and promises of space.