# 1AC UNLV Round 2

## Plan

#### We affirm: The appropriation of outer space by private entities is unjust.

#### We’ll defend a leasing regime operationalized by the UN Committee on Peaceful Uses of Outer Space (COPUOS) which should establish an International Outer Space Authority (IOSA). Forbidding appropriation allows the streamlining and regulation of exploitation that provides the secure foundation for private space activities – the alternative is an ad-hoc CIL regime that decks legal certainty.

**Pershing 19** [Abigail D. Pershing, J.D., Yale, “Interpreting the Outer Space Treaty’s Non-Appropriation Principle: Customary International Law from 1967 to Today,” 2019, *The Yale Journal of International Law*, Vol. 44, https://openyls.law.yale.edu/bitstream/handle/20.500.13051/6733/Pershing.pdf?sequence=2&isAllowed=y, EA]

B. A New Property Rights Proposal: Leasing Space One promising proposal that does not appear to have received much attention in the literature is the concept of leasing space to nations, private individuals, or companies rather than allocating it as permanently-owned property. It appears that the only authors who have even tangentially considered the possibility of leasing property rights in space beyond rights to mineral extraction are Marcel Williams and G.S. Sachdeva. Williams’ writing is limited to a thought experiment in which he imagines renting out up to one percent of the moon’s surface. This property would be directly leased to national governments, which in turn would be vested with the power to sublease sections of this territory to private companies or individuals.134 This proposal is not elaborated any further and is left as a broad-strokes outline. The second mention of leasing or renting space comes from G.S. Sachdeva, who argues that a U.N. Space Superintendence Authority could grant leases to those able to pay.135 Yet this theory is limited to a discussion of renting property rights in particular orbits to allow for hovering geostationary space hotels and does not delve into questions of renting land on celestial bodies. The concept of leasing outer space deserves greater consideration by space law scholars. This Section sketches a brief outline of how such a system might operate via an internationally-run space property rental system modeled on UNCLOS. Although UNCLOS itself is deeply problematic in its potentially devastating environmental consequences and negative impacts on indigenous peoples as it regulates deep-sea mining,136 the UNCLOS model may nonetheless be the best option for preserving non-space-faring nations’ rights with regard to outer space, given its success in providing developing nations with a voice in the regulation of the high seas and the seabed beyond national jurisdiction.137 It is worth noting that although very few scholars appear to have considered the possibility of renting space, several have examined the similarities between UNCLOS and space law.138 The approach advanced here differs from the conventional approach to this comparison in that it suggests that the international community move beyond merely authorizing nations or individuals to extract a certain quantity of minerals and instead consider the possibility of leasing out actual tracts of space land. Opened for signature on December 10, 1982, UNCLOS establishes the international rules that govern the use of the world’s oceans and their resources. An examination of UNCLOS is especially apt because it deals with resources— the high seas—that, like space, are not subject to national appropriation. In language strikingly similar to Article II of the Outer Space Treaty, Article 137 of UNCLOS reads: No State shall claim or exercise sovereignty or sovereign rights over any part of the Area [resources of the seabed and ocean floor beyond the limits of national jurisdiction] or its resources, nor shall any State or natural or juridical person appropriate any part thereof.139 Although there are clear similarities between the two treaties, there are substantial differences as well, many of which would be useful in informing an update to the Outer Space Treaty. In addition to extending the prohibition on sovereignty to individuals as well as to nations, UNCLOS goes far beyond the Outer Space Treaty in detailing the limits of the non-appropriation principle. All of Part XI of UNCLOS, totaling fifty-eight Articles, gives a detailed description of how States can negotiate within the bounds of the non-appropriation principle to exploit ocean resources. Of particular relevance for purposes of crafting a parallel space law proposal is UNCLOS Part XI, Section 4, which lays out the rules governing the International Seabed Authority—the main mechanism through which States and private companies can legally exploit ocean resources, including mining of the deep seabed.140 Using UNCLOS as a model, a similar system may prove promising for the evolution of space law. However, the new space system should allow for rental of space land instead of merely allowing for the extraction of space resources. As with UNCLOS, any such space leasing system should be run through the United Nations. Situating such a system in this forum would help the international community stay true to the intentions of the Outer Space Treaty, which provides, in the words of one author, a “philosophical roadmap for the future development of the outer space legal regime.”141 Although a new committee within the United Nations could be formed for this purpose, the existing Committee on the Peaceful Uses of Outer Space (UNCOPUOS) would be an ideal environment for the creation and operation of such a system. UNCOPUOS is composed of eighty-seven geographically and economically diverse member States (including all the major space-faring States). Additionally, intergovernmental organizations and non-governmental organizations have observer status.142 Given its central mission to maintain space as a peaceful arena of international cooperation, as well as its representative composition,143 it would be an ideal body to bring a space leasing system to fruition. UNCOPUOS, in turn, should operationalize the leasing system by establishing a new International Outer Space Authority. This Outer Space Authority should parallel the International Seabed Authority described above.144 There should be similar provisions for the International Outer Space Authority relating to the makeup and functioning of the Authority (with each country getting one vote and decisions made by a two-thirds majority);145 the power of the Outer Space Authority to exercise control over space generally;146 the ability to decide how much rent to charge nations or individual corporations;147 and how to use these funds,148 among other provisions. For this proposed Outer Space Authority to be useful as well as operational, it is critical that it have jurisdiction over property rights in space beyond mining rights. Having rights to property in addition to rights to extracted minerals would add an extra layer of legal security for companies considering venturing into space for mining purposes. And, although businesses currently seem most interested in the possibilities of mining space resources, in the long term, questions of space tourism and the potential development of space colonies may arise. Having a flexible system in place that can adequately handle these concerns is therefore desirable. Instead of just focusing on mining, an Outer Space Authority with broader jurisdiction will have longer staying power and will require less reworking in the near future. Part of the appeal of this rental model is that it works so seamlessly with the current Outer Space Treaty. Turning again to the language of the Treaty and beginning with the non-appropriation principle, Article II lays out that “[o]uter 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.”149 Because no State or individual would ever own land in space under a leasing system, this proposed leasing regime would not be in contravention to Article II. And yet, despite this, a leasing regime would establish enough legal security that exploitation of space resources would not be impeded—the main rationale for those who argue that the Treaty (or at least Article II) should be rescinded. Moreover, the principle established in Article I of the Outer Space Treaty, that “[t]he exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,” is also upheld under this leasing regime.150 Leasing not only allows nations and private companies to exploit space resources and reap the benefits of their labor, but also directly benefits developing countries not yet able to tap into the resources of space by redistributing some of the space-going nations’ profits via a leasing fee and a tax on extracted resources. A potential argument against this rental system, as well as any other international legal system that would seek to regulate property rights in space, is that the United States never signed on to UNCLOS and there is nothing different about this situation that would cause the United States to join an international treaty regulating property in space either. However, space law has a fairly different history than the law of the sea. These differences make it more likely (though unfortunately not certain) that a proposal for an International Outer Space Authority would be adopted by the United States despite the fact that the facially similar UNCLOS proposal failed to garner a two-thirds majority vote in the Senate. The major difference between UNCLOS and this proposed International Outer Space Authority is that the United States has self-interested reasons for supporting an International Outer Space Authority, whereas it did not have similar reasons to join UNCLOS. The United States has maintained that under customary international law, deep seabed mining is already permissible.151 Since the United States does not recognize limitations of deep seabed mining established in UNCLOS, it may legally undertake deep sea mining under customary international law—a right that is codified in domestic U.S. law in the Deep Seabed Hard Mineral Resources Act: [I]t is the legal opinion of the United States that exploration for and commercial recovery of hard mineral resources of the deep seabed are freedoms of the high seas subject to a duty of reasonable regard to the interests of other states in their exercise of those and other freedoms recognized by general principles of international law . . . .152 The United States therefore already has access to what it wants without having to join UNCLOS. As an additional point, there is also not much pressure from American companies to ratify UNCLOS, in part because the American Exclusive Economic Zone (recognized by the United States under customary international law)153 and the continental shelf is hugely rich in the resources companies might otherwise have hoped to gain by joining the Treaty and gaining access to minerals from deep sea mining in other areas. Finally, not only does the United States stand to gain very little by ratifying the Treaty, there is an argument that ratification would disadvantage the United States. Under UNCLOS, “coastal States are required to make payments to the International Seabed Authority based on a percentage of revenues derived from the exploitation of the resources found within the continental margin beyond two hundred miles from the coast.”154 Notably, customary international law creates no such obligation.155 In stark contrast to UNCLOS, the new rental system proposed would directly benefit the United States. Unlike with deep sea mining, the United States and its citizens currently are bound by a treaty that prohibits appropriation of space: the Outer Space Treaty. Unlike the UNCLOS analogy, the United States has already relinquished rights in this arena. Agreeing to a leasing amendment would expand the scope of its rights, not infringe upon them. Additionally, the United States does not have access to an outer space “exclusive economic zone” in the same way that it does for the sea. Without some sort of agreement, the United States simply may not legally appropriate any in situ property in outer space. One final consideration increases the likelihood that the United States would in fact become a signatory to an amendment to the Outer Space Treaty. Such an amendment would likely have the support of businesses, environmental groups, and the military, an unlikely combination of key constituencies that would help push an amended treaty forward. Businesses would advocate for the change because it would provide a clearer mechanism for establishing property rights.156 Environmental groups might push for the amendment’s ratification because of the environmental protections that could be included in such an agreement.157 Finally, the military would also likely be a proponent of the system because having access to property in space gives strategic advantages158 and because it is likely that certain Cold War-era concerns that prompted spacefaring nations to sign the original Outer Space Treaty remain relevant—most notably, concerns over the weaponization of space.159 CONCLUSION The brief history of outer space law since the adoption of the Outer Space Treaty in 1967 highlights the ease with which customary international law shifts in this arena. Despite an original broad interpretation of the non-appropriation principle during the Treaty’s drafting, customary international law has since carved out an exception to this principle for extracted space resources. A second shift could be similarly underway. Driven by economic incentives, States may reinterpret the non-appropriation principle to allow for private appropriation of space property. Currently, States have an incentive to cooperate to establish a new international agreement concerning the use of outer space because international law, as it is presently understood, prohibits private property rights in space. A new amendment could broaden these rights, providing an enticing carrot to encourage State cooperation. But this enticement may soon disappear. Given the flexibility of the current outer space legal regime, customary international law could easily shift to interpret the non-appropriation principle as allowing private appropriation of property in space. Whatever the international community decides is the optimal solution regarding outer space property rights, it is vital that action be taken now to preserve the principles advanced by the Outer Space Treaty, such as equitable access and peaceful use of outer space. As the original drafters of the Outer Space Treaty recognized, these principles are best protected through a formal agreement and not merely through customary international law, which is often driven by the most powerful States. Regardless of whether a rental system similar to the one described above is established or some other method is used, the international community will have to act quickly if it wants to maintain shared international control over space. Pursuing an amendment to the Treaty as described also provides certainty and timeliness, two elements that would likely appeal to constituencies that might otherwise be supposed to be content with waiting for customary international law to shift.

#### That’s comparatively better for private entities than unlimited appropriation.

**Pastorius 13** [Claudia Pastorius, J.D., Barry University School of Law, “Law and Policy in the Global Space Industry's Lift-Off,” 2013, *Barry Law Review*, Vol. 19, Issue 1, https://lawpublications.barry.edu/cgi/viewcontent.cgi?article=1007&context=barrylrev, EA]

Two successful applications of the public trust principles that could influence the management of outer space resources are the International Telecommunications Union (ITU) and the United States Bureau of Land Management (BLM).298 The ITU issues licenses for orbital allocations of satellites and the use of radio frequencies.299 By necessity, the nation-states of the world have peaceably participated in the licensing regime.300 A true tragedy of the commons would result if our telecommunications channel appropriations were chaotic, and, if entities placed satellites into orbit unilaterally with no precautionary coordination.301 Without coordination and commitment to the rules, the overlapping noises would prevent people from hearing each other on the radio, and millions of dollars of satellite equipment, as well as our communication systems, would be at risk.302 The BLM raises an incredible amount of revenue for the government by selling leases of publicly managed lands for oil and natural gas exploration and exploitation to the United States.303 The BLM raised $233 million through leases of public lands in 2012 alone.304 Methods the BLM employs that could be adopted for use with outer space leaseholds are: (1) the auctioning of leases; (2) relative pricing per acre of lease payments depending on whether or not the land is producing; (3) imposing environmental resource management limits on resource exploitation, and (4) issuing fixed term leases with conditions for renewal.305 Some space law academics have noted that United Nations’ treaties and other space law accords will need to distinguish surface property rights on celestial bodies and extraction rights.306 Some even argue that asteroids should be treated as chattel and not land.307 The BLM legal property rights management is an excellent model to look to for establishing the legal property rights that will be needed in outer space for mining minerals, extracting water, and harvesting Helium-3. If leasehold estates held in trust were conferred in outer space, then measures could be taken to ensure optimal and equitable allocation of outer space leaseholds, and rules could be imposed to manage the sustainable exploitation of space resources.308 Problems such as space debris pollution could be avoided by reviewing development plans to ensure measures to prevent pollution, exit strategies of endeavors, or plans of relative permanence are in place before the projects take-off.309 Controversies regarding planned celestial land use and competing claims to more lucrative territories could be arbitrated and resolved on Earth. From an economic perspective, even though the possibility of “free” appropriation of outer space resources might encourage more space exploration initiatives, development with consistent and reliable rules would provide the stronger incentive of protecting the commercial investments in space exploration.310

#### No PICs – decks the whole regime.

**Hickman 2** [John Hickman and Everett Dolman, \* associate professor in the Department of Government and International Studies at Berry College, “Resurrecting the Space Age: A State-Centered Commentary on the Outer Space Regime,” 2002, *Comparative Strategy*, Vol. 21, Issue 2, https://www.tandfonline.com/doi/abs/10.1080/014959302317350855]

Is the collectivization of all of outer space under international law a permanent disability? Fortunately, the answer is no. Under international law, state parties to a treaty may withdraw from its obligations through negotiation, novation, substitution, cancellation, or, rebus sic stantibus, when events overcome the intent of the original treaty, such as when one or more of the other state parties has ceased to exist. Moreover, Article 17 of the OST articulates a straightforward mechanism for withdrawal: “Any state party to this treaty may give notice of its withdrawal from the treaty one year after its entry into force by written notification to the Depositary Governments. Such withdrawal shall take effect one year from the date of receipt of this notification.” Thus a state party need merely announce its intention to withdraw and then wait one year. Withdrawal of a single state party to the treaty, however, would not necessarily terminate the treaty between the other state parties. Yet, the decision of an important state not to be bound by a regime–creating treaty obviously endangers the entire treaty. The decision of the United States or China to withdraw from the OST would have far greater implications for the survival of the international space regime than the same decision by Bangladesh, Burkina Faso, or Papua New Guinea—the equality of states under international law remains nothing more than a useful fiction. For the OST to remain good international law, it must be accepted as such by the major space faring states of the 21st Century: the United States, Russia, the European Union, Japan, and China. One defection from the regime by a member of this group would no doubt lead to its effective collapse, as the remaining space faring states are unlikely to use the kind of coercion necessary to enforce the regime. A more likely response to such a defection is a scramble to make similar claims to sovereignty, based on historical precedent and effective occupation. Similar rushes to stake claims for territory sovereignty in other celestial bodies might follow.

## Advantage 1 - Mining

#### Space mining coming now – lack of regulations makes conflicts likely.

**Zeisl 19** [Yasemin Zeisl, MSc in International Relations and Affairs from the London School of Economics and Political Science (LSE), “Three Salient Risks of Mining in Space,” 05/03/19, *GlobalRiskIntel*, https://www.globalriskintel.com/insights/three-salient-risks-mining-space, EA]

The harvesting of natural resources from space objects is the goal of numerous companies such as Planetary Resources or Deep Space Industries in the United States, Asteroid Mining Corporation in Scotland, or iSpace in Japan. While some companies such as iSpace are focusing on resources inside the Moon, others are developing strategies to identify and extract resources from asteroids and extinct comets. Given that calculations evaluate space mining as a highly lucrative business with potential profits amounting to trillions in U.S.-dollars, it is unsurprising that investment into space mining rose from 534 million USD in 2014 to 3.1 billion USD in 2018. Research institutions such as the Center for Near-Earth Object Studies (CNEOS) — which cooperates with the National Aeronautics and Space Administration (NASA) — detects, traces, and assesses risks of objects moving close to the Earth. Such calculations are relevant for future ventures into space mining, which will focus on metals such as platinum, gold, iron, rhodium, zinc, cobalt, and nickel, as well as water and carbon found in asteroids and extinct comets. Celestial ice would be particularly useful for generating rocket fuel by splitting it into hydrogen and oxygen. This may facilitate long space travel to destinations such as Mars. The usage of extinct comets as gas stations may bring engineers and scientists one step closer to the goal of colonizing Mars. While rocket fuel extraction may be a relatively feasible project for the near future, it is expected that harvesting metals from space may require several more decades to realize. Spotting the potential profitability of space mining, the United States passed the Commercial Space Launch Competitiveness Act in 2015 to grant U.S. citizens the right to harvest natural resources from celestial bodies. Similarly, Luxembourg established a space mining law and provided investment opportunities in August 2017. In January 2019, Russia started negotiating a bilateral cooperation arrangement with Luxembourg. The fact that there is no clearly defined international treaty on space mining poses a major risk. Although the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies of 1984 may provide some detail on the issue by asserting that no state, organization, or natural person can lay claim to any object in space, the fact that only 18 countries have committed to this multilateral treaty leaves the majority of states unbound by this regulation. An inconsistent legal landscape in regard to resource extraction of celestial bodies could lead to legal clashes between different countries and potential disadvantages for companies or organizations from certain countries. Mining in space could turn into a fierce competition among various private businesses and states. Therefore, licensing regulations will also have to be clearly defined. Licenses will help to clarify both ownership of yields and the relationships among miners, investors, and governments in order to avoid conflict in the future.

#### Successful mining unlocks crucial rare earth metal supplies for renewables and space colonization BUT legal uncertainty makes investment unviable.

**Doshi 16** [Priyank D. Doshi, J.D., Notre Dame Law School; B.A., University of Illinois Urbana-Champagne, “Regulating The Final Frontier: Asteroid Mining and The Need For A New Regulatory Regime,” 2016, *Notre Dame Journal of International & Comparative Law*, Vol. 6, Issue 1, https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1055&context=ndjicl, EA – OCR used]

C Benefits of Asteroid Mining While Part I sought to show that asteroid mining is possible and will soon be a reality, it also raised the question of why asteroid mining might be something the international stage needs to pursue collectively and aggressively. The simple answer is two-fold: the need for the resources and future space exploration. C.i The Need For Resources Scientists posit that the key natural resources we will need to fuel and develop the modern economy will run out within the next fifty to sixty years.51 Key resources like platinum, zinc, copper, phosphorus, lead, gold, and indium, could become depleted on Earth very soon.52 As the push for more environmentally friendly solutions to things like energy surges, the actual replacement materials to support that dream grow more and more scarce. Wind turbines and solar panels use rare earth metals in their very construction, and the future of renewable energy will demand more of these resources.53 Even everyday items like batteries, jewelry, and computer chips use platinum, gold, and nickel, which are starting to become more and more expensive as their supplies decrease. The scarcity problem is exacerbated by the fact that a lot of these elements have no readily available alternative on Earth. Asteroid mining is the solution to the coming scarcity issues. Mining the asteroids isn’t just a capitalist dream; it is the average man’s necessity. Most of the minerals being mined on Earth, including gold, iron, platinum, and palladium, originally came from the many asteroids that hit the Earth after the crust cooled during the planet’s formation.54 Asteroids are suspected to be filled with an abundance of natural resources like gold, cobalt, iron, manganese, molybdenum, nickel, osmium, palladium, platinum, rhenium, rhodium, ruthenium, and tungsten that are worth billions to trillions of dollars.55 Speaking to just one of the many examples, Some of these Near-Earth Asteroids (NEAs) are metallic, composed of metals like iron and nickel, similar to the center of the Earth. One of these asteroids is 1986 DA, a metallic NEA 1.2 miles wide that is likely composed primarily of iron and nickel with significant amounts of gold and platinum. Estimates show 1986 DA contains approximately 10,000 tons of gold and 100,000 tons of platinum, which if completely recovered would be valued on today’s market at $460 billion and $5.6 trillion, respectively. Including the value of the iron and nickel, 1986 DA could be worth between $6 and $7 trillion.56 These NEAs are close enough to be mined and harvested for the development of human technology. John S. Lewis, professor of planetary science at the University of Arizona and author of Mining the Sky: Untold Riches from the Asteroids, Comets, and Planets, estimates that asteroid 3554 Amun is worth $20 trillion. Composed of platinum, iron, nickel, and cobalt, it has enough resources to pay off the U.S. national debt.57 It is estimated that there are about one to two million asteroids in the solar system that are large enough to consider for mining projects:58 Each of these asteroids is projected to weigh roughly two billion tons and “contain 30 million tons of nickel, 1.5 million tons of metal cobalt, and 7,500 tons of platinum.” The value of these items, for both private companies and governments around the world could be significant with the dollar value being somewhere in the trillions or higher. With nickel selling for $14,575 per ton, cobalt selling for $26,600 per ton, and platinum at $1,454 per ounce, mining one single asteroid could be more than profitable.59 Though these numbers presuppose that prices of the various resources would stay the same, they provide a telling picture of the potential wealth in wait and its ability to drastically alter the shape of the future.60 Providing more than a fix for natural resource shortages, asteroids also contain other elements that are scarce or practically nonexistent on Earth. One of these, helium-3, could be used as a low-cost, efficient energy source that gives only a fraction of the polluting effect of current practices.61 Helium-3 could potentially light the future, and that is just the beginning of the possibilities reaped from asteroid mining. C.2 Future Space Exploration The societal good that could be achieved from mining asteroids, which contain both rare-Earth minerals and scarce and/or non-existent resources, is self-explanatory. Similar is the resultant financial gain from these mining activities. There is extensive scholarship surrounding the potential value of asteroids, and this Note only scratches their proverbial surface. A large share of asteroids’ benefits is derived from their position in outer space. They will allow us to push further in space exploration and space colonization by drastically bringing down the cost of travel. To those still reading this with an eye of incredulity about space, this section may seem the most unnerving, but it is by far the important use for asteroid mining. The largest barriers to space exploration and space colonization are the cost of shipping materials from Earth, and the fuel limitations inherent in travel. Asteroid mining has the potential to help with both of these problems and act as the catalyst for the modern space age. The mining of NEOs will yield great quantities of hydrogen, helium, and water.62 These materials could be used to fuel human spacefarers, untying them from the need to be refueled or resupplied from Earth. More specifically, mined water could be extremely useful as rocket fuel or as a fuel for other power and propulsion systems.6’ If water can be found on asteroids (as many believe it can be) the water could also be broken down into its hydrogen and oxygen components, which can then be used to form the basic building blocks of rocket fuel.64 Mining water alone makes both space colonization and space exploration cheaper and consequently more feasible. Furthermore, sources of water have been identified: a 2006 announcement by the Kech Observatory claimed that 617 Patroclus, a Jupiter Trojan, was essentially an extinct comet that consists largely of ice. Similarly, Jupiter-family comets, and possibly NEAs that are extinct comets, might also economically provide water which through the process of in-situ resource utilization— using materials native to space for propellant, tankage, radiation shielding, and other high-mass components of space infrastructure—could lead to radical reductions in its cost for space exploration.65 Fuel tends to make up the greatest weight of rockets; the ability to produce fuel in space would provide much needed flexibility to survive in outer space and explore the depths of the solar system.66 Part I addressed the technology that is being developed by Planetary Resources and DSI for asteroid mining; that technology will help realize the benefits of asteroid mining for space travel. Launches from Earth could be cheaper if the shuttles were able to refuel at a DSI Propellant Refinery. Planetary Resources’ ARKYD- 300 could scout ahead for possible colonization sites on both asteroids and planets. Imagine a scenario where a DSI Harvestor mines the minerals needed to create a colony, and then the shuttle takes those materials, along with a DSI Microgravity Foundry, to build the colony itself.67 Fuel for spaceships to go further and resources to build and re-equip space colonies unburdened by the high costs of Earth-to-colony transport could be the stepping stone we need to begin the new age space race. Lastly, in addition to mining for supplies, we could also use asteroids as space stations. An asteroid-based space station could be highly beneficial to research and development. It has the potential to provide conditions that cannot easily be replicated on Earth, such as zero-gravity environments, freedom from atmospheric interference, and nearly continuous sunlight for solar power.68 While on the surface this may not seem like a large benefit, it will be invaluable as a place to test some of the radiation shielding problems that have historically stalled many long-term space exploration plans.69 Many people dismiss asteroid mining positing that the benefits are primarily financial ones that will do nothing more than further line already rich pockets. But the reality is far more layered than that simple assertion. Asteroid mining is a societal necessity for global advancement. Modern technology relies increasingly on rare and scarce resources; we will need to find a new source to continue the advancement. Any future with space exploration has to be grounded in the understanding that we will need a cheaper way to deliver materials in space. Asteroid mining is the answer. D Problems Surrounding Asteroid Mining While the significant benefits described above show the impending need and the rewards of asteroids mining, many problems must be addressed before asteroid mining becomes a certain fixture of the future. The main issues confronting asteroid mining are the needs for a massive upfront investment and the economic and political implications of mining asteroids in the future. The most obvious roadblock to asteroid mining is the high required upfront investment needed to participate. While Part I spoke to some of the plans that the NASA is supporting and the goals the agency has set, it omits an important point: the funding for NASA has decreased drastically over the last twenty years. Currently, it operates using the lowest percentage of the federal budget since I960.70 Just when we are on the cusp of cracking open the final frontier, the government is bowing out. According to a Collaborative Modeling for Parametric Assessment of Space Systems (COMPASS) team at NASA’s Glenn Research Center in Cleveland, the estimate for a successful asteroid capture endeavor is in the ballpark of $2.6 billion/1 while the government’s grant to NASA for its capture project is only around $100 million. 2 Private companies will have to take the lead and absorb the large costs associated with asteroid mining and space exploration. The costs only continue to increase beyond the creation of asteroid capture technology—from the harnessing technology, or the costs required for the transport and process of raw asteroidal material to Earth for use (on Earth or elsewhere). In this assessment, the administrative costs of running a company are not even taken into account. While the discussion of technology in Part I of this Note highlights a few successfully funded companies, the high costs operate as a roadblock for others. Even though the potential profits are massive, the initial risks of asteroid mining come close to swallowing the benefits. While both Planetary Resources and Deep Space Industries have been very tight-lipped about their costs, the list of big name investors and the ambitious plans insinuate investments in the hundreds of millions of dollars, at a minimum. As it stands today, mining asteroids is too theoretical and not yet profitable enough to ask the private industry to continue to dump billions into the endeavor. It will require more relative financial certainties, rather than mere mirages of wealth, to propel the industry. The current legal framework that is in place, as is described in the next section, is not adequate to incentivize investors for such a risky endeavor. These businesses want to be sure that the technology, funding, and efforts they put toward the development of space will be rewarded, and so a properly crafted property law regime, unique to outer space, must be developed to ensure that private space industry continues to invest in cosmic ventures and technologies.7’ The law needs to create a level of predictability and incentive structure that will actually make investors overlook the long path still ahead of them and see the end goal. Assuming the substantial financial roadblocks that exist are overcome and private money pours into the industry, there are still other economic and political considerations that are sources of serious concern before asteroid mining can become a reality. The central problem is the issue of control. Once private companies get into space, after investing their own money and bearing all the risk, they will want to control how things operate. To have them take all the risk and then expect corporations to willingly subordinate themselves from their spoils is a fool’s dream. So far, the government has had a limited response. On July 10, 2014, two Congressmen proposed the Asteroids Act, intended to facilitate the commercial exploration and utilization of asteroid resources to meet national needs and to promote the right of US commercial entities to explore and utilize resources from asteroids.74 The Act seeks to create property rights in resources extracted from asteroids, stating: “Any resources obtained in outer space from an asteroid are the property of the entity that obtained such resources, which shall be entitled to all property rights thereto, consistent with applicable provisions of Federal law.”75 The legislation, while noting that no state can lay claim to the asteroids, and giving corporations some protections on their investments, is still the beginning of a scary trend; a trend where national governments are granting and recognizing property rights subject to their own rule. This bill essentially sets the stage for a showdown for when an American company and a foreign company (with their country’s support) lay claim to the same asteroid. What happens when a Chinese company subject to Chinese laws starts to mine an asteroid that an American company has rights to under American law? What happens to any company not based in a major superpower, do they just cede their rights when a company backed by a more powerful nation intervenes? Individual governments’ respective abilities to regulate, as seen by the Asteroids Act, will lead to conflicting laws and conflicting claims that have the potential to create serious political and military ramifications. Putting aside the political chaos this could cause in the global system, the question of why corporations would even cede any control comes into question. With practically no governmental involvement in the initial stages of asteroid mining, why would corporations allow the government to share the benefits of something that they, in reality, have no jurisdiction over? Building on the conflict over control, who would control how much of the resource could be brought back? Markets already exist for a lot of the natural resources that would be mined on asteroids; bringing back a large load of the resource could wreak economic havoc on those existing markets and the political systems that rely on them. The social costs to resource-based countries alone would be catastrophic. Will the corporations care? Can any government really curb the corporation’s ability to flood the market? What stops them from creating a false market due to their ability to monopolize an asteroid? Is there a state interest in miner safety and other environmental considerations involved in extra-terrestrial mining? Who can really enforce any safety and protection regulations with only claimed jurisdiction? This non-exhaustive catalog of questions is asked in an attempt to understand the wide breadth of problems that will arise under the current regulatory regimes that are in place. The problems surrounding asteroid mining are more than just the high costs of investment; there are also questions about control and global cooperation over corporate activities in space. E Current Law The problems posed in the last section rise in part due to lack of legal clarity in this area. The international community has no policy that directly speaks to asteroid mining. It has instead relied on the interpretation of a series of tangentially connected treaties and agreements to address the burgeoning industry. This section is focused on briefly introducing some of the international agreements and treaties that try to govern space. The phrase “space law” draws a blank on most faces, as very little is actually known about the practice area. Still, despite the lack of public knowledge around international space law, there are quite a few guiding documents for asteroid mining, namely: the Outer Space Treaty of 1967, the Registration Convention of 1975, and the Moon Treaty of 1979. E.i The Outer Space Treaty of 1967 The Outer Space Treaty of 1967 was the first real international agreement dealing with space. Created in the midst of the Space Race and the Cold War, it was drafted to ensure that space did not become the next battleground. Its legacy has long outlived that original purpose, and almost 50 years later, it still stands as the primary agreement on international space law, serving as the foundation for all agreements and treaties that followed. The most marked and deliberate feature of the agreement was its rejection of the traditional concept of res nullius, or treating outer space as unclaimed territory that, since unclaimed, was open for conquest by anyone.76 The policy laid out in the Treaty opted for the res communis theory, there by all entities, individual or corporate, and nations have common or open access to the resources that are contained within its realm and are precluded from making any claims of ownership.77 The strong tone of the document and the widespread agreement of the treaty has led some to assert that celestial bodies are res extra commercium as whole, and cannot be owned.78 This treaty stands at the center of international space law today, making a breakdown of its relevant articles essential. Article I of the Treaty covers its general purpose. It states that, “the exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and interests of all countries...and shall be the province of all mankind.”79 It is important to recognize the lofty language in this international consensus, as it is the result of concessions given to developing nations. The developed, space-faring nations would have much preferred the open space principle to allow for them to stake their claim. However, they recognized that any international consensus had to take the opinions of developing countries into account, and developing nations refused any agreement that would impede their future rights to space exploration. That understanding still holds today, and any international cooperative agreement on space has to make some concession to the developing and non-space faring states to be workable long-term. Article II reiterates the underlying purpose of the agreement by stating that outer space “is not subject to national appropriation by claim of sovereignty.” But its broad language in this article has created a large and very controversial loophole: nowhere in prohibiting claims of ownership does the treaty mention corporations, private entities, or individuals.80 In fact, the treaty lacks [A]ny explicit mention of property rights. It does not, however, specifically reject individual or corporate property in space. The treaty only prohibits “national appropriation” of space by claim of sovereignty, use, occupation, or other means. The drafters of the Outer Space Treaty chose to limit this prohibition to nations, even though scholars at the International Institute of Space Law had suggested that the Treaty should prohibit “national and private appropriation.”81 This large loophole becomes extremely relevant given that the Outer Space Treaty is the only space-related treaty onto which the majority of the world has signed.

#### Renewables remove leverage – staves off global conflict.

Roman **Vakulchuk 20**, PhD in economics, senior research fellow at the Norwegian Institute of International Affairs, and adjust professor at Nord University, “Renewable energy and geopolitics: A review,” 1/07/2020, Renewable And Sustainable Energy Reviews, [https://www.sciencedirect.com/science/article/pii/S1364032119307555#](https://www.sciencedirect.com/science/article/pii/S1364032119307555)!, cc

By contrast, the reduced conflict camp sees geopolitical tensions as less likely in a world that has renewables as its main source of energy (Peters [91], Verrastro et al. [92], Lacher and Kumetat [93], Kostyuk et al. [94], Escribano et al. [95], Johansson [96], Hoggett [97], Sweijs et al. [70], Månsson [72], Paltsev [98], Scholten and Bosman [54], Smith Stegen [99], Escribano [84], Freeman [85]). This camp emphasises that it is more difficult to control, cut the supply or manipulate the price of renewable energy than of fossil fuels and the expansion of renewables will therefore lead to greater energy self-sufficiency and less conflict. It shifts the focus from the external to the internal supply of energy, reducing the scope for conflict among states. An argument frequently used by this camp is that renewables are more difficult than fossil fuels to manipulate as they are less dense and more evenly distributed geographically. Månsson [72] holds the view that due to its geographic and technical characteristics, renewable energy creates few geopolitical motivations for states to start conflicts in order to control it. Peters [91], Tsao et al. [100] and Kostyuk et al. [94] similarly note that developing renewable energy would lead to a more equitable energy distribution and energy-based economic power, in turn leading to reduced geopolitical tensions. Also Overland et al. [101] found that geopolitical power will be more evenly distributed after a complete transition to renewable energy. In a related vein, Krewitt et al. [61] argue that the creation of international solar energy partnerships would have geopolitical advantages because they could “reduce economic imbalances between the North and the South and create global markets for future-oriented energy technologies without having to fear conflicts over scarce resources” (p. 23). The application of a resource scarcity perspective to the geopolitics of oil triggers energy-insecurity anxiety among states and implicitly or explicitly justifies aggressive behaviour in resource conflicts (Jaffe and Soligo [102], Stern [103]). This perspective is not simple to transpose onto renewables, as they are both non-exhaustible and abundant, except for the critical materials used in the production of renewable energy technologies (see Section 3.4 for more on this). Fischhendler et al. [104,105] exemplify how geopolitical arguments have been used to convince Israeli decision-makers to adopt renewable energy to reduce the country's energy dependence and improve its security. These arguments have led others to draw further conclusions. Compared to an energy system based on fossil fuels, in a system dominated by renewables, access to resources is less important than distribution and infrastructure management (Scholten and Bosman [54]). Escribano [84] implies the same when he writes that “[e]nergy dependence and security of supply lose geopolitical relevance, whereas technical and regulatory aspects gain weight” (p. 7). Many publications share an understanding that the location of renewable energy resources is as important as that of fossil fuels (Skeet [106], Criekemans [67], Criekemans [107]). However, location as a geopolitical concern is mainly relevant for the large-scale and not for the small-scale domestically-oriented production and transmission of electricity from renewable energy. O'Sullivan et al. [75] argue that if renewable energy is deployed on a large scale and cross-border trade in electricity grows, then the principle of territorial control will be similar to that for oil and gas pipelines: “[c]ountries like Algeria, Mexico or Morocco, or transit countries, or actors such as the Islamic State, could still try to leverage their geographical position and in case of conflict they could threaten to interrupt electricity supplies” (p. 41). Several authors also ask whether an external supply of electricity can be used as an “energy weapon” (e.g. Escribano et al. [95]). Renewable energy infrastructure, such as the ambitious but failed Desertec project, can also be an easy target for terrorists (Smith Stegen et al. [108]). The same logic can be applied to the location of biofuels. On the other hand, if countries produce electricity from domestic renewable energy sources, geopolitical tensions and risks might recede due to falling energy imports and reduced interdependence between countries (Strunz and Gawel [66]). Escribano et al. [95] and Scholten and Bosman [54] argue that the geopolitical risks associated with domestically produced renewable energy are close to zero if we apply the energy-security standards of IEA. Hoggett [97] similarly notes that small-scale photovoltaics (and nuclear power) technologies are likely to promote a secure low-carbon transition with reduced geopolitical risks. Some believe that it is likely that the consumption of renewable energy at the location of production will prevail over large-scale regional production and distribution as it is seen as much more efficient and cost-effective when compared to the long-distance distribution of electricity (Proedrou [109], Sovacool [110]). These authors therefore see geographical location as less important for renewable energy resources than for fossil fuels from a geopolitical perspective. Nevertheless, there is a risk of local conflicts involving non-state actors that could potentially be caused by increased global competition for the land required for renewable energy installations (Capellan-Perez et al. [82], Månsson [72], Johansson [96], Walker [111]). One issue seems to be stuck between the two camps: new interdependencies among states as a result of electricity interconnectors. Hache [81] discusses the possible emergence of new and unfamiliar inter-state interdependencies. Similarly, Westphal and Droege [64] argue that more electricity interconnectors between countries will lead to greater interdependence, which may translate into reduced international security. Pierri et al. [112] examine this question in the context of the European Union. Konstantelos et al. [113] discuss the division of costs and benefits among members of an integrated North Sea grid, making it similar to the difficulties caused by major pipeline projects. By contrast, Smith Stegen [99] argues that international affairs should benefit from renewables in many ways because their distribution will not be exposed “to the political and strategic dilemmas wrought by dependence on hydrocarbons” (p. 92). In a similar vein, IRENA [76] notes that electricity cut-offs and the use of hegemonic power to cut off transport bottlenecks will be greatly reduced due to increased rerouting possibilities, decentralised power generation and the absence of global electricity connections. But Smith Stegen [99] acknowledges that some tensions are possible due to increased interdependencies in such areas as high-voltage direct current (HVDC) transmission lines, biofuels and rare earth elements. Similarly, Verrastro et al. [92] and Lacher and Kumetat [93] see that renewable energy may strengthen energy security while facilitating the emergence of new interdependencies among states.

#### Space col prevents otherwise inevitable extinction.

**Green 21** [Brian Patrick Green, director of technology ethics at the Markkula Center for Applied Ethics, Santa Clara University, “Space Ethics,” 2021, Rowman, pp. 5, EA]

Another reason that humans may want to explore space would be to create a “backup Earth” to hedge against global catastrophic and existential risks (risks that may cause widespread disaster or human extinction, respectively) on our home planet. 8 Earth has always been a dangerous place for humans, with asteroid impacts, supervolcanic eruptions, pandemic disease, and other natural hazards threatening civilization. Now, in addition to these natural threats, human-made hazards such as nuclear weapons, climate change, biotechnology, nanotechnology, and artificial intelligence may threaten not only the viability of technological civilization but perhaps the survival of human life itself. A serious global-scale catastrophe could set back civilization many decades or centuries, and the worst disasters could cause human extinction. In one scenario, in which 100 percent of humanity dies, all of human effort for all of history would be for nothing. However, were the same global catastrophe to happen to Earth, yet humans were a multiplanetary species with just one self-sustaining settlement off-Earth, it would not result in the end of human civilization or human extinction. Instead while the same unimaginable fate would befall the Earth (certainly no mere triviality, with perhaps the deaths of 99.999 percent of all humans and possibly the destruction of the ecosphere and everything in it), at least all of human and planetory history would not be for nothing. Human life and culture would go on elsewhere, as well as other Earth species. This is a dire fate, but less terrible than the first.

#### Immeasurable expected value outweighs.

**Baum 16** [Seth D. Baum, Executive Director of the Global Catastrophic Risk Institute, “The Ethics of Outer Space: A Consequentialist Perspective,” 2016, Springer, pp. 115-116, EA]

Space colonization is notable because it may be able to bring utterly immense increases in intrinsic value. Early colonies might start small, given that other planets and moons have inhospitable environments. However, it may be possible to build large indoor colonies or create more hospitable outdoor environments (i.e., terraforming). Even just on other planets and moons in the Solar System, space colonies could multiply the total area available for human habitation. And there are many more planets around other stars, as ongoing research on exoplanets is now learning. One recent study estimates 22 % of Sun-like stars have Earth-like exoplanets (Petigura et al. 2013), implying billions to tens of billions of potentially habitable planets across the galaxy. Opportunities at any given star may also be quite a bit greater than those available only on planets. Earth only receives about one two-billionth of the Sun’s radiation. To collect all the Sun’s radiation, humanity would need a Dyson swarm (named after Dyson 1960), which is a series of structures that surrounds a star, collecting its radiation to power a civilization. A Dyson swarm around the Sun could potentially enable a civilization a billion times larger than is possible on Earth. Likewise, Dyson swarms around one billion stars would bring humanity approximately 1018 (one billion–billion) times more energy per unit time. Space colonies could also increase the amount of time available for human civilization. Earth will remain habitable for a few billion more years (O’Malley-James et al. 2014). Stars will continue shining for about 1014 more years (Adams 2008). That gives us an additional 105 times more energy, for a total of 1023 times more energy than is available on Earth. After the stars fade, other energy sources may be available. And even if our current universe eventually becomes uninhabitable, it may be possible to move to other universes (Kaku 2005). The physics here is speculative, but it cannot be ruled out, and hence there is a nonzero chance of a literally infinite opportunity for space colonization (Baum 2010a). Whether the opportunity is infinite or merely, say, 1023 times larger than what can be done on Earth, the opportunity is clearly immense. As long as space colonization is an improvement (Sect. 8.3.1), then it would seem that the consequentialist should prioritize space colonization. The sooner space colonization begins, the more of its immense opportunity can be gained. Indeed, Ćirković (2002) estimates 5 × 1046 human lifetimes are lost for every century in which space colonization is delayed. There can also be large value for space colonization under ecocentric intrinsic value. It is sometimes argued that Earth would be better off without humans. For example, the Voluntary Human Extinction Movement states that “Phasing out the human race by voluntarily ceasing to breed will allow Earth’s biosphere to return to good health” (http://vhemt.org, accessed 25 October 2015). However, this makes sense only if extraterrestrial locations are not intrinsically valued. Otherwise, exterminating humanity ruins the opportunity for humans to bring flourishing ecosystems into outer space. Terraforming other planets or bringing ecosystems into Dyson swarms could bring immense amounts of ecosystem flourishing.

#### Renewables solve smart cities and critical infrastructure security.

**Konstantinou 21** [Charalambos Konstantinou, Senior Member, IEEE, “Towards a Secure and Resilient All-Renewable Energy Grid for Smart Cities,” 2021, *arXiv*, https://arxiv.org/pdf/2101.10570.pdf, EA]

Electric energy systems constitute the backbone of critical infrastructure. National security and economic vitality rely on a safe, secure, and resilient power system. The American electric grid, once considered a marvel of 20th century engineering, has become obsolete in the face of 21st century threats. Our energy grid has numerous shortcomings and can no longer deliver (cyber) secure and (disaster) resilient electric power to businesses and households, leading to an urgent and enormous threat to our society and economy. Vertical power systems with rigid transmission and distribution system control hierarchy have failed repeatedly during extreme threats. Recent studies by the Federal Energy Regulatory Commission (FERC) found that knocking out as 9 of the 55,000 power substations could result in U.S. coast-to-coast blackouts lasting 18 months or more [1]. For example, the Hurricane Michael resulted in 1.7 million power outages along the U.S. Gulf and Atlantic coasts [2]. During June – September 2007, heat waves and forest fires occurred in Greece causing extensive damages to the medium-voltage distribution network and knocking out power in many areas of the country [3]. Recovery from such disasters also costs tens of billions of dollars including time, manpower, and lost economic productivity, and deepen social inequalities. These failures have taught utilities, regulators, and stakeholders that faults cascade across national and continental electric grids, and exacerbating a local phenomenon into a socioeconomic catastrophe. Traditional power systems are prone to such cascading power outages that last long periods of time and are complex and time-consuming to recover – in other words, not secure and resilient. Continuing to operate the electric energy system critical infrastructure using the traditional model is a well-recognized security and resiliency threat and the main barrier for the development of future smart cities. The integration of photovoltaic (PV) solar systems and wind farms together with other renewable energy sources (RES) into the electric grid, as shown in Fig. 1, helps towards improving security and reliability of the power system during normal operations and enhancing resiliency during and after extreme events. In the first quarter of 2018, solar accounted for 55% of all new generating capacity brought online in the U.S. [4], and Florida alone is expected to add over 8.6 GW of solar generation by 2025. The inclusion of such distributed resources in the form of solar PV, battery-based storage, and demand resources can increase the resiliency to catastrophic events once research efforts would be able to address open system design questions. Examples include how to strategically locate and operate these resources to sustain smart cities infrastructure by guaranteeing continuity or rapid restoration of power to vital loads following large-scale disturbances by formation of adhoc self-contained microgrids in outage situations. In addition, as more and more RES are integrated into power systems, it is projected that offshore oil and gas platforms will be re-used at end-of-life stage for the production of renewable energy (e.g., offshore wind, wave and tidal energy, ocean current energy, ocean-based solar energy, deep-water source cooling, etc.). To thwart the existing problems, a transformational development approach needs to be established, able to develop and build a secure and resilient electric grid for future smart cities. Such development will lead to an electric energy system immune to extreme phenomena while supporting the integration of RES and reducing the dependency on oil drilling into power systems, such as those at the North Sea as well as the Gulf of Mexico and its coastal zone.

#### Smart cities solve sustainable development goals.

**İkizer 22** [İhsan İkizer, Faculty of Economics, Administrative and Social Sciences, Nişantaşı University, “Smart Cities, Citizen Welfare, and the Implementation of Sustainable Development Goals | Do Smart City Solutions Contribute to the Achievement of the Sustainable Development Goals?: Case of Istanbul,” 2022, IGI Global, EA]

Sustainable development has been an indispensable concept in many disciplines ranging from economics to public administration nearly in the last thirty years. As the years pass, the destructive effects of climate change and environmental degradation are being felt more than ever, and especially policy makers realize that it is not a conceptual or theoretical issue far from the practical life, but a bitter reality. Many important steps have been taken till now in order to ensure that our economic development does not endanger the needs of the future generations, and it does not harm social and cultural development of communities. Among these steps, maybe the most significant one is the Sustainable Development Goals (SDGs), which were adopted by the Heads of States and Governments in the United Nations (UN) in 2015. Although there is no mandatory mechanism that enforces the implementation of the SDGs, the central governments have pledged to achieve them, and some of them have presented their national reviews that indicate their progress. The problems that are referred in the 17 SDGs have not been caused by just one country, or different levels of governments, or business community, or consumers. Multiple actors in multiple countries have carried the stones that have led to the gigantic challenges that we face today. Therefore, the solution, or in other words the achievement of these 17 SDGs requires joint and coordinated action of the entire world, which means local, regional, national and global partnership among all stake holders, i.e. statutory bodies, NGOs, business community and science community. Partnerships organised at different levels are expected to ensure the participation of people, who are also responsible actors as consumers. After all, these goals have been set for the peace and prosperity of people of this generation and next generations, and awareness among people about the SDGs is a key factor to the success. Among these actors, local governments emerge as extremely eminent actors for two reasons: more than half of the world population live in cities, and they are the closest statutory bodies to people. It is not realistic to expect full achievement of the SDGs without the active engagement of local governments, as nearly two third of the 169 targets of the SDGs fall directly under the realm of local governments (Sustainable Development Goals and Habitat III: Opportunities for a successful New Urban Agenda, 2015). Although, it is central governments that have designed the SDGs, and monitoring the progress of countries is conducted by the representatives of central governments at ‘High-level Political Forum on Sustainable Development (HLPF)’, local governments are expected to be active actors in the implementation of the SDGs, next to central governments, together with other stake holders. In order for local governments to be effective actors in this challenging task, principles of good governance as well as translation of the SDGs and the targets into local context seem to be essential. Different cities with different size, development level, needs and features naturally have different strategies to achieve the localised SDGs. However, smart city technologies emerge as significant tools to be integrated into localised strategies for accelerating the achievement of the SDGs, especially the SDG 11, which is on sustainable cities and communities. The need for more effective and efficient use of information and communication technologies in cities has been better comprehended during the Covid-19 pandemic. Today, in many large urban areas, local governments use these technologies in various fields from transportation to waste management, in order to make their cities smarter, healthier and more sustainable. Istanbul, the largest city in Turkey, and a city that is bigger than more than 130 countries in the world, with a population of around 16 million, is among the cities where smart city technologies are being increasingly used day by day. In this chapter, the case of Istanbul will be analysed in terms of its smart city applications, and the contribution of these applications to the SDGs will be analysed. The chapter will start by setting the context of the SDGs and the concept of smart city, which will be followed by the discussion on the positive correlation between smart city technologies and sustainable development. The final part will concretize the discussion on the link between these two concepts through the case of Istanbul.

#### SDGs are leverage points that solve extinction BUT failure causes cascading risks that cumulatively outweigh any single risk, causing extinction

**Cernev 20** [Tom Cernev and Richard Fenner “The importance of achieving foundational Sustainable Development Goals in reducing global risk,” 2020, *Futures*, Vol. 115, https://doi.org/10.1016/j.futures.2019.102492]

4. Risks from failure to meet the SDGs 4.1. Cascading failures Fig. 3 demonstrates that cascade failures can be transmitted through the complex inter-relationships that link the Sustainable Development Goals. Randers, Rockstrom, Stoknes, Goluke, Collste, Cornell, Donges et al. (2018) have suggested that where meeting some SDGs impact negatively on others, this may lead to “crisis and conflict accelerators” and “threat multipliers” resulting in conflicts, instability and migrations. Ecosystem stresses are likely to disproportionately affect the security and social cohesion of fragile and poor communities, amplifying latent tensions which lead to political instabilities that spread far beyond their regions. The resulting “bad fate of the poor will end up affecting the whole global system"(Mastrojeni, 2018). Such possibilities are likely to go beyond incremental damage and lead to runaway collapse. The World Economic Forums’ Global Risks Report for 2018 shows the top five global risks in terms of likelihood and impact have changed from being economic and social in 2008 to environmental and technological in 2018, and are closely aligned with many SDGs (World Economic Forum, 2018). The report notes “that we are much less competent when it comes to dealing with complex risks in systems characterised by feedback loops, tipping points and opaque cause-and-effect relationships that can make intervention problematic”. The most likely risks expected to have the greatest impact currently include extreme weather events natural disasters, cyber attacks, data fraud or theft, failure of climate change mitigation and water crises. These are represented in Fig. 3 by the following exogenous variables. “Climate change” drives the need for Climate Action (SDG 13), “Cyber threat” may adversely impact technology implementation and advancement which will disrupt Sustainable Cities and Communities (SDG 11); Decent Work and Economic Growth (SDG 8) and the rate of introduction of Affordable and Clean Energy (SDG 7), with reductions in these goals having direct consequences in also reducing progress in the other goals which they are closely linked to. “Data Fraud or Threat” has the capacity to inhibit innovation and Industrial Performance (SDG 9), reducing competitiveness (and having the potential to erode societal confidence in governance processes). “Water Crises” (linked with climate change) have a direct impact on Human Health and Well Being (SDG 3) as well as reducing access to Clean Water and Sanitation (SDG 6) and reducing agricultural production which increases Hunger (SDG 2). The causal loop diagram also highlights “Conflict” as a variable (driven by multiple environmental-socio-economic factors) which together with regions most impacted by climate degradation will lead to an increase in migrant refugees enhancing the spread of disease and global pandemic risk, thus impacting directly on Human Health and Well Being (SDG 3) 4.2. Existential and catastrophic risk The level and consequences of these risks may be severe. Existential Risks (ER) have a wide scope, with extreme danger, and are “a risk that threatens the premature extinction of humanity or the permanent and drastic destruction of its potential for desirable future development” (Farquhar et al., 2017,) essentially being an event or scenario that is “transgenerational in scope and terminal in intensity” (Baum & Handoh, 2014). With a smaller scope, and lower level of severity, global catastrophic risk is defined as a scenario or event that results in at least 10 million fatalities, or $10 trillion in damages (Bostrom & Ćirković, 2008). Global Catastrophic Risk (GCR) events are those which are global, but they are durable in that humanity is able to recover from them (Bostrom & Ćirković, 2008; Cotton-Barratt, Farquhar, Halstead, Schubert, & Snyder-Beattie, 2016) but which still have a long-term impact (Turchin & Denkenberger, 2018b). Achieving the Sustainable Development Goals can be considered to be a means of reducing the long-term global catastrophic and existential risks for humanity. Conversely if the targets represented across the SDGs remain unachieved there is the potential for these forms of risk to develop. This association combined with the likely emergence of new challenges over the next decades (Cook, Inayatullah, Burgman, Sutherland, & Wintle, 2014) means that it is of great value to identify points within the systems representations of the Sustainable Development Goals that could both lead to global catastrophic risk and existential risk, and conversely that could act as prevention, or leverage points in order to avoid such outcomes. This identification in turn enables sensible policy responses to be constructed (Sutherland & Woodroof, 2009). Whilst existential threats are unlikely, there is extensive peril in global catastrophic risks. Despite being lesser in severity than existential risks, they increase the likelihood of human extinction (Turchin & Denkenberger, 2018a) through chain reactions (Turchin & Denkenberger, 2018a), and inhibiting humanity’s response to other risks (Farquhar et al., 2017). It is necessary to consider risks that may seem small, as when acting together, they can have extensive consequences (Tonn, 2009). Furthermore, the high adaptability potential of humans, and society, means that for humanity to become extinct, it is most likely that there would be a series of events that culminate in extinction as opposed to one large scale event (Tonn & MacGregor, 2009; Tonn, 2009). Whilst the prospect of existential risk, or global catastrophic risk can seem distant, the Stern Review on the Economics of Climate Change estimated the risk of extinction for humanity as 0.1 % annually, which accumulates to provide the risk of extinction over the next century as 9.5 % (Cotton-Barratt et al., 2016). With respect to identifying these risks, it is known that in particular, “positive feedback loops… represent the gravest existential risks” (Kareiva & Carranza, 2018), with pollution also having the potential to pose an existential risk.

#### Grid security is an impact filter.

**Denkenberger 21** [David Denkenberger, Anders Sandberg, Ross John Tieman, and Joshua M. Pearce, \* assistant professor of mechanical engineering at University of Alaska Fairbanks, “Long-term cost-effectiveness of interventions for loss of electricity/industry compared to artificial general intelligence safety,” 2021, *European Journal of Futures Research*, Vol. 9, Issue 1, https://doi.org/10.1186/s40309-021-00178-z, EA]

Civilization relies on a network of highly interdependent critical infrastructure (CI) to provide basic necessities (water, food, shelter, basic goods), as well as complex items (computers, cars, space shuttles) and services (the internet, cloud computing, global supply chains), henceforth referred to as industry. Electricity and the electrical infrastructure that distributes it plays an important role within industry, providing a convenient means to distribute energy able to be converted into various forms of useful work. Electricity is one component of industry albeit a critical one. Industry provides the means to sustain advanced civilization structures and the citizens that inhabit them. These structures play a critical role in realizing various futures by allowing humanity to discover and utilize new resources, adapt to various environments, and resist natural stressors. Though industry is capable of resisting small stressors, a sufficiently large event can precipitate cascading failure of CI systems, resulting in a collapse of industry. If one does not temporally discount the value of future people, the long-term future (thousands, millions, or even billions of years) could contain an astronomically large amount of value [18]. Events capable of curtailing the potential of civilization (existential risks, such as human extinction or an unrecoverable collapse) would prevent such futures from being achieved, implying reducing the likelihood of such events is of the utmost importance [100]. Reducing the prevalence of existential risks factors; events, systemic structures, or biases which increase the likelihood of extinction but do not cause extinction by themselves is also highly valuable. Complete collapse or degraded function of industry would drastically reduce humanity’s capacity to coordinate and deploy technology to prevent existential risks, representing an existential risk factor. Consequently, interventions preventing loss of industry, reducing the magnitude of impacts, or increasing speed of recovery could be extremely valuable. Existential risk research is, by nature, future focused, requiring the investigation of events that have not yet occurred. Futures studies methodologies are often applied to uncover salient trends or events, and explore potential causal structures [54, 123]. Probabilistic modeling techniques can then be used to determine the likelihood of such events occurring, including adequate treatment of uncertainty [101]. The cost-effectiveness modeling approach outlined in this paper is an example of this, attempting to assess the marginal utility of losing industry interventions on improving the long-term future. This approach could guide future efforts to assess the relative cost-effectiveness of interventions for different risks, existential or otherwise. More practically, this research can inform prioritization efforts of industrialized countries by providing estimates of the cost of global industrial collapse, and the utility of resilience interventions. This is relevant to the European Union which has a highly industrialized economy, providing $2.3 Trillion USD of the $13.7 Trillion USD global total of value add manufacturing [122]. The EU has shifted toward a more proactive foresight approach about natural and man-made disasters, noting the importance of rare high-impact events, systemic risks, and converging trends requiring better data and forecasting to drive a more ambitious crisis management system [47]. Still, it is clear that most academic and institutional emphasis has been on “ordinary” rather than extreme disasters, and risks from industry to the public and environment rather than widespread failures of industrial services causing harm. The integrated nature of the electric grid, which is based on centralized generation makes the entire system vulnerable to disruption.1 There are a number of anthropogenic and natural catastrophes that could result in regional-scale electrical grid failure, which would be expected to halt the majority of industries and machines in that area. A high-altitude electromagnetic pulse (HEMP) caused by a nuclear weapon could disable electricity over part of a continent [16, 48, 66, 93]. This could destroy the majority of electrical grid infrastructure, and as fossil fuel extraction and industry is reliant on electricity [49], industry would be disabled. Similarly, solar storms have destroyed electrical transformers connected to long transmission lines in the past [117]. The Carrington event in 1859 damaged telegraph lines, which was the only electrical infrastructure in existence at the time. It also caused Aurora Borealis that was visible in Cuba and Jamaica [70]. This could potentially disable electrical systems at high latitudes, which could represent 10% of electricity/industry globally. Though solar storms may last less than the 12 h that would be required to expose the entire earth with direct line of sight, the earth’s magnetic field lines redirect the storm to affect the opposite side of the earth [117]. Lastly, both physical [6, 8, 69, 89, 111] and cyber attacks [3, 63, 90, 96, 118, 128, 130] could also compromise electric grids. Physical attacks include traditional acts of terrorism such as bombing or sabotage [130] in addition to EMP attacks. Significant actors could scale up physical attacks, for example by using drones. A scenario could include terrorist groups hindering individual power plants [126], while a large adversary could undertake a similar operation physically to all plants and electrical grids in a region. Unfortunately, the traditional power grid infrastructure is simply incapable of withstanding intentional physical attacks [91]. Damage to the electric grid resulting in physical attack could be long lasting, as most traditional power plants operate with large transformers that are difficult to move and source. Custom rebuilt transformers require time for replacement ranging from months and even up to years [91]. For example, a relatively mild 2013 sniper attack on California’s Pacific Gas and Electric (PG&E) substation, which injured no one directly, was able to disable 17 transformers supplying power to Silicon Valley. Repairs and improvements cost PG&E roughly $100 million and lasted about a month [10, 102]. A coordinated attack with relatively simple technology (e.g., guns) could cause a regional electricity disruption. However, a high-tech attack could be even further widespread. The Pentagon reports spending roughly $100 million to repair cyber-related damages to the electric grid in 2009 [57]. There is also evidence that a computer virus caused an electrical outage in the Ukraine [56]. Unlike simplistic physical attacks, cyber attackers are capable of penetrating critical electric infrastructure from remote regions of the world, needing only communication pathways (e.g., the Internet or infected memory sticks) to install malware into the control systems of the electric power grid. For example, Stuxnet was a computer worm that destroyed Iranian centrifuges [73] to disable their nuclear industry. Many efforts are underway to harden the grid from such attacks [51, 63]. The U.S. Department of Homeland Security responded to ~ 200 cyber incidents in 2012 and 41% involved the electrical grid [103]. Nations routinely have made attempts to map current critical infrastructure for future navigation and control of the U.S. electrical system [57]. The electric grid in general is growing increasingly dependent upon the Internet and other network connections for data communication and monitoring systems [17, 112, 118, 127, 135]. Although this conveniently allows electrical suppliers management of systems, it increases the susceptibility of the grid to cyber-attack, through denial of webpage services to consumers, disruption to supervisory control and data acquisition (SCADA) operating systems, or sustained widespread power outages [3, 72, 118, 120]. Thus global or regional loss of the Internet could have similar implications.

#### Cyberattacks trigger nuclear retaliation.

**Klare 19** [Michael T. Klare, professor emeritus of peace and world security studies at Hampshire College, “Cyber Battles, Nuclear Outcomes? Dangerous New Pathways to Escalation,” November 2019, *Arms Control Today*, https://www.armscontrol.org/act/2019-11/features/cyber-battles-nuclear-outcomes-dangerous-new-pathways-escalation, EA – ability edited]

Yet another pathway to escalation could arise from a cascading series of cyberstrikes and counterstrikes against vital national infrastructure rather than on military targets. All major powers, along with Iran and North Korea, have developed and deployed cyberweapons designed to disrupt and destroy major elements of an adversary’s key economic systems, such as power grids, financial systems, and transportation networks. As noted, Russia has infiltrated the U.S. electrical grid, and it is widely believed that the United States has done the same in Russia.12 The Pentagon has also devised a plan known as “Nitro Zeus,” intended to ~~immobilize~~ the entire Iranian economy and so force it to capitulate to U.S. demands or, if that approach failed, to pave the way for a ~~crippling~~ air and missile attack.13 The danger here is that economic attacks of this sort, if undertaken during a period of tension and crisis, could lead to an escalating series of tit-for-tat attacks against ever more vital elements of an adversary’s critical infrastructure, producing widespread chaos and harm and eventually leading one side to initiate kinetic attacks on critical military targets, risking the slippery slope to nuclear conflict. For example, a Russian cyberattack on the U.S. power grid could trigger U.S. attacks on Russian energy and financial systems, causing widespread disorder in both countries and generating an impulse for even more devastating attacks. At some point, such attacks “could lead to major conflict and possibly nuclear war.”14

#### Confusion over space licensing causes resource wars.

**Renstrom 15** [Joelle Renstrom, Lecturer of Rhetoric at Boston University, “Will Mining Celestial Bodies Ruin Space?,” 12/09/15, WBUR, https://www.wbur.org/cognoscenti/2015/12/09/asteroid-mining-joelle-renstrom, EA]

We could certainly use these resources on Earth — especially water, if catastrophic drought predictions are accurate. Of course, asteroid mining companies that sell water to the rest of the world would need to be regulated, but that’s not really a new proposition. As with oil and gas companies, extracting, processing and selling water could promote worldwide competition and boost the economy. But how, exactly, would that competition work? Planetary Resources might be the first asteroid mining company, but it won’t be the last. Once the technology and resources are in place, other companies from the U.S. and elsewhere will join them in the hunt for viable, resource-rich asteroids. And then what? Earth has a history of oil crises, embargoes and conflicts. What’s to prevent similar clashes from arising in space? Perhaps enough asteroids exist to keep companies from various countries out of each other’s way if they can’t share. But the situation could get tricky, especially because the asteroids themselves would remain sovereign territory, as dictated by the 1967 Outer Space Treaty. The new law makes clear its consistency with this Treaty: “the United States does not thereby assert sovereignty or sovereign or exclusive rights or jurisdiction over, or the ownership of, any celestial body.” So no one would own the asteroids, but people would own the spoils. Would other countries recognize that? Would we recognize it if a Chinese or Russian company found a stockpile of platinum on an asteroid? Would asteroid mining become a first-come, first-served proposition? The Asteroid Resources Property Act also paves the way for resource exploitation on planets, such as Mars. One of the primary arguments made for colonizing the Red Planet is its resources. Mars Society founder and colonization advocate Robert Zubrin argues that Mars “is endowed with all the resources needed to support not only life but the actual development of a technological civilization.” These resources include water, carbon, nitrogen, hydrogen, oxygen and deuterium, a rare (on Earth) and valuable hydrogen isotope used to make rocket fuel. As such endeavors become more feasible, their implications raise some slippery-slope fears -- namely, that in addition to lifeless asteroids, planets with the potential for microbial life such as Mars may become competitive mining stations.

#### Resource wars go nuclear.

**Cribb 17** [Julian Cribb, Fellow of the Australian Academy of Technological Sciences and Engineering, “Surviving the 21st Century,” 2017, Springer, pp. 73-75, EA]

While the media tendency to dramatise war invariably throws the spotlight on the ideological, religious, racial or political factors propelling the combatants, in reality disputes over resources have underlain or exacerbated most conflicts historically. Were we able to interview the combatants in that stone-age Gwion Gwion rock painting, it is likely they would tell us it was an argument over hunting rights or a water hole, that led to that historic discharge of weapons. In the case of World War II, more mythologised that any conflict (Weber 2008), resources played a central role in precipitating war. As early as the 1920s, Hitler telegraphed his intention of taking large areas of Eastern Europe as ‘lebensraum (living space for German farmers) in response to a feeling common among Germans at the time that there was a national overpopulation crisis. Subsequent histories concluded that for the Hitler and the Nazis, lebensraum was in fact their most important foreign policy goal (Messerschmidt 1990). German military strategy was also significantly dictated by the need to acquire oil and coalfields as well as farms in Russia, Romania and elsewhere. Japan—as an industrial and military economy—was also critically short of oil, depending for most of its needs on imports from the US. Acquiring its own oil supplies formed a central plank in its motivation for war and military planning, and led to its invasion of Indochina. When America countered with a total trade and oil embargo on Japan in July 1941, war between the two became inevitable, as the Roosevelt Administration duly recognised at the time (Children in History 2012). The pattern of Japanese conquest of southeast Asia and the Pacific islands was strategically driven by its need to acquire and defend oil, rubber, food and other resources from Indonesia, Malaya, southern China and the Philippines. Up to half of all inter-state wars since 1973 have been linked to oil, says Jeff Colgan of the Harvard Kennedy School. “Although the threat of‘resource wars’ over possession of oil reserves is often exaggerated, the sum total of the political effects generated by the oil industry makes oil a leading cause of war. Between one-quarter and one-half of interstate wars since 1973 have been connected to one or more oil-related causal mechanisms. No other commodity has had such an impact on international security,” he says. Colgan identifies eight different ways in which oil helps precipitate, stoke or underpin conflict and warns that the number of security concerns is multiplying as new oil exporters enter the global market (Colgan 2013). It follows that ceasing to use oil will remove a major driver of conflict. In 1999 the Oslo Peace Research Institute issued a ground-breaking paper by Indra de Soysa and Nils Gleditsch which drew attention to the fact that, in the first decade of the post-Cold War era, most conflicts began with development failure and contests between the different players over those fundamental resources for life: food, land and water. “The new internal wars, extremely bloody in terms of civilian casualties, reflect subsistence crises and are largely apolitical,” they said (De Soya and Gleditsch 1999). This represented a challenge to the long-held academic view that scarcity is a product of war—rather than war a being product of scarcity. In fact, humans have always contested key resources vi et armis—and politics, religion, patriotism and ethnicity are just the way we tend to marshal ourselves into opposing groups around them. Peter Gleick’s work on water conflicts lends substance to the warnings of two UN chiefs, Boutros Boutros-Ghali and Ban Ki-Moon, of the increased danger of wars breaking out over this indispensable resource as scarcity takes hold. ‘Food wars’ (including so-called ‘fish wars’) have erupted on numerous occasions in Africa—where the Rwandan genocide and drawn-out bloody conflicts in Darfur and the Horn of Africa are particular examples—but also in Central America and Asia (Messer et al. 1998). These fights are almost always over the fundamentals of human survival and tend to originate as civil conflicts, which then spiral out of control to embroil neighbour states and even the superpowers. From the depth of his experience as both a farmer and an international statesman, former US president Jimmy Carter observed that modern wars almost invariably begin in poor countries where resources and people are stressed— seldom in rich ones or in democracies. Writing in the International Herald Tribune, he said “The message is clear. There can be no peace until people have enough to eat. Hungry people are not peaceful people” (Carter 1999a). In the emerging era of resource instability, described in Chap. 3, the risk of war is liable to increase in proportion to the scarcity of essential resources, be they water, farm land, food itself, oil, gas or strategic minerals. The possibility that some of these conflicts will involve the discharge of chemical, biological or nuclear weapons cannot be discounted. For example, in their Age of Consequences report, Kurt Campbell and colleagues at the US Center for Strategic and International Studies (CSIS) foreshadowed that with the famines and global disruption arising out of severe climate change (2.6 °C, in their scenario) “It is clear that even nuclear war cannot be excluded as a political consequence. Moreover, so-called “limited nuclear war” in any part of the world can escalate to a full-scale nuclear exchange among the big nuclear powers.” With catastrophic change of 5° or more, “The probability of conflict between two destabilized nuclear powers would seem high.” Furthermore “Armed conflict between nations over resources and even territory, such as the Nile and its tributaries, is likely, and nuclear war is possible” (Campbell et al. 2007).

#### That turns good mining – only reclassifying space property solves.

**Yan 18** [Laura Yan, citing Ramin Skibba, an astrophysicist, ”Should We Really Be Mining in Space?,” 05/05/18, *Popular Mechanics*, https://www.popularmechanics.com/space/a20195040/should-we-be-really-be-mining-in-space/]

Imagine, for instance, an asteroid that contains as many platinum-group metals as all reserves on Earth. Businesses will compete for the precious resource, and the competing may soon turn into battle by armed satellites, which can lead back to conflicts on Earth. The act of mining itself could also be dangerous: if space-mining break up asteroids, it could harm other satellites, spacecrafts and astronauts. Commerical space mining could lead to conflicts between profitability and public interest. "Once you’re on board with the commercial space industry, then you as a researcher must accept, if not support, everything that comes with it," Skibba writes. "To succeed, these businesses will seek profitable missions, while science, exploration, and discovery—goals that stimulate public interest—will inevitably have lower priority," The solution, according to Skibba, is to treat outer space as we do Antarctica: a place to encourage scientific investigation and discourage territorial claims. It's a commendable idea, but is it likely? Last week, President Trump has already suggested the idea of adding a "Space Force" to the military. According to The Independent, "experts have warned that space will be increasingly contested in years to come, as increasingly complex weapons are built and more opportunities are opened up for exploring the area outside the Earth."

## Advantage 2–Space Race

#### Space race is coming now and escalates conflict

**Delgado-Perez 20** [Veronica Delgado-Perez, staff contributor to International Scholar with a Master’s degree in Public International Law from Utrecht University and a Bachelor of Laws at the Universidad Externado de Colombia, with a focus on soviergnty and outer space law, 4-6-2020, "Commercialization of Space Risks Launching a Militarized Space Race," International Scholar, <https://www.theintlscholar.com/periodical/12/14/2020/analysis-commercialization-space-risk-international-law-military-space-race>]/Kankee

International law must immediately and proactively address questions surrounding extraterrestrial commercial activity — or risk the unraveling of the international legal neutrality of space and the launch of a new militarized space race fueled by resurgent great power competition. On April 6, 2020, U.S. former President Donald Trump announced an executive order encouraging the use and recovery of space resources, which includes hard rock minerals, helium, and regolith, among others. The order argued that outer space was not a "global commons," as is established in international law, but rather that space is considered as public and private property within the limits of applicable law. The private commercialization of resources in outer space was long a goal of the Trump administration. However, President Biden’s space policies are much more speculative given the lack of information about his views on outer space. There is only one document from the Democratic Party, titled “Building a Stronger, Fairer Economy,” which hints at a Biden administration approach to space interests. According to the platform, the Democratic Party remains committed to continuing space exploration and supporting NASA’s programs.Following Trump’s decision, SpaceX launched the Crew Dragon with NASA astronauts to the International Space Station (ISS) on May 30, 2020. Though in years past, NASA chose state-owned Russian rockets to send astronauts to outer space, the Crew Dragon is a rocket built, operated, and launched by a private American company. In the same month, NASA announced the Artemis Accords, which establish a new set of principles including the extraction and use of resources on the Moon, Mars, and asteroids. The commercial crew program appears to remain in operation, launching its first operational flight of the Crew Dragon by Space X on November 16th of this year. While nonetheless a remarkable technical achievement, the Crew Dragon’s mission, and the policies that enabled it, will inevitably lead to a drawn-out geopolitical and legal conflict. The U.S.’ commercial activities could violate several international instruments and ignore U.N.’s resolutions, compromise a vital foundation of international law, weaken the U.S.’ standing and respectability around the world, and undermine the principle of maintaining international peace and security and promoting international cooperation and understanding, all while fueling a new space race between the world’s great powers. For all of these reasons, every effort should be made to foster an international response to the U.S. policy and to shore up international legal mechanisms to prevent the commercialization of space. Fundamentals of the Final Frontier It is a geopolitical imperative to determine what, if any, commercial activities and use of extraterrestrial resources are permitted within the confines of international law. Without clear-cut agreements on what activity is recognized by international law, the world will undoubtedly see states push the boundaries ever further in an attempt to gain the edge over geopolitical competitors — even more-so in an era of renewed great power competition. Yet to date, there exists no comprehensive treaty or legal reference to commercial activity in space. However, this should come as no surprise. It has only been since the turn of the century that technology and markets have progressed to the point where commercial space exploration and exploitation has become possible. Only recently have experts and analysts of geopolitics and international law begun to seriously examine questions surrounding the legal framework that would govern extraterrestrial resource-mining and other commercial activities. In the last decade, the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) dealt with commercial aspects in outer space. In one of their last reports, the Committee expressed that the era of the commercial utilization of outer space’s resources is intrinsically linked to the escalation of international competition over resources, which could threaten international peace and security. By encouraging the international community to engage in outer space’s activities for the benefit of humankind as a whole, “some delegations” have expressed that states should avoid the promotion of laws and regulations related to the commercialization of outer space, arguing that it should be considered the heritage of all humanity. In that regard, states must then ensure that domestic law on the use of outer space complies with international space law, which means that states should respect the principles outlined in the Outer Space Treaty and ensure that national regulations do not contravene international provisions. Even though the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies (which entered into force in 1967), refers to the exploration and use of outer space, it does not address questions of a commercial nature, which compromises the ability of states and international actors to address new challenges to extraterrestrial activities. In several provisions, the treaty highlights that these activities may be carried out for peaceful purposes and the benefit of all people, reaffirming that outer space is not subject to national appropriation. Were outer space not considered a global commons, that would imply that the resources and results of commercial exploration may fall within the jurisdiction of a country. It is thus incumbent upon Washington — and its commercial enterprises — to demonstrate how American commercial exploration of space benefits other countries and complies with international space law, or otherwise to adhere to the spirit of past treaties which emphasize the impartiality of outer space until such time as the law is clarified. International Law is Adrift in Space The potential benefits of commercial space exploration cannot be ignored. From an economic standpoint, the space industry would generate a significant economic boon for both states and private companies, due to the abundance and variety of resources — particularly scarce minerals that are difficult to extract on Earth. As one example of the vastness of resources held in outer space, one asteroid has the potential to contain more than the total supply of platinum extracted throughout the history of mankind. It may very well open the door to an advanced era of space navigation, building extraterrestrial infrastructure that facilitates the exploration and use of space’s resources, and extra-planetary human habitation. Inevitably, there are significant drawbacks to the commercialization of space exploration. These can vary, for instance, from the commercial dominance of space’s natural resources only by those states with the technical and financial capital to support space missions, to geopolitical competition over extraterrestrial resources that threatens world peace and security, to the potential for the monopolization of extraterrestrial resources by states and private companies. As was the case during the Cold War, the Soviet Union and the United States began a Space Race in which they struggled to achieve supremacy in space exploration and domination of science. Today, the number of space powers has increased thanks to continual advancements in flight, combustion, and fueling technologies. In the three decades since the end of the Cold War, technologically advanced countries like China, Japan, and France which previously had no space program have successfully navigated to the top tier of space-faring agencies and programs. In 2018, the U.S. allocated $41 billion to space programs, followed by China at $5.8 billion, and Russia at $3.1 billion. Collectively, the three major space powers control almost 65% of the global industry, showing space powers are monopolizing space and reinforcing the inequality gap between states that do not have sufficient economic and technological capacity to invest. With new actors on the game stage, conflicts of interest may arise. There is a risk that each actor adopts a kind of short-term Realist approach to space policy — one which is driven by self-interest in reaping the greatest benefits of extraterrestrial exploration and commercialization while controlling access to others. If unmitigated, states may choose to militarize outer space to gain a strategic edge over competitors and adversaries. This process has already begun. Under the Trump administration, the Pentagon established the U.S. Space Force as a new branch of the Armed Forces to protect the country and allied interests in space. Already, Delta 4 — one of the U.S. Space Force’s missions — conducts strategic and theater missile warnings, manages weapon systems, and provides information to missile defense forces. The measure shows that for the U.S., outer space is not only a domain of scientific exploration but has the potential to become increasingly securitized. With the impending expiration of the Strategic Arms Reduction Treaty (START) between the U.S. and Russia on February 5, 2021, a number of security dilemmas could arise. If the world’s two largest nuclear powers do not edge toward extending the treaty, Washington and Moscow risk returning to the era of unrestricted expansion of launch platforms and strategically-deployed nuclear warheads — potentially with the aid of military infrastructure in space. Although President-elect Biden has expressed his interest in negotiating an extension of New START, how Moscow and Washington might proceed remains an open question. Bilateral progress towards a new arms-control regime would require establishing limits on the number and range of long- and mid-range missiles, establishing measures to limit the expansion of traditional missile deployment to space, and banning the deployment of nuclear weapons and weapons of mass destruction in outer space. More than the risk of the securitization of space, state, and private actors could begin to claim exclusive legal rights over the resources they discover. Indeed, the U.S. Commercial Space Launch Competitiveness Act, which came into force in 2015, expressly recognizes the right of U.S. Citizens to possess, own, transport, use, and sell space resources. By this means, domestic law already acknowledges the legal claim to property by individuals, which is prohibited by international law. Under the Outer Space Treaty, states renounced any traditional form of acquisition of territories and agreed not to foray unilaterally into space to extend their national policies on Earth or to exercise any kind of sovereignty over celestial bodies or resources. The absence of a modern international treaty that addresses these issues should be received with grave concern, as there is significant potential for risk to become reality. Existing UN treaties lack the technological context and foresight to address legal questions regarding the potential for commercial exploration and exploitation of outer space or its resources. During the sixties and seventies, when international instruments like the Outer Space treaty were conceived, the principal aim of states was to support and expand the scale of the state’s national capacity for operation in space and the development of legal instruments to guide state’s international cooperation in the peaceful exploration of outer space. These instruments were never designed to respond to commercial questions over mining or tourism in space, private investment in space activities, or the emergence of non-state private enterprises operating in space. As a result, private enterprises operating in the vacuum of space also float in an unstable legal vacuum which threatens to implode in geopolitical competition. Beyond Stars and States In an increasingly commercial outer space in which there are no set limits to the exploitation of resources or claim to property, states and private companies will inevitably pursue the development of new extraterrestrial industries to suit their geoeconomic interests. If unchecked, the legal protection of outer space as a domain of exploration for the benefit of all humanity would functionally fail. To protect investments and profit from national space industries, states would likely resort to military force to protect and secure private assets. Over time, space would ultimately become a fourth border domain over which states claim, exercise, and defend sovereignty — including through the use of force. The challenge is thus to prevent the circumstances that could lead to space-borne conflict before it is made possible. Notwithstanding, commercial exploration and the use of natural resources need not lead to predation among actors involved in space. The potential rewards — both technological and environmental — that could come from investment in the harvesting of resources in space are immense. International law cannot afford to wait for the security dilemma posed by commercial activity in space to manifest before addressing it but must anticipate and proactively adopt measures to address future issues that govern extraterrestrial human activity. The only remedy for the lack of legal governance over commercial activity in space is the creation of new international laws through a comprehensive international treaty on commercial operations in space. The new treaty must expressly regulate commercial activities by states and private companies, enshrine an international liability and compensation regime covering damages caused with workable sanction provisions, and reinforce norms that restrict any militarization of outer space. The international community should focus its efforts on establishing a legal regime, with mandatory provisions (rather than non-binding resolutions, observations, commentaries, and conclusions) which generate both international responsibility and provide enforceable sanctions in the event of violations. The effort should be borne out by expanding the scope and strengthening the oversight powers of the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS), rather than creating a new organ with redundant bureaucracy. Beyond the tasks of encouraging space research programs, studying space activities, and addressing legal questions, COPUOS should be granted the necessary powers to perform control and oversight monitoring functions. Experience has taught the international community that cooperative arrangements between states and international organizations can prevent competition for resources from escalating to kinetic conflict. Through cooperation, there is a chance to preserve extraterrestrial resources for future generations, secure an equitable allocation of resources and benefits with a mind to each country’s specific needs, and prevent the expansion of geopolitical conflict to the domain of space. Space powers must recognize the value in partnering with other states to advance the development of space programs more efficiently. It should be clear now that all nations could reap the benefits of collective action, exploration, and commercialization of resources from beyond Earth’s atmosphere while preventing a drawn-out international conflict to the final frontier. The will of states not to jeopardize the fundamental basis of international law must be reflected in coordination and surveillance efforts to ensure that the advantages derived from space exploration allow humanity to continue evolving.

#### But, arms control talks are in-progress now – their success solves a space arms race.

**Kimball 21** [Daryl G. Kimball, Executive Director of the Arms Control Association; B.A. in Political Science and Diplomacy/Foreign Affairs, “A Small Step Toward an ASAT Ban,” December 2021, *Arms Control Today*, https://www.armscontrol.org/act/2021-12/focus/small-step-toward-asat-ban, EA]

Last month, the UN General Assembly First Committee, responsible for international security, approved a compromise resolution that sets into motion a new open-ended working group to develop rules of the road for military activities in space. If key countries, including the United States, provide leadership, the initiative could help advance progress toward legally binding measures designed to prohibit counterspace activities that threaten international security, beginning with a ban on land-based anti-satellite (ASAT) weapons. A core rationale for the resolution, which was sponsored by the United Kingdom, is “that the creation of long-lived orbital debris arising from the deliberate destruction of space systems increases the risk of in-orbit collisions and the potential for misunderstanding and miscalculations that could lead to conflict.” As if to underscore the threat posed by ASAT weapons, on Nov. 15, Russia launched an interceptor from its Nudol ground-based ASAT system to destroy one of its own aging satellites in low Earth orbit. The collision created at least 1,500 pieces of trackable debris that will pose a threat to orbiting objects for years to come. Russia is not the only nation to act in such an irresponsible manner. China, the United States, and India have also demonstrated the ability to destroy satellites with ground- or air-launched missiles. In 1985, the United States successfully tested an air-launched missile to destroy a weather satellite. In 2007, China used a ground-based SC-19 ballistic missile to destroy a weather satellite. In 2008, the United States used a modified ship-based SM-3 missile defense interceptor to destroy a failed U.S. intelligence satellite. In 2019, India used a ground-based Prithvi ballistic missile to destroy one of its own target satellites. Each of these demonstrations of ASAT weapons capabilities is destabilizing. If these and other potentially hostile activities in space are not stopped, an acceleration of a space arms race is all but certain. The 1967 Outer Space Treaty prohibits the placement of nuclear weapons in space, but there are no restrictions on other types of weapons in that domain. Efforts to launch talks that might produce new understandings on maintaining the peaceful use of space have been stymied for years. China and Russia have long advocated for a treaty that only bars the placement of any weapons in space. Their proposal, called the Prevention of the Placement of Weapons in Outer Space (PPWT), defines a “space weapon” as an object placed into orbit with the intent of harming other space objects. This means that the Russian Nudol system, which flies a suborbital trajectory, would not be a violation. But their proposed ban would restrict potential U.S. efforts to develop space-based missile defense interceptors while allowing suborbital ASAT capabilities. For years, the United States has been wary of any legally binding restrictions on ASAT systems in part because they might restrict U.S. ground-based missile defense capabilities or a possible space-based kinetic anti-missile system that could involve a number of orbiting interceptors that provide a thin defense against intercontinental missiles. But earlier this year, President Joe Biden’s Interim National Security Strategic Guidance stated that the United States “will lead in promoting shared norms on space.” The U.S. National Space Policy, issued in December 2020 by the Trump administration, said Washington shall consider “proposals and concepts for arms control measures if they are equitable, effectively verifiable, and enhance the national security of the United States and its allies.” Curiously, although Beijing and Moscow voted “no” on the UK resolution for the working group on preventing an arms race in outer space, they refrained from pushing for discussions in a UN-sponsored forum for their PPWT proposal. This may be because the UK resolution allows for consideration by the new working group of legally binding measures of the kind that Russia and China have pursued, as well as voluntary rules designed to constrain threatening military activities. The UK resolution, which was approved 163–8 with nine abstentions, is expected to win final approval by the UN General Assembly in December. It would authorize the working group to begin operating in 2022 with a final report due to the General Assembly in the fall of 2023. To its credit, the resolution also emphasized the need for verification of legally binding arms control regarding space systems. The UK-led initiative is a small but much-needed breakthrough that creates the potential for positive results. As the process unfolds, the United States, Russia, China, and India could help build momentum and reduce tensions by declaring unilateral moratoriums on any further testing of their ASAT weapons that could create dangerous orbital debris and agree to participate in the working group next year. Without commonsense rules of the road, a dangerous, destabilizing offensive-defensive space arms competition is on the way. It is past time for key states to engage in productive dialogue on space security, with a focus on halting ASAT weapons.

#### First, Space Arms Races go nuclear – UNCOPUOS has the best shot of averting them.

**Grego 18** [Laura Grego, Stanton Nuclear Security Fellow at MIT’s Laboratory for Nuclear Security and Policy, on leave from the Union of Concerned Scientists’ Global Security Program, where she is senior scientist and research director, “Space and Crisis Stability,” 03/19/18, https://www.law.upenn.edu/live/files/7804-grego-space-and-crisis-stabilitypdf, EA]

For the foreseeable future, military tensions between the United States, China, and Russia are likely to remain high, as are those between China and India. Even absent intentional confrontation, regional problems, such as those in the Baltics and East and South Asia, have the potential to draw these actors into conflict. Thus, it is imperative to pay attention to any pathways that could lead an actor considering crossing the nuclear threshold, or approaching it very closely. The United States and Russia continue to retain large nuclear arsenals on high alert1 . Each are developing new strategic weapons, including hypersonic conventional prompt global strike systems with a suggestion mission of holding ground-based anti-satellite weapons at risk.2 Russia has declared the existence of novel nuclear delivery systems as a response to US missile defense systems,3 weapons which complicate the management of crises. China is reportedly considering increasing the size, capacity and alert status of its nuclear weapons delivery systems4 and is also developing new kinds of strategic weapons. China is also developing hypersonic weapons,5 and the ingredients for an arms race around these technologies is in place. India continues to increase the sophistication of its strategic posture. And India, China, Russia and the United States have or are pursuing missile defense technologies that are important both in the nuclear realm but in space issues, since missile defenses present demonstrated or inherent antisatellite capabilities. Thus it is critical to ensure that in times of tension, no actor escalates the crisis inadvertently or against their better judgment, and that misperception does not play an important role in the initiation or progress of the crisis. And that hostilities, if initiated, resolve as quickly as possible. Thomas Schelling‘s encapsulated an aspect of this idea in his landmark work this way: This is the problem of surprise attack. If surprise carries an advantage, it is worth while [sic] to avert it by striking first. Fear that the other may be about to strike in the mistaken belief that we are about to strike gives us a motive for striking, and so justifies the other‘s motive. But if the gains from even successful surprise are less desired than no war at all, there is no “fundamental” basis for an attack by each side. Nevertheless, it look as though a modest temptation on each side to sneak in the first place — a temptation too small by itself to motivate an attack — might become compounded through a process of interacting expectations, with additional motive for attack being produced by successive cycles of ―He thinks we think he thinks we think … ~~he~~ think we think ~~he~~‘ll attack; so he thinks we will; so he will; so we must.6 This suggests that it is important to make the advantage of surprise attack negligible and the disadvantages as great as possible, to make sure that all actors understand this, and to make sure that actors have as clear an understanding of each other‘s motivations as possible to avoid miscalculation. In the last twenty years, space assets have become important not only for strategic missions but also increasingly underpin conventional military force for modern militaries, and especially those with expeditionary forces, such as the United States. They are essential not only for militaries, but are a critical provider of essential civilian, commercial, and scientific services. Not only do satellites perform many more missions than they have in the past, there are many more spacefaring nations. While most satellites belong to the United States, Russia, and China, more than sixty countries own satellites or a large stake in one.7 At the same time, the technologies that are useful for holding satellites at risk have grown significantly in sophistication and capacity even in the last decade, and have become more widely available. This is particularly problematic because attacks on satellites can create or escalate terrestrial crises in potentially difficult to predict ways. The world is drifting towards a space regime that faces an ever more prevalent and more sophisticated anti-satellite technology and greater numbers and types of targets in space, with very little mutual understanding about how actions in space are perceived. While space‘s foundational legal document, the 1967 Outer Space Treaty, sets out the principles by which space is used and provides a number of useful, most recognize that more is needed to secure lasting peace on earth and the long-term health of the space environment. Different stakeholders are tackling space security issues from different angles. Under the aegis of the United Nations Conference on Disarmament‘s (UNCD) Prevention of an Arms Race in Space (PAROS) agenda item, Russia and China have invested in the Treaty for the Prevention of the Placement of Weapons in Outer Space, a comprehensive ban on the deployment of space-based weapons and on threats of any kind against satellites. 8 The United States has stated that it sees little value in this treaty, but has not proposed revisions that would make it more acceptable nor suggested its own preferred legally-binding treaty. And the UNCD has struggled to extricate itself from a deadlock that has kept it from moving forward on discussions on this (and all other) topics. Others have suggested a ban on destructive anti-satellite weapons development and testing,9 and limits on exoatmospheric missile defense tests.10 These efforts have not yet produced any appreciable progress. Others prefer the approach of starting with confidence building and transparency measures that are politically binding rather than legally binding. The European Union moved forward a Code of Conduct for Outer Space Activities, 11 which would set out rules of the road for space, creating transparency and building confidence. It did not address directly core security issues, and the gestures it made in this direction (the requirement by the United States that it include a specific reference to the right of self-defense) created disagreements serious enough to not be easily addressed in this format. The process hit a wall in 2015. A United Nations Group of Governmental Experts, convened to consider TCBMs for space, produced a consensus document,12 though for a number of reasons, little progress has been made on implementing them.13 Perhaps the greatest progress in creating new guidelines has come under the aegis of protecting the long-term sustainability of space. (While the long-term sustainability of space does imply that core security questions are solved enough to not threaten the space environment, work on this topic does not take the issue head-on.) The United Nations Committee on the Peaceful Uses of Outer Space has drafted a set of such guidelines which will be referred to the General Assembly in 2018.14 For its part, the United States, currently the most heavily invested in space in sheer capacity and in posture, is investing significant intellectual energy in creating a deterrence strategy to protect its military interests in space. While this is closely related to crisis stability, this work is distinctly from a US point of view. Each of these approaches have something distinct to offer. The aim of this paper, however, is to look at the issue differently and to use crisis stability (rather than, e.g., preventing an arms race, preserving the space environment) as an organizing principle or lens to help identify which facets of space activities are particularly dangerous, and to prioritize the existing initiatives, as well as to offer other unilateral and collaborative actions that can help reduce the pathways to confrontation between nuclear powers. Why space is a particular problem for crisis stability For a number of reasons, space poses particular challenges in preventing a crisis from starting or from being managed well. Some of these are to do with the physical nature of space, such as the short timelines and difficulty of attribution inherent in space operations. Some are due to the way space is used, such as the entanglement of strategic and tactical missions and the prevalence of dual-use technologies. Some are due to the history of space, such the absence of a shared understanding of appropriate behaviors and consequences, and a dearth of stabilizing personal and institutional relationships. While some of these have terrestrial equivalents, taken together, they present a special challenge. The vulnerability of satellites and first strike incentives Satellites are inherently fragile and difficult to protect; in the language of strategic planners, space is an “offense-dominant” regime. This can lead to a number of pressures to strike first that don‘t exist for other, better-protected domains. Satellites travel on predictable orbits, and many pass repeatedly over all of the earth‘s nations. Low-earth orbiting satellites are reachable by missiles much less capable than those needed to launch satellites into orbit, as well as by directed energy which can interfere with sensors or with communications channels. Because launch mass is at a premium, satellite armor is impractical. Maneuvers on orbit need costly amounts of fuel, which has to be brought along on launch, limiting satellites‘ ability to move away from threats. And so, these very valuable satellites are also inherently vulnerable and may present as attractive targets. Thus, an actor with substantial dependence on space has an incentive to strike first if hostilities look probable, to ensure these valuable assets are not lost. Even if both (or all) sides in a conflict prefer not to engage in war, this weakness may provide an incentive to approach it closely anyway. A RAND Corporation monograph commissioned by the Air Force15 described the issue this way: First-strike stability is a concept that Glenn Kent and David Thaler developed in 1989 to examine the structural dynamics of mutual deterrence between two or more nuclear states.16 It is similar to crisis stability, which Charles Glaser described as “a measure of the countries‘ incentives not to preempt in a crisis, that is, not to attack first in order to beat the attack of the enemy,”17 except that it does not delve into the psychological factors present in specific crises. Rather, first strike stability focuses on each side‘s force posture and the balance of capabilities and vulnerabilities that could make a crisis unstable should a confrontation occur. For example, in the case of the United States, the fact that conventional weapons are so heavily dependent on vulnerable satellites may create incentives for the US to strike first terrestrially in the lead up to a confrontation, before its space-derived advantages are eroded by anti-satellite attacks.18 Indeed, any actor for which satellites or space-based weapons are an important part of its military posture, whether for support missions or on-orbit weapons, will feel “use it or lose it” pressure because of the inherent vulnerability of satellites. Short timelines and difficulty of attribution The compressed timelines characteristic of crises combine with these “use it or lose it” pressures to shrink timelines. This dynamic couples dangerously with the inherent difficulty of determining the causes of satellite degradation, whether malicious or from natural causes, in a timely way. Space is a difficult environment in which to operate. Satellites orbit amidst increasing amounts of debris. A collision with a debris object the size of a marble could be catastrophic for a satellite, but objects of that size cannot be reliably tracked. So a failure due to a collision with a small piece of untracked debris may be left open to other interpretations. Satellite electronics are also subject to high levels of damaging radiation. Because of their remoteness, satellites as a rule cannot be repaired or maintained. While on-board diagnostics and space surveillance can help the user understand what went wrong, it is difficult to have a complete picture on short timescales. Satellite failure on-orbit is a regular occurrence19 (indeed, many satellites are kept in service long past their intended lifetimes). In the past, when fewer actors had access to satellite-disrupting technologies, satellite failures were usually ascribed to “natural” causes. But increasingly, even during times of peace operators may assume malicious intent. More to the point, in a crisis when the costs of inaction may be perceived to be costly, there is an incentive to choose the worst-case interpretation of events even if the information is incomplete or inconclusive. Entanglement of strategic and tactical missions During the Cold War, nuclear and conventional arms were well separated, and escalation pathways were relatively clear. While space-based assets performed critical strategic missions, including early warning of ballistic missile launch and secure communications in a crisis, there was a relatively clear sense that these targets were off limits, as attacks could undermine nuclear deterrence. In the Strategic Arms Limitation Treaty, the US and Soviet Union pledged not to interfere with each other‘s “national technical means” of verifying compliance with the agreement, yet another recognition that attacking strategically important satellites could be destabilizing.20 There was also restraint in building the hardware that could hold these assets at risk. However, where the lines between strategic satellite missions and other missions are blurred, these norms can be weakened. For example, the satellites that provide early warning of ballistic missile launch are associated with nuclear deterrent posture, but also are critical sensors for missile defenses. Strategic surveillance and missile warning satellites also support efforts to locate and destroy mobile conventional missile launchers. Interfering with an early warning sensor satellite might be intended to dissuade an adversary from using nuclear weapons first by degrading their missile defenses and thus hindering their first-strike posture. However, for a state that uses early warning satellites to enable a “hair trigger” or launch-on-attack posture, the interference with such a satellite might instead be interpreted as a precursor to a nuclear attack. It may accelerate the use of nuclear weapons rather than inhibit it. Misperception and dual-use technologies Some space technologies and activities can be used both for relatively benign purposes but also for hostile ones. It may be difficult for an actor to understand the intent behind the development, testing, use, and stockpiling of these technologies, and see threats where there are none. (Or miss a threat until it is too late.) This may start a cycle of action and reaction based on misperception. For example, relatively low-mass satellites can now maneuver autonomously and closely approach other satellites without their cooperation; this may be for peaceful purposes such as satellite maintenance or the building of complex space structures, or for more controversial reasons such as intelligence-gathering or anti-satellite attacks. Ground-based lasers can be used to dazzle the sensors of an adversary‘s remote sensing satellites, and with sufficient power, they may damage those sensors. The power needed to dazzle a satellite is low, achievable with commercially available lasers coupled to a mirror which can track the satellite. Laser ranging networks use low-powered lasers to track satellites and to monitor precisely the Earth‘s shape and gravitational field, and use similar technologies. 21 Higher-powered lasers coupled with satellite-tracking optics have fewer legitimate uses. Because midcourse missile defense systems are intended to destroy long-range ballistic missile warheads, which travel at speeds and altitudes comparable to those of satellites, such defense systems also have inherent ASAT capabilities. In fact, while the technologies being developed for long-range missile defenses might not prove very effective against ballistic missiles—for example, because of the countermeasure problems associated with midcourse missile defense— they could be far more effective against satellites. This capacity is not just theoretical. In 2007, China demonstrated a direct-ascent anti-satellite capability which could be used both in an ASAT and missile defense role, and in 2009, the United States used a ship-based missile defense interceptor to destroy a satellite, as well. US plans indicated a projected inventory of missile defense interceptors with capability to reach all low earth orbiting satellites in the dozens in the 2020s, and in the hundreds by 2030.22 Discrimination The consequences of interfering with a satellite may be vastly different depending on who is affected and how, and whether the satellite represents a legitimate military objective. However, it will not always be clear who the owners and operators of a satellite are, and users of a satellite‘s services may be numerous and not public. Registration of satellites is incomplete23 and current ownership is not necessarily updated in a readily available repository. The identification of a satellite as military or civilian may be deliberately obscured. Or its value as a military asset may change over time; for example, the share of capacity of a commercial satellite used by military customers may wax and wane. A potential adversary‘s satellite may have different or additional missions that are more vital to that adversary than an outsider may perceive. An ASAT attack that creates persistent debris could result in significant collateral damage to a wide range of other actors; unlike terrestrial attacks, these consequences are not limited geographically, and could harm other users unpredictably. In 2015, the Pentagon‘s annual wargame, or simulated conflict, involving space assets focused on a future regional conflict. The official report out24 warned that it was hard to keep the conflict contained geographically when using anti-satellite weapons: As the wargame unfolded, a regional crisis quickly escalated, partly because of the interconnectedness of a multi-domain fight involving a capable adversary. The wargame participants emphasized the challenges in containing horizontal escalation once space control capabilities are employed to achieve limited national objectives. Lack of shared understanding of consequences/proportionality States have fairly similar understandings of the implications of military actions on the ground, in the air, and at sea, built over decades of experience. The United States and the Soviet Union/Russia have built some shared understanding of each other‘s strategic thinking on nuclear weapons, though this is less true for other states with nuclear weapons. But in the context of nuclear weapons, there is an arguable understanding about the crisis escalation based on the type of weapon (strategic or tactical) and the target (counterforce—against other nuclear targets, or countervalue—against civilian targets). Because of a lack of experience in hostilities that target space-based capabilities, it is not entirely clear what the proper response to a space activity is and where the escalation thresholds or “red lines” lie. Exacerbating this is the asymmetry in space investments; not all actors will assign the same value to a given target or same escalatory nature to different weapons. For example, the United States is the country most heavily dependent on military space assets. Its proportionally higher commitment to expeditionary forces make this likely to be true well into the future. So while the United States seeks to create a deterrence framework, punishment-based deterrence would not likely target its adversary‘s space assets. But then there is difficulty finding target on the ground that would be credible but also not unpredictably escalate a crisis. If an American military satellite were attacked but without attendant human casualties (‗satellites have no mothers‘), retaliation on an adversary‘s ground-based target is likely to escalate the conflict, perhaps justifying the adversary‘s subsequent claim to self-defense, even if the initial satellite attack didn‘t support such a claim. Little experience in engaging substantively in these issues Related to this issue is that there is relatively little experience among the major space actors in handling a crisis with the others. The United States and the Soviet Union, then Russia, have had a long history of strategic discussions and negotiations. This built up a shared understanding of each other‘s point of view, developed relationships between those conducting those discussions, and created bureaucracies and expertise to support those discussions. This experience and these relationships are important to interpreting events and to resolving disputes before they turn into a crisis, and to managing one once it begins. There is nothing like this level of engagement around space issues between these two states, and much less between the US and China. One of the participants in a 2010 US space war game, a diplomatic veteran, imagined25 how things would play out if one or more militarily important US satellites failed amidst a crisis with an adversary known to have sophisticated offensive cyber and space capabilities: The good news is that there has never been a destructive conflict waged in either the space or cyber domains. The bad news is that no one around the situation room table can cite any history from previous wars, or common bilateral understandings with the adversary, relating to space and cyber conflict as a guide to what the incoming reports mean, and what may or may not happen next. This is the big difference between the space-cyber domains, and the nuclear domain. There is, in this future scenario, no credible basis for anyone around the president to attribute restraint to the adversary, no track record from which to interpret the actions by the adversary. There is no crisis management history: the president has no bilateral understandings or guidelines from past diplomatic discussions, and no operational protocols from previous incidents where space and cyber moves and counter-moves created precedents. Perhaps the adversary intended to make a point with one series of limited attacks, and hoped for talks with Washington and a compromise; but for all the president knows, sitting in the situation room, the hostile actions taken against America‘s space assets and information systems are nothing less than early stages of an all-out assault on US interests.

#### The plan pushes them over the edge by granting UN COPUOS new authority in line with its existing mandates – any other process fails.

**Qizhi 86** [He Qizhi, member of the Governing Board of the Chinese Society of International Law, “On strengthening the role of COPUOS: Maintaining outer space for peaceful uses,” 1986, *Space Policy*, Vol. 2, Issue 1, https://www.sciencedirect.com/science/article/abs/pii/0265964686900032, EA]

The United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) is the first and foremost among multinational organs working for the promotion of peaceful uses of space science and technology. COPUOS has become the forum for elaborating internationally accepted legal principles governing space activities. It has produced five international conventions on the exploration and peaceful uses of outer space, constituting the fundamental body of international space law. A number of other legal items - such as the draft principles on remote sensing from space, the elaboration of rules concerning the use of nuclear power sources in outer space, the definition and delimitation of outer space, and the principles on the use of geostationary orbit- remain on the agenda of the Legal SubCommittee, one of the two subordinate bodies. All of these questions have important bearing on the interests of every country. The most advanced question is establishing the principles of remote sensing; these discussions have entered a final stage and consensus may be reached in the near future, if a spirit of compromise and cooperation continues to prevail among the negotiating states. In the field of technical cooperation in space affairs, COPUOS and its other subordinate body, the Scientific and Technical Sub-Committee, have also done much work and achieved considerable successes. The United Nations Space Application Programme has greatly contributed to the dissemination and exchange of space technology for economic and social development. A series of training seminars and workshops on applications of space technology has been held under its auspices for participants from developing countries. Through this programme, technical advice is available on request. Viewed as a whole, the historic role of COPUOS is significant; however, there are deficiencies in its work and effectiveness. In order to maintain outer space for peaceful uses in the interests of all countries, particularly the developing countries, the Committee should be further strengthened to play a more productive and important role in expanding international cooperation. Legal framework It is useful here to provide a summary of the general legal regime upon which the peaceful uses of outer space have functioned. Its basic principles and rules are enshrined in the 1967 Outer Space Treaty - the main space law instrument of our times - and further developed in the four additional international treaties. All these documents were negotiated and concluded by COPUOS, and contain the following general provisions relating to the maintenance of outer space for peaceful uses. The exploration and use of outer space shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all humankind. Outer space shall be free for exploration and use by all states without discrimination, and is not subject to national appropriation by claim of sovereignty, by means of use or occupation or by any other means. Activities in the exploration and use of outer space shall be carried out in accordance with international law, including the Charter of the United Nations, in the interests of maintaining international peace and security and promoting international cooperation and understanding. Astronauts shall be rendered all possible assistance in the event of accident, distress or emergency. This provision was further elaborated by the 1968 Agreement on the Rescue of Astronauts and the Return of Objects Launched into Outer Space. States shall bear international responsibility for national space activities, whether carried out by governmental or non-governmental entities. This provision was further developed as the 1972 Covention on International Liability for Damage Caused by Space Objects. The launching state shall inform the Secretary-General of the United Nations of the required information concerning the space objects, and the state of registry shall retain jurisdiction and control over such objects and any personnel thereof. In support of this provision, the 1975 Convention on Registration of Objects Launched into Outer Space was elaborated. The fifth legal instrument, the 1979 Agreement Governing the Activities of States on the Moon and other Celestial Bodies (the Moon Agreement), is largely an elaboration of the general provisions of the 1967 Outer Space Treaty in the specific context of the Moon and other celestial bodies. It contains a new and important principle, that the Moon and its natural resources are the "common heritage of mankind', and that states party to the agreement shall establish an international regime to govern the exploitation of the natural resources of the Moon as such exploitation is about to become feasible'. These are the general principles and rules relevant to the peaceful uses of outer space. For instance, the principle of common benefit, though requiring further specification, constitutes a duty upon each member not to misuse outer space in a way which would lead to the detriment of the interests of humankind. So do the principle that international law (including the United Nations Charter) applies to space, and other principles. All of these contribute to the satisfactory functioning of peaceful activities in outer space. Two-pronged approaches To ensure outer space for peaceful uses, it is necessary not only to elaborate general principles as mentioned above, but also to make specific provisions directly involved with the protection of a peaceful environment in outer space which is the province of humankind. With regard to the destructive possibilities in outer space, foremost among them is the growing danger of militarization. This has deeply concerned the international community, even more than other possible harmful developments such as contamination, pollution and space debris. The 1967 Outer Space Treaty took a two-pronged approach in dealing with these direct dangers. First, foreseeing that outer space might become a battleground of the major space powers, the treaty lays down certain restrictions on military activities in outer space, thus providing some degree of arms control and disarmament. Paragraph I of Article IV stipulates: "states parties to the Treaty undertake not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies or station such weapons in outer space in any other manner'. Paragraph II provides for general demilitarization of the Moon and other celestial bodies, and declares that they shall be used exclusively for peaceful purposes. The 1979 Moon Agreement makes further and far-reaching provisions for demilitarization of the Moon and other celestial bodies. It came into force in 1984, but has not been ratified by either of the two major space powers. It is clear from the existing provisions that, although prohibitions are placed on nuclear weapons and weapons of mass destruction, there is no express prohibition on the introduction of other kinds of weapons in outer space. It is generally held that this is a lacuna of the Outer Space Treaty which should be further discussed in the United Nations and eventually be filled. Second, in dealing with other potential dangers, Article IX of the Outer Space Treaty obliges its members (1) to conduct their space activities with due regard to the corresponding interests of all other states; (2) to avoid harmful contamination and adverse changes in the environment of the Earth resulting from the introduction of extraterrestrial matter; (3) to undertake international consultations if such activities would cause potential harmful interference with activities of other states. Thus the Outer Space Treaty lays down principles of a general nature establishing as international obligation not to undertake activities which would adversely affect the space environment, while leaving concrete and detailed measures and provisions to be further elaborated in additional legal instruments. Considerations and conclusion The COPUOS, as the major United Nations organ dealing with space matters, has a key role to play in preserving outer space for peaceful uses. The following considerations could be raised with a view to increasing the contribution of COPUOS to the achievement of this lofty goal. One: strengthening and expanding the role of COPUOS in accordance with its mandate. In a resolution in 1961, the United Nations General Viewpoint Assembly decided that COPUOS should provide a focal point for international cooperation in the peaceful exploration and use of outer space. Thus, it is vital not to bypass COPUOS, nor to weaken its function by entrusting what falls within its terms of reference to a new forum or other organs. Two: reviewing the existing internationally accepted legal document by COPUOS and its Sub-Committees, with a view to supplementing or expanding the relevant principles to meet new developments. It has been pointed out that there are weaknesses and loopholes in the existing treaties. The best way to deal with these seems to be to retain the provisions covering related matters in the existing treaties as general principles, while elaborating supplementary rules by additional instruments. In this way, the original treaty could remain intact, with additional protocols being concluded consistent with the aim and principles of the main treaty. Three: reviewing the working method of COPUOS and its two Sub-Committees in order to find the best way to make them more effective. New relevant items, both technical and legal, could be placed on the agenda of COPUOS and the two Sub-Committees through consultation and discussion by the parties. This would help to keep COPUOS in accordance with its mandate as the only intergovernmental body exclusively concerned with all aspects of the peaceful uses of outer space. Four: involvement of COPUOS and its Legal Sub-Committees in the demilitarization of outer space, which is an essential condition for maintaining outer space for peaceful uses. COPUOS, while focusing its attention on peaceful uses, cannot but touch upon the other side of the question: the prevention of an arms race in outer space. Although the primary role of space arms control was entrusted to the Conference on Disarmament, COPUOS as the parent body of the Outer Space Treaty could also play a supportive role in the negotiations on space weapons. This would in turn add new impetus to international cooperation in the peaceful uses of outer space and progressive development of space law. In conclusion, the role of COPUOS should be strengthened in order to establish further the conditions essential for maintaining peaceful uses of outer space. In addition to general basic conditions, there are issues of control and elimination of destructive interferences: foremost among these is the growing danger of militarization of outer space. The issues of contamination, pollution and space debris have also to be dealt with. Only by properly solving these issues can the peaceful uses of outer space really be ensured.

#### Any nuclear war causes extinction – ice age and famine.

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A war fought with 21st century strategic nuclear weapons would be more than just a great catastrophe in human history. If we allow it to happen, such a war would be a mass extinction event that [ends human history](https://ratical.org/radiation/NuclearExtinction/StarrNuclearWinterOct09.pdf). There is a profound difference between extinction and “an unprecedented disaster,” or even “the end of civilization,” because even after such an immense catastrophe, human life would go on. But extinction, by definition, is an event of utter finality, and a nuclear war that could cause human extinction should really be considered as the ultimate criminal act. It certainly would be the crime to end all crimes. The world’s leading climatologists now tell us that nuclear war threatens our continued existence as a species. Their studies predict that a large nuclear war, especially one fought with strategic nuclear weapons, would create [a post-war environment in which for many years it would be too cold and dark to even grow food](http://climate.envsci.rutgers.edu/pdf/RobockToonSAD.pdf). Their findings make it clear that not only humans, but most large animals and many other forms of complex life would likely vanish forever in a nuclear darkness of our own making. The environmental consequences of nuclear war would attack the ecological support systems of life at every level. Radioactive fallout, produced not only by nuclear bombs, but also by the destruction of nuclear power plants and their spent fuel pools, would poison the biosphere. Millions of tons of smoke would act to [destroy Earth’s protective ozone layer](https://www2.ucar.edu/atmosnews/just-published/3995/nuclear-war-and-ultraviolet-radiation) and block most sunlight from reaching Earth’s surface, creating Ice Age weather conditions that would last for decades. Yet the political and military leaders who control nuclear weapons strictly avoid any direct public discussion of the consequences of nuclear war. They do so by arguing that nuclear weapons are not intended to be used, but only to deter. Remarkably, the leaders of the Nuclear Weapon States have chosen to ignore the authoritative, long-standing scientific research done by the climatologists, research that predicts virtually any nuclear war, fought with even a fraction of the operational and deployed nuclear arsenals, will leave the Earth essentially uninhabitable.

#### Second, race exponentially contributes to ozone depletion–squo is goldilocks but acting now is key

**Marais 21** Eloise Marais 7-19-2021 "Space tourism: rockets emit 100 times more CO₂ per passenger than flights – imagine a whole industry"<https://theconversation.com/space-tourism-rockets-emit-100-times-more-co-per-passenger-than-flights-imagine-a-whole-industry-164601> (Associate Professor in Physical Geography, UCL)//Elmer

The commercial race to get tourists to space is heating up between Virgin Group founder Sir Richard Branson and former Amazon CEO Jeff Bezos. On Sunday 11 July, Branson ascended 80 km to reach the edge of space in his piloted Virgin Galactic VSS Unity spaceplane. Bezos’ autonomous Blue Origin rocket is due to launch on July 20, coinciding with the anniversary of the Apollo 11 Moon landing. Though Bezos loses to Branson in time, he is set to reach higher altitudes (about 120 km). The launch will demonstrate his offering to very wealthy tourists: the opportunity to truly reach outer space. Both tour packages will provide passengers with a brief ten-minute frolic in zero gravity and glimpses of Earth from space. Not to be outdone, Elon Musk’s SpaceX will provide four to five days of orbital travel with its Crew Dragon capsule later in 2021. What are the environmental consequences of a space tourism industry likely to be? Bezos boasts his Blue Origin rockets are greener than Branson’s VSS Unity. The Blue Engine 3 (BE-3) will launch Bezos, his brother and two guests into space using liquid hydrogen and liquid oxygen propellants. VSS Unity used a hybrid propellant comprised of a solid carbon-based fuel, hydroxyl-terminated polybutadiene (HTPB), and a liquid oxidant, nitrous oxide (laughing gas). The SpaceX Falcon series of reusable rockets will propel the Crew Dragon into orbit using liquid kerosene and liquid oxygen. Burning these propellants provides the energy needed to launch rockets into space while also generating greenhouse gases and air pollutants. Large quantities of water vapour are produced by burning the BE-3 propellant, while combustion of both the VSS Unity and Falcon fuels produces CO₂, soot and some water vapour. The nitrogen-based oxidant used by VSS Unity also generates nitrogen oxides, compounds that contribute to air pollution closer to Earth. Roughly two-thirds of the propellant exhaust is released into the stratosphere (12 km-50 km) and mesosphere (50 km-85 km), where it can persist for at least two to three years. The very high temperatures during launch and re-entry (when the protective heat shields of the returning crafts burn up) also convert stable nitrogen in the air into reactive nitrogen oxides. These gases and particles have many negative effects on the atmosphere. In the stratosphere, nitrogen oxides and chemicals formed from the breakdown of water vapour convert ozone into oxygen, depleting the ozone layer which guards life on Earth against harmful UV radiation. Water vapour also produces stratospheric clouds that provide a surface for this reaction to occur at a faster pace than it otherwise would. Space tourism and climate change Exhaust emissions of CO₂ and soot trap heat in the atmosphere, contributing to global warming. Cooling of the atmosphere can also occur, as clouds formed from the emitted water vapour reflect incoming sunlight back to space. A depleted ozone layer would also absorb less incoming sunlight, and so heat the stratosphere less. Figuring out the overall effect of rocket launches on the atmosphere will require detailed modelling, in order to account for these complex processes and the persistence of these pollutants in the upper atmosphere. Equally important is a clear understanding of how the space tourism industry will develop. Virgin Galactic anticipates it will offer 400 spaceflights each year to the privileged few who can afford them. Blue Origin and SpaceX have yet to announce their plans. But globally, rocket launches wouldn’t need to increase by much from the current 100 or so performed each year to induce harmful effects that are competitive with other sources, like ozone-depleting chlorofluorocarbons (CFCs), and CO₂ from aircraft. During launch, rockets can emit between four and ten times more nitrogen oxides than Drax, the largest thermal power plant in the UK, over the same period. CO₂ emissions for the four or so tourists on a space flight will be between 50 and 100 times more than the one to three tonnes per passenger on a long-haul flight. In order for international regulators to keep up with this nascent industry and control its pollution properly, scientists need a better understanding of the effect these billionaire astronauts will have on our planet’s atmosphere.

#### Ozone depletion causes extinction – empirics

**Martin 18** (a Science Reporter for Express.co.uk, Sean, “Ozone layer DECAYING as scientists fear Earth 'heading towards MASS-EXTINCTION'”, via Express, Feb 8,<https://www.express.co.uk/news/science/916405/ozone-layer-destroyed-recovering-mass-extinction-dinosaurs>)

News in January broke that the ozone was on its way to recovering as Earth cuts down on CO2 emissions. However, on closer inspection, scientists now say the ozone layer – the part of the atmosphere which protects us from harmful radiation – is continuing to deplete over major cities, and is only really recovering over Antarctica. Chemicals known as CFCs, which are found in aerosols for example, have been destroying the ozone layer since the 1970s. The Montreal Protocol was agreed in 1987 to phase out CFCs, but researchers say it may be too late.Study co-author Professor Joanna Haigh, co-director of the Grantham Institute for Climate Change and the Environment at Imperial College London, said of the study published in Atmospheric Chemistry and Physics: "Ozone has been seriously declining globally since the 1980s, but while the banning of CFCs is leading to a recovery at the poles, the same does not appear to be true for the lower latitudes. "The potential for harm in lower latitudes may actually be worse than at the poles. “The decreases in ozone are less than we saw at the poles before the Montreal Protocol was enacted, but UV radiation is more intense in these regions and more people live there.” In a separate study, researchers have found a thinning ozone layer could have led to a mass extinction 252 million years ago – meaning a depletion of the protective layer of the atmosphere could be more catastrophic than previously thought. During the Permian-Triassic extinction, 75 percent of land animals and 95 percent of marine life died. At the same time, there was a massive volcanic event occurring in a region known as the Siberian Traps. Scientists state the huge eruption, which lasted for a staggering one million years, virtually destroyed the ozone layer which allowed more UV radiation to pierce Earth. Graduate student Jeffrey Benca of the University of California, Berkeley, said of his research published in Science Advances: "During the end-Permian crisis, the forests may have disappeared in part or fully because of increased UV exposure. “With pulses of volcanic eruptions happening, we would expect pulsed ozone shield weakening, which may have led to forest declines previously observed in the fossil record. "If you disrupt some of the dominant plant lineages globally repeatedly, you could trigger trophic cascades by destabilising the food web base, which doesn't work out very well for land animals." As the ozone layer continues to be destroyed in modern times, scientists warn another catastrophic mass extinction could be on the cards. Co-author Cindy Looy of the Science Advances study said: "Palaeontologists have come up with various kill scenarios for mass extinctions, but plant life may not be affected by dying suddenly as much as through interrupting one part of the life cycle, such as reproduction, over a long period of time, causing the population to dwindle and potentially disappear.”

## Framework

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

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

#### The standard is maximizing expected wellbeing–hedonistic act util

#### [1] Actor Spec - Governments must aggregate since every policy benefits some and harms others, which also means side constraints freeze action and states don’t have intents

#### [2] Extinction outweighs

**MacAskill 14** [William, Oxford Philosopher and youngest tenured philosopher in the world, Normative Uncertainty, 2014]

The human race might go extinct from a number of causes: asteroids, supervolcanoes, runaway climate change, pandemics, nuclear war, and the development and use of dangerous new technologies such as synthetic biology, all pose risks (even if very small) to the continued survival of the human race.184 And different moral views give opposing answers to question of whether this would be a good or a bad thing. It might seem obvious that human extinction would be a very bad thing, both because of the loss of potential future lives, and because of the loss of the scientific and artistic progress that we would make in the future. But the issue is at least unclear. The continuation of the human race would be a mixed bag: inevitably, it would involve both upsides and downsides. And if one regards it as much more important to avoid bad things happening than to promote good things happening then one could plausibly regard human extinction as a good thing.For example, one might regard the prevention of bads as being in general more important that the promotion of goods, as defended historically by G. E. Moore,185 and more recently by Thomas Hurka.186 One could weight the prevention of suffering as being much more important that the promotion of happiness. Or one could weight the prevention of objective bads, such as war and genocide, as being much more important than the promotion of objective goods, such as scientific and artistic progress. If the human race continues its future will inevitably involve suffering as well as happiness, and objective bads as well as objective goods. So, if one weights the bads sufficiently heavily against the goods, or if one is sufficiently pessimistic about humanity’s ability to achieve good outcomes, then one will regard human extinction as a good thing.187 However, even if we believe in a moral view according to which human extinction would be a good thing, we still have strong reason to prevent near-term human extinction. To see this, we must note three points. First, we should note that the extinction of the human race is an extremely high stakes moral issue. Humanity could be around for a very long time: if humans survive as long as the median mammal species, we will last another two million years. On this estimate, the number of humans in existence in the The future, given that we don’t go extinct any time soon, would be 2×10^14. So if it is good to bring new people into existence, then it’s very good to prevent human extinction. Second, human extinction is by its nature an irreversible scenario. If we continue to exist, then we always have the option of letting ourselves go extinct in the future (or, perhaps more realistically, of considerably reducing population size). But if we go extinct, then we can’t magically bring ourselves back into existence at a later date. Third, we should expect ourselves to progress, morally, over the next few centuries, as we have progressed in the past. So we should expect that in a few centuries’ time we will have better evidence about how to evaluate human extinction than we currently have. Given these three factors, it would be better to prevent the near-term extinction of the human race, even if we thought that the extinction of the human race would actually be a very good thing. To make this concrete, I’ll give the following simple but illustrative model. Suppose that we have 0.8 credence that it is a bad thing to produce new people, and 0.2 certain that it’s a good thing to produce new people; and the degree to which it is good to produce new people, if it is good, is the same as the degree to which it is bad to produce new people, if it is bad. That is, I’m supposing, for simplicity, that we know that one new life has one unit of value; we just don’t know whether that unit is positive or negative. And let’s use our estimate of 2×10^14 people who would exist in the future, if we avoid near-term human extinction. Given our stipulated credences, the expected benefit of letting the human race go extinct now would be (.8-.2)×(2×10^14) = 1.2×(10^14). Suppose that, if we let the human race continue and did research for 300 years, we would know for certain whether or not additional people are of positive or negative value. If so, then with the credences above we should think it 80% likely that we will find out that it is a bad thing to produce new people, and 20% likely that we will find out that it’s a good thing to produce new people. So there’s an 80% chance of a loss of 3×(10^10) (because of the delay of letting the human race go extinct), the expected value of which is 2.4×(10^10). But there’s also a 20% chance of a gain of 2×(10^14), the expected value of which is 4×(10^13). That is, in expected value terms, the cost of waiting for a few hundred years is vanishingly small compared with the benefit of keeping one’s options open while one gains new information.

#### [3] Epistemic modesty--45 minutes isn’t enough to reach a conclusion about thousands of years of debate--EM is most realistic and gives each theory the credence it deserves

#### Realism is true and inevitable – human nature

**de Araujo 14** De Aruajo, professor for Ethics at Universidade do Estado do Rio de Janeiro, 14 (Marcelo, “Moral Enhancement and Political Realism,” Journal of Evolution and Technology  24(2): 29-43) ayala am

Although simple and attractive, this assumption is, as I intend to show, false. At the root of threats to the survival of humankind in the future is not a deficit in our moral dispositions, but the endurance of an old political arrangement that prevents the pursuit of shared goals on a collective basis. The political arrangement I have in mind here is the international system of states. In my analysis of the political implications of moral enhancement, I intend to concentrate my attention only on the supposition that we could avoid major wars in the future by making individuals morally better. I do not intend to discuss the threats posed by climate change, or by terrorism, although some human enhancement theorists also seek to cover these topics. I will explain, in the course of my analysis, a conceptual distinction between “human nature realism” and “structural realism,” well-known in the field of international relations theory. Thomas Douglas seems to have been among the first to explore the idea of “moral enhancement” as a new form of human enhancement. He certainly helped to kick off the current phase of the debate. In a paper published in 2008, Douglas suggests that in the “future people might use biomedical technology to morally enhance themselves.” Douglas characterizes moral enhancement in terms of the acquisition of “morally better motives” (Douglas 2008, 229). Mark Walker, in a paper published in 2009, suggests a similar idea. He characterizes moral enhancement in terms of improved moral dispositions or “genetic virtues”: The Genetic Virtue Program (GVP) is a proposal for influencing our moral nature through biology, that is, it is an alternate yet complementary means by which ethics and ethicists might contribute to the also task of making our lives and world a better place. The basic idea is simple enough: genes influence human behavior, so altering the genes of individuals may alter the influence genes exert on behavior. (Walker 2009, 27–28) Walker does not argue in favor of any specific moral theory, such as, for instance, virtue ethics. Whether one endorses a deontological or a utilitarian approach to ethics, he argues, the concept of virtue is relevant to the extent that virtues motivate us either to do the right thing or to maximize the good (Walker 2009, 35). Moral enhancement theory, however, does not reduce the ethical debate to the problem of moral dispositions. Morality also concerns, to a large extent, questions about reasons for action. And moral enhancement, most certainly, will not improve our moral beliefs; neither could it be used to settle moral disagreements. This seems to have led some authors to criticize the moral enhancement idea on the ground that it neglects the cognitive side of our moral behavior. Robert Sparrow, for instance, argues that, from a Kantian point of view, moral enhancement would have to provide us with better moral beliefs rather than enhanced moral motivation (Sparrow 2014, 25; see Agar 2010, 74). Yet, it seems to me that this objection misses the point of the moral enhancement idea. Many people, across different countries, already share moral beliefs relating, for instance, to the wrongness of harming or killing other people arbitrarily, or to the moral requirement to help people in need. They may share moral beliefs while not sharing the same reasons for these beliefs, or perhaps even not being able to articulate the beliefs in the conceptual framework of a moral theory (Blackford 2010, 83). But although they share some moral beliefs, in some circumstances they may lack the appropriate motivation to act accordingly. Moral enhancement, thus, aims at improving moral motivation, and leaves open the question as to how to improve our moral judgments. In a recent paper, published in The Journal of Medical Ethics, neuroscientist Molly Crockett reports the state of the art in the still very embryonic field of moral enhancement. She points out, for example, that the selective serotonin reuptake inhibitor (SSRI) citalopram seems to increase harm aversion. There is, moreover, some evidence that this substance may be effective in the treatment of specific types of aggressive behavior. Like Douglas, Crockett emphasizes that moral enhancement should aim at individuals’ moral motives (Crockett 2014; see also Spence 2008; Terbeck et al. 2013). Another substance that is frequently mentioned in the moral enhancement literature is oxytocin. Some studies suggest that willingness to cooperate with other people, and to trust unknown prospective cooperators, may be enhanced by an increase in the levels of oxytocin in the organism (Zak 2008, 2011; Zak and Kugler 2011; Persson and Savulescu 2012, 118–119). Oxytocin has also been reported to be “associated with the subjective experience of empathy” (Zak 2011, 55; Zak and Kugler 2011, 144). The question I would like to examine now concerns the supposition that moral enhancement – comprehended in these terms and assuming for the sake of argument that, some day, it might become effective and safe – may also help us in coping with the threat of devastating wars in the future. The assumption that there is a relationship between, on the one hand, threats to the survival of humankind and, on the other, a sort of “deficit” in our moral dispositions is clearly made by some moral enhancements theorists. Douglas, for instance, argues that “according to many plausible theories, some of the world’s most important problems — such as developing world poverty, climate change and war — can be attributed to these moral deficits” (2008, 230). Walker, in a similar vein, writes about the possibility of “using biotechnology to alter our biological natures in an effort to reduce evil in the world” (2009, 29). And Julian Savulescu and Ingmar Persson go as far as to defend the “the need for moral enhancement” of humankind in a series of articles, and in a book published in 2012. One of the reasons Savulescu and Persson advance for the moral enhancement of humankind is that our moral dispositions seem to have remained basically unchanged over the last millennia (Persson and Savulescu 2012, 2). These dispositions have proved thus far quite useful for the survival of human beings as a species. They have enabled us to cooperate with each other in the collective production of things such as food, shelter, tools, and farming. They have also played a crucial role in the creation and refinement of a variety of human institutions such as settlements, villages, and laws. Although the possibility of free-riding has never been fully eradicated, the benefits provided by cooperation have largely exceeded the disadvantages of our having to deal with occasional uncooperative or untrustworthy individuals (Persson and Savulescu 2012, 39). The problem, however, is that the same dispositions that have enabled human beings in the past to engage in the collective production of so many artifacts and institutions now seem powerless in the face of the human capacity to destroy other human beings on a grand scale, or perhaps even to annihilate the entire human species. There is, according to Savulescu and Persson, a “mismatch” between our cognitive faculties and our evolved moral attitudes: “[…] as we have repeatedly stressed, owing to the progress of science, the range of our powers of action has widely outgrown the range of our spontaneous moral attitudes, and created a dangerous mismatch” (Persson and Savulescu 2012, 103; see also Persson and Savulescu 2010, 660; Persson and Savulescu 2011b; DeGrazie 2012, 2; Rakić 2014, 2). This worry about the mismatch between, on the one hand, the modern technological capacity to destroy and, on the other, our limited moral commitments is not new. The political philosopher Hans Morgenthau, best known for his defense of political realism, called attention to the same problem nearly fifty years ago. In the wake of the first successful tests with thermonuclear bombs, conducted by the USA and the former Soviet Union, Morgenthau referred to the “contrast” between the technological progress of our age and our feeble moral attitudes as one of the most disturbing dilemmas of our time: The first dilemma consists in the contrast between the technological unification of the world and the parochial moral commitments and political institutions of the age. Moral commitments and political institutions, dating from an age which modern technology has left behind, have not kept pace with technological achievements and, hence, are incapable of controlling their destructive potentialities. (Morgenthau 1962, 174) Moral enhancement theorists and political realists like Morgenthau, therefore, share the thesis that our natural moral dispositions are not strong enough to prevent human beings from endangering their own existence as a species. But they differ as to the best way out of this quandary: moral enhancement theorists argue for the re-engineering of our moral dispositions, whereas Morgenthau accepted the immutability of human nature and argued, instead, for the re-engineering of world politics. Both positions, as I intend to show, are wrong in assuming that the “dilemma” results from the weakness of our spontaneous moral dispositions in the face of the unprecedented technological achievements of our time. On the other hand, both positions are correct in recognizing the real possibility of global catastrophes resulting from the malevolent use of, for instance, biotechnology or nuclear capabilities. The supposition that individuals’ unwillingness to cooperate with each other, even when they would be better-off by choosing to cooperate, results from a sort of deficit of dispositions such as altruism, empathy, and benevolence has been at the core of some important political theories. This idea is an important assumption in the works of early modern political realists such as Machiavelli and Thomas Hobbes. It was also later endorsed by some well-known authors writing about the origins of war in the first half of the twentieth century. It was then believed, as Sigmund Freud suggested in a text from 1932, that the main cause of wars is a human tendency to “hatred and destruction” (in German: ein Trieb zum Hassen und Vernichtung). Freud went as far as to suggest that human beings have an ingrained “inclination” to “aggression” and “destruction” (Aggressionstrieb, Aggressionsneigung, and Destruktionstrieb), and that this inclination has a “good biological basis” (biologisch wohl begründet) (Freud 1999, 20–24; see also Freud 1950; Forbes 1984; Pick 1993, 211–227; Medoff 2009). The attempt to employ Freud’s conception of human nature in understanding international relations has recently been resumed, for instance by Kurt Jacobsen in a paper entitled “Why Freud Matters: Psychoanalysis and International Relations Revisited,” published in 2013. Morgenthau himself was deeply influenced by Freud’s speculations on the origins of war.1 Early in the 1930s, Morgenthau wrote an essay called “On the Origin of the Political from the Nature of Human Beings” (Über die Herkunft des Politischen aus dem Wesen des Menschen), which contains several references to Freud’s theory about the human propensity to aggression.2 Morgenthau’s most influential book, Politics among Nations: The Struggle for Power and Peace, first published in 1948 and then successively revised and edited, is still considered a landmark work in the tradition of political realism. According to Morgenthau, politics is governed by laws that have their origin in human nature: “Political realism believes that politics, like society in general, is governed by objective laws that have their roots in human nature” (Morgenthau 2006, 4). Just like human enhancement theorists, Morgenthau also takes for granted that human nature has not changed over recent millennia: “Human nature, in which the laws of politics have their roots, has not changed since the classical philosophies of China, India, and Greece endeavored to discover these laws” (Morgenthau 2006, 4). And since, for Morgenthau, human nature prompts human beings to act selfishly, rather than cooperatively, political leaders will sometimes favor conflict over cooperation, unless some superior power compels them to act otherwise. Now, this is exactly what happens in the domain of international relations. For in the international sphere there is not a supranational institution with the real power to prevent states from pursuing means of self-defense. The acquisition of means of self-defense, however, is frequently perceived by other states as a threat to their own security. This leads to the security dilemma and the possibility of war. As Morgenthau put the problem in an article published in 1967: “The actions of states are determined not by moral principles and legal commitments but by considerations of interest and power” (1967, 3). Because Morgenthau and early modern political philosophers such as Machiavelli and Hobbes defended political realism on the grounds provided by a specific conception human nature, their version of political realism has been frequently called “human nature realism.” The literature on human nature realism has become quite extensive (Speer 1968; Booth 1991; Freyberg-Inan 2003; Kaufman 2006; Molloy 2006, 82–85; Craig 2007; Scheuerman 2007, 2010, 2012; Schuett 2007; Neascu 2009; Behr 2010, 210–225; Brown 2011; Jütersonke 2012). It is not my intention here to present a fully-fledged account of the tradition of human nature realism, but rather to emphasize the extent to which some moral enhancement theorists, in their description of some of the gloomy scenarios humankind is likely to face in the future, implicitly endorse this kind of political realism. Indeed, like human nature realists, moral enhancement theorists assume that human nature has not changed over the last millennia, and that violence and lack of cooperation in the international sphere result chiefly from human nature’s limited inclination to pursue morally desirable goals. One may, of course, criticize the human enhancement project by rejecting the assumption that conflict and violence in the international domain should be explained by means of a theory about human nature. In a reply to Savulescu and Persson, Sparrow correctly argues that “structural issues,” rather than human nature, constitute the main factor underlying political conflicts (Sparrow 2014, 29). But he does not explain what exactly these “structural issues” are, as I intend to do later. Sparrow is right in rejecting the human nature theory underlying the human enhancement project. But this underlying assumption, in my view, is not trivially false or simply “ludicrous,” as he suggests. Human nature realism has been implicitly or explicitly endorsed by leading political philosophers ever since Thucydides speculated on the origins of war in antiquity (Freyberg-Inan 2003, 23–36). True, it might be objected that “human nature realism,” as it was defended by Morgenthau and earlier political philosophers, relied upon a metaphysical or psychoanalytical conception of human nature, a conception that, actually, did not have the support of any serious scientific investigation (Smith 1983, 167). Yet, over the last few years there has been much empirical research in fields such as developmental psychology and evolutionary biology that apparently gives some support to the realist claim. Some of these studies suggest that an inclination to aggression and conflict has its origins in our evolutionary history. This idea, then, has recently led some authors to resume “human nature realism” on new foundations, devoid of the metaphysical assumptions of the early realists, and entirely grounded in empirical research. Indeed, some recent works in the field of international relations theory already seek to call attention to evolutionary biology as a possible new start for political realism. This point is clearly made, for instance, by Bradley Thayer, who published in 2004 a book called Darwin and International Relations: On the Evolutionary Origins of War and Ethnic Conflict. And in a paper published in 2000, he affirms the following: Evolutionary theory provides a stronger foundation for realism because it is based on science, not on theology or metaphysics. I use the theory to explain two human traits: egoism and domination. I submit that the egoistic and dominating behavior of individuals, which is commonly described as “realist,” is a product of the evolutionary process. I focus on these two traits because they are critical components of any realist argument in explaining international politics. (Thayer 2000, 125; see also Thayer 2004) Thayer basically argues that a tendency to egoism and domination stems from human evolutionary history. The predominance of conflict and competition in the domain of international politics, he argues, is a reflex of dispositions that can now be proved to be part of our evolved human nature in a way that Morgenthau and other earlier political philosophers could not have established in their own time. Now, what some moral enhancement theorists propose is a direct intervention in our “evolved limited moral psychology” as a means to make us “fit” to cope with some possible devastating consequences from the predominance of conflict and competition in the domain of international politics (Persson and Savulescu 2010, 664). Moral enhancement theorists comprehend the nature of war and conflicts, especially those conflicts that humankind is likely to face in the future, as the result of human beings’ limited moral motivations. Compared to supporters of human nature realism, however, moral enhancement theorists are less skeptical about the prospect of our taming human beings’ proclivity to do evil. For our knowledge in fields such as neurology and pharmacology does already enable us to enhance people’s performance in a variety of activities, and there seems to be no reason to assume it will not enable us to enhance people morally in the future. But the question, of course, is whether moral enhancement will also improve the prospect of our coping successfully with some major threats to the survival of humankind, as Savulescu and Persson propose, or to reduce evil in the world, as proposed by Walker. V. The point to which I would next like to call attention is that “human nature realism” – which is implicitly presupposed by some moral enhancement theorists – has been much criticized over the last decades within the tradition of political realism itself. “Structural realism,” unlike “human nature realism,” does not seek to derive a theory about conflicts and violence in the context of international relations from a theory of the moral shortcomings of human nature. Structural realism was originally proposed by Kenneth Waltz in Man, the State and War, published in 1959, and then later in another book called Theory of International Politics, published in 1979. In both works, Waltz seeks to avoid committing himself to any specific conception of human nature (Waltz 2001, x–xi). Waltz’s thesis is that the thrust of the political realism doctrine can be retained without our having to commit ourselves to any theory about the shortcomings of human nature. What is relevant for our understanding of international politics is, instead, our understanding of the “structure” of the international system of states (Waltz 1986). John Mearsheimer, too, is an important contemporary advocate of political realism. Although he seeks to distance himself from some ideas defended by Waltz, he also rejects human nature realism and, like Waltz, refers to himself as a supporter of “structural realism” (Mearsheimer 2001, 20). One of the basic tenets of political realism (whether “human nature realism” or “structural realism”) is, first, that the states are the main, if not the only, relevant actors in the context of international relations; and second, that states compete for power in the international arena. Moral considerations in international affairs, according to realists, are secondary when set against the state’s primary goal, namely its own security and survival. But while human nature realists such as Morgenthau explain the struggle for power as a result of human beings’ natural inclinations, structural realists like Waltz and Mearsheimer argue that conflicts in the international arena do not stem from human nature, but from the very “structure” of the international system of states (Mearsheimer 2001, 18). According to Waltz and Mearsheimer, it is this structure that compels individuals to act as they do in the domain of international affairs. And one distinguishing feature of the international system of states is its “anarchical structure,” i.e. the lack of a central government analogous to the central governments that exist in the context of domestic politics. It means that each individual state is responsible for its own integrity and survival. In the absence of a superior authority, over and above the power of each sovereign state, political leaders often feel compelled to favor security over morality, even if, all other things being considered, they would naturally be more inclined to trust and to cooperate with political leaders of other states. On the other hand, when political leaders do trust and cooperate with other states, it is not necessarily their benevolent nature that motivates them to be cooperative and trustworthy, but, again, it is the structure of the system of states that compels them. The concept of human nature, as we can see, does not play a decisive role here. Because Waltz and Mearsheimer depart from “human nature realism,” their version of political realism has also sometimes been called “neo-realism” (Booth 1991, 533). Thus, even if human beings turn out to become morally enhanced in the future, humankind may still have to face the same scary scenarios described by some moral enhancement theorists. This is likely to happen if, indeed, human beings remain compelled to cooperate within the present structure of the system of states. Consider, for instance, the incident with a Norwegian weather rocket in January 1995. Russian radars detected a missile that was initially suspected of being on its way to reach Moscow in five minutes. All levels of Russian military defense were immediately put on alert for a possible imminent attack and massive retaliation. It is reported that for the first time in history a Russian president had before him, ready to be used, the “nuclear briefcase” from which the permission to launch nuclear weapons is issued. And that happened when the Cold War was already supposed to be over! In the event, it was realized that the rocket was leaving Russian territory and Boris Yeltsin did not have to enter the history books as the man who started the third world war by mistake (Cirincione 2008, 382).3 But under the crushing pressure of having to decide in such a short time, and on the basis of unreliable information, whether or not to retaliate, even a morally enhanced Yeltsin might have given orders to launch a devastating nuclear response – and that in spite of strong moral dispositions to the contrary. Writing for The Guardian on the basis of recently declassified documents, Rupert Myers reports further incidents similar to the one of 1995. He suggests that as more states strive to acquire nuclear capability, the danger of a major nuclear accident is likely to increase (Myers 2014). What has to be changed, therefore, is not human moral dispositions, but the very structure of the political international system of states within which we currently live. As far as major threats to the survival of humankind are concerned, moral enhancement might play an important role in the future only to the extent that it will help humankind to change the structure of the system of states. While moral enhancement may possibly have desirable results in some areas of human cooperation that do not badly threaten our security – such as donating food, medicine, and money to poorer countries – it will not motivate political leaders to dismantle their nuclear weapons. Neither will it deter other political leaders from pursuing nuclear capability, at any rate not as long as the structure of international politics compels them to see prospective cooperators in the present as possible enemies in the future. The idea of a “structure” should not be understood here in metaphysical terms, as though it mysteriously existed in a transcendent world and had the magical power of determining leaders’ decisions in this world. The word “structure” denotes merely a political arrangement in which there are no powerful law-enforcing institutions. And in the absence of the kind of security that law-enforcing institutions have the force to create, political leaders will often fail to cooperate, and occasionally engage in conflicts and wars, in those areas that are critical to their security and survival. Given the structure of international politics and the basic goal of survival, this is likely to continue to happen, even if, in the future, political leaders become less egoistic and power-seeking through moral enhancement. On the other hand, since the structure of the international system of states is itself another human institution, there is no reason to suppose that it cannot ever be changed. If people become morally enhanced in the future they may possibly feel more strongly motivated to change the structure of the system of states, or perhaps even feel inclined to abolish it altogether. In my view, however, addressing major threats to the survival of humankind in the future by means of bioengineering is unlikely to yield the expected results, so long as moral enhancement is pursued within the present framework of the international system of states. 