# Theory

#### Interpretation: Debaters must disclose tournaments on the page with their name and school on the 2021-2022 NDCA LD wiki with the actual name of the tournament on Tabroom.

#### Violation – they disclose tournaments as “Churchill,” “Harvard,” and “UNLV” when these are not tournaments on Tabroom – see screenshot.

Graphical user interface, application, table

Description automatically generated

#### Inclusion – a) norms are determined by consensus – small schools w/o access to large tournaments, camps, etc. aren't exposed to circuit expressions – same ideology that insists “formal” communication on Black students, as larger institutions set paradigm for how everyone must speak to research, or in this case, respond to wikis. b) Strat ed – small schoolers and novices need to know which positions win and in what situation; knowing tourney names is needed to look at results. It’s a voter – a) inclusion is a prereq to debate, b) exclusion is discriminatory against people with less money and resources.

#### Paradigm issues:

#### DTD because there’s no other way to deter abuse on disclosure

#### No RVIs – a) illogical – you don’t win for being fair, and logic is a meta-constraint, b) good theory debaters will bait theory to win on the RVI, which causes abuse, c) chilling effect – makes debaters scared to call out real abuse because they’ll be out-teched on the RVI.

#### Competing interps – a) reasonability is arbitrary and requires judge intervention, b) collapses because brightlines concede an offense-defense paradigm, c) only CI sets norms for the voter instead of deciding rounds case-by-case, d) reasonability’s a race to the bottom where we never set better norms, e) better for skill-building because you think on your feet instead of making theory awash with defense.

# AC

## Truth Testing

**The role of the ballot is to determine the truth or falsity of the resolution.**

**[1] Linguistics – five dictionaries[[1]](#footnote-1) define to negate as to deny the truth of and affirm[[2]](#footnote-2) as to prove true. That outweighs – a) Controls the internal link to predictability and prep which is key for clash and substantive education b) Key to substantive jurisdiction since the judge can only endorse what is within their burden.**

#### [2] Every statement is a question of truth – for example, saying “I am tired” is the same as saying, “it is true that I am tired.” That means other ROTBs collapse to truth testing.

## Advocacy

#### I affirm, resolved: The appropriation of outer space by private entities is unjust.

#### Appropriation:

Merriam Webster No Date Merriam Webster, dictionary, "Definition of APPROPRIATION,” no date, Merriam Webster, accessed 26 December 2021, pg. 1, https://www.merriam-webster.com/dictionary/appropriation

an act or instance of appropriating something

#### **And to appropriate:**

Merriam Webster No Date Merriam Webster, dictionary, "Definition of APPROPRIATE,” no date, Merriam Webster, accessed 26 December 2021, pg. 1, https://www.merriam-webster.com/dictionary/appropriate

to take exclusive possession of

#### Outer space:

Oxford Languages No Date Oxford Languages, dictionary, “outer space,” no date, Google, accessed 27 December 2021, pg. 1, <https://www.google.com/search?q=define+outer+space&rlz=1C1CHBF_enUS909US909&oq=define+outer+space&aqs=chrome.0.69i59j0i22i30l6j0i390l3.1588j0j7&sourceid=chrome&ie=UTF-8>

the physical universe beyond the earth's atmosphere.

## Framework

#### First, the value is justice as per the resolution.

Miller 17 David Miller, Professor of Political Theory and Senior Research Fellow at the University of Oxford, "Justice," 26 June 2017, Stanford Encyclopedia of Philosophy, accessed 26 December 2021, pg. 1, <https://plato.stanford.edu/entries/justice/#UtilJust> ~ST~ brackets for gender

‘Justice’ has sometimes been used in a way that makes it virtually indistinguishable from rightness in general. Aristotle, for example, distinguished between ‘universal’ justice that corresponded to ‘virtue as a whole’ and ‘particular’ justice which had a narrower scope (Aristotle, Nicomachean Ethics, Book V, chs. 1–2). The wide sense may have been more evident in classical Greek than in modern English. But Aristotle also noted that when justice was identified with ‘complete virtue’, this was always ‘in relation to another person’. In other words, if justice is to be identified with morality as such, it must be morality in the sense of ‘what we owe to each other’ (see Scanlon 1998). But it is anyway questionable whether justice should be understood so widely. At the level of individual ethics, justice is often contrasted with charity on the one hand, and mercy on the other, and these too are other-regarding virtues. At the level of public policy, reasons of justice are distinct from, and often compete with, reasons of other kinds, for example economic efficiency or environmental value.

As this article will endeavour to show, justice takes on different meanings in different practical contexts, and to understand it fully we have to grapple with this diversity. But it is nevertheless worth asking whether we find a core concept that runs through all these various uses, or whether it is better regarded as a family resemblance idea according to which different combinations of features are expected to appear on each occasion of use. The most plausible candidate for a core definition comes from the Institutes of Justinian, a codification of Roman Law from the sixth century AD, where justice is defined as ‘the constant and perpetual will to render to each ~~his~~ [their] due’. This is of course quite abstract until further specified, but it does throw light upon four important aspects of justice.

#### There are 2 necessary distinctions made by Miller, the subsets of which are requirements of justice:

#### [1] Conservative and ideal – what agents are due given practices in the squo vs. what agents would be due with the establishment of an ideal standard.

#### [2] Procedural and substantive – the method in which dues are allocated vs. the results of the allocation.

#### These are all relevant features constitutive to just action – they coexist without contradiction.

#### Now, on the standard.

**The metaethic is non-naturalism.**

**[1] Is-ought gap – we only perceive what is, not what ought to be. We can’t derive prescriptive obligation from descriptive premises.**

**[2] Transcendental idealism – we see our representations of reality – only a priori knowledge is a lane to truth. If we remove the subject, constitution would disappear as objects exist only in us and are unknown abstracted from sensibility.**

**Next, ethics must begin with practical reason.**

**[1] Action theory – action is infinitely divisible. For example, the action of brewing tea could be broken into many small actions. The actions can’t be moral or immoral since it would be infinitely divisible, but intention to brew tea unifies action.**

**[2] Epistemology – all arguments appeal to reason; otherwise, they are baseless, so reason is a constraint on evaluating their arguments.**

**[3] Infinite regress – we can always ask “why should I follow this framework,” leading to infinite regress, but asking for a reason for reason concedes its authority.**

**That entails universal maxims because of non-contradiction – there is no world in which p and ~p are both true. Acting recognizes the validity of others to take the action, which makes universal maxims a logical side constraint to other frameworks.**

**Thus, the standard is consistency with universal maxims.**

**Prefer additionally:**

**[1] Performativity – freedom is key to argumentation. Abiding by their ethical theory presupposes we own ourselves, making it incoherent to justify a standard without first willing ours.**

**[2] Only Korsgaard applies to justice.**

Miller 17 David Miller, Professor of Political Theory and Senior Research Fellow at the University of Oxford, "Justice," 26 June 2017, Stanford Encyclopedia of Philosophy, accessed 26 December 2021, pg. 1, <https://plato.stanford.edu/entries/justice/#UtilJust> ~ST~

The third aspect of justice to which Justinian’s definition draws our attention is the connection between justice and the impartial and consistent application of rules – that is what the ‘constant and perpetual will’ part of the definition conveys. Justice is the opposite of arbitrariness. It requires that where two cases are relevantly alike, they should be treated in the same way (We discuss below the special case of justice and lotteries). Following a rule that specifies what is due to a person who has features X, Y, Z whenever such a person is encountered ensures this. And although the rule need not be unchangeable – perpetual in the literal sense – it must be relatively stable. This explains why justice is exemplified in the rule of law, where laws are understood as general rules impartially applied over time. Outside of the law itself, individuals and institutions that want to behave justly must mimic the law in certain ways (for instance, gathering reliable information about individual claimants, allowing for appeals against decisions).

**[3] Other frameworks collapse – they contain conditional obligations which derive authority from the categorical imperative.**

Korsgaard 96 Christine M. Korsgaard, professor of philosophy at Harvard University, introduction to “Groundwork of the Metaphysics of Morals,” 1996, Cambridge University Press, accessed 6 September 2021 pg. xvii-xviii, https://cpb-us-w2.wpmucdn.com/blog.nus.edu.sg/dist/c/1868/files/2012/12/Kant-Groundwork-ng0pby.pdf AG recut

This is the sort of thing that makes even practiced readers of Kant gnash their teeth. A rough translation might go like this: the categorical imperative is a law, to which our maxims must conform. But the reason they must do so cannot be that there is some further condition they must meet, or some other law to which they must conform. For instance, **suppose someone proposed that one must keep one's promises because it is the will of God that one should do so - the law would then "contain the condition" that our maxims should conform to the will of God**. This would yield only a conditional requirement to keep one's promises — if you would obey the will of God, then you must keep your promises - whereas the categorical imperative must give us an unconditional requirement. Since there can be no such condition, all that remains is that the categorical imperative should tell us that our maxims themselves must be laws - that is, that they must be universal, that being the characteristic of laws. There is a simpler way to make this point. What could make it true that we must keep our promises because it is the will of God? **That would be true only if it were true that we must indeed obey the will of God, that is, if "obey the will of God" were itself a categorical imperative. Conditional requirements give rise to a regress; if there are unconditional requirements, we must at some point arrive at principles on which we are required to act, not because we are commanded to do so by some yet higher law, but because they are laws in themselves. The categorical imperative, in the most general sense, tells us to act on those principles**, principles which are themselves laws. Kant continues:

#### [4] Resource disparities – focus on evidence puts small school debaters without huge files at a disadvantage, but my framework can be won without prep, which means it’s theoretically preferable.

## Offense

#### [1] Private entities are bound by the Outer Space Treaty, which bans appropriation.

Van Eijk 20 Cristian Van Eijk, BA cum laude in International Justice and an LLM in Public International Law from Leiden University, “Sorry, Elon: Mars is not a legal vacuum – and it’s not yours, either,” 11 May 2020, Völkerrechtsblog, accessed 27 December 2021, Pg. 1, [https://voelkerrechtsblog.org/sorry-elon-mars-is-not-a-legal-vacuum-and-its-not-yours-either](https://voelkerrechtsblog.org/sorry-elon-mars-is-not-a-legal-vacuum-and-its-not-yours-either%20) TDI recut

OST article II: “Outer space, including the moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.”

OST article III: “States… shall carry on activities in the exploration and use of outer space, including (…) celestial bodies, in accordance with international law”.

SpaceX is a private entity, and is not bound by the Outer Space Treaty – but that does not mean it can opt out. Its actions in space could have consequences for the United States in three ways. First, the US, as SpaceX’s launch state, bears fault-based liability for injury or damage SpaceX’s space objects cause to other states’ persons or property (OST article VII, Liability Convention articles I, III). Second, the US, as SpaceX’s state of registry, is the sole state that retains jurisdiction and control over SpaceX objects (OST article VIII, Registration Convention article II). Both refer to objects in space and are irrelevant.

According to article VI OST, States “bear international responsibility for national activities in outer space”, including Mars, including those by “non-governmental entities”. The US, as SpaceX’s state of incorporation, must authorise and continuously supervise SpaceX’s actions in space to ensure compliance with the OST (OST article VI) and international law (OST article III). In practice, this task is done by the US Federal Communications Commission, which licenses and regulates SpaceX.

Article VI OST sets a specific rule of attribution, supplementing the customary rules of state responsibility (Stubbe 2017, pp. 85-104). SpaceX acts with US authorisation, and its conduct in space within and beyond that authorisation is attributable to the US (ARSIWA articles 5, 7). In the absence of circumstances precluding wrongfulness, the result is straightforward. If SpaceX breaches a US obligation under international law, the US bears responsibility for an internationally wrongful act.

The principle of non-appropriation

SpaceX risks breaching OST article II, the “cardinal rule” of space law (Tronchetti, 2007). This principle is a jus cogens norm (Hobe et al. 2009, pp. 255-6) establishing Mars as res communis, rather than terra nullius. I must acknowledge, with tongue firmly in cheek, that SpaceX is partly correct – states have no sovereignty on Mars. But that does not leave Mars a “free planet” up for grabs – SpaceX has no sovereignty either.

On plain reading, article II OST lacks clarity on two key points: i) whose claims are prohibited, and ii) what exactly constitutes a ‘claim of sovereignty’. The first has been answered; per the then-customary interpretative rules and travaux préparatoires, there is quite broad academic consensus (Hobe, et al. 2017; Tronchetti, 2007; Pershing, 2019; Cheney, 2009) that sovereign claims include those by private entities. This is consistent with OST article VI; private entities act in space with state authorisation, and thus state authority. It also accords with the law of state responsibility, wherein conduct of entities exercising state authority is attributable to the state, even if ultra vires (ARSIWA articles 5, 7).

The second issue is more complex. Much has been written on whether claims to space resources or space property (Nemitz v United States) are sovereign. In this case, the territorial claim is less clear; is establishing a jurisdiction a sovereign claim “by other means”? SpaceX purports not to create law horizontally via contract, but to establish the only law on Mars – a vertical structure endemic to sovereign legal orders. International caselaw on territorial acquisition agrees; sovereign acts include “legislative, administrative and quasi-judicial acts” (Case concerning sovereignty over Pulau Ligitan and Pulau Sipadan (Indonesia v. Malaysia), para 148; Decision regarding delimitation of the border between Eritrea and Ethiopia, para. 3.29) with the exercise of jurisdiction and local administration having “particular, probative value” (Minquiers and Ecrehos (France v. UK), p. 22). Also relevant are attempts to exclude other states’ jurisdiction (Island of Palmas (USA v. Netherlands), pp. 838-9). An attempt by SpaceX to prescribe its own jurisdiction on Mars would constitute a sovereign claim in breach of OST article II, and entail US responsibility for an internationally wrongful act.

#### Violating contracts is promise breaking – universalizing would be self-contradictory by defeating the purpose of a promise.

#### [2] Intelligible possession cannot be justified because empirical possession is sufficient. For clarification, intelligible possession is exclusion of others’ usage even absent the current use of the owner, and empirical, or narrow, possession is exclusion only when the owner is using it.

Westphal 97 Kenneth R. Westphal, Professor of Philosophy at Boðaziçi Üniversitesi, PhD in Philosophy from Wisco, “Do Kant’s Principles Justify Property or Usufruct?,” 1997, Jahrbuch für Recht und Ethik 5, accessed 28 December 2021, Pg. 144-160, <https://www.jstor.org/stable/43593592> RE recut

The compatibility of possession with the freedom of everyone according to universal laws is not a trivial assumption even for the case of detention or “empirical” possession. Under conditions of extreme scarcity, anyone’s use of some vital thing precludes someone else’s equally vital use of that thing or of anything of its kind (given the condition of extreme relative scarcity). This is not quite to agree with Hume, that conditions of justice exclude both extreme scarcity and superabundance.32 But it is to recognize that he came close to an important insight: legitimate action requires sufficient abundance so that one person’s use (benefit) is not (at least not directly) someone else’s vital injury (deprivation). This is not merely to say that property is psychologically impossible in extreme scarcity because no one could respect it (per Hume); the point is that possession and perhaps even use are not, at least not obviously, legitimate under such conditions. (How Kant would propose to resolve the conflicting grounds of obligation in such circumstances, the duty to self-preservation versus the duty not to harm others’ life or liberty, I do not understand.)

The assumption that possession is compatible with the freedom of everyone according to universal laws [5] is even less trivial for the case of “intelligible” or “noumenal” possession, that is, possession without physical detention. The compatibility of intelligible possession with the freedom of everyone according to universal laws requires both sufficient resources so that the free use of something by one person is not as such the infringement of like freedom of another, and it requires that mere empirical or physical possession does not suffice to secure the innate right to freedom of overt (äußere) action. If physical possession did suffice to secure the innate right to overt action, Kant’s main ground of proof would entail no conclusion stronger than that rights of physical possession (detention) are legitimate. Furthermore, by assuming that noumenal possession is compatible with the freedom of everyone according to universal laws [5], Kant assumes rather than proves that possession without detention is permissible. However, this is precisely the point that needs to be proven! This issue remains central throughout the remainder of §2 and is addressed again in §3 below.

2.2.6 The previous section raises a very serious question about Kant’s justification of intelligible rights to possess and use (possessio). The questions about Kant’s supposed justification of property rights, the possibility of having things as one’s own (Eigentum, dominium), are even more acute. To derive such strong rights from Kant’s argument requires at least one of three assumptions. The first assumption would be that the sole relevant condition of use is proprietary ownership of things (cf. RL §1 ¶1); this assumption requires interpreting “Besitz” broadly. The second assumption would involve conflating the ownership of a right – viz., a right to use – with a right to property ownership. However, the legitimacy of neither of these assumptions is demonstrated by Kant’s argument in RL §2. Or it may be assumed, third, that Kant’s argument in §2 aims to prove, not merely rights to possession, but rights to property, insofar as it aims to prove a right to “arbitrary” (beliebigen) use, that is, the right to do whatever one pleases with something ([10]; cf. RL §7, 253.25–27), where this can include any of the rights involved in the further incidents of proprietary ownership. Reading Kant’s text in this way assimilates possessio to dominium by stressing Kant’s term “beliebigen”. So far as Kant’s literal statement is concerned, it is equally plausible to stress Kant’s term “Gebrauch” (use), which would restrict Kant’s argument to justifying possessio. Kant’s reductio ad absurdum argument assumes the contrapositive thesis that [it is not] altogether ... rightly in my power, i.e. it [is] not ... compatible with the freedom of everyone according to a universal law ([it is] wrong), to make use of [something which is physically within my power to use]. ([2], [1])

His argument then purports to derive a contradiction from this assumption. From this contradiction follows the negation of this assumption by disjunctive syllogism. Strictly speaking, what Kant’s argument (at best) proves is that it is indeed rightful to make use of things which in principle are within one’s power, provided (“obgleich ...”) that one ’s use is compatible with the freedom of everyone in accord with a universal law [5]. As mentioned, Kant’s argument assumes rather than proves that this assumption is correct. Kant must prove that this assumption is correct in order to prove his conclusion. This requires showing that possession and use of things (in their narrow, strict senses) is consistent with the freedom of everyone in accord with universal laws. That would justify rights to possessio. To justify the stronger rights to dominium requires showing that holding things in accord with the rights involved in the further incidents of property ownership is also consistent with the freedom of everyone in accord with universal laws. Because the rights involved in property ownership are not analytically, indeed are not necessarily, related, justifying dominium requires separate justification of each component right. But it also requires more than this. Insofar as these rights are supposed to be proven as a matter of natural right, these further rights cannot be instituted solely by convention. However, there are alternative packages of rights, both for kinds of property as well as for various weaker sets of rights to use, any of which can be formulated in ways that are consistent with the like freedom of everyone according to universal laws. Consequently, merely demonstrating the consistency of one or another of these sets of rights with the freedom of everyone according to universal laws suffices only to justify the permissibility of that set of rights.

It does not suffice to justify the obligation to respect that set of rights instead of any other such set of rights. This is to say, once alternative sets of rights are possible or permissible because they meet the sine qua non of consistency with the like freedom of everyone according to universal laws [5], Kant’s natural law grounds of proof do not suffice to justify an obligation to respect one particular set of rights among the range of possible, permissible alternatives. Consequently, interpreting Kant’s statement [10] by stressing “beliebigen”, using it to specify the scope of “Gebrauch”, can only lead to fallacious, question-begging interpretations of Kant’s argument. Consequently, it is strongly preferable to interpret Kant’s statement by stressing “Gebrauch”, and using it in its strict, narrow sense to specify the scope of “beliebigen”. (This parallels the case for interpreting “Besitz” narrowly instead of broadly.)

In sum, to use something legitimately it suffices to have a right to use it. That, in brief, is “possession” strictly speaking; in the narrow sense of the term, “possession” involves only the right of a qualified chose in possession. Since this condition suffices to fulfill the condition specified by Kant’s reductio argument, no stronger condition follows from Kant’s argument. One can have or “own” a right to use something without, of course, having property in that thing. Recall Honoré’s point that possession involves two claims: being in exclusive control and remaining in control by being free of unpermitted interference of others. Insofar as possession persists despite subsequent and continuing disuse, Kant’s proof does not demonstrate even a narrow right to possession. (This is why I speak of qualified choses in possession; one key qualification justified by Kant’s argument is that one’s right to use persists only so long as one’s legitimate need to use and regular use continue.) Moreover, aside from the prohibition on harmful use, Kant’s argument does not even address the other incidents of property ownership. If Kant’s primary assumption [5] can be justified, then Kant’s proof demonstrates at most three important conclusions: one has the right to use things one currently detains, one has the right to use any usable thing not previously (and hence currently) detained by others (provided one’s use does not infringe the like freedom of others), and one has the right to continue to use things so long as one’s need to use them and actions of using them continue. These are not trivial theses! However, because it does not prove the indefinite duration of possession, in the narrow sense, Kant’s proof of the (first version of the) Postulate of Practical Reason regarding Right is unsound. Kant’s further considerations in RL §6 suffer analogous weaknesses (see §§2.4f.).

#### [3] The rightful condition does not exist in space because the omnilateral will is unable to hinder a hinderance.

Rauscher 07 Frederick Rauscher, Professor of Philosophy at Michigan State University, "Kant’s Social and Political,” 24 July 2007, Stanford Encyclopedia of Philosophy, accessed 28 December 2021, Pg. 1, <https://plato.stanford.edu/entries/kant-social-political/> ~ST~

The very existence of a state might seem to some as a limitation of freedom, since a state possesses power to control the external freedom of individual citizens through force. This is the basic claim of anarchism. Kant holds in contrast that the state is not an impediment to freedom but is the means for freedom. State action that is a hindrance to freedom can, when properly directed, support and maintain freedom if the state action is aimed at hindering actions that themselves would hinder the freedom of others. Given a subject’s action that would limit the freedom of another subject, the state may hinder the first subject to defend the second by “hindering a hindrance to freedom”. Such state coercion is compatible with the maximal freedom demanded in the principle of right because it does not reduce freedom but instead provides the necessary background conditions needed to secure freedom. The amount of freedom lost by the first subject through direct state coercion is equal to the amount gained by the second subject through lifting the hindrance to actions. State action sustains the maximal amount of freedom consistent with identical freedom for all without reducing it.

#### Appropriation is unjust without the rightful condition.

Williams 77 Howard Williams, Professor of Law and Politics at Cardiff University, “Kant’s Concept of Property,” 1977, Oxford University Press, accessed 29 December 2021, Pg. 33-34, <https://www.jstor.org/stable/2218926> ~ST~ brackets for clarity

Kant is making a sound point here. In saying that property is noumenal what he means is that it is not a fact accessible to empirical discovery. This is sound because the proposition that this is mine cannot be established in the same way as the proposition that this is green. Empirical observation, however systematic, would do little to clear up the problem. Kant perhaps senses here that property is not an object, but an institution which depends for its functioning on the observance of a certain system of rules. An individual cannot of himself establish a right to a thing, because a right consists of the public recognition of an existing or desired future state of affairs. Rights, and in particular property rights, must hold for others as well as oneself, or else they are not rights. Kant is remarkably clear on this point. Unfortunately, however, it is a point which he does not pursue at any length as he is more concerned to show how noumenal possession is possible than he is to discover in what it consists.

Now if such a proposition permitting noumenal possession were possible, Kant argues, taking possession of a certain part of the earth’s surface would be an act of arbitrary will (Willkur) without being an usurpation. The possessor would base[d] his act, Kant argues, on our innate common possession of the earth’s surface and on the a priori General Will corresponding to that common possession (359/57) permitting private property. But although this meant that the use of the earth would be open to all (without distinction) it did not mean that it had been so from nature or originally. It is Kant’s view, therefore, that private ownership cannot be free of, or prior to, all legal acts.

## Advantage

#### Space exploration is a shared goal – privatization threatens US-Russia relations.

CSIS 18 Center for Strategic and International Studies, Policy Think Tank., "Space for Cooperation?," 21 August 2018, CSIS, accessed 4 January 2022, Pg. 1, <https://www.csis.org/blogs/post-soviet-post/space-cooperation> TDI

U.S.-Russian space cooperation continues to be a stated mutual goal. In April 2018, President Putin said of space, “Thank God, this field of activity is not being influenced by problems in politics. Therefore, I hope that everything will develop, since it is in the interests of everyone…This is a sphere that unites people. I hope it will continue to be this way.” During his statement at a recent event at CSIS, NASA Administrator Jim Bridenstine said, “[space] is our best opportunity to dialogue when everything else falls apart. We’ve got American astronauts and Russian cosmonauts dependent on each other on the International Space Station, which enables us to ultimately maintain that dialogue.” The U.S. and Russia both benefit from the ISS partnership. Russia provides transportation to the ISS for U.S. astronauts, from which Russia receives an average of $81 million per seat on the Soyuz (and recognition of its status as a space power). The U.S. also benefits from Russia’s technical contributions to the ISS while Russia benefits The U.S. and Russia signed a joint statement in 2017 in support of the idea of collaborating on deep space exploration, including the construction of the Lunar Orbital Platform-Gateway, a research-focused space station orbiting the moon. Through agreements on civilian space exploration, such as the Lunar Orbital Platform-Gateway or future Mars projects, that have clear benefits to both sides, some degree of cooperation will remain in both countries’ interest. The high price tag for pursuing space exploration alone and opportunities for sharing and receiving technical expertise encourages international partnerships like the ISS.

However, at least three factors, apart from the overall deterioration of U.S.-Russia relations, threaten this cooperation. First, growth of the private sector space industry may alter the economic arrangement between the U.S. and Russia, and ultimately lower the benefits of cooperation to both countries. The development of advanced technologies by private companies will give NASA new options to choose from and reduce the need to depend on (and negotiate with) Russia. If NASA and its Russian counterpart, Roskosmos, have no need to talk with one another, they probably won’t in the face of tense political relations. The U.S. intends to use Boeing and SpaceX capsules for human spaceflight beginning in 2020, and a Congressional plan in 2016 set a phase out date of Russian RD-180 rocket engines by 2022.

#### Ukraine puts us on the brink of war – private appropriation is the scapegoat.

Detsch and Gramer 22 Jack Detsch, Pentagon and national security reporter at Foreign Policy, and Robbie Gramer, diplomacy and national security reporter at Foreign Policy, "White House Warns Russian Invasion of Ukraine Could be Imminent," 11 February 2022, Foreign Policy, accessed 11 February 2022, Pg. 1, <https://foreignpolicy.com/2022/02/11/russia-invasion-ukraine-imminent-white-house/> ~ST~

While National Security Advisor Jake Sullivan said that current U.S. intelligence did not indicate that Russian President Vladimir Putin had made the decision to invade—as some outlets reported earlier—he echoed public warnings from top administration officials that a further Russian invasion of Ukraine could begin any day now.

“Russia has all the forces it needs to conduct a major military action,” Sullivan told reporters from the White House podium on Friday. “Russia could choose in very short order to commence a major military action against Ukraine.”

Meanwhile, the United States has continued to take precautionary measures and has urged U.S. citizens who are still in Ukraine to leave immediately. Sullivan said that the Biden administration had instructed diplomats to continue to reduce the footprint of the U.S. Embassy in Kyiv. Some—but not all—U.S. allies have followed suit, based on intelligence assessments that Sullivan would not elaborate on in his briefing. The British Foreign Office issued a new alert on Friday advising all British nationals left in the country to leave “immediately.” Israel also is evacuating its embassy staff and diplomats’ families, and the European Union has encouraged nonessential diplomats to leave.

“We want to be crystal clear on this point: Any American in Ukraine should leave as soon as possible, and in any event, in the next 24 to 48 hours,” Sullivan told reporters. “No one would be able to count on air, road, or rail departures once military action got underway.” Nor would U.S. troops be going into a war zone to extract Americans who chose not to leave, Sullivan added. On Friday, the Biden administration approved the deployment of an additional 3,000 paratroopers from the 82nd Airborne Division to Poland, a senior defense official said, bringing the grand total of Pentagon deployments in the country to nearly 5,000 troops.

Sullivan said he expected that U.S. President Joe Biden would talk with Putin by telephone in the coming days. German Chancellor Olaf Scholz is set to meet Putin at the Kremlin on Tuesday. The Beijing Olympics are set to end on Feb. 20. In an ominous sign, top Russian officials have already indicated that they do not plan to attend the Munich Security Conference in Germany that starts on Feb. 18, a possible sign that Moscow sees a dead end in the diplomatic road after openly fuming at Western officials this week.

But as Foreign Policy previously reported, officials have indicated that Russia has continued to look for a pretext to launch a further invasion of Ukraine, such as a false flag operation to pin the blame on Ukrainians. Sullivan cautioned on Friday that the United States could not pinpoint the day or hour of a possible invasion.

#### That causes extinction.

Cotton-Barratt 17 Owen Cotton-Barratt, Ph.D. in Pure Mathematics from Oxford, Lecturer in Mathematics at Oxford, Research Associate at the Future of Humanity Institute, “Existential Risk: Diplomacy and Governance,” 3 February 2017, Future of Humanity Institute, accessed 4 January 2022, Pg. 7, <https://um.fi/documents/35732/48132/existential_risk_diplomacy_and_governance/6dcc5557-0a2d-709d-57a2-7e7784512115?t=1525645980997> TDI

The bombings of Hiroshima and Nagasaki demonstrated the unprecedented destructive power of nuclear weapons. However, even in an all-out nuclear war between the United States and Russia, despite horrific casualties, neither country’s population is likely to be completely destroyed by the direct effects of the blast, fire, and radiation.8 The aftermath could be much worse: the burning of flammable materials could send massive amounts of smoke into the atmosphere, which would absorb sunlight and cause sustained global cooling, severe ozone loss, and agricultural disruption – a nuclear winter.

According to one model 9, an all-out exchange of 4,000 weapons10 could lead to a drop in global temperatures of around 8°C, making it impossible to grow food for 4 to 5 years. This could leave some survivors in parts of Australia and New Zealand, but they would be in a very precarious situation and the threat of extinction from other sources would be great. An exchange on this scale is only possible between the US and Russia who have more than 90% of the world’s nuclear weapons, with stockpiles of around 4,500 warheads each, although many are not operationally deployed.11 Some models suggest that even a small regional nuclear war involving 100 nuclear weapons would produce a nuclear winter serious enough to put two billion people at risk of starvation,12 though this estimate might be pessimistic.13 Wars on this scale are unlikely to lead to outright human extinction, but this does suggest that conflicts which are around an order of magnitude larger may be likely to threaten civilisation. It should be emphasised that there is very large uncertainty about the effects of a large nuclear war on global climate. This remains an area where increased academic research work, including more detailed climate modelling and a better understanding of how survivors might be able to cope and adapt, would have high returns.

## Util Pre-Empts

#### [1] Consequences fail – a) we don’t know if an action is bad until after it happens, meaning obligations can’t be formed, b) every consequence causes another consequence – when do we evaluate “the consequence?” c) induction fails – we know induction works because it has in the past – that relies on induction and is therefore circular, d) if you’re responsible for things other than intention, ethics aren’t binding because there are infinite events over which you have no control, e) predictions fail – policymakers are worse than monkeys.

Menand 05 Louis Menand, professor of English at Harvard University, “Everybody’s An Expert,” 27 November 2005, The New Yorker, accessed 7 September 2021, <http://www.newyorker.com/magazine/2005/12/05/everybodys-an-expert//> FSU SS recut

Tetlock is a psychologist—he teaches at Berkeley—and his conclusions are based on a long-term study that he began twenty years ago. He picked two hundred and eighty-four people who made their living “commenting or offering advice on political and economic trends,” and he started asking them to assess the probability that various things would or would not come to pass, both in the areas of the world in which they specialized and in areas about which they were not expert. Would there be a nonviolent end to apartheid in South Africa? Would Gorbachev be ousted in a coup? Would the United States go to war in the Persian Gulf? Would Canada disintegrate? (Many experts believed that it would, on the ground that Quebec would succeed in seceding.) And so on. By the end of the study, in 2003, the experts had made 82,361 forecasts. Tetlock also asked questions designed to determine how they reached their judgments, how they reacted when their predictions proved to be wrong, how they evaluated new information that did not support their views, and how they assessed the probability that rival theories and predictions were accurate. Tetlock got a statistical handle on his task by putting most of the forecasting questions into a “three possible futures” form. The respondents were asked to rate the probability of three alternative outcomes: the persistence of the status quo, more of something (political freedom, [e.g.] economic growth), or less of something (repression, [e.g.] recession). And he measured his experts on two dimensions: how good they were at guessing probabilities (did all the things they said had an x per cent chance of happening happen x per cent of the time?), and how accurate they were at predicting specific outcomes. The results were unimpressive. On the first scale, the experts performed worse than they would have if they had simply assigned an equal probability to all three outcomes—if they had given each possible future a thirty-three-per-cent chance of occurring. Human beings who spend their lives studying the state of the world, in other words, are poorer forecasters than dart-throwing monkeys, who would have distributed their picks evenly over the three choices.

#### [2] No impact to extinction – even if humans go extinct, other species can take over, such as how humans succeeded dinosaurs.

#### [3] Reject util in questions of justice – three warrants.

Miller 17 David Miller, Professor of Political Theory and Senior Research Fellow at the University of Oxford, "Justice," 26 June 2017, Stanford Encyclopedia of Philosophy, accessed 26 December 2021, pg. 1, <https://plato.stanford.edu/entries/justice/#UtilJust> ~ST~ brackets for clarity

Yet despite these efforts to reconcile justice and utility, three serious obstacles still remain. The first concerns what we might call the currency of justice: justice has to do with the way that tangible benefits and burdens are assigned, and not with the happiness or unhappiness that the assignees experience. It is a matter of justice, for example, that people should be paid the right amount for the jobs that they do, but, special circumstances aside, it is no concern of justice that John derives more satisfaction from his fairly-earned income than Jane does from hers (but see Cohen 1989 for a different view). There is so to speak, a division of labour, under which rights, opportunities, and material benefits of various kinds are allocated by principles of justice, while the conversion of these into units of utility (or disutility) is the responsibility of each individual recipient (see Dworkin 2000, ch. 1). Utilitarians will therefore find it hard to explain what from their point of view seems to be the fetishistic concern of justice over how the means to happiness are distributed, rather than happiness itself.

The second obstacle is that utilitarianism judges outcomes by total[s]ling up utility levels, and has no independent concern for how that utility is distributed between persons. So even if we set aside the currency issue, utilitarian theory seems unable to capture justice’s demand that each should receive what is due to her regardless of the total amount of benefit this generates. Defenders of utilitarianism will argue that when the conduct-guiding rules are being formulated, attention will be paid to distributive questions. In particular, when resources are being distributed among people we know little about individually, there are good reasons to favour equality, since in most cases resources have diminishing marginal utility – the more of them you have, the less satisfaction you derive from additional instalments. Yet this is only a contingent matter. If some people are very adept at turning resources into well-being – they are so-called ‘utility monsters’ – then a utilitarian should support a rule that privileges them. This seems repugnant to justice. As Rawls famously put the general point, ‘each member of society is thought to have an inviolability founded on justice which….even the welfare of every one else cannot override’ (Rawls 1971, p. 28; Rawls 1999, pp. 24–25).

The third and final difficulty stems from utilitarianism’s thoroughgoing consequentialism. Rules are assessed strictly in the light of the consequences of adopting then, not in terms of their intrinsic properties. Of course, when agents follow rules, they are meant to do what the rule requires rather than to calculate consequences directly. But for a utilitarian, it is never going to be a good reason for adopting a rule that it will give people what they deserve or what they are entitled to, when desert or entitlement are created by events in the past, such as a person’s having performed a worthwhile action or entered an agreement. Backward-looking reasons have to be transmuted into forward-looking reasons in order to count. If a rule such as pacta sunt servanda (‘agreements must be kept’) is going to be adopted on utilitarian grounds, this is not because there is any inherent wrongness in defaulting on a compact one has made, but because a rule that compacts must be kept is a useful one, since it allows people to co-ordinate their behaviour knowing that their expectations about the future are likely to be met. But justice, although not always backward-looking in the sense explained, often is. What is due to a person is in many cases what they deserve for what they have done, or what they are entitled to by virtue of past transactions. So even if it were possible to construct a forward-looking rationale for having rules that closely tracked desert or entitlement as these are normally understood, the utilitarian still cannot capture the sense of justice – why it matters that people should get what is due to then – that informs our common-sense judgements.

1. <http://dictionary.com/browse/negate> (Dictionary.com, accessed 11 September 2021)

   <http://www.merriam-webster.com/dictionary/negate> (Merriam-Webster, accessed 11 September 2021)

   <http://www.thefreedictionary.com/negate> (The Free Dictionary, accessed 11 September 2021)

   <https://www.vocabulary.com/dictionary/negate> (Vocabulary.com, accessed 11 September 2021)

   <http://www.oxforddictionaries.com/definition/english/negate> (Oxford Dictionaries, accessed 11 September 2021) [↑](#footnote-ref-1)
2. <https://www.dictionary.com/browse/affirm> (Dictionary.com, accessed 11 September 2021)

   <https://www.merriam-webster.com/dictionary/affirm> (Merriam-Webster, accessed 11 September 2021)

   <http://www.thefreedictionary.com/affirm> (The Free Dictionary, accessed 11 September 2021)

   <https://www.vocabulary.com/dictionary/affirm> (Vocabulary.com, accessed 11 September 2021)

   <http://www.oxforddictionaries.com/definition/english/affirm> (Oxford Dictionaries, accessed 11 September 2021) [↑](#footnote-ref-2)