## 1

#### Interpretation: The affirmative debater must read all specifications and definitions out loud.

#### Violation: Check the doc below the advocacy.

#### Standards:

#### 1. Infinite abuse – justifies you spamming an infinite amount of a prioris in the aff under your definitions, and since I have to read through them on my own time, I’ll drop it and lose.

#### 2. Prepskew – All of the content relevant to my case is read outloud in the doc so you force me to waste my prep time reading through your aff.

#### 3. Receprocity- you get to read as many things as you want as “spec” allowing you to spend more than 6 min of affirmative and can use it to shift out of das, cps, and literally anything else you want.

#### Paradigm:

#### Fairness – Debate is a competitive activity governed by rules. You can’t evaluate who did better debating if the round is structurally skewed, so fairness is a gateway to substantive debate.

#### DTD – Time spent on theory cant be compensated for, the 1nc was already skewed, and its key to deterring abuse.

#### Prefer Competing interps -

#### 1. reasonability is arbitrary and invites judge intervention.

#### 2. it Causes a race to the bottom where debaters push the limit as to how reasonably abusive, they can be.

#### No RVI’s -

#### 1. Chills some debaters from reading theory against abusive postions.

#### 2. incentivizes theory baiting where you can just bait theory to win.

## 2

#### Interpretation: The affirmative must have a carded solvency advocate in the 1AC.

#### Violation -

#### Standards:

#### 1. predictability - no way for the neg to predict the advocacy because it’s not in the lit – this decks DA and CP ground - outweighs because ground is the key determinant of engagement.

#### 2. limits – no solvency advocate allows infinite possible affs – also justifies breaking affs that are at the edges of the topic with no advocate.

#### 3. shiftiness - no way to guarantee the DAs and CPs we read link or solve because they can re-interpret the plan in the 1ar – creates a 7-6 skew that prevents new 2nr ev to prove normal means from checking.

#### Paradigm:

#### Fairness – Debate is a competitive activity governed by rules. You can’t evaluate who did better debating if the round is structurally skewed, so fairness is a gateway to substantive debate.

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#### No RVI’s -

#### 1. Chills some debaters from reading theory against abusive postions.

#### 2. incentivizes theory baiting where you can just bait theory to win.

## 3

#### The appropriation of outer space by private entities is unjust except for large satellite constellations in the Peoples Republic of China.

#### Large satellite constellations are appropriation.

Takaya et al 18 “The Principle of Non-Appropriation and the Exclusive Uses of LEO by Large Satellite Constellations” Yuri Takaya-Umehara [Visiting researcher at the University of Tokyo since April 2017. She was affiliated to the Kobe University to provide a course on space law to post-graduate students (2011-2017). She chairs a working group on the formulation of global norms in space law organized by the Keio University since 2018. She obtained her Ph.D. degree at the IDEST of Paris XI University in France, LL.M. at the Leiden University in the Netherlands.] Quentin Verspieren [Ph.D. in public policy @ The University of Tokyo, Assistant Professor of Space Policy @UTokyo, General Manager, Global Strategy @ArkEdge Space Inc., Associate Research Fellow @ESPI] Goutham Karthikeyan [The University of Tokyo & Institute of Space and Astronautical Science, Japan Aerospace Exploration Agency (ISAS-JAXA)] 2018 https://www.researchgate.net/publication/328094878\_The\_Principle\_of\_Non-Appropriation\_and\_the\_Exclusive\_Use\_of\_LEO\_by\_Large\_Satellite\_Constellations SM

* LSC = large satellite constellations

LSC raise concerns in the international community such as the IADC and the International Academy of Astronautics (IAA) whether or not it would result in the almost-exclusive use of selected orbits, the so-called “curtains of satellites”.22 The non-appropriation principle defined in Article II of the OST states that, Outer space, including the Moon and other celestial bodies, “is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means”. The principle, that serves to regulate the exploration and use of outer space, is a fundamental rule and recognized as customary international law. The principle applies to LEO as the scope of its application and includes any orbits around the Earth and other celestial bodies, inter-planetary transfer orbits and Lagrangian point(s). In short, the use of LEO by LSC falls into the scope of the principle. The principle prohibits any states from claiming sovereignty in outer space (including celestial bodies) which makes a difference between the legal status of air space and outer space. According to the Chicago Convention of 194423, every state has complete and exclusive sovereignty over the airspace above its territory, while the legal status of outer space is res communis omnium where it is free for exploration and use but “no portion of outer space may be appropriated to the sovereignty of individual states”24. By prohibiting states to claim any sovereignty in outer space, Article II transformed the legal status of outer space from res nullius to res communis omnium and the ultimate goal of the principle is to prohibit any taking of land by claims of sovereignty25 to prevent space colonization and an extension of the arms race in outer space. Thus, the principle is known for denying any claim of state sovereignty in outer space; however, an emphasis needs to be put on the provision that it also prohibits national appropriation, as well as private appropriation,26 by means of “use, or occupation, or by any other means”.

4.2 Exclusive Use of LEO by LSC

As noted above, no state could subject (any part of) outer space to its sovereign control, or regard it as part of its territory27. By prohibiting the claim of sovereignty, the principle prevented outer space from being colonized by states.28 The principle also prohibits national appropriation of outer space “by means of use or occupation”. This paper claims that the exclusive use of LEO by LSC contravenes both the latter means of national appropriation.

#### **China’s satellite data is uniquely key to advanced space weather forecasting – that prevents catastrophe.**

Aghajanian 12 [Liana Aghajanian, journalist, citing Dr. Rainer Schwenn, one of the developers of KuaFu; Dr. William Liu, a senior scientist at the Canadian Space Agency; the 2008 National Academy of Sciences Report; May 14, 2012. “Cloudy With a Chance of Catastrophe: Predicting the Weather in Space.” http://mentalfloss.com/article/30665/cloudy-chance-catastrophe-predicting-weather-space]

In 1859, while observing sunspots, a young astronomer named Richard Carrington recorded a geomagnetic storm so powerful, the electrical currents it sent to Earth were enough to keep the newly invented telegraph operating without a battery. Centuries later, though humans have sent robots to Mars and even strong-armed a couple engineers into walking on the moon, the science of space weather, the changing environmental conditions in near-Earth space, has largely managed to elude us. In fact even the term “space weather” is new; it wasn’t used regularly until the 1990s. Now, an international project led by China is hoping to advance the study of space weather by light-years in order to minimize the dangerous impact a storm in space might have on us fragile Earthlings. If experts are correct, there's a chance that a serious space weather threat will arrive sooner rather than later – and the risk to humans is greater than you think. Oddly, the trouble is that we’ve become too advanced. Because humans today are so dependent upon modern electrical technology, a space storm the size of the one Carrington recorded in 1859 could cause catastrophic problems if it occurred tomorrow. According to a 2008 National Academy of Sciences Report, from long-term electrical blackouts to damage to communication satellites and GPS systems (not to mention billions in financial losses), the results could be devastating worldwide. Luckily, scientists are hopeful the KuaFu project will prevent (or at least minimize the impact of) this kind of disaster. Our Eyes on the Sun, The Sun in Our Eyes Named for Kua Fu, a sun-chasing giant from a Chinese folktale whose pursuit to tame the brightest star in our solar system ended after he died of thirst, the KuaFu project will create a space weather forecasting system 1.5 million kilometers from the Earth's surface. The goal is similar to the one from the legend: to observe changes in solar-terrestrial storms, investigate flows of energy and solar material, and improve the forecasting of space weather. Not necessarily to tame the sun, but, at least, to understand it. Proposed in 2003 by scientist Chuanyi Tu from the Chinese Academy of Sciences, the project will place three separate satellites at strategic points in our solar system to observe the inner workings of space weather. China's National Space Administration along with the European and Canadian Space Agencies will work together to man them. “Being aware of the impending blindness to space weather and its effects, we consider a mission like KuaFu absolutely mandatory,” said Dr. Rainer Schwenn, one of the developers of KuaFu. “If 'space weather' keeps being considered an important science goal, then KuaFu is a real key project.” The satellites will offer an unprecedented ability to glean information about the often tumultuous relationship between the sun and Earth, by allowing scientists to observe both the star and its effects on the planet simultaneously. To now, this process has been viewable only via computer simulation. “You have to look at the two systems simultaneously [to most accurately forecast space weather]” said Dr. William Liu, a senior scientist at the Canadian Space Agency who took over as project leader when Chuanyi Tu retired two years ago. “It's a real observation; it's what's actually happening.” Space Storm Showdown: What Do We Do? So, if the power-grid frying, billion dollar damage-wreaking storm is inevitable, how much will forecasting it actually help? Lots. According to Liu, predicting space weather activity can give the operators who maneuver satellites in space the information they need to protect them and us from harm. For example: If companies know a storm is approaching, it gives them a chance to tweak their loads before their systems descend into chaos and shut off power for, say, the entire East Coast of the United States. “That's how you prevent catastrophe,” Liu explained. “You reduce the load on the parts that are more sensitive.” While the project was originally scheduled to be completed this year, Liu’s current estimates put its debut at 2016. Despite the delays, he remains optimistic it will come to fruition, pointing out that international collaborations like this one often stir up scientific and financial challenges that delay the launch process. Whether the KuaFu project will be able to predict space weather accurately all of the time is up for debate. Liu, however, is confident that, at the very least, it's a step toward that direction . “With this launch and operation, we'll make our predictions better. Whether it will be 100 percent, that will be too much to ask, but it will definitely improve our knowledge.”

#### Severe space weather is a great filter event that sparks resource wars, economic collapse, grid failure, pandemics, and nuclear miscalc.

Loper 19 [Dr. Robert D. Loper, Ph.D. from the Air Force Institute of Technology, Assistant Professor of Space Physics, Spring 2019. “Carrington-class Events as a Great Filter for Electronic Civilizations in the Drake Equation.” Publications of the Astronomical Society of the Pacific. https://iopscience.iop.org/article/10.1088/1538-3873/ab028e/meta]

Eastwood et al. (2017), the National Academy of Sciences (2008), and the Royal Academy of Engineering (2013) outline the potential economic impacts of severe space weather. In particular, major direct impacts from a Carrington-class CME could be outlined as including the following. 1. Power grid failure due to destruction of large transformers by geomagnetically induced currents. The large transformers in question here generally cost about $1 million per unit and require about 18 months to manufacture, ship, and install. The National Academy of Sciences (2008) report estimates such a power grid failure would cost $1–2 trillion per year6 and last four to ten years. 2. Outages or failures of LEO (low Earth orbit) space assets due to enhancement of the inner Van Allen belt. A severe solar storm can also cause ionospheric uplift which can dramatically increase satellite drag (Tsurutani et al. 2012). Additionally, LEO spacecraft operation could be disrupted by solar energetic protons (SEPs) generated in the shock of the CME passage through the solar wind (Royal Academy of Engineering 2013). 3. Outages or failures of GEO (geosynchronous equatorial orbit) space assets due to enhancement of the outer Van Allen belt or due to SEPs generated in the shock of the CME passage (Royal Academy of Engineering 2013). 4. GPS outages due to GEO spacecraft outages or failures, or GPS degradation due to ionospheric uplift and enhancement, potentially lasting several days or longer. 5. Communications outages due to high-frequency and ultrahigh-frequency radio blackouts, as well as cellular communication network and internet collapse due to extended power outages beyond the limits of generators and stored fuel. In particular, although optical ﬁber cables are the foundation of much of the global communication network, electrical power is still needed to power optical repeaters and transmitters (Royal Academy of Engineering 2013). 6. Increased radiation doses to astronauts and airline passengers (Royal Academy of Engineering 2013). This is more of a risk for long-haul airline ﬂights or manned spaceﬂight. Major indirect effects could include, but are by no means limited to, the following: 1. water and waste water shortages due to reduced or eliminated pumping from power grid failure; 2. fuel shortages due to reduced or eliminated pumping from power grid failure, which could result in transportation stoppages; 3. food shortages due to transportation stoppages, which could contribute to increased death rates and incite rioting and/or looting; 4. reduced hospital care due to water shortages and power outages, which could contribute to increased death rates and rates of infection; and 5. a years-long power grid and internet degradation or outage might irrevocably damage the global economy, in turn greatly prolonging the time to restore the power grid beyond the estimate of four to ten years. If one recalls major disasters caused by terrestrial weather events like hurricanes Katrina (New Orleans, 2005) and Maria (Puerto Rico, 2017), one can imagine the sorts of major effects on people and life in those areas. The most striking difference is that, whereas humanitarian aid came to bear on these disasters, a Carrington-class event would be a global catastrophe with little or no aid forthcoming. Much greater loss of life could result, and our civilization could be driven back to a much more fractured and pre-electronic one. For the purposes of another planet’s Drake equation, our civilization would be eliminated from the calculation. Conversely, another planet whose electronic civilization were struck by a Carrington-class CME would be eliminated from our calculation. Riley (2012) estimates the probability of another Carringtonclass event occuring within the following decade at about 12%. This estimate preceded the solar storm of 2012, but a good rule of thumb would be to estimate this to be the probability of having a Carrington event during any given solar cycle. Love (2012) and Kataoka (2013) have calculated probabilities in rough agreement, but there are a wide range of probabilities in the literature, ranging from once per 60 years (Tsubouchi & Omura 2007) to once per 500 years (Yermolaev et al. 2018). This work will retain the result of Riley (2012), which is also used in National Academy of Sciences (2008) and Royal Academy of Engineering (2013). This roughly agrees with the “once in a century” designation usually given to the Carrington event. Royal Academy of Engineering (2013) indicates that this designator is not well understood given the relative lack of data, but also that there are several tens of Carrington-class CMEs every century that either miss Earth or have lesser impact due to a northward orientation of the interplanetary magnetic ﬁeld. As shown in Figure 1, such a CME has a very wide angular extent (in the 2012 July event, the CME extended in about a 135° arc from the Sun), which could strike Earth in three out of eight occurrences. There is also some indication that a solar storm could trigger other Great Filter events. Knipp et al. (2016) outlines a solar storm in 1967 May that nearly triggered a nuclear war, as American radar operators initially mistook a solar storm for Soviet jamming. It might also be possible that a Carrington-class event could unleash or exascerbate an infectious disease due to reduced hospital care at a critical time, resulting in a pandemic.

#### Constellations key to Precision Ag – key to food sustainability and increasing food supply to account for exponential population growth.

Greensight 21 3-15-2021 "Can Starlink Save the World by Connecting Farms?" <https://www.greensightag.com/logbook/can-starlink-save-the-world-by-connecting-farms/> (Data Management Consulting Firm)//Elmer

GreenSight innovates in a number of different areas, but one of the areas we are most passionate about is in agriculture. We’ve deployed our drone intelligence systems all over the world at all sorts of different facilities. One of the most challenging has been deployments at farms, and one of the biggest challenges has been connectivity. Connected farms are a requirement to feed the world, and Starlink will make that happen. Most urban and suburban households in the United States have had easy and reasonably inexpensive access to high speed internet access for 20 years. It is easy to forget that the situation is not the same for rural areas of the country. Many areas have no access to high speed, “broadband”, internet access, with some having only dialup internet access in their homes. According to the 2015 FCC broadband report, only 53% of rural households have access to high speed internet, even using low standards for “high” speed. On average farms have even less access, and that doesn’t even include high speed connectivity out in their fields. Cellular service is spotty especially on large farms in primarily agricultural areas, and legacy satellite systems provide slow upload speeds at expensive prices. Utilizing modern internet connected technologies and cloud based systems that require constant, high speed access can be a challenge at best and potentially impossible. A 2016 research study by Goldman and Sachs projected that by 2050, the world’s food production efficiency needs to increase by 50% to support our growing population. This paper backs up this conclusion with a lot of research, but the fundamental conclusion is that farming land area is unlikely to increase nor will the number of farmers. Increased global food production increases must come from productivity boosts. Researchers feel that productivity improvements from chemistry and genomics are unlikely to yield significant increases as they have in the past. They predict that the most likely area for these improvements are with precision farming techniques, notably precision planting and precision application of chemicals and water. The term “Precision Agriculture” was coined in the late 1960s and 1970s in seminal research that projected that in the future farming would be driven by data with inputs and practices varied and optimized based on weather, measurements from the field, and accurate year over year yield measurements. Since then, many tools and technologies have been developed that have made true precision agriculture more and more practical. Precision RTK GPS can guide equipment with precision better than an inch. Drones and satellite mapping of fields using remote sensing can map out health and detect problems with the crops. In field IoT sensors will stream live data (such as our partners Soil Scout). Soil genomics and analysis can analyze macro and micro nutrient content of the soil and track the genetics of the soil microbiome (like our friends at Trace Genomics). Robotic and automated farming equipment (like our partners at Monarch Tractor and Husqvarna are building) can vary applications and planting according to precomputed variable rate application maps. Despite all these breakthroughs, precision farming techniques still have a low penetration. There are many reasons for this (more than could be discussed in this article!) but one of them is inadequate connectivity. Most of these modern technologies rely on access to the internet and in many cases it just isn’t possible. For decades subsidies and programs have been rolled out to improve rural connectivity but the reality is that connecting up far flung areas is expensive, often labor intensive, and consequently from a pure business standpoint does not make sense for the connectivity providers. Even as infrastructure expands to more remote areas, there will always remain large swaths of rural america where conventional connectivity infrastructure is highly impractical. Most of GreenSight’s data processing is done in the cloud. Several gigabytes of imagery data are uploaded from our aircraft after every flight to be processed and delivered to our customers. Our custom artificial intelligence analyses the data and informs farmers to problem areas. From many remote farm fields, uploading can be a slow process. We’ve invested heavily in the portability of our systems and our upcoming next generation aircraft will be capable of onboard processing, but despite this connectivity will still be needed to make data available for farmers and other automated agriculture systems. Advanced sensing systems like ours have to be able to integrate with connected robotic sprayers, harvesters and tractors, unlocking the productivity potential of precision agriculture. Humanity needs precision agriculture, and connected data-driven systems will be a big part of that revolution. Beyond the global necessity, the economics for farmers work too! A 2018 USDA studies indicate that connecting US farmland will unlock $50B in industry revenue. We are extremely excited about Starlink and its potential to bring cost effective internet connectivity to farms and rural areas. Starlink levels the playing field for rural areas, enabling high speed connectivity everywhere. No longer will farmers have to wait for high speed wired connectivity to come to their area or install a complex mesh network on their property. IoT data can be streamed from fields as easily as it now streams from urban homes. Starlink will be a catalyzing force for chance, advancing access to precision agriculture globally and contributing to solving global food challenges.

#### Food Insecurity goes nuclear – escalates multiple hotspots.

Cribb 19 Julian Cribb 8-23-2019 “Food or War” <https://www.cambridge.org/core/books/abs/food-or-war/hotspots-for-food-conflict-in-the-twentyfirst-century/1CD674412E09B8E6F325C9C0A0A6778A> (principal of Julian Cribb & Associates who provide specialist consultancy in the communication of science, agriculture, food, mining, energy and the environment. , His published work includes over 8000 articles, 3000 media releases and eight books. He has received 32 awards for journalism.)//Elmer

Future Food Wars The mounting threat to world peace posed by a food, climate and ecosystem increasingly compromised and unstable was emphasised by the US Director of National Intelligence, Dan Coats, in a briefing to the US Senate in early 2019. 'Global environmental and ecological degradation, as well as climate change, are likely to fuel competition for resources, economic distress, and social discontent through 2019 and beyond', he said. 'Climate hazards such as extreme weather, higher temperatures, droughts, floods, wildfires, storms, sea level rise, soil degradation, and acidifying oceans are intensifying, threatening infrastructure, health, and water and food security. Irreversible damage to ecosystems and habitats will undermine the economic benefits they provide, worsened by air, soil, water, and marine pollution.' Boldly, Coats delivered his warning at a time when the US President, Trump, was attempting to expunge all reference to climate from government documents. 23 Based upon these recent cases of food conflicts, and upon the lessons gleaned from the longer history of the interaction between food and war, several regions of the planet face a greatly heightened risk of conflict towards the mid twentyfirst century. Food wars often start out small, as mere quarrels over grazing rights, access to wells or as one faction trying to control food supplies and markets. However, if not resolved quickly these disputes can quickly escalate into violence, then into civil conflagrations which, if not quelled, can in turn explode into crises that reverberate around the planet in the form of soaring prices, floods of refugees and the involvement of major powers — which in turn carries the risk of transnational war. The danger is magnified by swollen populations, the effects of climate change, depletion of key resources such as water, topsoil and nutrients, the collapse of ecosystem services that support agriculture and fisheries, universal pollution, a widening gap between rich and poor, and the rise of vast megacities unable to feed themselves (Figure 5.3). Each of the world's food 'powderkeg regions' is described below, in ascending order of risk. United States In one sense, food wars have already broken out in the United States, the most overfed country on Earth. Here the issue is chiefly the growing depletion of the nation's mighty ground- water resources, especially in states using it for food production, and the contest over what remains between competing users — farmers, ranchers and Native Americans on the one hand and the oil, gas and mining industry on the other. Concern about the future of US water supplies was aggravated by a series of savage droughts in the early twentyfirst century in the west, south and midwest linked to global climate change and declining snow- pack in the Rocky Mountains, both of which affect not only agriculture but also the rate at which the nation's groundwater reserves recharge. 'Groundwater depletion has been a concern in the Southwest and High Plains for many years, but increased demands on our groundwater resources have overstressed aquifers in many areas of the Nation, not just in arid regions', notes the US Geological Survey.24 Nine US states depend on groundwater for between 50 per cent and 80 per cent of their total freshwater supplies, and five states account for nearly half of the nation's groundwater use. Major US water resources, such as the High Plains aquifers and the Pacific Northwest aquifers have sunk by 30—50 metres (100—150 feet) since exploitation began, imperilling the agricultural industries that rely on them. In the arid south- west, aquifer declines of 100—150 metres have been recorded (Figure 5.4). To take but one case, the famed Ogallala Aquifer in the High Plains region supports cropping industries worth more than US $20 billion a year and was in such a depleted state it would take more than 6000 years to replace by natural infiltration the water drawn from it by farmers in the past 150 years. As it dwindles, some farmers have tried to kick their dependence on ground- water other users, including the growing cities and towns of the region, proceeded to mine it as if there was no tomorrow.25 A study by Kansas State University concluded that so far, 30 per cent of the local groundwater had been extracted and another 39 per cent would be depleted by the mid century on existing trends in withdrawal and recharge.26 Over half the US population relies on groundwater for drinking; both rural and urban America are at risk. Cities such as New Orleans, Houston and Miami face not only rising sea levels — but also sinking land, due to the extraction of underlying ground- water. In Memphis, Tennessee, the aquifer that supplies the city's drinking water has dropped by 20 metres. Growing awareness of the risk of a nation, even one as large and technologically adept as the USA, having insufficient water to grow its food, generate its exports and supply its urban homes has fuelled tensions leading to the eruption of nationwide protests over 'fracking' for oil and gas — a process that can deplete or poison groundwater — and the building -of oil pipe- lines, which have a habit of rupturing and also polluting water resources. The boom in fracking and piping is part of a deliberate US policy to become more self-reliant in fossil fuels.27 Thus, in its anxiety to be independent of overseas energy suppliers, the USA in effect decided to barter away its future food security for current oil security — and the price of this has been a lot of angry farmers, Native Americans and concerned citizens. The depletion of US groundwater coincides with accelerating climate risk, which may raise US temperatures by as much as 4—5 oc by 2100, leading to major losses in soil moisture throughout the US grain belt, and the spread of deserts in the south and west. Food production will also be affected by fiercer storms, bigger floods, more heatwaves, an increase in drought frequency and greater impacts from crop and livestock diseases. In such a context, it is no time to be wasting stored water. The case of the USA is included in the list of world 'hot spots' for future food conflict, not because there is danger of a serious shooting war erupting over water in America in the foreseeable future, but to illustrate that even in technologically advanced countries unforeseen social tensions and crises are on the rise over basic resources like food, land and water and their depletion. This doesn't just happen in Africa or the Middle East. It's a global phenomenon. Furthermore, the USA is the world's largest food exporter and any retreat on its part will have a disproportionate effect on world food price and supply. There is still plenty of time to replan America's food systems and water usage — but, as in the case of fossil fuels and climate, rear-guard action mounted by corporate vested interests and their hired politicians may well paralyse the national will to do it. That is when the US food system could find itself at serious risk, losing access to water in a time of growing climatic disruption, caused by exactly the same forces as those depleting the groundwater: the fossil fuels sector and its political stooges. The probable effect of this will, in the first instance, be a decline in US meat and dairy production accompanied by rising prices and a fall in its feedgrain exports, with domino effects on livestock industries worldwide. The flip-side to this issue is that America's old rival, Russia, is likely to gain in both farmland and water availability as the planet warms through the twentyfirst century — and likewise Canada. Both these countries stand to prosper from a US withdrawal from world food markets, and together they may negate the effects of any US food export shortfalls. Central and South America South America is one of the world's most bountiful continents in terms of food production — but, after decades of improvement, malnutrition is once more on the rise, reaching a new peak of 42.5 million people affected in 2016. 28 'Latin America and the Caribbean used to be a worldwide example in the fight against hunger. We are now following the worrisome global trend', said regional FAO representative Julio Berdegué. 29 Paradoxically, obesity is increasing among Latin American adults, while malnutrition is rising among children. 'Although Latin America and the Caribbean produce enough food to meet the needs of their population, this does not ensure healthy and nutritious diets', the FAO explains. Worsening income inequality, poor access to food and persistent poverty are contributing to the rise in hunger and bad diets, it adds.30 'The impact of climate change in Latin America and the Caribbean will be considerable because of its economic dependence on agriculture, the low adaptive capacity of its population and the geographical location of some of its countries', an FAO report warned.31 Emerging food insecurity in Central and Latin America is being driven by a toxic mixture of failing water supplies, drying farmlands, poverty, maladministration, incompetence and corruption. These issues are exacerbated by climate change, which is making the water supply issue worse for farmers and city people alike in several countries and delivering more weather disasters to agriculture. Mexico has for centuries faced periodic food scarcity, with a tenth of its people today suffering under-nutrition. In 2008 this rose to 18 per cent, leading to outbreaks of political violence. 2 In 2013, 52 million Mexicans were suffering poverty and seven million more faced extreme hunger, despite the attempts of successive governments to remedy the situation. By 2100 northern Mexico is expected to warm by 4—5 oc and southern Mexico by 1.5—2.5 oc. Large parts of the country, including Mexico City, face critical water scarcity. Mexico's cropped area could fall by 40—70 per cent by the 2030s and disappear completely by the end of the century, making it one of the world's countries most at risk from catastrophic climate change and a major potential source of climate refugees.33 The vanishing lakes and glaciers of the high Andes confront montane nations — Bolivia, Peru and Chile especially — with the spectre of growing water scarcity and declining food security. The volume of many glaciers, which provide meltwater to the region's rivers, which in turn irrigate farmland, has halved since 1975.34 Bolivia's second largest water body, the 2000 square kilometres Lake Poopo, dried out completely.35 The loss of water is attributed partly to El Niho droughts, partly to global warming and partly to over-extraction by the mining industries of the region. Chile, with 24,000 glaciers (80 per cent of all those in Latin America) is feeling the effects of their retreat and shrinkage especially, both in large cities such as the capital Santiago, and in irrigation agriculture and energy supply. Chile is rated by the World Resources Institute among the countries most likely to experience extreme water stress by 2040.36 Climate change is producing growing water and food insecurity in the 'dry corridor' of Central America, in countries such as El Salvador, Guatemala and Honduras. Here a combination of drought, major floods and soil erosion is undermining efforts to raise food production and stabilise nutrition. Food production in Venezuela began falling in the 1990s, and by the late 2010s two thirds of the population were malnourished; there was a growing flood of refugees into Colombia and other neighbouring countries. The food crisis has been variously blamed on the Venezuelan government's 'Great Leap Forward' (modelled on that of China — which also caused widespread starvation), a halving in Venezuela's oil export earnings, economic sanctions by the USA, and corruption. However, local scientists such as Nobel Laureate Professor Juan Carlos Sanchez warn that climate impacts are already striking the densely populated coastal regions with increased torrential rains, flooding and mudslides, droughts and hurricanes, while inland areas are drying out and desertifying, leading to crop failures, water scarcity and a tide of climate refugees.37 These factors will tend to deepen food insecurity towards the mid century. Venezuela's climate refugees are already making life more difficult for neighbouring countries such as Colombia. Deforestation in the Brazilian Amazon has, in recent decades, removed around 20 per cent of its total tree cover, replacing it with dry savannah and farmland. At 40 per cent clearance and with continued global warming, scientists anticipate profound changes in the local climate, towards a drying trend, which will hammer the agriculture that has replaced the forest.38 Brazil has already wiped out the once- vast Mata Atlantica forest along its eastern coastline, and this region is now drying, with resultant water stress for both farming and major cities like Säo Paulo. Brazil's outlook for 2100 is for further drying — tied to forest loss as well as global climate change — increased frequency of drought and heatwaves, major fires and acute water scarcity in some regions. Moreover, as the Amazon basin dries out, if will release vast quantities of C02 from its peat swamps and rainforest soils. These are thought to contain in excess of three billion tonnes of carbon and could cause a significant acceleration in global warming, affecting everyone on Earth. 39 Latin America is the world capital of private armies, with as many as 50 major guerrilla groups, paramilitaries, terrorist, indigenous and criminal insurgencies over the past half century exemplified in familiar names like the Sandanistas (Nicaragua), FARC (Colombia) and Shining Path (Peru). 40 Many of these drew their initial inspiration from the international communist movement of the mid twentieth century, while others are right-wing groups set up in opposition to them or else represent land rights movements of disadvantaged groups. However, all these movements rely for oxygen on simmering public discontent with ineffectual or corrupt governments and lack of fair access to food, land and water generally. In other words, the tendency of South and Central America towards internal armed conflict is supercharged significantly by failings in the food system which generate public anger, leading to sympathy and support for anyone seen to be challenging the incumbent regimes. This is not to suggest that feeding every person well would end all insurgencies — but it would certainly take the wind of popular support out of a lot of their sails. In that sense the revolutionary tendency of South America echoes the preconditions for revolution in France and Russia in the eighteenth and twentieth centuries. Central Asia The risk of wars breaking out over water, energy and food insecurity in Central Asia is high.41 Here, the five main players — Kazakhstan, Uzbekistan, Turkmenistan, Tajikistan and Kyrgyzstan — face swelling populations, crumbling Soviet-era infrastructure, flagging resource cooperation, a degrading land- scape, deteriorating food availability and a changing climate. At the heart of the issue and the region's increasingly volatile politics is water: 'Without water in the region's two great rivers — the Syr Darya and the Amu Darya — vital crops in the down- stream agricultural powerhouses would die. Without power, life in the upstream countries would be unbearable in the freezing winters' , wrote Rustam Qobil. Central Asia's water crisis first exploded onto the global consciousness with the drying of the Aral Sea — the world's fourth largest lake — from the mid 1960s43, following the damming and draining of major rivers such as the Amu Darya, Syr Darya and Naryn. It was hastened by a major drought in 200844 exacerbated by climate change, which is melting the 'water tower' of glacial ice stored in the Tien Shan, Pamir and Hindu Kush mountain ranges that feed the region's rivers. The Tien Shan alone holds 10,000 glaciers, all of them in retreat, losing an estimated 223 million cubic metres a year. At such a rate of loss the region's rivers will run dry within a generation.45 Lack of water has already delivered a body blow to Central Asia's efforts to modernise its agriculture, adding further tension to regional disputes over food, land and water. 'Water has always been a major cause of wars and border conflicts in the Central Asian region', policy analyst Fuad Shahbazov warned. This potential for conflict over water has been exacerbated by disputes over the Fergana valley, the region's greatest foodbowl, which underwent a 32 per cent surge in population in barely ten years — while more and more of it turned to desert.46 The Central Asian region is ranked by the World Resources Institute as one of the world's most perilously water-stressed regions to 2040 (Figure 5.6). With their economies hitting rock bottom, corrupt and autocratic governments that prefer to blame others for their problems and growing quarrels over food, land, energy and water, the 'Stans' face 'a perfect storm', Nate Shenkkan wrote in the journal Foreign Policy 47 Increased meddling by Russia and China is augmenting the explosive mix: China regards Central Asia as a key component of its 'Belt and Road' initiative intended to expand its global influence, whereas Russia hopes to lure the region back into its own economic sphere. Their rival investments may help limit some of the problems faced by Central Asia — or they may unlock a fresh cycle of political feuding, turmoil and regime change.48 A 2017 FAO report found 14.3 million people — one in every five — in Central Asia did not have enough to eat and a million faced actual starvation, children especially. It noted that after years of steady improvement, the situation was deteriorating. This combination of intractable and deteriorating factors makes Central Asia a serious internal war risk towards the mid twentyfirst century, with involvement by superpowers raising the danger of international conflict and mass refugee flight. The Middle East The Middle East is the most water-stressed region on Earth (see Figure 5.5 above). It is 'particularly vulnerable to climate change. It is one of the world's most water-scarce and dry regions, with a high dependency on climate-sensitive agriculture and a large share of its population and economic activity in flood-prone urban coastal zones', according to the World Bank. 49 The Middle East — consisting of the 22 countries of the Arab League, Turkey and Iran — has very low levels of natural rainfall to begin with. Most of it has 600 millimetres or less per year and is classed as arid. 'The Middle East and North Africa [MENA] is a global hotspot of unsustainable water use, especially of ground- water. In some countries, more than half of current water withdrawals exceed what is naturally available', the Bank said in a separate report on water scarcity. 50 'The climate is predicted to become even hotter and drier in most of the MENA region. Higher temperatures and reduced precipitation will increase the occurrence of droughts. It is further estimated that an additional 80—100 million people will be exposed by 2025 to water stress', the Bank added. The region's population of 300 million in the late 2010s is forecast to double to 600 million by 2050. Average temperatures are expected to rise by 3—5 oc and rainfall will decrease by around 20 per cent. The result will be vastly increased water stress, accelerated desertification, growing food insecurity and a rise in sea levels displacing tens of millions from densely popu- lated, low-lying areas like the Nile delta.51 The region is deemed highly vulnerable to climate impacts, warns a report by the UN Development Programme. 'Current climate change projections show that by the year 2025, the water supply in the Arab region will be only 15 per cent of levels in 1960. With population growth around 3 per cent annually and deforestation spiking to 4 per cent annually... the region now includes 14 of the world s 20 most water-stressed countries.'52 The Middle Fast/North Africa (MENA) region has 6 per cent of the world's population with only 1.5 per cent of the world's fresh water reserves to share among them. This means that the average citizen already has about a third less water than the minimum necessary for a reasonable existence — many have less than half, and populations are growing rapidly. Coupled with political chaos and ill governance in many countries, growing religious and ethnic tensions between different groups — often based on centuries-old disputes — a widening gap between rich and poor and foreign meddling by the USA, Russia and China, shortages of food, land and water make the Middle East an evident cauldron for conflict in the twentyfirst century. Growing awareness of their food risk has impelled some oil-rich Arab states into an international farm buying spree, purchasing farming, fishing and food processing companies in countries as assorted as South Sudan, Ethiopia, the Philippines, Ukraine, the USA, Poland, Argentina, Australia, Brazil and Morocco. In some food-stressed countries these acquisitions have already led to riots and killings.53 The risk is high that, by exporting its own food—land—water problems worldwide, especially to regions already facing scarcity, the Middle East could propagate conflicts and government collapses around the globe. This is despite the fact that high-tech solar desalination, green energy, hydroponics, aquaponics and other intensive urban food production technologies make it possible for the region to produce far more of its own food locally, if not to be entirely self-sufficient. Dimensions of the growing crisis in the Middle East include the following. Wars have already broken out in Syria and Yemen in which scarcity of food, land and water were prominent among the tensions that led to conflict between competing groups. Food, land and water issues feed into and exacerbate already volatile sentiment over religion, politics, corruption, mismanagement and foreign interference by the USA, China and Russia. The introduction of cheap solar-powered and diesel pumps has accelerated the unsustainable extraction of groundwater throughout the region, notably in countries like Libya, Egypt, Saudi Arabia and Morocco. 54 Turkish building of new dams to monopolise waters flowing across its borders is igniting scarcity and potential for conflict with downstream nations, including Iraq, Iran and Syria. 55 Egypt's lifeline, the Nile, is threatened by Ethiopian plans to dam the Blue Nile, with tensions that some observers consider could lead to a shooting war. 56 There are very low levels of water recycling throughout the region, while water use productivity is about half that of the world as a whole. There is a lack of a sense of citizen responsibility for water and food scarcity throughout the region. Land grabs around the world by oil-rich states are threatening to destabilise food, land and water in other countries and regions, causing conflict. A decline in oil prices and the displacement of oil by the global renewables revolution may leave the region with fewer economic options for solving its problems. There is a risk that acquisition of a nuclear weapon by Iran may set off a nuclear arms race in the region with countries such as Saudi Arabia, Syria and possibly Turkey following suit and Israel rearming to stay in the lead. This would translate potential food, land and water conflicts into the atomic realm. Together these issues, and failure to address their root causes, make the Middle East a fizzing powder keg in the twentyfirst century. The question is when and where, not whether, it explodes — and whether the resulting conflict will involve the use of weapons of mass destruction, including nuclear, thus affecting the entire world. China China is the world's biggest producer, importer and consumer of food. Much of the landmass of the People's Republic of China (PRC) is too mountainous or too arid for farming, but the rich soils of its eastern and southern regions are highly productive provided sufficient water is available and climate impacts are mild. Those, however, are very big 'ifs'. In 1995, American environmentalist Lester R. Brown both Eked and aroused the PRC Communist Party bosses with a small, hard-hitting book entitled Who Will Feed China? Wake-Up Call for a Small Planet.57 In it he posited that Chinese population growth was so far out of control that the then-agricultural system could not keep up, and China would be forced to import vast amounts of grain, to the detriment of food prices and availability worldwide. His fears, so far, have not been realised — not because they were unsoundly based, but because China managed — just — to stay abreast of rising food demand by stabilising and subsidising grain prices, restoring degraded lands, boosting agricultural science and technology, piping water from south to north, developing high-intensity urban farms, buying up foreign farmland worldwide and encouraging young Chinese to leave the country. What Brown didn't anticipate was the economic miracle that made China rich enough to afford all this. However, his essential thesis remains valid: China's food supply will remain on a knife-edge for the entire twentyfirst century, vulnerable especially to water scarcity and climate impacts. If the nation outruns its domestic resources yet still has to eat, it may well be at the expense of others globally. Some western commentators were puzzled when China scrapped its 35-year 'One Child Policy' in 2015, but in fact the policy had done its job, shaving around 300 million people off the projected peak of Chinese population. It was also causing serious imbalances, such as China's huge unmarried male sur- plus. Furthermore, rising urbanisation and household incomes meant Chinese parents no longer wanted large families, as in the past. Policy or no policy, China's birthrate has continued to fall and by 2018 was 1.6 babies per woman — well below replacement, lower than the USA and nearly as low as Germany. Its population was 1.4 billion, but this was growing at barely 0.4 per cent a year, with the growth due at least in part to lengthening life expectancy. 58 For China, female fertility is no longer the key issue. The critical issue is water. And the critical region is the north, where 41 per cent of the population reside. Here surface and ground- waters — which support not only the vast grain and vegetable farming industries of the North China Plain but also burgeoning megacities like Beijing, Tianjin and Shenyang — have been vanishing at an alarming rate. 'In the past 25 years, 28,000 rivers have disappeared. Groundwater has fallen by up to 1—3 metres a year. One consequence: parts of Beijing are subsiding by 11 cm a year. The flow of the Yellow River, water supply to millions, is a tenth of what it was in the 1940s; it often fails to reach the sea. Pollution further curtails supply: in 2017 8.8 per cent of water was unfit even for agricultural or industrial use', the Financial Times reported.59 On the North China Plain, annual consump- tion of water for all uses, including food production, is about 27 billion cubic metres a year — compared with an annual water availability of 22 billion cubic metres, a deficit that is made up by the short-term expedient of mining the region's groundwater. 60 To stave off disaster, the PRC has built a prodigious network of canals and pipelines from the Yangtse River in the water-rich south, to Beijing in the water-starved north. Hailed as a 'lifeline', the South—North Water Transfer Project had two drawbacks: first, the fossil energy required to pump millions of tonnes of water over a thousand kilometres and, second, the fact that while the volume was sufficient to satisfy the burgeoning cities for a time, it could not supply and distribute enough clean water to meet the needs of irrigated farming over so vast a region in the long run, nor meet those of its planned industrial growth.61 Oft-mouthed 'solutions' like desalination or the piping of water from Tibet or Russia face similar drawbacks: demand is too great for the potential supply and the costs, both financial and environmental, prohibitive. China is already among the world's most water-stressed nations. The typical Chinese citizen has a 'water footprint' of 1071 cubic metres a year — three quarters of the world average (1385 cubic metres), and scarcely a third that of the average American (2842 cubic metres).62 Of this water, 62 per cent is used to grow food to feed the Chinese population — and 90 per cent is so polluted it is unfit to drink or use in food processing. Despite massive investment in water infrastructure and new technology, many experts doubt that China can keep pace with the growth in its demand for food, at least within its own borders, chiefly because of water scarcity.63 Adding to the pressure is that China's national five-year plans for industrialisation demand massive amounts more water — demands that may confront China with a stark choice between food and economic growth. 'The Chinese government is moving too slowly towards the Camel Economy. It has plans, incentives for officials; it invests in recycling, irrigation, pollution, drought resistant crops; it leads the world in high voltage transmission (to get hydro, wind and solar energy from the west of China). None of this is sufficient or likely to be in time', the Financial Times opined. As the world's leading carbon emitter, China is more responsible for climate change than any other country. It is also, potentially, more at risk. The main reason, quite simply, is the impact of a warming world on China's water supply — in the form of disappearing rivers, lakes, groundwater and mountain glaciers along with rising sea levels. To this is coupled the threat to agriculture from increasing weather disasters and the loss of ecosystem services from a damaged landscape. 65 China is thus impaled on the horns of a classic dilemma. Without more water it cannot grow its economy sufficiently to pay for the water-conserving and food-producing technologies and infrastructure it needs to feed its people. Having inadvertently unleashed a population explosion with its highly successful conversion to modern farming systems, the challenge for China now is to somehow sustain its food supply through the population peak of the mid twentyfirst century, followed by a managed decline to maybe half of today's numbers by the early twentysecond century. It is far from clear whether the present approach — improving market efficiency, continuing to modernise agricultural production systems, pumping water, trying to control soil and water losses and importing more food from overseas will work. 66 China has pinned its main hopes on technology to boost farm yields and improve water distribution and management. Unfortunately, it has selected the unsustainable American industrial farming model to do this — which involves the massive use of water, toxic chemicals, fertilisers, fossil fuels and machines. This in turn is having dreadful consequences for China's soils, waters, landscapes, food supply, air, climate and consumer health. Serious questions are now being asked whether such an approach is not digging the hole China is in, even deeper. Furthermore, some western analysts are sceptical whether the heavy hand of state control is up to the task of generating the levels of innovation required to feed China sustainably.67 Plan B, which is to purchase food from other countries, or import it from Chinese-owned farming and food ventures around the world, faces similar difficulties. Many of the countries where China is investing in food production themselves face a slow-burning crisis of land degradation, water scarcity, surging populations and swelling local food demand. By exporting its own problems, China is adding to their difficulties. While there may be some truth to the claim that China is helping to modernise food systems in Africa, for example, it is equally clear that the export of food at a time of local shortages could have dire consequences for Africans, leading to wars in Africa and elsewhere. How countries will react to Chinese pressure to export food in the face of their own domestic shortages is, as yet, unclear. If they permit exports, it could prove cata- strophic for their own people and governments — but if they cut them off, it could be equally catastrophic for China. Such a situation cannot be regarded as anything other than a menace to world peace. Around 1640, a series of intense droughts caused widespread crop failures in China, leading to unrest and uprisings which, in 1644, brought down the Ming Dynasty. A serious domestic Chinese food and water crisis today — driven by drought, degradation of land and water and climate change in northern China coupled with failure in food imports — could cause a re-run of history: 'The forthcoming water crisis may impact China's social, economic, and political stability to a great extent', a US Intelligence Assessment found. The adverse impacts of climate change will add extra pressure to existing social and resource stresses.' 68 Such events have the potential to precipitate tens, even hundreds, of millions of emigrants and refugees into countries all over the world, with domino consequences for those countries that receive them. Strategic analysts have speculated that tens of millions of desperate Chinese flooding into eastern Russia, or even India, could lead to war, including the risk of international nuclear exchange. 69 Against such a scenario are the plain facts that China is a technologically advanced society, with the foresight, wealth and capacity to plan and implement nationwide changes and the will, if necessary, to enforce them. Its leaders are clearly alert to the food and water challenge — and its resolution may well depend on the extent of water recycling they are able to achieve. As to whether the PRC can afford the cost of transitioning from an unsustainable to a sustainable food system, all countries have a choice between unproductive military spending and feeding their populace. A choice between food or war. It remains to be seen which investment China favours. However, it is vital to understand that the problem of whether China can feed itself through the twentyfirst century is not purely a Chinese problem. It's a problem, both economic and physical, for the entire planet — and it is thus in everyone's best interest to help solve it. For this reason, China is rated number 3 on this list of potential food war hotspots. Africa Food wars — that is, wars in which food, land and water play a significant contributing role — have been a constant in the story of Africa since the mid twentieth century, indeed, far longer. In a sense, the continent is already a microcosm of the world of the twentyfirst century as climate change and resource scarcity com- bine with rapid population growth to ratchet up the tensions that lead competing groups to fight, whether the superficial distinc- Mons between them are ethnic, religious, social or political. We have examined the particular cases of Rwanda, South Sudan and the Horn of Africa — but there are numerous other African conflicts, insurgencies and ongoing disturbances in which food, land and water are primary or secondary triggers and where famine is often the outcome: Nigeria, Congo, Egypt, Tunisia, Libya, Mali, Chad, the Central African Republic, the Maghreb region of the Sahara, Mozambique, Cote d'Ivoire and Zimbabwe have all experienced conflicts in which issues of access to food, land and water were important drivers and consequences. The trajectory of Africa's population in the first two decades of the twentyfirst century implies that the number of its people could quadruple from 1.2 billion in 2017 to 4.5 billion by 2100 (Figure 5.6). If fulfilled, this would make Africans 41 per cent of the world population by the end of the century. The UN Popula- tion Division's nearer projections are for Africans to outnumber Chinese or Indians at 1.7 billion by 2030, and reach 2.5 billion in 2050, which represents a doubling in the continent's inhabitants in barely 30 years. 70 While African fertility rates (babies per woman) remain high by world standards — 4.5 compared with a global average of 2.4 — they have also fallen steeply, from a peak of 8.5 babies in the 1970s. Furthermore, the picture is uneven with birthrates in most Sub-Saharan countries remaining high (around five to six babies/woman), while those of eight, mainly southern, countries have dropped to replace- ment or below (i.e. under 2.1). As has been the case around the world, birth rates tend to drop rapidly with the spread of urban isation, education and economic growth — whereas countries which slide back into poverty tend to experience rising birth- rates. Food access is a vital ingredient in this dynamic: it has been widely observed that better-fed countries tend to have much lower rates of birth and population growth, possibly because people who are food secure lose fewer infants and children in early life and thus are more open to family planning. So, in a real sense, food sufficiency holds one of the keys to limiting the human population to a level sustainable both for Africa and the planet in general. Forecasting the future of Africa is not easy, given the complexity of the interwoven climatic, social, technological and political issues — and many do not attempt it. However, the relentless optimism of the UN and its food agency, the FAO, is probably not justified by the facts as they are known to science — and may have more to do with not wishing to give offence to African governments or discourage donors than with attempting to accurately analyse what may occur. Even the FAO acknowledges however that food insecurity is rising across Sub-Saharan Africa as well as other parts. In 2017, conflict and insecurity were the major drivers of acute food insecurity in 18 countries and territories where almost 74 million food-insecure people were in need of urgent assistance. Eleven of these countries were in Africa and accounted for 37 million acutely food insecure people; the largest numbers were in northern Nigeria, Demo- cratic Republic of Congo, Somalia and South Sudan the agency said in its Global Report on Food Crises 2018.71 The FAO also noted that almost one in four Africans was undernourished in 2016 — a total of nearly a quarter of a billion people. The rise in undernourishment and food insecurity was linked to the effects of climate change, natural disasters and conflict according to Bukar Tijani, the FAO's assistant director general for Africa. 72 Even the comparatively prosperous nation of South Africa sits on a conflict knife-edge, according to a scientific study: 'Results indicate that the country exceeds its environmental boundaries for biodiversity loss, marine harvesting, freshwater use, and climate change, and that social deprivation was most severe in the areas of safety, income, and employment, which are significant factors in conflict risk', Megan Cole and colleagues found. 73 In the Congo, home to the world's second largest tropical forest, 20 years of civil war had not only slain five million civilians but also decimated the forests and their ecological services on which the nation depended. Researchers found evidence that reducing conflict can also help to reduce environ- mental destruction: 'Peace-building can potentially be a win for nature as well, and.. conservation organizations and govern- ments should be ready to seize conservation opportunities'. 74 As the African population doubles toward the mid century, as its water, soils, forests and economic wealth per capita dwindle, as foreign corporations plunder its riches, as a turbulent climate hammers its herders and farmers — both industrial and traditional — the prospect of Africa resolving existing conflicts and avoiding new ones is receding. The mistake most of the world is making is to imagine this only affects the Africans. The consequences will impact everyone on the planet. A World Bank study has warned that 140 million people will have to leave just three regions of the world as climate refugees before 2050 — and the vast majority of these, some 86 million, would be displaced from their homes in Sub-Saharan Africa. 75

## 4

#### CP Text: Space faring nations should enter into a prior and binding consultation with the International Court of Justice over if the appropriation of outer space by private entities is unjust

#### Ought means should

Merriam Webster n.d. – Merriam Webster’s Learner’s Dictionary, “ought”, <http://www.learnersdictionary.com/definition/ought>  
ought /ˈɑːt/ verb  
Learner's definition of OUGHT [modal verb] 1 ◊ Ought is almost always followed by to and the infinitive form of a verb. The phrase ought to has the same meaning as should and is used in the same ways, but it is less common and somewhat more formal. The negative forms ought not and oughtn't are often used without a following to. — used to indicate what is expected They ought to be here by now. You ought to be able to read this book. There ought to be a gas station on the way. 2 — used to say or suggest what should be done You ought to get some rest. That leak ought to be fixed. You ought to do your homework.

#### Should means must and is immediate

Summers 94 (Justice – Oklahoma Supreme Court, “Kelsey v. Dollarsaver Food Warehouse of Durant”, 1994 OK 123, 11-8, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13)

¶4 The legal question to be resolved by the court is whether the word "should"[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13) in the May 18 order connotes futurity or may be deemed a ruling in praesenti.[14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn14) The answer to this query is not to be divined from rules of grammar;[15](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn15) it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.[16](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn16) [CONTINUES – TO FOOTNOTE] [13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn13) "*Should*" not only is used as a "present indicative" synonymous with *ought* but also is the past tense of "shall" with various shades of meaning not always easy to analyze. See 57 C.J. Shall § 9, Judgments § 121 (1932). O. JESPERSEN, GROWTH AND STRUCTURE OF THE ENGLISH LANGUAGE (1984); St. Louis & S.F.R. Co. v. Brown, 45 Okl. 143, 144 P. 1075, 1080-81 (1914). For a more detailed explanation, see the Partridge quotation infra note 15. Certain contexts mandate a construction of the term "should" as more than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an *obligation* *and to be more than advisory*); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, [802 P.2d 813](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=802&box2=P.2D&box3=813) (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an *obligation* to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or "must" when used in an instruction to the jury which tells the triers they "should disregard false testimony"). [14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn14) In praesenti means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is presently or immediately effective, as opposed to something that will or would become effective in the future *[in futurol*]. See Van Wyck v. Knevals, [106 U.S. 360](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=106&box2=U.S.&box3=360), 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

#### Advisory opinions from ICJ are necessary to clarify and develop international space law and they say yes.

Simpson and Johnson 17 [Michael Simpson, International Space University · Space Policy and Law; Business and Management, Chris Johnson is the Space Law Advisor at the Secure World Foundation, a non-governmental organization (NGO) focused on the sustainable uses of outer space. Christopher does research, writes, and speaks about international and national space law with a special focus on peaceful uses of outer space, emerging governance challenges with non-traditional space activities, and identifying and characterizing deficiencies in existing space law., September 2017, Lacunae and Silence in International Space Law – A Hypothetical Advisory Opinion from the International Court of Justice, ResearchGate, https://www.researchgate.net/publication/320596144\_Lacunae\_and\_Silence\_in\_International\_Space\_Law\_-\_A\_Hypothetical\_Advisory\_Opinion\_from\_the\_International\_Court\_of\_Justice 12-16-2021] rohan

* lacunae = situation where there is no applicable law
* non liquet = no answer from governing system

Since international space law has developed for at least 60 years in an environment devoid of judicial opinions on live controversies, it lacks the judicial contribution to clarification and elaboration of terms and principles normally enjoyed by a body of law. For this reason, advisory opinions may be particularly useful in this area. The mechanism for seizing the Court also appears to be favorably developed. In the nuclear weapons case, the ICJ turned down a 1993 request from the World Meteorological Organization on the grounds that WMO, acting ultra vires lacked standing. Only when the UN General Assembly later made the request in its own name did the Court take up the question. Since many of the questions amenable to illumination through advisory opinions are within the remit of the UN Committee for the Peaceful Uses of Outer Space (UNCOPUOS), which itself reports through Fourth Committee to the General Assembly, the procedural pathway to a UNGA request is both established and clear. Equally as helpful is that UNCOPUOS operates by consensus. Thus, early requests for clarification, could easily establish that the necessary political will to seek increased clarity was present and permit to begin with less controversial concepts. Once the efficacy of advisory opinions to clarify elements of space law is established, the General Assembly could possibly decide to forward more challenging issues even where consensus in COPUOS could not be expected. III. NON-LIQUET AT THE ICJ. It is a general principle of law at both the national and international level (indeed inherited from ancient Roman law) that when asked to deliver a judgement, a court knows the law (Iura novit curia). So it should seem as an unexpected and rare surprise when a court does not, indeed, know the law. In the Nuclear Weapons advisory opinion, the Court considered the existing law applicable to the threat or use of nuclear weapons, and their treatment under the various sources and bodies of law. The Court was asked to consider “is the threat or use of nuclear weapons in any circumstances permitted under international law?” However, the Court slightly rephrased that question merely to “determine the legality or illegality of the threat or use of nuclear weapons.”11 In seeking an answer, the Court looked to custom and to treaties, and looking to a diverse field of special regimes of international law, including the law of armed conflict (LOAC) a.k.a. International Humanitarian Law (IHL) (including jus ad bellum and jus in bellow), environmental law, and human rights law. However, the law, as a system and as a whole, was weighed and found wanting. The Court concluded: 11 20 Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports (1996) p. 226, 238 para. 97. Accordingly, in view of the present state of international law viewed as a whole, as examined above by the Court, and of the elements of fact at its disposal, the Court is led to observe that it cannot reach a definitive conclusion as to the legality or illegality of the use of nuclear weapons by a State in such circumstance of self-defense, in which its very survival would be at stake. Non liquet, meaning, it is not clear, is where a court finds the law insufficient, and does not permit a conclusion one way or the other regarding the issue it is presented with. 12 IV. SPACE LAW, LACUNAE, AND NON-LIQUET The idea that gaps in the law or uncertainty with its provisions can render judicial decisions impossible, difficult, or unwise is at least as old as Roman law. As such the concepts of lacunae and non liquet still bear the Latin names that would have been familiar to lawyers and legal scholars throughout the Roman Empire. As explained by Mark Bogdansky, non liquet can be extended to cover both the case where no legal rule can be found that applies to a case under consideration and to the case where lack of clarity in the facts or in a principle of law makes it impossible to discern clearly the implications of that principle in light of the facts presented. Bogdansky refers to the former situation as ontological non liquet and to the latter as epistemological. We will use lacunae to refer to apparent gaps in international space law and will confine our use of “non liquet” to situations where a principle has been articulated but is not clear. Definitions become extremely important in discussing the impact of lacunae and non liquet on international space law. Note for example the list of lacunae in José Monserrat Filho’s excellent paper, “Space Law In The Light Of Bobbio's Theory Of Legal Ordering,” IAC-12.E7. 5. 6.

1. Definition of “space object”, “space debris”, “space activities”, “space launching”;

2. Binding “Space Debris Mitigation Guidelines”;

3. Prohibition of all kind of weapons in Earth orbits;

4. Definition and delimitation of the outer space;

5. Regulation of commercialization of space activities;

6. Environmental damage in Liability Convention;

7. Industrial exploitation of lunar natural resources;

8. Remote sensing activities in the XXI century;

9. Satellite data as evidence in criminal proceedings;

10. The use of nuclear power sources in space;

11. The human presence in space.

12

While items 2, 3, 6, and 11 fit clearly into our definition of lacunae, the others represent cases where legal principles have been articulated, but are subject to substantial disagreement as to their application to various fact situations. Where lacunae exist, the utility of advisory opinions is greatly constrained. The foundational principles of positivism and sovereignty that are key pillars of international law do not lend themselves to judicial activism in creating legal rules in the absence of political action to create them. On the other hand, where a situation of non liquet emerges from disagreement over definitions or the application of a legal principle to a particular situation, an advisory opinion could have either one of two beneficial outcomes. In the first case an advisory opinion could clarify the meaning of terms where uncertainty exists. This situation would require strong arguments to support the opinion and justify it. It might be elaborated on the basis of original intent reflected in the travaux préparatoires, clear patterns of application of terms and principles in the action of States parties to the agreements where uncertainty exists or lack of clarity is perceived, or lucid reasoning by analogy to similar situations where greater certainty can be demonstrated. The second case could result from an opinion that clarification cannot be provided and that the matter remains non liquet. In this case, there would be an unambiguous signal that political/ diplomatic action would be required to clarify the issues in dispute. Take for example the hypothetical example of a case seeking clarification of the non-appropriation clause of the Outer Space Treaty. A non liquet in such a case would leave those wishing to assert that a prohibition against off Earth mining existed in international law without a legal vindication of their position while those wishing to engage in such mining would face uncertainty because the Court had not ruled definitively that non appropriation did not apply to them. Since the mining advocates would be ~~handicapped~~ by uncertainty in their approaches to potential investors, both sides would have an incentive to seek a political resolution with the compromises that was likely to entail.

#### International space legal regime are needed to solve space war - malleable laws are key in outer space.

Hart 21 [Amalyah Hart, Amalyah Hart is a science journalist based in Melbourne, 11-19-2021, "Do we need new space law to prevent space war", Cosmos Magazine, https://cosmosmagazine.com/people/society/space-law-to-prevent-space-war/] simha

The week before last, a UN panel approved the creation of a working group to discuss next-generation laws to prevent the militarisation of space. The move comes as space 2.0 seems to be going into hyper-drive, with countries and corporations racing to claim their stake in the final frontier. It’s timely, as the potential for friction is gathering by the day, with China, India, Russia and the US testing anti-satellite missiles on their own satellites and creating worrisome clouds of debris. This week’s destruction by Russia of its “dead” satellite, Cosmos 1408, underlined the issue. Meanwhile, the orbital space around Earth is becoming jammed with machinery; currently, there are 3,372 active satellites whizzing around Earth, but in one or two decades that number is set to leap to potentially 100,000 or more. And that’s ignoring the space stations, telescopes and spyware already in orbit as countries flex their aerospace muscles. It’s a cosmic fracas. And contested territory is prime fodder for international disputes, as we know. It’s these kinds of disputes the group of UK diplomats who proposed the UN motion want to prevent, by coming to an agreed-upon set of norms for behaviour in space. Space law: what are the issues at stake? The current international framework for law in space is the UN’s 1967 Outer Space Treaty (OST), which sets governing principles for the exploration of space, including that space should be free for use by all nations, that celestial bodies like the Moon should be used exclusively for peaceful purposes, and that outer space should not be subject to national appropriation. Under international law, any and all objects being launched into space must be registered to avoid collisions. On top of these global laws, each nation-state has its own legal framework around the registering and launching of objects into space. But as technology evolves and new opportunities arise, are these old laws equipped to govern new problems? The UN’s 1967 Outer Space Treaty sets governing principles for the exploration of space, including that space should be free for use by all nations. “There exists an incredible amount of applicable law already, and it has served us really well,” says space law expert Steven Freeland, an emeritus professor at Western Sydney University and professorial fellow at Bond University. Freeland is vice-chair of a UN Committee on the Peaceful Uses of Outer Space (COPUOS) working group that is developing laws around the exploitation of resources in space. “There’s a lot of law at the multilateral level that then filters down to other layers of bilateral or ‘minilateral’ agreements and national laws. But clearly things move so quickly with technology, we’re doing so many more things in space that were beyond the contemplation of the drafters of the original treaties. Ideally we need more.” Freeland says there are myriad complex, interconnected issues in space that need tighter laws. These include the increasing militarisation of space; the proliferation of satellites, which can lead to overcrowding of “popular” orbits and increased demand for radio-wave spectra; ethical issues around human spaceflight; and the possible extraction of resources on celestial bodies like the Moon. Resource exploitation It might sound like science fiction, but mining in outer space is looking increasingly likely in the not-too-distant future. In September 2020, NASA announced that it would award contracts to private companies for the extraction and purchase of lunar regolith (rock matter) from the surface of the Moon, which could be mined and then studied in situ by the company, before the data and rights are transferred to the space agency. The move heralds what our space-based future might look like, with private companies mining celestial bodies for their precious resources. In our solar system, composed of millions of celestial bodies both large and small, the opportunities for cashing in look potentially endless – provided technology advances to the level of practical spaceflight. “Most wars on Earth have historically been fought over a quest for resources,” says Freeland, “so it’s incredibly important [to have appropriate space laws].” Just last month, scientists announced the discovery of two extraordinarily metal-rich near-Earth asteroids (NEAs), comprised of roughly 85% metals like iron, nickel and cobalt, which are thought to exceed Earth’s entire known metallic reserves. These three highly valuable metals, often known as the “iron triad”, are particularly critical for the energy supply chain and a renewable energy future; they’re used to build lithium-ion batteries, electrochemical capacitators for storing energy, and nano-catalysts for use in the energy sector. Under the OST, outer-space resources cannot be appropriated by nations, but the law and principle around the commercial use of space resources is less clear. The 1979 Moon Treaty holds that any celestial body is under the jurisdiction of the international community and therefore subject to international law. The treaty outlaws the military use of any celestial body as well as providing a legal framing for the “responsible” exploitation of celestial resources. But, to date, no space-capable nation has ratified the treaty. Militarisation That brings us to the militarisation of space. As technology advances, the potential avenues for weapons that cross the border from terrestrial to cosmic continue to proliferate. So, what laws protect us from a space war? “The issues about security in space have historically been dealt with by the CD, the Conference of Disarmament, but more recently the UK has led discussions at the United Nations that effectively seek to change the diplomatic language and thinking about space security,” says Freeland. Currently, the principles for governing space under the OST forbid the military use of space, but space is already used for military purposes such as surveillance, and some missiles carve a path through outer space on their journeys to their targets. As it currently stands, the only weapons found in space are the TP-82 Cosmonaut survival pistols that Russian astronauts regularly take on board the Soyuz spacecraft, intended to protect them from a potential wild animal attack if they are forced to emergency land in “off-the-map” territory. But as technology proliferates, the opportunities for space-based militarisation also grow. The existing laws were drafted long before many of these technologies were even dreamed up. The most worrisome technologies currently being trialled are anti-satellite missiles. “We have this strategic competition going on amongst the major powers,” says Gilles Doucet, a space security consultant based in Canada who worked for 35 years with the Canadian Department of National Defence. Doucet is both an engineer and an expert in space law. “They all wish to be dominant and make sure that their national security is secured by controlling, or at least not having other people control, outer space.” But what kinds of defence technologies are being developed in space? Doucet says the most worrisome technologies currently being trialled are anti-satellite missiles of the sort that Russia deployed earlier this week. Known as direct-ascent anti-satellite missiles (DA-ASAT), they can destroy satellites in low Earth orbit. “This essentially looks a lot like ballistic missile defence, but it’s happening in outer space against satellites,” he says. In fact, DA-ASAT technology is dependent on the same technology used for midcourse ballistic missile defence – the technology that the US, for example, deploys to defend itself from potential ballistic missile attacks on North America. These missiles fly at altitudes of around 3,000 to 4,000 kilometres, well within the low-Earth orbit many satellites operate in. This technology is being developed and tested by the US, China, India and Russia. “Destroying another country’s satellites would only occur in an armed conflict scenario,” Doucet says. “It would be because the other country’s satellite is providing an important military role – for example, a GPS satellite for directing munitions or an imagery satellite for locating your forces.” Other military applications in space, Doucet says, include the jamming of satellite communications and navigation, as well as interference with some GNSS signals, of which GPS – the satellite navigation system we all use for things like Google Maps – is one. Satellite jamming can have major disruptive potential. “You might be conducting an operation in a conflict – let’s say you wish to target a certain facility. Your missile system or your drone-launching missiles rely on GPS to guide them,” Doucet says. “So if you’re on the other end of it wanting to protect yourself, then you’ll send out jamming signals.” But while these signals can help defend a military target, Doucet says many satellites provide services for military and civilian companies and organisations at once. In this case, jamming a satellite’s signal may also interfere with civilian services it provides, including aircraft and ship navigation, car mapping, even timing signals for financial transactions. This means satellite jamming has major disruptive potential. And there are other areas where satellite technology could have duplicitous or combative potential. “Close proximity operations seem to get countries a bit upset,” says Doucet. Close proximity operations, as the name suggests, involve satellites moving close to other satellites. “One reason might be intelligence or inspection, just to take close images to understand how it’s built. But you may be getting close to intercept signals or to interfere with signals. “So that is a concern, because it’s one thing to get close for passively collecting information, but if you’re close you may also be in a position to interfere.” What might new space law systems look like? “We have a lot of space systems that are dual use, that have the potential to do harm,” Doucet says. “I’d like to see some transparency on the mission, on what you’re doing, to help alleviate concerns. “That might sound like a small step, but to militaries it’s actually a really big step to provide transparency.” Doucet says he’d also like to see clarification of the existing principles for space law already set out in the OST and other treaties. In fact, he’s currently working on the MILAMOS Project, developing a Manual on International Law Applicable to Military Uses of Outer Space at Canada’s McGill University. “I would like to see the existing legal regime being given a bit of life,” he says. “We’ve got tremendously good outer space principles, but over several decades countries have kind of refused to give them life because it’s too controversial. “The third thing I’d like to see is the major space powers sit down and talk. They’re all potentially losers if this keeps going down this path. I don’t think there’s a winner in a space war.” For all these complex problems, Doucet is cautiously optimistic about our chances of avoiding a space war. “I don’t think the issue about space security is as unique as people think,” he says. “Yes, it’s a very unique domain, but the actors are all the same, the interests are all the same. It’s the same people that have struggled over ballistic missile proliferation, nuclear weapons proliferation, treaties about the high seas, about aviation and all kinds of things. “So, we shouldn’t think this is an unsolvable problem. We may take lessons from how we’ve managed to agree to disagree in other areas beyond national jurisdiction.” Freeland agrees that even if international tensions may simmer at home, it’s in the best interest of major global powers to come to agreements about laws in space. “When it comes to these really big issues, particularly issues that have the propensity to go horribly wrong if we follow an irresponsible path, in the end it’s in [governments’] common interest to agree to the rules of the road,” he says. “The important element is that they have had the opportunity to buy in on the framing of those rules.“I think we need to be optimistic. With a great deal of caution, cool heads will prevail.”

## 5

#### The meta-ethic is moral substitutability - only it can explain reasons for acting.

Sinnott-Armstrong 92 [Walter, professor of practical ethics. “An Argument for Consequentialism” Dartmouth College Philosophical Perspectives. 1992.]

A moral reason to do an act is consequential if and only if the reason depends only on the consequences of either doing the act or not doing the act. For example, a moral reason not to hit someone is that this will hurt her or him. A moral reason to turn your car to the left might be that, if you do not do so, you will run over and kill someone. A moral reason to feed a starving child is that the child will lose important mental or physical abilities if you do not feed it. All such reasons are consequential reasons. All other moral reasons are non-consequential. Thus, a moral reason to do an act is non-consequential if and only if the reason depends even partly on some property that the act has independently of its consequences. For example, an act can be a lie regardless of what happens as a result of the lie (since some lies are not believed), and some moral theories claim that that property of being a lie provides amoral reason not to tell a lie regardless of the consequences of this lie. Similarly, the fact that an act fulfills a promise is often seen as a moral reason to do the act, even though the act has that property of fulfilling a promise independently ofits consequences. All such moral reasons are non-consequential. In order to avoid so many negations, I will also call them 'deontological'. This distinction would not make sense if we did not restrict the notion of consequences. If I promise to mow the lawn, then one consequence of my mowing might seem to be that my promise is fulfilled. One way to avoid this problem is to specify that the consequences of an act must be distinct from the act itself. My act of fulfilling my promise and my act of mowing are not distinct, because they are done by the same bodily movements.10 Thus, my fulfilling my promise is not a consequence of my mowing. A consequence of an act need not be later in time than the act, since causation can be simultaneous, but the consequence must at least be different from the act. Even with this clarification, it is still hard to classify some moral reasons as consequential or deontological,11 but I will stick to examples that are clear. In accordance with this distinction between kinds of moral reasons, I can now distinguish different kinds of moral theories. I will say that a moral theory is consequentialist if and only if it implies that all basic moral reasons are consequential. A moral theory is then non-consequentialist or deontological if it includes any basic moral reasons which are not consequential. 5. Against Deontology So defined, the class of deontological moral theories is very large and diverse. This makes it hard to say anything in general about it. Nonetheless, I will argue that no deontological moral theory can explain why moral substitutability holds. My argument applies to all deontological theories because it depends only on what is common to them all, namely, the claim that some basic moral reasons are not consequential. Some deontological theories allow very many weighty moral reasons that are consequential, and these theories might be able to explain why moral substitutability holds for some of their moral reasons: the consequential ones. But even these theories cannot explain why moral substitutability holds for all moral reasons, including the non-consequential reasons that make the theory deontological. The failure of deontological moral theories to explain moral substitutability in the very cases that make them deontological is a reason to reject all deontological moral theories. I cannot discuss every deontological moral theory, so I will discuss only a few paradigm examples and show why they cannot explain moral substitutability. After this, I will argue that similar problems are bound to arise for all other deontological theories by their very nature. The simplest deontological theory is the pluralistic intuitionism of Prichard and Ross. Ross writes that, when someone promises to do something, 'This we consider obligatory in its own nature, just because it is a fulfillment of a promise, and not because of its consequences.'12 Such deontologists claim in effect that, if I promise to mow the grass, there is a moral reason for me to mow the grass, and this moral reason is constituted by the fact that mowing the grass fulfills my promise. This reason exists regardless of the consequences of mowing the grass, even though it might be overridden by certain bad consequences. However, if this is why I have a moral reason to mow the grass, then, even if I cannot mow the grass without starting my mower, and starting the mower would enable me to mow the grass, it still would not follow that I have any moral reason to start my mower, since I did not promise to start my mower, and starting my mower does not fulfill my promise. Thus, a moral theory cannot explain moral substitutability if it claims that properties like this provide moral reasons.

#### Non-consequentialist moral theories fail to explain.

Sinnott-Armstrong 92 [Walter, professor of practical ethics. “An Argument for Consequentialism” Dartmouth College Philosophical Perspectives. 1992.]

Of course, there are many other versions of deontology. I cannot discuss them all. Nonetheless, these examples suggest that it is the very nature of deontological reasons that make **deontological theories unable to explain moral substitutability**. This comes out clearly if we start from the other side and ask which properties create the moral reasons that are derived by moral substitutability. **What gives me a moral reason to start the mower is the consequences of starting the mower.** Specifically**, it has the consequence that I am able to mow the grass.** This reason cannot derive from the same property as my moral reason to mow the lawn unless what gives me a moral reason to mow the lawn is *its* consequences. **Thus any non-consequentialist moral theory will have to posit two distinct kinds of moral reasons: one for starting the mower, and another for mowing the grass. Once these kinds of reasons are separated, we need to understand the connection between them. But this connection cannot be explained by the substantive principles of the theory**. That is why all deontological theories must lack the explanatory coherence which is a general test of adequacy for all theories.

#### Pleasure and pain are the starting point for moral reasoning—they’re our most baseline desires and the only things that explain the intrinsic value of objects or actions.

Moen 16, Ole Martin (PhD, Research Fellow in Philosophy at University of Oslo). "An Argument for Hedonism." Journal of Value Inquiry 50.2 (2016): 267. SM

Let us start by observing, empirically, that a widely shared judgment about intrinsic value and disvalue is that pleasure is intrinsically valuable and pain is intrinsically disvaluable. On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues. This inclusion makes intuitive sense, moreover, for there is something undeniably good about the way pleasure feels and something undeniably bad about the way pain feels, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have. “Pleasure” and “pain” are here understood inclusively, as encompassing anything hedonically positive and anything hedonically negative. 2 The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values. If you tell me that you are heading for the convenience store, I might ask: “What for?” This is a reasonable question, for when you go to the convenience store you usually do so, not merely for the sake of going to the convenience store, but for the sake of achieving something further that you deem to be valuable. You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. The reason is that the pleasure is not good for anything further; it is simply that for which going to the convenience store and buying the soda is good. 3 As Aristotle observes: “We never ask [a man] what his end is in being pleased, because we assume that pleasure is choice worthy in itself.”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that if something is painful, we have a sufficient explanation of why it is bad. If we are onto something in our everyday reasoning about values, it seems that pleasure and pain are both places where we reach the end of the line in matters of value. Although pleasure and pain thus seem to be good candidates for intrinsic value and disvalue, several objections have been raised against this suggestion: (1) that pleasure and pain have instrumental but not intrinsic value/disvalue; (2) that pleasure and pain gain their value/disvalue derivatively, in virtue of satisfying/frustrating our desires; (3) that there is a subset of pleasures that are not intrinsically valuable (so-called “evil pleasures”) and a subset of pains that are not intrinsically disvaluable (so-called “noble pains”), and (4) that pain asymbolia, masochism, and practices such as wiggling a loose tooth render it implausible that pain is intrinsically disvaluable. I shall argue that these objections fail. Though it is, of course, an open question whether other objections to P1 might be more successful, I shall assume that if (1)–(4) fail, we are justified in believing that P1 is true itself a paragon of freedom—there will always be some agents able to interfere substantially with one’s choices. The effective level of protection one enjoys, and hence one’s actual degree of freedom, will vary according to multiple factors: how powerful one is, how powerful individuals in one’s vicinity are, how frequent police patrols are, and so on. Now, we saw above that what makes a slave unfree on Pettit’s view is the fact that his master has the power to interfere arbitrarily with his choices; in other words, what makes the slave unfree is the power relation that obtains between his master and him. The difﬁculty is that, in light of the facts I just mentioned, there is no reason to think that this power relation will be unique. A similar relation could obtain between the master and someone other than the slave: absent perfect state control, the master may very well have enough power to interfere in the lives of countless individuals. Yet it would be wrong to infer that these individuals lack freedom in the way the slave does; if they lack anything, it seems to be security. A problematic power relation can also obtain between the slave and someone other than the master, since there may be citizens who are more powerful than the master and who can therefore interfere with the slave’s choices at their discretion. Once again, it would be wrong to infer that these individuals make the slave unfree in the same way that the master does. Something appears to be missing from Pettit’s view. If I live in a particularly nasty part of town, then it may turn out that, when all the relevant factors are taken into account, I am just as vulnerable to outside interference as are the slaves in the royal palace, yet it does not follow that our conditions are equivalent from the point of view of freedom. As a matter of fact, we may be equally vulnerable to outside interference, but as a matter of right, our standings could not be more different. I have legal recourse against anyone who interferes with my freedom; the recourse may not be very effective—presumably it is not, if my overall vulnerability to outside interference is comparable to that of a slave— but I still have full legal standing.68 By contrast, the slave lacks legal recourse against the interventions of one speciﬁc individual: his master. It is that fact, on a Kantian view—a fact about the legal relation in which a slave stands to his master—that sets slaves apart from freemen. The point may appear trivial, but it does get something right: whereas one cannot identify a power relation that obtains uniquely between a slave and his master, the legal relation between them is undeniably unique. A master’s right to interfere with respect to his slave does not extend to freemen, regardless of how vulnerable they might be as a matter of fact, and citizens other than the master do not have the right to order the slave around, regardless of how powerful they might be. This suggests that Kant is correct in thinking that the ideal of freedom is essentially linked to a person’s having full legal standing. More speciﬁcally, he is correct in holding that the importance of rights is not exhausted by their contribution to the level of protection that an individual enjoys, as it must be on an instrumental view like Pettit’s. Although it does matter that rights be enforced with reasonable effectiveness, the sheer fact that one has adequate legal rights is essential to one’s standing as a free citizen. In this respect, Kant stays faithful to the idea that freedom is primarily a matter of standing—a standing that the freeman has and that the slave lacks. Pettit himself frequently insists on the idea, but he fails to do it justice when he claims that freedom is simply a matter of being adequately (and reliably) shielded against the strength of others. As Kant recognizes, the standing of a free citizen is a more complex matter than that. One could perhaps worry that the idea of legal standing is something of a red herring here—that it must ultimately be reducible to a complex network of power relations and, hence, that the position I attribute to Kant differs only nominally from Pettit’s. That seems to me doubtful. Viewing legal standing as essential to freedom makes sense only if our conception of the former includes conceptions of what constitutes a fully adequate scheme of legal rights, appropriate legal recourse, justiﬁed punishment, and so on. Only if one believes that these notions all boil down to power relations will Kant’s position appear similar to Pettit’s. On any other view—and certainly that includes most views recently defended by philosophers—the notion of legal standing will outstrip the power relations that ground Pettit’s theory.

#### The standard is maximizing expected well-being.

Consequentialism SPEC: NEC (necessary enabler consequentialism) – all moral reasons for acts are provided by facts that the acts are necessary enablers for preventing death.

#### 1. Only consequentialism explains degrees of wrongness—if I break a promise to meet up for lunch, that is not as bad as breaking a promise to take a dying person to the hospital. Only the consequences of breaking the promise explain why the second one is much worse than the first. Intuitions outweigh—they’re the foundational basis for any argument and theories that contradict our intuitions are most likely false even if we can’t deductively determine why.

#### 2. Actor specificity:

#### a. No act-omission distinction—governments are responsible for everything in the public sphere so inaction is implicit authorization of action: they have to yes/no bills, which means everything collapse to aggregation.

#### b. No intent-foresight distinction – the actions we take are inevitably informed by predictions from certain mental states, meaning consequences are a collective part of the will.

#### 3. Extinction comes first under any framework.

Pummer 15 [Theron, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford. “Moral Agreement on Saving the World” Practical Ethics, University of Oxford. May 18, 2015] AT

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But that is a huge mistake. Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; it is not the view that the latter don’t matter. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be undermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. We should also take into account moral uncertainty. What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, all minimally plausible moral views would converge on the conclusion that we should try to save the world. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views. And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

#### a. Gateway issue - we need to be alive to assign value and debate competing moral theories- extinction literally ends the debate on “ought”.

#### b. moral theories were formulated prior to the Anthropocene and human capacity for collective death so they cannot be relied on in situations of existential risk.

#### c. no coherent moral theory can allow for extinction because it means the end of value.

## Case

### Framing

#### Justification of pragmatism as a method to find truth requires experimentation with what is an acceptable kind of idea – the only way to arrive at conclusions is by deciding that some ideas are good and some are bad, which means pragmatism alone is insufficient – a definition of the good can not be derived experientially since definitions are required to make sense of experience.

#### O/V:

#### 1. is/ought fallacy—just because people use pluralism doesn’t mean they should

#### 2. not actor-specific—individuals may be pluralistic but the only way for the government to recognize different viewpoints is to help the most amount of people

#### 3. resolvability is wrong—every framework debate ever disproves and the judge can decide based on arguments which framework is more likely true. It also links to them because there’s disagreement about whether pluralism is true

#### 4. util solves pluralism—even if there are disagreements about morality everyone thinks pleasure is good and pain is bad

1] IVI – justifies slavery if people deliberated and it was good

OFFENSE

1] causes switch to public entitites which creates more inequality

2] no link to offense – equal playing fireld to go to space doesn’t match up w/ deliberation

3] t

### u/v

#### They get 1ar theory but it’s not DTD- 1ar time advantage- that was above, abuse is self-imposed b/c they could always better develop the shell in the 1ar, over-punishment- reading theory cancels out the abuse, and no reason short speech means drop the debater- just get more efficient, short shells already force 2n split

#### 1NC theory first –

#### 1. Abuse was self-inflicted - They started the chain of abuse and forced me down this strategy

#### 2. Norming - We have more speeches to norm over whether it’s a good idea since the shell was read earlier.

#### 1. Reject 1ar theory on face:

#### a. They get a 7-6 time advantage which is worse later in the debate since there's less arguments they have to cover and they can blow individual arguments up.

#### b. They get 2 speeches versus my one, which makes the 2NR super unfair since I have to do ridiculous amounts of weighing and pre-empting which forces me to over-allocate on theory but the 2AR can choose not to go for theory and moot the entire 2N.

#### c. 2AR kills me on theory—they can get away with new weighing and they have the perceptual advantage. They can prioritize all their impacts and moot the entire 2NR because 2AR moves are impossible to predict. Also means reject new 2AR weighing, even if it's in response to mine—they should've done it in the 1AR.

#### d. Deters the 1NC from checking abuse out of fear for 1AR meta-theory, which destroys me since it's also preclusive. Turns their infinite abuse args.

#### e. Resolvability double bind—either you automatically accept 2AR responses to 2NR counter-standards which means they always win since I can't answer those responses, or you have to intervene to determine the credence you give those 2AR responses, which makes it irresolvable and unfair.

#### f. Reject infinite abuse claims— 1 - there's only finite speech time, 2 - if I win I can't engage in 1AR theory then you could never check infinite abuse since we can't use your shells to determine what's abusive.

### Adv.

#### Space debris creates existential deterrence and a taboo.

**Bowen 18** [(Bleddyn, lecturer in International Relations at the University of Leicester) “The Art of Space Deterrence,” European Leadership Network, February 20, 2018, https://www.europeanleadershipnetwork.org/commentary/the-art-of-space-deterrence/] TDI

Fourth, the ubiquity of space infrastructure and the fragility of the space environment may create a degree of existential deterrence. As space is so useful to modern economies and military forces, a large-scale disruption of space infrastructure may be so intuitively escalatory to decision-makers that there may be a natural caution against a wholesale assault on a state’s entire space capabilities because the consequences of doing so approach the mentalities of total war, or nuclear responses if a society begins tearing itself apart because of the collapse of optimised energy grids and just-in-time supply chains. In addition, the problem of space debris and the political-legal hurdles to conducting debris clean-up operations mean that even a handful of explosive events in space can render a region of Earth orbit unusable for everyone. This could caution a country like China from excessive kinetic intercept missions because its own military and economy is increasingly reliant on outer space, but perhaps not a country like North Korea which does not rely on space. The usefulness, sensitivity, and fragility of space may have some existential deterrent effect. China’s catastrophic anti-satellite weapons test in 2007 is a valuable lesson for all on the potentially devastating effect of kinetic warfare in orbit.

#### Squo solves debris — ADR, debris tracking, and maneuverability improvements will mitigate the impact far before we reach Kessler.

Kurt 15 (Joseph; Juris Doctor candidate, William & Mary School of Law, 2016; B.A. Marquette University, 2000; *Triumph of the Space Commons: Addressing the Impending Space Debris Crisis Without an International Treaty*; William & Mary Environmental Law and Policy Review; <https://pdfs.semanticscholar.org/0bd4/c4059d5a5ad2faa42ce5977548d900df8f8c.pdf>; accessed 10/4/19; MSCOTT)

III. REASONS FOR HOPE: WHY INTERNATIONAL ACTORS WILL AVOID A TRAGEDY OF THE SPACE COMMONS WITHOUT A COMPREHENSIVE TREATY A binding international regime—i.e., a comprehensive treaty— governing space debris might well be the most prudent international response to the issue.89 But for all the reasons discussed above, anything approaching a comprehensive agreement is nowhere in sight.90 If the need for such a regime is as dire as many commentators suggest,91 perhaps panic is in order. However, this Part argues that in addition to the significant obstacles to achieving a comprehensive treaty to deal with space debris, there is perhaps an even more compelling reason why there has been almost no progress in this direction: the space debris problem can be effectively addressed without a binding treaty. This claim flies in the face of common underlying assumptions about solving tragedies of the commons.92 Nevertheless, Part III of this Note will examine the space debris problem through three (overlapping) lenses that each suggest that nations with interests in space will cooperate to avoid a catastrophe in Earth’s orbit. Section A will demonstrate that realistic solutions to the problem are entirely feasible—and on the horizon. Section B, using the issue of global climate change as a point of comparison, will argue that political cooperation can be achieved without the force of international law. And Section C, informed by the practical and political considerations of the first two sections, will apply economic theories that also suggest that future international cooperation is highly likely to resolve the issue of space debris. A. Practical Considerations: Feasible Solutions to the Space Debris Problem Are on Their Way One key question in assessing whether an international treaty is a requisite for solving the space debris problem is just how difficult it will be to fashion a remedy. The more complex and costly are feasible solutions, the more likely it is that a comprehensive regime is necessary to bind the various actors together.93 A good place to begin is to determine just how imminent is the onset of the cascade of exponentially more frequent debris-creating collisions, known as the Kessler Syndrome.94 To be certain, no one can be sure—this phenomenon being subject to highly complex probabilities.95 Indeed, experts’ estimates of when such a cascade will become irreversible vary widely.96 The National Research Council produced a report in 2011 that suggested that “space might be just 10 or 20 years away from severe problems.”97 In fact, the cascading effect has already begun, albeit at a modest pace.98 However, Donald Kessler, who first described the eponymous effect in 1978, has significantly recalibrated his own outlook over the years.99 Originally, Kessler predicted that catastrophe would result by the year 2000.100 That date long passed, Kessler now speaks of a century-long process that “we have time to deal with.”101 Nevertheless, few would disagree with Cristophe Bonnal of the Centre National d’Études Spatiales (“CNES”), the French space agency, who says that it is “not yet clear” how much time we have to act.102 None of this is to say that interested parties should not act with great dispatch to address the space debris problem. Even if catastrophe is not on the immediate horizon—as some have suggested—Heiner Klinkrad, the European Space Agency’s leading authority on space debris points out that “[t]he longer you wait, the more difficult and far more expensive” any solution will be.103 The additional slack in plausible timelines is cause for optimism when one considers the progress being made towards remediating the problem of space debris. Such remediation entails a three-pronged approach: preventive measures to reduce the creation of new debris,104 space debris tracking technologies,105 and active debris removal (“ADR”).106 In an effort to address the first prong, the United Nations General Assembly in 2007 endorsed the COPUOS Space Debris Mitigation Guidelines.107 The recommended measures include design changes which would avoid the previously common practice of releasing debris during standard operations, refraining from intentional destruction of space objects, and limiting the risk of collisions through avoidance maneuvers and delaying launch times.108 As the COPUOS document points out, many of