# 1AC

**I Affirm:  The appropriation of outer space by private entities is unjust.**

#### [Gorove] 98 Space Law Professor Gorove defines “appropriation of outer space” as: Gorove, Stephen. [Professor of space law and director of space studies and policy, 1991-1998, University of Mississippi] “Interpreting Article II of the Outer Space Treaty.” 37 *Fordham L. Rev.* 349, 1969. https://ir.lawnet.fordham.edu/flr/vol37/iss3/2 CH

With respect to the concept of appropriation the basic question is what constitutes "appropriation," as used in the Treaty, especially in contradistinction to casual or temporary use. The term "appropriation" is used most frequently to denote the taking of property for one's own or exclusive use with a sense of permanence. Under such interpretation the establishment of a permanent settlement or the carrying out of commercial activities by nationals of a country on a celestial body may constitute national appropriation if the activities take place under the supreme authority (sovereignty) of the state. Short of this, if the state wields no exclusive authority or jurisdiction in relation to the area in question, the answer would seem to be in the negative, unless, the nationals also use their individual appropriations as cover-ups for their state's activities.5 In this connection, it should be emphasized that the word "appropriation" indicates a taking which involves something more than just a casual use. Thus a temporary occupation of a landing site or other area, just like the temporary or nonexclusive use of property, would not constitute appropriation. By the same token, any use involving consumption or taking with intention of keeping for one's own exclusive use would amount to appropriation.

**Appropriation illegal right now:**

**The Outer Space Treaty of 1967** — a UN treaty signed by 102 countries, including the US — bans countries from appropriating any astronomical bodies

**Framing**

**I value morality**

Research shows that morality must come from physical phenomena, not a priori knowledge – implies util since morality must be based on empirical outcomes

**Papineau 7** (David, “Naturalism,” Stanford Encyclopedia of Philosophy, 2007.)

In the middle of the nineteenth century the conservation of kinetic plus potential energy came to be accepted as a basic principle of physics (Elkana 1974). In itself this does not rule out distinct mental or vital forces, for there is no reason why such forces should not be ‘conservative’, operating in such a way as to compensate losses of kinetic energy by gains in potential energy and vice versa. (The term ‘nervous energy’ is a relic of the widespread late nineteenth-century assumption that mental processes store up a species of potential energy that is then released in action.) However, the conservation of energy does imply that any such special forces must be governed by strict deterministic laws: if mental or vital forces arose spontaneously, then there would be nothing to ensure that they never led to energy increases. During the course of the twentieth century received scientific opinion became even more restrictive about possible causes of physical effects, and came to reject sui generis mental or vital causes, even of a law-governed and predictable kind. Detailed physiological research, especially into nerve cells, gave no indication of any physical effects that cannot be explained in terms of basic physical forces that also occur outside living bodies. Thus, for example, consider J.J.C. Smart's (1958) thought that we should identify mental states with brain states, for otherwise those mental states would be "nomological danglers" which play no role in the explanation of behaviour. Or take David Lewis's (1966) and David Armstrong's (1968) argument that, since mental states are picked out by their causal roles, and since we know that physical states play these roles, mental states must be identical with those physical states. Again, consider Donald Davidson's (1970) argument that, since the only laws governing behaviour are those connecting behaviour with physical antecedents, mental events can only be causes of behaviour if they are identical with those physical antecedents.

**Pleasure and pain are intrinsically valuable – they’re where we reach the end of the line in matters of value**

**Moen 16** [Ole Martin Moen, Research Fellow in Philosophy at University of Oslo “An Argument for Hedonism” Journal of Value Inquiry (Springer), 50 (2) 2016: 267–281] SJDI

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.

**Thus, the standard is maximizing expected well being.**

**Prefer:**

**1] Actor specificty:**

**A – governments have to aggregate since collective actions necessarily benefit some people while hurting others either due to resource tradeoffs or scope of effect, deontic side constraints freeze action.**

**B – no act omission distinction for governments since policies create permissions and prohibitions so authorizing action cannot be an omission since the state assumes culpability in regulating the public domain.**

**Takes out and turns calc indicts, consequentialism might be hard but it’s not impossible, and the alternative is no action which is worse; and actor spec outweighs since different actors have different ethical standings.**

**2] No intent foresight distinction:**

**A – if we foresee a consequence it becomes part of our deliberation which makes it intrinsic to our action since we intend it to happen.**

**3] Lexical prereq – a. can’t access any value if we’re dead b. you can’t properly perform ethical calculus if you’re under threat of death or pain.**

**4. 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

### 1AC – Adv – Debris

#### The advantage is Debris –

#### Privatization of space leads to unchecked debris.

Muelhaupt et al. 19 – Theodore, Marlon Sorge, Jamie Morin, and Robert Wilson, 6/18/19, Center for Orbital and Reentry Debris Studies, Center for Space Policy and Strategy, The Aerospace Corporation, 30 year Space Systems Analyst and Operator, [“Space traffic management in the new space era,” Journal of Space Safety Engineering, <https://www.sciencedirect.com/science/article/pii/S246889671930045X?via%3Dihub>] Justin

The last decade has seen rapid growth and change in the space industry, and an explosion of commercial and private activity. Terms like NewSpace or democratized space are often used to describe this global trend to develop faster and cheaper access to space, distinct from more traditional government-driven activities focused on security, political, or scientific activities. The easier access to space has opened participation to many more participants than was historically possible. This new activity could profoundly worsen the space debris environment, particularly in low Earth orbit (LEO), but there are also signs of progress and the outlook is encouraging. Many NewSpace operators are actively working to mitigate their impact. Nevertheless, NewSpace represents a significant break with past experience and business as usual will not work in this changed environment. New standards, space policy, and licensing approaches are powerful levers that can shape the future of operations and the debris environment. 2. Characterizing NewSpace: a step change in the space environment In just the last few years, commercial companies have proposed, funded, and in a few cases begun deployment of very large constellations of small to medium-sized satellites. These constellations will add much more complexity to space operations. Table 1 shows some of the constellations that have been announced for launch in the next decade. Two dozen companies, when taken together, have proposed placing well over 20,000 satellites in orbit in the next 10 years. For perspective, fewer than 8100 payloads have been placed in Earth orbit in the entire history of the space age, only 4800 [1] remain in orbit and approximately 1950 [2] of those are still active. And it isn't simply numbers – the mass in orbit will increase substantially, and long-term debris generation is strongly correlated with mass. Table 1. Some announced NewSpace constellations. Operator Number of satellites Altitude (km) Country SpaceX V-band 7518 335–345 US Capella 48 350–650 US Planet Swift 6 350–650 US Black Sky 60 450 US Satellogic NuSat 300 500 Argentina Kepler 140 550 US SpaceX Starlink 1584 550 US Skybox 30 576 US Fleet 100 580 Australia Amazon Kuiper 3236 590–630 US Commsat 800 600 China Kineis 20 600 France Yalini 135 600 Canada Spire 100 651 US Planet Doves 150 675 US Orbcomm 31 750 US Iridium 72 780 US Theia 112 800 US Lucky Star 156 1000 China Telesat LEO 72 1000 Canada Hongyan 300 1100 China Xinwei 32 1100 China SpaceX Starlink 2825 1110–1325 US OneWeb 720 1200 ESA Telesat LEO 45 1248 Canada Astrome Tech 600 1400 India LeoSat 108 1400 US Globalstar 40 1412 US This table is in constant flux. It is based largely on U.S. filings with the Federal Communications Commission (FCC) and various press releases, but many of the companies here have already altered or abandoned their original plans, and new systems are no doubt in work. Although many of these large constellations may never be launched as listed, the traffic created if just half are successful would be more than double the number of payloads launched in the last 60 years and more than 6 times the number of currently active satellites. Current space safety, space surveillance, collision avoidance (COLA) and debris mitigation processes have been designed for and have evolved with the current population profile, launch rates and density of LEO space. By almost any metric used to measure activity in space, whether it is payloads in orbit, the size of constellations, the rate of launches, the economic stakes, the potential for debris creation, the number of conjunctions, NewSpace represents a fundamental change. 3. Compounding effects of better SSA, more satellites, and new operational concepts The changes in the space environment can be seen on this figurative map of low Earth orbit. Fig. 1 shows the LEO environment as a function of altitude. The number of objects found in each 10 km “bin” is plotted on the horizontal axis, while the altitude is plotted vertically. Objects in elliptical orbits are distributed between bins as partial objects proportional to the time spent in each bin. Some notable resident systems are indicated in blue text on the right to provide an altitude reference. The (dotted) red line shows the number of objects in the current catalog tracked by the U.S. Space Surveillance Network (SSN). All the COLA alerts and actions that must be taken by the residents are due to their neighbors in the nearby bins, so the currently visible risk is proportional to the red line.



Fig. 1. Objects in LEO orbit by altitude per 10 km altitude bin. Elliptical orbit objects distributed by portion spent in each bin. Some notable existing resident systems are listed on the right. New residents, including some replacement systems, are on the left. (For interpretation of the references to color in this figure, the reader is referred to the web version of this article.) The red line of the current catalog does not represent the complete risk; it indicates the risk we can track and perhaps avoid. A rule of thumb is that the current SSN LEO catalog contains objects about 10 cm or larger. It is generally accepted that an impact in LEO with an object 1 cm or larger will cause damage likely to be fatal to a satellite's mission. Therefore, there is a large latent risk from unobserved debris. While we cannot currently track and catalog much smaller than 10 cm, experiments have been performed to detect and sample much smaller objects and statistically model the population at this size [3]. The (solid) blue line represents the model of the 1 cm and larger debris that is likely mission-ending, usually called lethal but not trackable. If LEO operators avoid collisions with all the objects in the red line, they are nonetheless inherently accepting the risk from the blue line. This risk is already present. The (dashed) orange line is an estimate of the population at 5 cm and larger and is thus an estimate of what the catalog might conservatively be a few years after the Space Fence, a new radar system being built by the Air Force, comes on line (currently planned for 2019) [4]. Commercial companies offering space surveillance services, such as LeoLabs, ExoAnalytics, Analytic Graphics Inc., Lockheed, and Boeing, might also add to the number of objects currently tracked. Space Policy Directive 3 (SPD-3) [13] specifically seeks to expand the use of commercial SSA services. Existing operators can expect a sharp increase in the number of warnings and alerts they will receive because of the increase in the cataloged population. Almost all the increase will come from newly detected debris [5]. The pace of safety operations for each satellite on orbit will significantly change because of the increase in the catalog from the Space Fence. This effect is compounded because the NewSpace constellations described in Table 1 will drastically change the profile of satellites in LEO. The green bars in Fig. 1 represent the number of objects that will be added to the catalog (red or orange lines) from only the NewSpace large LEO constellations at their operational altitudes. This does not include the rocket stages that launch them, or satellites in the process of being phased into or removed from the operational orbits. Neighbors of one of these new constellations may face a radically different operations environment than their current practices were designed to address. Satellites in these large LEO constellations typically have planned operational lifetimes of 5–10 years. Some companies have proposed to dispose of their satellites using low thrust electric propulsion systems, which would spiral satellites down over a period of months or years from operating altitudes as high as 1500 km through lower orbits where the Hubble Space Telescope, the International Space Station, and other critical LEO satellites operate [6]. Similar propulsive techniques would raise replacement satellites from lower launch injection orbits to higher operational orbits. These disposal and replenishment activities will add thousands of satellites each year transiting through lower altitudes and posing a risk to all resident satellites in those lower orbits. More importantly, failures will occur both among transiting satellites and operational constellations, potentially leaving hundreds more stranded along the transit path. Aerospace studies [7–9] have shown that failed satellites, whether they fail during operations or fail during disposal, can pose as great or even greater risk than the many thousands of operational satellites (Fig. 2). Given the rapid flux in the proposed large LEO constellations (LLC), we created a Future Constellations Model (FCM) with elements that represented the characteristics of the different systems being proposed. In our models, almost all the collisions and the resulting debris from those collisions occur because of failed systems. Most large constellation operators intend to perform active collision avoidance for active systems, whether operational or in some stage of check-out or disposal, but failed satellites are assumed to be incapable of maneuver. Fig. 2 also shows that satellites in the disposal phase can contribute to collisions similarly to satellites in the operational phase. Fig 2 Download : Download full-size image Fig. 2. Collisions during operations and disposal over 10 years for various NewSpace Future Constellation Models (FCMs). 4. A notional illustration of workload The highest risk to operational satellites comes from the lethal but non-trackable debris that is depicted in the blue line in Fig. 2. However, operators perform collision avoidance only on the objects that can be tracked and cataloged. Advances in tracking and NewSpace launches will both act to increase this workload. A key element of the problem is that an increase in the LEO population will lead to an increase in close approaches to existing satellites [5], and the potential for accidental collisions. Conjunction prediction, collision probability (Pc), and maneuver planning for most existing satellite operators is a time- and personnel-intensive operation. Orbit analysts, and propulsion, navigation, and communications systems personnel are involved in evaluating and planning maneuvers over several days and must do so even if the ultimate decision is to “fly through” a close approach. Since most existing systems have small numbers of vehicles and the number of conjunctions any given operator experiences is relatively small, COLA remains a manual process. For systems not designed with automated maneuver planning, a COLA assessment that progresses all the way to a maneuver plan can consume considerable effort, whether or not the maneuver is executed. If a large constellation is deployed next to an existing resident system, the existing system may experience many conjunctions and alerts due to its close proximity of the dense new constellation. A sufficiently large constellation will, in effect, form a “shell” where frequent opportunities for conjunctions will be created. For example, Fig. 3 depicts a fictional scenario where 1225 “New” satellites are distributed in 35 planes in circular orbits at 1000 km altitude, at 98° inclination. These are placed near a hypothetical “Old” six-satellite constellation operating in a nearly circular orbit at the same altitude and 63° inclination. Following a common operations practice, we assume that the Old satellite operators flag a conjunction at Pc> 10−7, start COLA assessment with additional tracking at Pc> 10−6, and plan a COLA maneuver when the Pc> 10−5. A conjunction with Pc > 10−4 would typically be considered a significant risk leading most operators to maneuver. Fig 3 Download : Download full-size image Fig. 3. “New” large LEO constellation at same average altitude as “Old” existing constellation. Currently, the Old system in this example would typically see a warning (Pc > 10−6) a few times a month at this altitude, and of those, a few per year might cross the maneuver threshold. For the operations center, this would be multiplied by the number of satellites in the constellation. When the New system parks nearby, the number of COLA alerts jumps substantially. But the number of alerts depends entirely on the error bubble, (covariance) used. If the typical errors of the public external tracking data and the orbit propagation methods that are widely available (General Perturbations, or GP) are used for both constellations, over a 30-day period we see 129 conjunctions that cross the threshold for COLA assessment (Pc> 10−6), and 53 that cross the maneuver planning threshold (Pc> 10−5) (Fig. 4). This is nearly 2 per day. This could be an enormous workload for a manual process. If a high accuracy catalog (Special Perturbations, or “SP”) and a high-fidelity propagator with its typical covariances is used, the number of conjunctions goes from 129 to a more manageable 10. SP data is maintained by the Air Force, but it is not widely available. It is interesting to note that nine of those 10 crossed the maneuver-planning threshold, and of those, four crossed the Pc> 10−4 where many operators would choose to execute a maneuver. Compared to GP, the SP-quality data resulted in far fewer warnings and flagged four very close conjunctions. The operations center would have been able to concentrate on fewer “false alarms”. We also computed the case where GPS-quality owner-operator data was used for both systems, in which we assumed near-real-time owner-operator position data of very high quality was provided by both operators and used in the collision analysis. In this case, NONE of the conjunctions resulted in a warning and no COLA alerts were generated. The closest approach was 99 m, with a Pc of 3.7 × 10−7 using SP. But because of the quality of the GPS-based position data, this conjunction did not raise an alert because the fully-informed operators could be confident that a collision would not occur. Fig 4 Download : Download full-size image Fig. 4. Number of COLA alerts in 30 days for various qualities of position knowledge when a fictional new system is deployed near an existing one. In the example, an operations center for the Old constellation of six satellites could go from about one COLA assessment a week to nearly one per day per satellite, if only the published satellite catalog is available. If a new constellation operates too close to an existing system, the operator workload may become unreasonable using existing processes. But high accuracy data makes this manageable, and GPS-quality owner-operator data for both systems makes the problem vanish. Since these constellations are likely to be operated by different companies or governments, sharing high-quality position data would likely require an active space traffic management organization. Existing operators will not necessarily have large constellations parked nearby, but they will nonetheless be affected by the new activity. The new large constellations’ satellites typically will have relatively short lifetimes and will need frequent replenishment. The traffic transiting up and down will be substantial, and failures could leave stranded objects at intermediate altitudes, permanently increasing the collision risk. 5. Conjunction warning overload NewSpace operators will face a different challenge due to the vast increase in numbers of satellites. While there are likely as many operational plans as there are operators, a large constellation must consider close approaches with itself. Even if there are no neighboring systems, self-conjunctions can occur between two members of the same constellation. Depending on the configuration, a given operator could see hundreds to thousands of self-conjunctions that cross typical warning thresholds each day using current practices. This could be an issue for a space traffic management (STM) agency, even if it is not an issue for the operator. Aerospace models show that for one possible NewSpace constellation, more than 500,000 self-conjunctions each year could result that cross the typical Pc > 10−6 warning threshold. If no action were taken, we would expect 2–3 collisions per year. This is clearly unacceptable. Thus, current tracking accuracy and processes might produce millions of warnings per year for NewSpace operators to prevent half a dozen actual collisions. Under current practices operators would need to sort through an enormous haystack to find the needles, and because a handful of actual collisions will occur, the warnings cannot be ignored.

#### Feedback loops of technology cause increasing development and debris.

Bernat 20 – Pawel, 2020, Military University of Aviation, [“ORBITAL SATELLITE CONSTELLATIONS AND THE GROWING THREAT OF KESSLER SYNDROME IN THE LOWER EARTH ORBIT,” SAFETY ENGINEERING OF ANTHROPOGENIC OBJECTS, Volume 4, PDF] Justin

The second decade of the 21st century has brought a dynamic and somewhat surprising development of the space industry. Since 1972 – the Apollo 17 crew mission to the Moon, the humankind has not left the safe environment of Earth’s orbit, and for years the global space sector has been progressing in slow but steady pace run by a few largest space agencies like American NASA, European ESA, Japanese JAXA, and Chinese CNSA. The most significant achievement of the “old ways” of managing outer space exploration is the International Space Stations (ISS) that has facilitated more than 20 years of continuous crewed operations. The situation started to change at the turn of the century when new generations of private entrepreneurs began to invest in and develop space technologies like rocket boosters, spaceships, and what most important for the subject of the paper – satellites and their constellations. This new shift is known among the space industry as “Space 2.0”, and its emergence is dated around 2000-2002 when the companies like SpaceX, Blue Origin, and Virgin Galactic were established. (Pyle, 2019). The real change, however, came in 2012 when the first SpaceX commercial mission was successfully launched to the ISS (NASA, 2012). Since then, the participation of the private sector in the space industry has skyrocketed, especially in the United States. Today, SpaceX is the only entity that provides reusable rockets (first stage and fairings) that is capable of vertical launch and landing. Their current flagship rocket – Falcon 9 has carried out 23 successful missions in 2020 (SpaceX, 2020) and another four are planned for December of that year (Weitering, 2020). Moreover, thanks to Crew Dragon spaceship developed by the company, Americans have regained this year the capacity of sending astronauts from their own soil after nine years of buying the seats on Russian Soyuz capsule. SpaceX is now in the process of building a communication satellites constellation that will be addressed and analyzed in the paper. Nowadays, in the space industry, we witness a very productive cybernetic feedback look between the development of space technologies, the democratization of those technologies, and a substantial reduction of prices. The latter is even more significant if we compare the cost of launching cargo into orbit now and 20 years ago – Falcon 9 is over ten times cheaper than Space Shuttle (Jones, 2018). This, of course, directly translates into the mass and number of objects that we are able to put in the orbit viably. Once the constellations consisting of thousands of satellites were unthinkable, but in the current environment, they become a reality. Space 2.0 also has brought new threats and challenges in the sphere of national and international security. The increase in launch capacity, among other factors, has led to progressive militarization and weaponization of space and new arms race (Bernat, 2019), which has also contributed to the growing numbers of orbiting objects. The goal of the paper is to present the argumentation that the threat posed by the cascading collisions in the Earth’s orbit (Kessler syndrome) is becoming more severe due to the construction of orbital satellite constellations; the threat that presents a real danger for people during their EVAs and orbital infrastructure, which may bare immediate consequences for safety and security systems on Earth. In order to provide the theoretical context for the above claim, the following issues will be presented and discussed: (1) space debris, (2) the Kessler syndrome, (3) orbital debris models, (4) the legal issues related to space debris and mitigation actions against their proliferation, and (5) the planned and being currently developed orbital satellite constellations and how they contribute to the growing threat of the Kessler syndrome.

#### Invisible tipping points trigger the Kessler Syndrome.

Thompson 21 – Clive, 11/17/21, Clive Thompson is a contributing writer for the New York Times Magazine, a columnist for Wired and Smithsonian magazines, and a regular contributor to Mother Jones. He’s the author of Coders: The Making of a New Tribe and the Remaking of the World, and Smarter Than You Think: How Technology is Changing our Minds for the Better. He’s @pomeranian99 on Twitter and Instagram, [“Get Ready for the “Kessler Syndrome” to Wreck Outer Space,” OneZero, <https://onezero.medium.com/get-ready-for-the-kessler-syndrome-to-wreck-outer-space-7f29cfe62c3e>] Justin

Back in 1978, the astrophysicist Donald Kessler made an alarming prediction: Space junk could wreck our ability to keep satellites aloft. In a fascinating paper, Kessler noted that “low earth orbit” — a region between 99 miles and 1,200 miles up — was getting pretty crowded. In 1978 there were already 3,866 objects being tracked in space. That included satellites used by scientists (say, to monitor weather) or spy agencies. It also included a lot of debris: Every time a rocket launches a satellite into orbit, it tends to leave stray bits of material. The thing is, when objects are zooming through space about 2 km/s, even something as tiny as a chip of paint can smash through glass or steel. Pieces of debris become bullets. What Kessler predicted is that sooner or later, objects in low-earth orbit would start colliding, and produce chain effects, like billiard balls colliding on a crowded pool table. If a piece of debris hit a satellite, it would produce more debris, which would to increase the risk of other collisions … and so on, and so on. At some point, you could reach a tipping point. There’d be so many chunks of debris that collisions would be inevitable, leaving low-earth orbit a junkyard where no satellites could survive. Remember the scene in Wall-E where they blast off Earth, and the planet is utterly ringed with crap? That’s what Kessler worried about. Except in our situation the pieces of junk could be quite small — billions of objects the size of grains of sand, which is actually a lot harder to deal with, because you can’t see it coming. In essence, Kessler predicted we could create an artificial asteroid belt of junk: The result would be an exponential increase in the number of objects with time, creating a belt of debris around the earth. This process of mutual collisions is thought to have been responsible for creating most of the astroids from larger planetlike bodies. Space folks began calling this the “Kessler Syndrome”. It was hard to predict when this might start happening. Kessler worried that conditions could be ripe by as early as 2000. Thankfully, that estimate turned out to be premature. But wow, it looks like it might happen soon. What’s happened recently that makes the “Kessler Syndrome” more likely? A couple of things: Way more satellites are going up The pace at which satellites are going up in the sky is simply exploding. Back when Kessler wrote his paper in 1978, we humans were launching about 53 new satellites a year. Going to space was hard. But now launches are an order of magnitude more common, and they’re increasing in pace rapidly. SpaceX in particular is launching oodles of satellites as it builds its orbital Internet-access service Starlink. In the last two years, it has put 1,740 satellites in low-earth orbit, with plans to eventually shoot 30,000 up there. This is part of a larger trend, which is … The privatization of outer space The private sector is rapidly becoming the dominant actor in space. There’s a huge demand for satellite data — everyone wants better info about weather, crops, traffic patterns, tree coverage, emissions, you name it, on top of the explosive use of satellites for communication and Internet. SpaceX’s remarkable innovations in rocketry (the leading folks, though others are following in their footsteps) have made it cheaper than ever to get a satellite into orbit. It is unlocking a huge pent-up demand for near-earth-orbit tech. More launches mean not only more intentional objects in orbit but unintentional ones — bits of rocket parts and detritus from launches.

#### Privatization exponentially increases the curve but ending dangerous missions stops it.

Bernat 20 – Pawel, 2020, Military University of Aviation, [“ORBITAL SATELLITE CONSTELLATIONS AND THE GROWING THREAT OF KESSLER SYNDROME IN THE LOWER EARTH ORBIT,” SAFETY ENGINEERING OF ANTHROPOGENIC OBJECTS, Volume 4, PDF] Justin

5. Orbital satellite constellations and the growing threat of the Kessler syndrome Space 2.0 – the new era of space exploration that we witness now in the 21st century means, in words of Buzz Aldrin, “moving human enterprise into space” (Pyle, 2019, p. xiv). The process of commercialization of outer space has already begun and is not limited to private companies providing technologies and services for national or international space agencies, as it was in the past. On the contrary, private companies from the space sector have now matured to carry out their own independent projects. As for 2020, SpaceX is a company that serves as the best example – it launches satellites to the orbit, both for state and private contractors, it successfully realized two crew missions to the International Space Station, and is in the process of constructing Starlink satellite constellations that will provide high-speed internet access across the planet. Each satellite weighs around 260 kg, is equipped with an ion propulsion system, autonomous collision avoidance system, and orbits Earth at approximately 540-560 km altitude (Starlink, 2020). At the beginning of November 2020, more than 860 Starlink satellites were orbiting the Earth (Jewett, 2020). Immediate plans include launching 12,000 satellites, but they assume a potential later extension to 42,000 (Henry, 2019a). Of course, SpaceX has employed, at least declaratively, all necessary measures to keep the space clean – the satellites are equipped with the deorbiting system, and in the event of inoperability of the propulsion system (Starlink, 2020). The orbital collisions are, however, inevitable. As it was shown before, the possibility of collisions grows with the number of orbital objects. Bastida Virgili with the team compared (2016, p. 154-155) orbital debris environment development without and with a large hypothetical constellation consisting of merely 1080 satellites, distributed across 20 orbital planes at 1,100 km altitude (Fig. 5).

Chart, line chart

Description automatically generated

It has to be noted that although SpaceX’s Starlink is the only constellation that is being built in orbit, it is not the only one planned. There are at least a few initiatives aiming at the same goal – to construct internet infrastructure at the Earth’s orbit. The planned Kuiper Systems LLC, which is a subsidiary of Amazon and intends to place 3,236 broadband satellites in the LEO, is one of Starlink’s biggest competitors (Henry, 2019b). Now, there is even a rivalry between the two companies because Kuiper’s lowest orbital shell is planned to be 590 km, with a tolerance of 9 km either above or below (Cao, 2020), which is the altitude of Starlink satellites. Moreover, the race for space in orbit is now at the beginning. The outer space is vast. It increasingly becomes more cluttered with both operational satellites and space debris. The threat of collisions increases and no institution or body has enough power to license, coordinate and regulate what is sent to the orbit. The UNOOSA has not such power. National states decide what the companies from the space industry can launch to space. In the United States, which is most advanced in the area of private constellations, it is the Federal Aviation Administration (FAA) that issues the appropriate approvals. The race to put broadband internet satellites bears similarities to the gold rush – there are no rules, at the global level, apart from first-come, first-served.

#### Debris triggers miscalculated war.

Peter Dockrill 16. Award-winning science & technology journalist. “Space Junk Accidents Could Trigger Armed Conflict, Study Finds.” <https://www.sciencealert.com/space-junk-accidents-could-trigger-armed-conflict-expert-warns>.

The increasingly crowded space in Earth's low orbit could set the stage for an international armed conflict, says a new study. Researchers from the Russian Academy of Sciences warn that accidents stemming from the steady rise in space junk floating around the planet could incite political rows and even warfare, with nations potentially mistaking debris-caused incidents as the results of intentional aggressive acts by others. In a paper published in Acta Astronautica, the team suggests that space debris in the form of spent rocket parts and other fragments of hardware hurtling at high speed pose a "special political danger" that could dangerously escalate tensions between nations. According to the study, destructive impacts caused by random space junk cannot easily be told apart from military attacks. "The owner of the impacted and destroyed satellite can hardly quickly determine the real cause of the accident," the authors write. The risks of such an event occurring are compounded by the sheer volume of debris now orbiting Earth. Recent figures from NASA indicate that there are more than 500,000 pieces of space junk currently being tracked in orbit, travelling at speeds up to 28,160 km/h (17,500 mph). The majority of those objects are small – around the size of a marble – but some 20,000 of them are bigger than a softball. In addition to these 500,000 or so fragments – which are big enough for scientists to know about them – NASA estimates that there are millions of undetectable pieces of debris in orbit that are too small to be monitored. But even extremely small fragments such as these pose a threat – in fact, they're considered a greater risk than trackable debris, as their invisible status means spacecraft and satellites can't do anything to avoid them until it's too late. As NASA observed in 2013: "Even tiny paint flecks can damage a spacecraft when travelling at these velocities. In fact a number of space shuttle windows have been replaced because of damage caused by material that was analysed and shown to be paint flecks… With so much orbital debris, there have been surprisingly few disastrous collisions." While we may have been lucky in the past, we can't rely on that to continue. The study by the Russian team cites the repeated sudden failures of defence satellites in past decades that were never explained. The researchers attribute two possible causes: either unrecorded collisions with space junk, or aggressive actions from adversaries. "This is a politically dangerous dilemma," the authors write.

#### Goes nuclear.

Les Johnson 14. Baen science fiction author, popular science writer, and NASA technologist. “Living without satellites”. <https://www.baen.com/living_without_satellites>.

Satellite imagery is used by the military and our political leaders to maintain the peace. When your potential adversaries can’t hide what they’re doing, where their armies are moving and what they are doing with their civilian and military infrastructure, then the danger of surprise attack is diminished. In our nuclear age with instant death only minutes away by missile attack, the doctrine of Mutual Assured Destruction (MAD) only works if both sides know whether or not they are being attacked. The launch of missiles or a bomber fleet can easily be seen from space far in advance of either reaching their potential targets halfway around the globe. The danger of surprise attack is therefore small, making an accidental war far less likely. So what does all this mean? And what do we do about it? First of all, it means that the advocates of space development, exploration and commercialization have succeeded far beyond their initial expectations and dreams. The economies and security of countries in the developed world are now dependent on space satellites. We space advocates should celebrate our success and be terrified of it at the same time. Should we lose these fragile assets in space, our economy would experience a disruption like no other: ship, air and train travel would stop and only restart/operate in a much-reduced capacity for years (GPS loss). Many banking and retail transactions would cease (VSAT loss). Distribution of news and vital national information would be crippled (communications satellite loss). Lives would be put at risk and the productivity of our farming would dramatically decrease (weather satellite loss). The risk of war, including nuclear war, would increase (loss of spy satellites) and our military’s ability to react to crises would be significantly reduced (loss of military logistics and intelligence gathering satellites).

#### Convergence of factors guarantee space escalation.

Thomas González Roberts 17. A space security researcher at the Center for Strategic and International Studies, and host of [Moonstruck](https://www.moonstruckpodcast.com/), a podcast about humans in space. "Why We Should Be Worried about a War in Space ," 12-15-2017. Atlantic, <https://www.theatlantic.com/science/archive/2017/12/why-we-should-be-worried-about-a-war-in-space/548507/>

One hundred miles above the Earth’s surface, orbiting the planet at thousands of miles per hour, the six people aboard the International Space Station enjoy a perfect isolation from the chaos of earthly conflict. Outer space has never been a military battleground. But that may not last forever. The [debate in Congress](https://docs.google.com/document/d/1e6zH3AfZHs4hLpGaKwmxAVxR-LfWk0110THq9tIhgOU/edit?ts=5a2f95e8?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25) over whether to create a Space Corps comes at a time when governments around the world are engaged in a bigger international struggle over how militaries should operate in space. Fundamental changes are [already underway](https://www.csis.org/analysis/congress-creating-military-space-corps?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25). No longer confined to the [fiction shelf](https://best-sci-fi-books.com/23-best-military-science-fiction-books/?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25), space warfare is likely on the horizon. While agreements for how to operate in other international domains, like the open sea, airspace, and even cyberspace, have already been established, the major space powers—the United States, Russia, and China—have not agreed upon a rulebook outlining what constitutes bad behavior in space. It’s [presumed](http://intercrossblog.icrc.org/blog/twmzia1cp84kv2c29bi4iz6q4u03in?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25) that International Humanitarian Law would apply in outer space—protecting the civilian astronauts aboard the International Space Station—but it’s unclear whether damaging civilian satellites or the space environment itself is covered under the agreement. With only a limited history of dangerous behavior to study, and few, [outdated guidelines](http://www.unoosa.org/oosa/en/ourwork/spacelaw/treaties/introouterspacetreaty.html?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25) in place, a war in space would be a war with potentially more consequences, but far fewer rules, than one on Earth. Although there has never been a military conflict in space, the history of human activity above our atmosphere is not entirely benign. In 1962, the United States [detonated a 1.4 megaton nuclear weapon](https://www.smithsonianmag.com/history/going-nuclear-over-the-pacific-24428997/?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25) 250 miles above the Earth’s surface. The blast destroyed approximately one third of satellites in orbit and poisoned the most used region of space with radiation that lasted for years. Although the United States, Russia, and others soon agreed to a treaty to prevent another nuclear test in space, China and North Korea never signed it. In 2007, China [tested an anti-satellite weapon](http://www.washingtonpost.com/wp-dyn/content/article/2007/01/18/AR2007011801029.html?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25), a conventionally-armed missile designed to target and destroy a satellite in orbit. In the process, it annihilated an old Chinese weather satellite and created high-velocity shrapnel that still threatens other satellites. Even though demonstrations like this have consequences for everyone, countries are free to carry them out as they see fit. No treaties address this kind of test, the creation of space debris, or the endangerment of other satellites. The U.S. has the most to lose in a space-based conflict With by far the most satellites in orbit, the U.S. has the most to gain by establishing norms, but also the most to lose. Almost half of all operational satellites are owned and operated by the United States government or American commercial companies. That’s twice as many as Russia and China, combined. Space may seem distant, but what happens there affects our everyday lives on the ground. When we use our phones to plan a trip, we depend on American GPS satellites to guide us. When the U.S. military deploys troops overseas, satellite communications connect forces on the ground to control centers. When North Korea launches an intercontinental ballistic missile, the U.S. and its allies depend on early-warning satellites to detect it. On one hand, if the global space powers agreed to put limits on space-based weapons and other related technologies, it could make space safer for everyone. But because the U.S. may have spent time and resources [developing](https://www.theatlantic.com/technology/archive/2017/05/why-so-secretive/525969/?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25) exactly the type of weapons that a code of conduct would ban**,** it could also curtail the most advanced space-based developments, erasing years of research and progress. There are more players in space—and less consensus In the [first space age](https://www.csis.org/analysis/escalation-and-deterrence-second-space-age?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25), from the launch of the first human-made satellite in 1957 through the fall of the Soviet Union, the United States and the USSR were responsible for over 90 percent of all satellites. Their race to perfect space technology, dominated by both national security interests and scientific discovery, far outpaced everyone else. The second space age, from 1990 to today, looks remarkably different. Now, more satellites are operated by private companies than militaries, and more space launches and new satellites come from countries other than the United States and Russia. More players in space—particularly more unpredictable players—means more opportunities for aggressive behavior, like developing anti-satellite technologies or hacking satellite communications. Countries like Iran or North Korea that are newer to space can choose to operate in a way we’ve never seen before. And if their nuclear programs on Earth are [any guide](https://www.theatlantic.com/international/archive/2017/10/iran-northk-korea-nuclear/542673/?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25), they could pose serious threats if left unchecked. Efforts have been made to create a modern-day space rulebook, but so far none have gained traction. In 2008, when Russia and China both proposed norms of behavior, the United States [refused to sign on](https://www.theatlantic.com/science/archive/2017/04/space-war/521910/?utm_source=masthead-newsletter&utm_medium=email&utm_campaign=member-newsletter-20171213-20&silverid=%25%25RECIPIENT_ID%25%25). Similarly, when the United States supported a 2014 European Union proposal to govern the use of conventional weapons in orbit, Russia and China didn’t agree with the terms. Since the congressional debate about a Space Corps, people have been taking the prospect of a war in space seriously, in a way we haven’t seen before. Now we should start talking about how to avoid that war. To prevent conflict in the upper atmosphere, all potential adversaries—the United States, China, North Korea, Iran, Russia, the EU—need to align, and agree on norms of behavior. They need rules.

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

Steven Starr 15 [Director of the University of Missouri’s Clinical Laboratory Science Program, as well as a senior scientist at the [Physicians for Social Responsibility](http://www.psr.org/). He has worked with the Swiss, Chilean, and Swedish governments in support of their efforts at the United Nations to eliminate thousands of high-alert, launch-ready U.S. and Russian nuclear weapons. “Nuclear War: An Unrecognized Mass Extinction Event Waiting To Happen.” Ratical. March 2015. <https://ratical.org/radiation/NuclearExtinction/StevenStarr022815.html>] TG

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