# 1NC

#### MY DOG.

A dog lying in the grass

Description automatically generated with medium confidence

## 1

### T

#### Interpretation: Appropriation refers to sovereign claims of land.

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Those answering this question in the affirmative have access to a strong textual argument. Article II of the Outer Space Treaty specifically references "national" **appropriation**.17 9 The context surrounding that appears to confirm that the prohibition of "national" appropriation is directed at nations, as only a nation could have a legitimate "claim of sovereignty." 180 Moreover, "occupation" refers to old international legal doctrines that once allowed nations to claim territory based on occupation. The historical context within which the treaty was drafted supports this position, as the concern of the time was colonization, not commercial use of space resources. As for private parties, they are specifically anticipated by the treaty: **Article VI states that States Parties bear international responsibility for activities by "non-governmental entities" as well as governmental agencies**.' 8 1 The fact that they are anticipated by the treaty but not included in the Article II prohibition on appropriation suggests that the treaty intended to prohibit only national appropriation of outer space resources.18 2 Those claiming that the treaty prohibits both national appropriation and appropriation by private parties can marshal their own textual argument. Article VI defines "national activities in outer space" to include both "activities . .. carried on by governmental agencies" and those carried on by "non-governmental entities." 8 3 This definition of "national" must inform Article II's prohibition on "national" appropriation and thus extend to a nation's citizens **and commercial entities** as well as governmental activities. Moreover, a contrary interpretation defies logic: **if nations themselves may not claim property rights to outer space objects, they have no power to confer those rights on their nationals.**184

#### Violation: they only defend asteroid mining which is extraction – those are distinct – prefer rigorous legal analysis.

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Secondly, even if nations, businesses, and individuals are equally bound by the non-appropriation principle, the scope of that restriction is not entirely clear from the text of Article II.59 It is unlikely, however, that the non-appropriation principle is an absolute ban on the ownership of resources extracted in outer space.

An interpretation of Article II supporting a blanket ban on resource ownership is unwarranted by the text of the OST and illfounded on account of the international community’s common practices. Scholars have noted that the international community has never questioned whether scientific samples harvested from celestial bodies belong to the extracting nation.60 Furthermore, space-faring members of the international community rejected the Moon Treaty precisely because it prohibited all forms of ownership in resources extracted from celestial bodies.61 The space-faring nations’ support for the OST, coupled with their rejection of an alternative set of rules governing extracted resources, is at the very least an indication of what those nations believe the non-appropriation principle to stand for.

It is equally improbable that the international community drafted the non-appropriation principle to be merely idealistic rhetoric. The OST leaves no room for interpretations to squirm out from under its ban on sovereign claims of land.62 The following section illustrates, however, that the distinction between sovereign ownership of land, and the vestment of property rights in resources extracted from that land, is nothing new.

II. Legal Regimes Distinguishing Resource Extraction from Appropriation

Although the OST does not provide a comprehensive guideline for resource extraction in outer space, its foundational logic provides a workable distinction between ownership and use. This part explores three property regimes developed under the same fundamental constraints as the non-appropriation principle: the United Nations Convention on the Law of the Sea (“UNCLOS”), the Antarctica Treaty System, and the prior appropriation doctrine as applied in United States water law.63 Under each regime, parties may establish some form of ownership in extracted resources despite being restricted from claiming sovereignty over the underlying land.

Each section includes a brief discussion of the property regime’s history, its major traits and their relationship to the overarching characteristics of the non-appropriation principle. This part further describes how each property regime fits within the non-appropriation principle’s prohibition on claims to land, while prohibiting waste, separating land ownership from rights to extracted resources, enforcing liability for destruction or damage, and establishing a simple regulatory system to manage claims.

A. The Law(s) of the Sea: UNCLOS and the Seabed Act

International and national maritime laws addressing resource extraction deal with many of the same obstacles present in outer space. Like outer space, “[t]he seabed is rich in minerals…[c]ollecting and mining these minerals is expensive and requires sophisticated technology capable of reaching the great depths.”64 Additionally, the international regulatory regime created to address seabed mining contemplates widely applicable issues including the “protection and preservation of the marine environment,” “promot[ing] the peaceful uses of the seas and oceans,” and the “efficient utilization” of the resources therein.65 Although international law forms the backbone of seabed mining regulations, individual nations have concurrently developed their own regulations.

The foremost international maritime law is the United Nations Convention on the Law of the Sea (“UNCLOS”).66 The current iteration of UNCLOS came into force in 1982, replacing decades of international treaties that had not addressed seabed mining.67 The 1982 UNCLOS established the International Seabed Authority (“ISA”), a body responsible for managing seabed mining through regulations and licensing.68 UNCLOS further established a dispute resolution system through the Seabed Disputes Chamber of the International Tribunal.69

The United States found some features of the 1982 UNCLOS objectionable. Originally, the ISA was empowered to create an entity called the “Enterprise”, which would conduct mining operations for the benefit of developing countries alongside private mining operations.70 Under this agreement, private businesses were compelled to provide the Enterprise with the location of discovered minerals and the technology necessary to extract them, all in addition to the funding from member states.71 Some of these requirements proved controversial.

Several developed nations subsequently rejected UNCLOS and signed the “Provisional Understanding Regarding Deep Seabed Matters” (“The Provisional Understanding”) in 1984.72 The Provisional Understanding established “…procedures to follow in order to avoid overlapping claims to seabed sites,” while encouraging reciprocal recognition of other party’s claims.73 The Group of 77—a coalition of developing countries—and the ISA, criticized the Provisional Understanding on the grounds that it established an illegal regime.74 As one critic concedes, however, the Provisional Understanding is probably legal because it “…neither claims sovereignty or ownership…nor grants exclusive rights…” to seabed areas.75

UNCLOS was renegotiated in 1994, in part due to the changes brought about by the end of the Cold War and decreased focus on deep-seabed mining.76 Among the changes, it secured permanent seats on the ISA Council for the United States and Russia,77 created a Finance Committee consisting of the five parties with the largest financial contributions,78 removed mandatory funding of the Enterprise,79 made technology-sharing optional,80 and made development plans a prerequisite for granting permits for resource mining.81 Despite these changes, the United States “remains the only major seafaring nation” that has not ratified 1994 Agreement.82

The United States’ disagreements with the 1982 UNCLOS led to the creation of an interim national law called the Deep Seabed Hard Mineral Resources Act (“Seabed Act”).83 While the Seabed Act is intended as a temporary regime, it acknowledges that a functional international regime may take some time to develop.84 Under the Seabed Act, companies are required to obtain licenses and permits to explore and extract, both of which expire after a period of years.85

The United States has not entirely abandoned UNCLOS. Addressing recent conflicts in the South China Sea, President Trump called for “…claimants to clarify and comport their maritime claims in accordance with the international law of the sea as reflected in the 1982 United Nations Convention on the Law of the Sea…”86 Additionally, several United States presidents have supported ratification of UNCLOS since the 1994 Agreement.87 And, although President Reagan was dissatisfied with the 1982 UNCLOS, changes incorporated into the 1994 Agreement have addressed those complaints.88

The laws regulating resource extraction in the sea share major traits with the non-appropriation principle, as UNCLOS and the Seabed Act allow parties to establish property rights in extracted resources without violating the non-appropriation principle. First, under both regimes, parties extract minerals without laying claim to underlying land.89 Secondly, UNCLOS’s requirement for development plans and the Seabed Act’s licensing-system place some pressure on parties to extract resources or forfeit their rights.90 This feature prevents parties from sleeping on a license, thereby encouraging productive use of land. In other words, the licensing system reduces waste and protects against de facto ownership of land resulting from inordinately long periods of occupation. The United States, by adopting both traits from UNCLOS, and voicing its willingness to enter into a robust international regime for resource extraction, indicates support for an international regime reflecting those features.

Even if the United States’ framework under the Seabed Act were adopted as a model for resource extraction in space, it comports with the non-appropriation principle. The United States’ conceptual distinction between land ownership and resource extraction is a gauge for whether it would accept a similar arrangement for space law.91 And, while the United States is only one of many members of the international community, it is difficult to conceive of a successful international agreement without the involvement of the major spacefaring nations.

B. The Antarctic Treaty System

The Antarctic Treaty92 and the subsequent agreements collectively regulating the peaceful use of Antarctica form the “Antarctic Treaty System.”93 The first of these treaties was created in 1959 to preserve environmental integrity and prohibit violence in the region.94 Antarctica’s size, impenetrableness, and vast resource stores have made it a reoccurring model for outer space law.95 While the Antarctic Treaty System shares key features with the law of outer space, its development and subsequent legal regime is distinctive.

Several nations made property claims to Antarctica before the first Antarctic Treaty.96 Parties suspended those claims, however, in effort to moderate claims and prevent Antarctica from becoming a site of violent competition.97 Although the 1959 Antarctic Treaty does not directly address resource-mining, parties “…understood that the question of how Antarctic mineral activity was to be regulated…would not go away.”98

The international community originally attempted to establish a legal regime for Antarctica that distinguished between sovereign claims and resource extraction. The Convention on the Regulation of Antarctic Mineral Resource Act (“CRAMRA”) was the first venture to provide a foundation for an international property regime in Antarctica.99 CRAMRA defined, as a means to regulate resource mining, three categories of resource-related activity: “prospecting”, “exploration”, and “development.”100 The Regulatory Committee, one of several institutions established under CRAMRA, was responsible for considering permit applications for the “exploration and development” of mineral resources.101 Unlike exploration and development, prospecting does not require the authorization of any of the institutions.102

CRAMRA’s definition of “prospecting” is crucial for understanding the role of property rights under the regime. Prospecting includes the investigation of areas for potential exploration or development using a variety of sensing technologies.103 Dredging, excavation, or drilling, however, are defined as “prospecting” only if used for the purpose of obtaining small-scale samples or drilling less than 25 metres.104 Furthermore, activities defined as “prospecting” do not confer property rights to mineral resources.105 As a result, an operator gains property rights to mineral resources “…at the exact point where prospecting activities cease to be prospecting activities and become exploration or development activities.”106

The six years of negotiation that culminated in CRAMRA107 were not ultimately fruitful. Under its terms, CRAMRA could not enter into force unless all states with territorial claims to Antarctica were parties to it.108 Australia and France, while supportive of CRAMRA during negotiations, stated in 1989 that they would not ratify the Convention.109 Consequently, no nations have ratified CRAMRA.110

Antarctic resource extraction is currently regulated under the Protocol on Environmental Protection to the Antarctic Treaty, also known as the “Madrid Protocol”.111 Concluded in 1991, the Madrid Protocol prohibits “…[a]ny activity relating to mineral resources, other than scientific research…”112 Parties to the Madrid Protocol are able to reconsider the ban on commercial resource mining in 2048 and have reaffirmed the moratorium as recently as 2016.113

Although it was not ultimately adopted, CRAMRA’s negotiation provides insight into the international community’s willingness to create a resource extraction regime starting from a premise that ownership and use are distinct. Although CRAMRA permitted nations to extract resources, extraction explicitly could not amount to ownership of the underlying land.114 From that premise, CRAMRA does not grant property rights to parties who have merely used sensing technologies on the land, requiring more significant labor through activities like drilling or dredging.115

While the Madrid Protocol removes commercial resource extraction as an option, it allows nations to extract scientific samples without requiring—or permitting—claims of sovereignty.116 Because the Madrid Protocol “neither modif[ies] nor amends” the framework laid out by the Antarctic Treaty,117 extraction—whether scientific or commercial—remains separate from the ownership of underlying land. While the international community chose to restrict commercial extraction in Antarctica, that arrangement is a result of environmental concerns and not the failure to develop a property regime.118 CRAMRA’s successful illustration of a property regime remains instructive for the international community as it develops finer points of space law.

C. The Prior Appropriation Doctrine

The prior appropriation doctrine is a system developed in the American West to simplify miners’ water claims, granting rights to use the water to whoever made beneficial use of it first.119 The prior appropriation doctrine is useful for analyzing the law of outer space in both functional and abstract ways. First, scientists expect that water will be necessary for creating fuel and breathable air in outer space.120 Secondly, the prior appropriation doctrine evolved to resolve various claims in the water-scarce American West.121 The prior appropriation doctrine developed against the backdrop of commercial/private tension, embodies deeply-rooted American ethical assumptions, and contemplates the “public ownership” of underlying land.122 The prior appropriation doctrine is also “a rule of scarcity, not plenty,” and is therefore concerned with managing limited resources.123 These features of the doctrine make it a useful comparison to the demands of outer space resource extraction. Most importantly, the prior appropriation doctrine has resulted in an intuitive set of rules distinguishing between ownership and productive use.

The prior appropriation doctrine grew out of the chaos and grit that embodied the mining rush to the Western United States.124 The unpredictable availability of water, combined with the need for a simple adjudicative system, led early miners and farmers to adopt an “intuitive common sense” system of rules to resolve water claims.125 Essentially, the first claimant to make actual beneficial use of the water has senior rights to later users.126 Claimants do not own the land, however, but rather the right to use the water.127 Consequently, claimants may transfer their rights to the use but the public ultimately owns the water.128 Each of these features is explored below.

Central to the prior appropriation doctrine, and exemplified in Colorado’s constitution, is that water is a publicly owned resource.129 This concept stands in contrast to the idea that ownership of land is tied to ownership of the land’s water.130 The prior appropriation doctrine severs those concepts from one another, justifying citizens’ right to appropriate water while nullifying riparian claims.131 This feature is a doctrinal cornerstone of the prior appropriation system, as it distributes ultimate decision-making authority to the public while protecting valid claims.

Not all claimants establish or retain valid claims to use diverted water. Prior appropriation requires a claimant to make actual beneficial use of the water to obtain and retain their right to continue that use.132 In the context of the doctrine’s development, this stipulation prevented vast, speculative hoarding of property for the purpose of a later sale.133 This emphasis on “antispeculation” is derived from the era’s intensely anti-monopoly sentiment, favoring the distribution of water rights to those who could make actual use of the land.134 Therefore, claimants must define the location and expected scope of their use to establish or transfer rights.135

Parties who establish valid claims are protected against other future users who seek to use the same water at the earlier claimant’s detriment. Parties who make actual beneficial use of water have “seniority” over later claimants who use the water for similar purposes.136 In this system of senior and junior claimants, the latter must yield their use to senior claimants in times of water scarcity.137 Although this arrangement protects senior claimants from losing their use in times of scarcity, one scholar notes that claims often avoid their seniority.138 Furthermore, some states simply prohibit senior claimants from enforcing their priority over junior claimants when doing so would be futile.139 Claimants may actually benefit from avoiding enforcement, especially when enforcement is sought solely to prove seniority at the expense of junior claimants.140

Because prior appropriation separates the ownership of land from rights to beneficial use of water, claimants can freely transfer their validly established water rights.141 The technology claimants use to divert water for “out-of-stream” uses, like mining and agriculture, helps make the use “measurable and enforceable,” and therefore identifiable for transfer.142 Although transfers require new users to satisfy the actual beneficial-use requirement, the arrangement is flexible enough to facilitate the temporary transfer of use rights.143 The prior appropriation’s system of senior and junior claimants is enforced and regulated by a centralized authority. Acting in a “trusteeship role,” the government is responsible for enforcing validly established water rights.144 Although enforcement is sometimes avoided, as noted above, the value of a senior claim is necessarily dependent on the enforcement of those rights, especially when water is in short supply.145 In addition to adjudicating claims, the government is responsible for the “conservation of the public’s water resources.”146 Here, the implications of the “public ownership” concept is significant:

…[T]he state assumed a trusteeship role to administer the waters of the state for the benefit of the public. As such, it became responsible not only for minimal administrative functions but also for administration of the kind a trustee owes to the beneficiary of the trust. Its responsibilities include, first and foremost, the conservation of the estate and avoidance of waste; second, the promotion of beneficial use by assisting the appropriator in achieving use objectives to the maximum extent feasible; third, the representation of beneficiaries in a parens patriae capacity and maintaining the use regimen on the river system; and fourth, the promotion of efficiency and prudence of the kind expected of a trustee.147

The prior appropriation doctrine serves as a unique example for space law because of how it conceptualizes land ownership. Underlying land is available for use not because it is “unowned,” but because it is owned by a community who has the right to make productive use of it.148 Because the community owns the land, claimants have an obligation to use the land properly and the government is responsible for stewardship.149 This framing fits neatly with proponents of the idea that outer space is collectively “owned” by the international community. Regardless, stewardship and government ownership do not necessarily displace the potential for productive use.

Parties do not violate the non-appropriation principle simply by extracting—or as here, diverting—resources from the land. At no point does extraction equate to a sovereign claim over the land. In instances where non-productive use or the like violates those principles, property rights disappear. Furthermore, the OST encourages the idea that outer space is to be used to benefit the broader international community.150 The prior appropriation doctrine illustrates that parties can establish and transfer robust property rights in resources independent from land-ownership, while promoting beneficial use

#### Standards:

#### 1] Precision outweighs – non-topical affs violate tournament rules so the judge doesn’t have the jurisdiction to vote on them and it controls the internal to pragmatic offense in a question of models because it decks predictable stasis.

#### 2] Limits – allowing extraction to equate to sovereign claims explodes limits by shifting the debate away from sovereign claims to celestial bodies to permutations of parts of celestial bodies that companies could extract – leads to unbeatable affs that just ban extraction of one resource which the neg can’t ever predict. Forcing the affirmative to defend sovereign claims to celestial bodies is net better.

#### 3] TVA – defend an aff that bans sovereign claims to celestial bodies – solves your offense since you still get property rights fight offense.

Drop the debater

Competing interps

No RVIs

DTA on 1AR theory – irresolvable

Reasonability on 1AR theory – aff biased

RVI on 1AR theory – splitting

## 2

### T

Interp: Debaters must specify what action they defend through a plan text. To clarify, they must have a delineated text in the 1AC specifying what they defend

Violation: No plan text

Shiftiness:

## 3

### K

#### Cosmobiopolitics constitutes the governance of space as a shared resource to further human progress. The affirmatives managerial approach at space sustains space as a common good for “joint usage” to further exploitation – the impact is endless war.

Damjanov 15 Katarina. "The matter of media in outer space: Technologies of cosmobiopolitics." Environment and Planning D: Society and Space 33.5 (2015): 889-906. (Faculty of Arts, University of Western Australia)//Elmer

Long before the beginning of the Space Age, humans used the regions above the globe to facilitate mediation practices; electromagnetic waves, for example, were emitted across airspace and into the atmosphere to enable radio communication decades before the first artificial satellite confirmed its arrival in the planet’s orbit on 4 October 1957. With its possible roots in early societies’ use of the celestial bodies visible from the earth’s surface for temporal and spatial orientation, the ‘media history’ of the human use of outer space reaches a watershed moment with the launch of Sputnik. This basketball-sized metal sphere, equipped with radio transmitter and four external antennas, was the first solid object, the first functional media artefact that humans had placed outside their own world. This is not to say that Sputnik marks the event in which human mediation practices begun to materially impact outer space, erasing its original, ‘natural’ state – the radio signals that penetrated the layers of the troposphere and ionosphere, although intangible, left their own material traces, environmental alterations comparable with the material results of atmospheric pollution triggered by industrial progress. These early uses of space have entangled it in a gamut of processes of techno-mediation, initiating the extraterrestrial unfolding of a historical trajectory which Jussi Parikka (2011: 3) terms ‘medianature’ – they have extended this ‘continuum between mediatic apparatuses and their material contexts in the exploitation of nature’ into outer space. However, Sputnik’s orbital presence does represent a steppingstone in the extraterrestrial progression of human medianature: it indicates the species’ acquired ability to purposefully introduce an object of technical media into outer space. As such, Sputnik epitomises a shift in the use of non-terrestrial spaces; no longer were they incidental and remote to human media exploits, they were instead made central and essential. What the first signal that Sputnik sent to its ground control announced was that humanity’s techno-logic aspirations to transform the material world and advance its productive capacity through the logic of acquisition, investment and destruction – an intrinsic human impulse described by Karl Marx (1964) as our essence of species-being – are no longer earth-bound. Sputnik and all media devices that followed it have been gradually converting outer space into a living milieu, reinforcing it as a material–social setting of human circumstances and relations. The concept of ‘milieu’ is important for understanding the complexities involved in the cosmobiopolitical transformation of outer space. In Foucault’s work and in other influential texts such as those of his mentor Georges Canguilhem (2008) and Simondon (1980) and Stiegler (1998), although employed in different contexts, the term ‘milieu’ essentially designates a site which simultaneously conditions and is itself conditioned by the productive forces of human life – whether biological, social or technical. Courses of medianature in outer space sharpen such perspectives on mutually transforming relations between humans and their milieu, providing biopolitical focus to Simondon’s and Stiegler’s perspectives on technology as fundamental in constituting human life. Stiegler’s view of progress as human technological evolution frames technical objects as a prosthesis in whose creation humans embed their ‘interiors’ and through which they further exteriorise and mould their living milieu, a process which has been changing the idea of what it is to be human (Stiegler, 1998: 17). In the Stieglerian sense, the human ‘exteriorisation’ in technical media that are sent into space not only imbues the earth’s exterior with a reflection of the human, but itself reconstitutes the human and reconfigures human ways of life. These technologies thus radically enhance the capacity for species-being, becoming a vital part of our biopolitical capital: while altering our apparently otherwise lifeless planetary exterior into a malleable and thus governable locus of life, their mediatic operations assist humans to overcome their biological and geographical limitations and proceed as a collective towards becoming more-than-human. Our medianature has been continuously adjusting to its extraterrestrial conditions and the acceleration of our technological ‘exteriorisation’ in space has necessitated the development of an attendant governmental framework. The landmark attempt to arrange the increasing multiplicity of human relationships with outer space was to define them through the rule of law – a juridical prefiguration which, as Foucault and Giorgio Agamben (1998) suggest, is a prerequisite for governing life. In 1967, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (United Nations, 2002), or, The Outer Space Treaty (OST) entered into force. In lieu of the pending human landing on the Moon, this international legal agreement established outer space as the shared domain of a global commons, which is to be explored and used by all nation-states, but which itself is to stay outside the vagaries of territorial claims and property rights. A pre-emptive gesture aimed at securing politico-economic codification of the extraterrestrial milieu before human arrival, the OST did not specify where the administrative borders of outer space are – the border between terrestrial and extraterrestrial space has been unofficially assigned to the Ka´rma´n line, a region about 100 km above the planetary surface, where objects sent into space do not fall back but remain in orbit. Nevertheless, the Treaty designates its inhuman expanses as the precinct of human governance, and behind such legal coding stood the same politico-economic rationalities which Foucault identified as pivotal for the institution of the doctrine of the ‘Freedom of the Seas’ as a foundation of international maritime law in the seventeenth century. This legal principle that identified the ocean’s strategic importance as a jointly used resource and set it free from territorial claims, symptomatically announced two interrelated entrances onto the world stage – the rise of global capitalism and the birth of biopolitics, while its replication in the OST marked the next phase in their development. In one of his lectures at the Colle`ge de France, Foucault (2008: 51–73) provided a brief account of how the history of international law echoed the emergence of modern approaches to governance, where the primary emphasis upon territory becomes augmented with the objective to secure the vitality of the shared market. He described how the Treaty of Westphalia’s reinforcement of borders around sovereign states in 1598, which strengthened their inner autonomy yet limited their external reach, instituted each of them as a part of a collective of states gathered around the common interest of progress. This territorial reform aimed to end devastating wars between the states and ensure their political and economic stability, but it imposed the need for new domains of competition in which each of them could independently acquire and prosper, and all them could together be in a ‘state of permanent collective enrichment’ (Foucault, 2008: 55). These spaces, Foucault suggested, were inaugurated with the ‘Freedom of the Seas’ in 1609, which opened the ocean as a space which all states could use to advance through economic competition rather than rivalry over territory. While specifically related to the agenda of European colonial expansions, the establishment of the seas as shared commons was indicative of the awareness that the unlimited accumulation of wealth requires the infinitely free space of the global market. Freedom of the seas was, as Foucault (2008: 56) described, born out of this ‘new form of global rationality... a new calculation on the scale of the world’ and it marked the start of economic globalisation. The interplay between the finite room of territories and infinite possibilities for circulation and accumulation of capital was sustained indefinitely by asserting the global freedom, the commonality of the seas. Through the commons of the seas, capitalism assumed its global latitudes; while the historical enclosure of wastelands that were shared as ‘commons’ enabled the initial, ‘primitive’ accumulation of capital, the creation of the ocean’s commons enabled capitalism to articulate its processes at a global scale. This legal manoeuvre to defend territory by rethinking the spaces of the market institutes the idea of shared commonality as an Archimedean point for the governance of human societies, preparing the terrain for a biopolitical system of governance based upon its abstraction into a method of subsuming ‘life itself’ to the massifying logic of averages and estimates. The institution of the OST and its associated Agreements and Conventions2 from the mid-twentieth century was an outcome of yet another spatial crisis; it was an attempt to negotiate the many tensions that the arrival of the Space Age stirred within global affairs. It was at the time of Cold War and states’ political polarisation, in a world where rapid industrialisation and massive population increases were coupled with anxieties about limits to economic growth, that outer space was identified as a potential site of military conflicts, competing claims of sovereignty and a rapacious race for resources. The looming possibility of still deeper crisis necessitated another repositioning of states and markets around their vital assets, and a restoring of the global equilibrium of powers. Here the OST drew upon the juridical principle of a ‘common heritage’ of humankind – a concept previously employed in the Antarctic Treaty in 1959 for comparable arrangements of international regimes of governance – and took the idea of the commons outside the globe. The treaty expanded the conceptual borders of ‘the scale of the world’ into extraterrestrial space, prescribing that its exploration ‘shall be carried out for the benefit and in the interests of all countries’ and that it ‘shall be the province of all mankind’ (OST, article 1). Once again, international law established a space of commons whose exploration and exploitation would proceed as a joint enterprise through which all states could freely advance and prosper both individually and as a part of collective. Just as the ‘Freedom of the Seas’ opened routes for ships sailing in the name of nations, the OST unlocked flightpaths for spaceships and other technologies, stimulating states’ techno-scientific interests and competition and ensuring that the emerging mode of ‘high-tech’ capitalism had from its beginnings an extra-planetary, infinite prospect. This trans-national legal netting codified an idea of global commonality and framed the inhuman regions of outer space as the ‘province of all mankind’, drawing them into its global system of governance. The OST thus provided the juridical platform from which to articulate a cosmobiopolitical order; it offered a governmental framework for enacting a vision of the human race as a species-power, which will, through the techno-mediated exploration of space, direct its own cosmic progress. Almost a half century after the OST, media technologies remain crucial to the transformation of outer space into a human province. The voracious neoliberal drive of the state-industry nexus that conditions global biopolitics is so dependent upon them, that they become a target of the same systems of governance they catalyse. Their construction, launches and distribution are the subject of careful calculation, meticulous planning and complex logistics, their condition and movements are continuously being monitored, assessed and managed, and this transfer of governmental rationalities from living humans to inanimate objects changes the biopolitical approach to human species-being. If biopower emerged as concerned with bodies of human individuals and populations, and pressing environmental concerns about the ‘global body of the Earth’ augmented its application ‘from human to planetary bodies’ (Bryld and Lykee, 2000: 92–94), then space-based media technologies mark a subsequent phase in the development of its architecture. They trigger the transposition of life management onto the bodies and populations of media technologies and it is this shift which inaugurates the object-centred coordinates of the cosmobiopolitical: the governance of the human without actual humans. The legal basis of cosmobiopolitics, the OST respectively preserves the status of outer space as a globally shared domain and permits its occupation by technical media that are the legal province of particular terrestrial entities, thus accommodating the contradictory tenets of their governance. However, these governmental rationalities are defined by codes of law and ‘the law’ as Foucault (2007: 47) notes ‘works at the level of the imaginary’, and it can only imagine things which can and cannot be done; like the 0s and 1s of digital code, it only prescribes a state of presence or absence of things. It is the very presence of media technologies in outer space (and the absence of humans) which contradictorily makes possible and disturbs the cosmobiopolitical imaginary. Their remote position situates them beyond the reach of juridical rule and the policing-power of states, literally placing them outside of the ‘global grid’ of governance. While they are used as apparatus through which to enable human terrestrial enterprises, these objects themselves carry the essence of terra and of the absent presence of the human beyond the globe. The media technologies in outer space do not only reduce the incompatibility between the human and the extraterrestrial, but also introduce frictions within their exchanges. This disturbance suggests that their material realities disrupt the imaginaries implied by law and instead assert their own force, reinforcing these objects somewhat absurdly as the non-governable markers of extraterritoriality in the commons, as the non-human emissaries of humanity, and as a non-living population of objects which are managed as if they were alive. In outer space, the matter of media itself becomes code through which to define what can be propertied and what remains commons, what can be governed and what poses itself as ungovernable, where the human ends and the non-human begins, where the boundaries that distinguish governance of the living from the non-living lie and when biopolitics transmutes into a cosmobiopolitics. The media apparatus that support the metamorphosis of biopolitics in outer space are varied, and the milieus in which they function require a range of different performances. The following sections of this paper consider a number of the varying ways specific media technologies perform this extra-planetary extension of the impulse to govern life by focusing on satellites and their debris, and on the prospects of an interplanetary Internet. None of these specimens provides a complete picture of the ways in which media technologies inspire the advent of a cosmobiopolitics. Rather, each offers a different angle from which to consider the shifts in material and social arrangements that are demanded by forays beyond the earth, signs that herald a radical shift in the way humanity conceives of life and articulates its governance. What follows is a series of initial steps, the first paces in a far larger survey that aims to chart the natality of the emergent cosmic traits of biopolitics. I offer here a series of sketches, an outline of tentative trajectories suggested by contemporary mediatic excursions into outer space. By exploring how we manage an over-population of functional and defunct media objects in orbital space and imagine the utilities of interplanetary Internet networks, I suggest that human extraterrestrial medianatures necessitates a profound alteration in our relationship with the technologies, and the reframing of governmental obsessions with discourses of territory, security, and population.

#### The aff draws a line at private sector operations, camouflaging public sector militarism.

Sheehan 7 Michael. The international politics of space. Routledge, 2007. (Nancy and Peter Meinig Family Investigator in the Life Sciences, Assistant Professor)//Elmer

The 1958 Space Act declared that the United States was keen to explore space for ‘peaceful purposes for the benefit of mankind’, and allowed for ‘cooperation by the United States with other nations and groups of nations’.30 This declaration had a dual purpose. The first statement was designed to deflect attention away from the military dimension of US space research and reduce foreign concerns that the United States was seeking to militarize outer space. The second statement’s purpose was to promote the image of the United States as a scientific leader that was willing to share the development of space with other nations, and which therefore clearly had no hidden agenda beyond space exploration for the general benefit of humanity. In this regard, it fitted in with other US policy initiatives designed to promote the image of the United States as a country eager to cooperate internationally in an open and transparent manner. The Marshall Plan, Atoms-for-Peace and the Peace Corps were all part of this general image-building approach, though all had other motivations as well, as did the space policy. The apparent separation of civilian and military activities allowed the United States considerable flexibility. By having a largely transparent civilian-dominated programme, American public insecurity was alleviated, yet at the same time the US was able to continue its military programmes away from the glare of national and international scrutiny, and often successfully camouflaged behind actual or fictitious civilian space projects. In fact, unknown to the American public, there were three, not two space programmes, white, blue and black. The white programme was the high profile civilian programme led by NASA. The blue programme was the classified military programme run by the Department of Defense. In addition, there was the ‘black programme’, the reconnaissance programme run by the intelligence agencies. The apparent separation of the elements of the US space programme made it easier for the vast majority of the American political establishment to rally behind a substantial and energetic space programme. Liberals could support it as an alternative form of competition with the Soviet Union in an era when the dangers of nuclear war were very real, while conservatives saw the programme as developing military hardware and providing capabilities that would in the long run enhance the effectiveness of US armed forces.31

#### Their managerial approach to space within a cost-benefit framework leads to environmental destruction, racial violence, and nuclear conflict – their decision to focus on large-scale geopolitical impacts reproduces otherized sites as exploitable and fungible.

Klinger 19, Julie Michelle. "Environmental geopolitics and outer space." Geopolitics 26.3 (2021): 666-703. (PhD, specializes in development, environment, and security politics in Latin America and China in comparative and global perspective)//Elmer

On Earth, the environmental geopolitics of outer space are inseparable from questions of environmental justice. Environmental (in)justice unfolds across multiple scales through concrete processes: localized and stratospheric emissions from space launches (Carlsen, Kenesova, and Batyrbekova 2007; Jones, Bekki, and Pyle 1995), the placement of outer space related infrastructure in national and global peripheries (Gorman 2007; Mitchell 2017; Redfield 2001), and the use of such infrastructure to advance or thwart environmental destruction (Da Costa 2001; Guzmán 2013; Parks 2012). Human engagement with outer space enlists industrial economies, global networks of infrastructure and expertise, and the generation and control of 11 information. All of these activities take place in specific sites and are subject to ongoing transformations in territorial governance practices. By locating infrastructures that are securitized, dangerous, and environmentally toxic in remote areas, the state or empire accomplishes two things. It consolidates power in far-flung territories while mitigating against liabilities and security threats that might arise from placing launch infrastructures closer to the metropole. In order to reduce environmental impacts, adequate resources, personnel, and expertise need to be assigned to the task of monitoring and mitigating the regional fallout of rocket launches (Hall et al. 2014). This may not be the case if the site in question has been deemed sacrificable by those with territorial control. Launches and Their Infrastructures Reaching outer space requires Earthly infrastructure, which means that space launches have concrete footprints that change according to developments in launch technologies. The placement of outer space related infrastructure on Earth is a question of environmental (in)justice. Which sites are chosen, who is expropriated, and which environments are impacted is subject to strategic geopolitical calculations, which, more often than not, employ classical geopolitical reasoning (Hickman and Dolman 2002; Ingold 2006; Meira Filho, Guimarães Fortes, and Barcelos 2014; NDRI 2006). Launch sites are tightly controlled to reduce the risk of interference or failure, therefore situating launch sites in remote areas is often explained in terms of safety and security (Zapata and Murray 2008). No doubt this is important: rockets are composed of many tonnes of material and combustive fuel, so they must be launched in places where damage from routine as well as potentially catastrophic explosions can be contained. For humans to reach “the final frontier,” they must first find a frontier space on Earth that can be made into an empty space in which controlled explosions can be routine. Frontiers are seldom as empty as those aiming to conquer them would claim. Where they are not populated by people, they are filled with other sorts of meanings and life forms (Klinger 2017; Tsing 2005). Potential launch sites and testing ranges deemed by government authorities to be simultaneously remote, safe, and suitable to contain the risks of rocket launch must first be made empty of people, with prior land use regimes or territorial claims pushed beyond designated buffer zones (Gorman 2007; Mitchell 2017). Hence the placement of space infrastructure follows colonial geographies of extraction, sacrifice, and risk (Mitchell 2017; Redfield 2001). As Gorman (2007) put it: “because of their distance from the metropole, these places lend themselves to hosting prisons, detention camps, military installations, nuclear weapons, and nuclear waste. All of these establishments, including rocket ranges, have inspired reactions of protest.” These so-called ‘peripheral’ spaces are nevertheless central to their inhabitants and their neighbors, who question the logic of extraglobal conquest in the face of unresolved Earthly injustices. Consider, for example, the case of the launch site in Alcântara, Brazil, which has been well documented by Araújo and Filho (2006) and Mitchell (2017). Through a close examination of local, national, and international politics, these authors document how the government’s racialized approach to the subsistence communities displaced by space infrastructure deepened structural inequalities. Grassroots opposition to the launch site grew not out of an a priori ideological opposition of poor people to national progress in outer space, as some officials alleged, but rather resulted from the failure to account for the food insecurity generated by state resettlement projects. The resettlement schemes were themselves misinformed by impoverished notions of local livelihoods. Local claims against the deprivations caused by statesponsored space practices have deepened schisms between the military and civilian space programs at the federal government level. Through the lens of classical geopolitics, these structural inequalities scarcely register, with the result that the ‘crawling’ progress of Brazil’s space program is pathologized as poor management practices symptomatic of an inadequately implemented national development vision (Amaral 2010). Critical geopolitics helps deconstruct the nationalist performativity of such endeavors by considering the political and economic value placed on the spectacle of spaceflight (Boczkowska 2017; Macdonald 2008, 2010; Sage 2016). Feminist geopolitics draws our attention to the racialized and gendered dispossession advanced by the state, through the construction of space infrastructure and exercised through access to land. The fact that environmental and public health impacts were only considered by the authorities after years of mobilization by Black social movements, religious communities, and scholars highlights the ways in which inattention to the local in the pursuit of space power perpetuates environmental injustice, which in turn interrupts national plans for space progress. Rocket launches affect local and global environments through the construction of infrastructure, the exposure of local environments to toxic residues, and the dispersal of pollutants in land, air, and sea. Rockets are the only source of direct anthropogenic emissions sources in the stratosphere. Ozone-depleting substances (ODS) such as nitrous oxide, hydrogen chlorine, and aluminum oxide are emitted by rockets, and can destroy 105 ozone molecules before degrading (Voigt et al. 2013). The ozone layer prevents cancer and cataract-causing ultraviolet-b waves from reaching the Earth. As of 2013, rocket launches accounted for less than 1% of ODS emissions. As other ODS are phased out under the Montreal Protocol and the frequency of lower cost space launches increases, the proportion and quantity is likely to increase (Durrieu and Nelson 2013; Ross et al. 2009). Although affluent economies in the northern hemisphere are responsible for most ODS emissions (Polvani 2011; Rousseaux et al. 1999), the geography of exposure disproportionately affects an overall higher population in remote regions and in the southern hemisphere (Norval et al. 2011; Robinson and Erickson 2015; Thompson et al. 2011) because ozone depletion is most serious in regions where high altitude stratospheric clouds are most likely to form: above the polar regions and major mountain ranges (Carslaw et al. 1998; Perlwitz et al. 2008). This is an example of environmental injustice on a global scale, where the global south bears the environmental burden of actions predominately taken in the global north, rocket launches included. In the process, global power relations are reinscribed through the uneven distribution of harm to peripheral and southern bodies, mediated in this case through the redistribution of gases in the stratosphere that increase exposure to solar radiation. Coming closer to Earth, environmental geopolitics of outer space are manifest in the dispersal of particulate matter into ecosystems surrounding active launch sites. This is more than a strictly local environmental concern, because which spaces are subject to the hazards of launch sites involves careful calculations weighing financial cost, state power, and multifarious territorial interests. With each launch, surrounding areas are showered with toxins, heavy metals, and acids over a distance that varies widely with wind, weather, and precipitation patterns at the moment of lift-off.3 The most researched of these pollutants are hydrogen chloride, aluminum oxide, and various aerosolized heavy metals. Release of these pollutants from rocket launches results in localized regional acid rain (Madsen 1981), plant death, fish kills, and failed seed germination of native plants in launch sites (Marion, Black, and Zedler 1989; Schmalzer et al. 1992). These effects, and research on them, are mostly concentrated within one kilometer of the launch site. But they have been recorded several kilometers away under certain weather conditions (Schmalzer et al. 1998). Recent studies on the concentration of trace elements in wildlife in areas near NASA launch activities in Florida, USA, found that more than half of the adults and juvenile alligators had “greater than toxic levels” of trace elements in their liver (Horai et al. 2014). Both the subject, and the vague statement of findings, highlights the lack of research into the impacts on downstream human and non-human communities. In contrast to the precautions taken to protect workers in buildings adjacent to facilities where these technologies are developed (Bolch et al. 1990; Chrostowski, Gan, and Campbell 2010), much less consideration is given to communities within the dynamic pollutant shadow of rocket launches. In Kazakhstan, Russia, and China, researchers have begun examining the effects of the highly toxic liquid propellant, unsymmetrical dimethylhydrazine 1which has been in use since the dawn of the space age. It has noted carcinogenic, mutagenic, convulsant, teratogenic, and embryotoxic effects (Carlsen, Kenesova, and Batyrbekova 2007), and it has been found to cause DNA damage and chromosomal aberrations in rodents living near the Baikonur cosmodrome in Kazakhstan (Kolumbayeva et al. 2014). Despite these known hazards, methods to detect UDMH at the trace concentrations at which toxic effects begin to manifest in humans do not yet exist (Kenessov, Bakaikina, and Ormanbekovna 2015), meaning that there is no knowledge of how this circulates in the environment, bioaccumulates up the food chain, or could potentially be sequestered through soil or plant filtration. The lack of technology or methodology to adequately track the dispersal of hazardous pollutants that have been used for decades in the surrounding environment illustrates another aspect of environmental injustice: the preference on the part of political and economic elites to create spaces of waste rather than allocate adequate resources to maintain safe and non-toxic environments.4 The hyper-local politics of basic livelihood security shape long-term access to outer space and space geopolitics at multiple scales. Attending to the local matters is important, not just because it sheds light on broader geopolitical processes, but because failing to do so leaves the substantive matters of human engagement with outer space entirely overlooked, at best. At worst, ignoring local environmental conditions recasts them as places to be “left behind,” casualties in a Darwinian race to the cosmos in which the poor have no place. Attending to the environmental geopolitics of outer space on Earth shows the co-production of Earth and space. Earthly environments and social relations are remade in our evolving relationship with outer space and reconceived alongside evolving deliberations on the prospects for human survival.

#### Thus, we affirm Worldism – the refusal of international relations in favor of an epistemological intervention.

Agathangelou and Ling 09 Anna M. Agathangelou is an Associate Professor in the Departments of Political Science and Women’s Studies at York University, Canada and co-director of the Global Change Institute, Nicosia, Cyprus, L.H.M. Ling is an Associate Professor in the Graduate Program in Inter- national Affairs at The New School, New York, USA., Transforming World Politics: From empire to multiple worlds, The New International Relations Series, 2009.

MAIN ASPECTS Worldism presents world politics as a site of multiple worlds. These refer to the various and contending ways of being, knowing, and relating that have been passed onto us from previous generations. Histories, languages, myths, and memories institutionalize and embody multiple worlds through simple daily acts like cooking and eating, singing and dancing, joking and playing but also through larger events like trade, development, conflict, and war. Worldism registers not only the “difference” that comes from multiple worlds (see Inayatullah and Blaney 2004) but also their entwinements. Selves and others reverberate,2 producing multi- and trans-subjectivities that leave us legacies of reinforcement and conflict, reconstruction and critique, reconciliation and resistance. Such syncretic engagements belie seeming oppositions and contradictions among multiple worlds to reveal their underlying connections despite hegemony’s violent erasures. On this basis, communities have opportunities to heal and recuperate so they can build for another day, for another generation. Worldism as everyday life enacts self–other reverberations and syncretic engagements, especially by communities at the margins. Worldism as an analytical framework theorizes about them. Both types of worldist activity expose the problematic of empire in practice and logics. Building on the postcolonial notion that all parties make history, albeit with unequal access to power, worldism leads to an undeniable conclusion: our mutual embeddedness makes us mutually accountable. One cannot escape from the other. Mutual accountability brings with it duties and responsibilities, to be sure, but also possibilities: that is, (a) an internal dialectic of constant questioning to check and problematize hegemony, so that (b) we can expand our visions, strategies, and approaches beyond the narrow, hegemonic confines of realism/liberal internationalism, in order to (c) arrive at a more inclusive, conciliatory, and democratic world politics. In brief, worldism consists of two simultaneous processes: descriptive and analytical. Worldism-as-description features the following: (a) multi- and trans-subjectivities that institutionalize the social and structural reverberations between selves and others; (b) the agency of all parties, despite inequities and injustices, to create, build, and articulate multiple worlds; (c) syncretic engagements that consolidate the entwinements of multiple worlds into concrete strategies for change, adjustment, adaptation, refor- mulation, and transformation; and (d) community-building that integrates and accretes these syncretic engagements despite denials of such efforts from hegemonic elites and their ideologies. Worldism-as-analysis draws on the struggles and learning undertaken in worldist daily life to emphasize: (a) accountability as a hallmark of worldist inquiry that ensures (b) an internal criticality to question, contest, and challenge hegemony, so that we may (c) arrive at emancipatory construction even as we critique and resist. The critical reader may interject: Couldn’t “agency” and “accountabil- ity” in worldism be taken as a fancy way of blaming the victim? Are Jews, for example, responsible for the Holocaust; slaves for their enslavement; or any oppressed people for their oppression? Worldism as a politics of multiple relations subsumes this liberal, individualist understanding of responsibility. Multiple relations produce a web of effects and consequences to any kind of decisions and/or set of practices. Accountability in worldism asks: Who’s involved, under what conditions, and through which processes can we redress or transform the violence? What kinds of understanding are generated to account for these relations and/or to make them invisible? Without the painful concession that all of us, “abusers,” “victims,” and “innocent bystanders” alike, contribute to the production of hegemonic violence, whether it results in domestic abuse (see Adler and Ling 1995) or state violence (see Ling 1994), we may never realize how violence is conceived, generated, and sustained. By extension, we will never understand ways to end it. Instead, in our injuries and (self ) alienation, we may reproduce time and again the same conditions of violence or hegemony that afflicted us in the past and which seems the only option for the present. Suspended political ideals, in this case, could also block us from action and change. Worldist agency and accountability compel us to face the complicities (including our own) that sustain violence in the making of history, so that we may, as Marx exhorted, change it. Where do these ideas come from?, our reader may ask. Let us delineate the intellectual precedents to worldism. INTELLECTUAL PRECEDENTS Worldism draws on constructivism and postmodernism but also differs from them. Worldism shares with constructivism its emphasis on intersubject- ivity, and with postmodernism its insights on asymmetrical difference: that is, the norms, institutions, practices, and behaviors that set up certain subjects and subjectivities as more privileged and protected than others. Power, then, cannot be reduced to an objectified, reified condition of who’s “on top” or who “has more” but instead results from agents contributing to macro-political structures like ideology, organization, and capitalist relations. Power redefined in these terms stems from an intersubjective consensus within a context of material conditions and relations. The crux here lies in the framing. Since narration as a process is never complete, the story can always change.3 However, worldism departs from constructivism by asking: What kinds of intersubjectivity are constructed, by whom, and for what purpose, and how do theories of subjectivity restructure the world “otherwise”? And is this how we want the world to be? Not probing into the social relations of intersubjectivity, according to worldism, effectively erases the power politics of meaning, including the political economy behind such constructions. And unlike postmodernism, worldism distinguishes power from the resistance it induces. Contra Foucault (1994), we differentiate between the colonizer and colonized in their experiences of colonial power (see Stoler 2002) and the entwinements that follow, both reinforcing and conflicting complicity (see Ling 2002b). Not doing so implicitly reinforces the imperialist assertion that “this is the way the world is”: that is, it is not open to alternative concepts, discourses, strategies, or ways of being. These gaps in constructivism and postmodernism return us to the conventional treatment of power as domination, pure and simple. Ronen Palan (2000), for instance, finds a strain of conservative realism in Alexander Wendt’s “naturalist” version of constructivism, primarily because he claims to offer a method only, and not an interpretation, of politics. Wendt (2005) himself admits as much. For similar reasons, Samir Amin (2004) calls postmodernism an “ideological accessory” to elite, bourgeois interests just as Aijaz Ahmad (1992) considers post-structuralist theories serve as alibis for imperialism. Both post- modernism and poststructuralism value critique and deconstruction over political action, thereby keeping de facto power intact. We note that although critical theories like postmodernism and con- structivism open up spaces to think about shifting power politics, they fall short of transforming the very asymmetries they critique. Inattention to structural, material interest and lack of integrating the Other analytically – that is, as a substantive maker of the world – undermines their claims of emancipatory social theory. Ultimately, the Other becomes a repository of raw materials for hegemonic actors and sites in the North to process. Worldism acknowledges a deep intellectual debt to postcolonial studies. Here, race, gender, sexuality, class, and nationality serve as analytics and substance in examinations of power relations. Postcolonial studies demystify empire’s boast, like Kipling’s “White Man’s Burden,” that the imperial Self makes the world for all Others. And that world is unidimensional (top- down state power), unilateral (center dominates periphery), and unilinear (past–present–future). Postcolonial studies record a more nuanced and multiple history by problematizing the ways colonial power is imposed on the colonized. That is, colonization involves more than a unilateral and mechanical domination of the subjugated by colonizers and their states. As documented by postcolonial studies, tensions and contradictions emerge from these relations (Said 1979; Spivak 1999), leading to adaptations and integrations between hegemonic selves and subaltern others. From this inter- action, “colonizers” and “colonized” produced something together over the course of time that neither anticipated nor perhaps desired but which all learned to live with, and eventually called their own. Divides along lines of property, race, class, language, religion, and ideology did not disappear. They fused, rather, into hybrid, creole, or mélange cultures that, nonethe- less, contested these categories constantly (Ashcroft, Griffiths, and Tiffin 1995; Lewis and Mills 2003). In recognizing that colonizer and colonized mutually construct their sub- jectivities, postcolonial studies attribute to both the legacies of power that we face today. Note, for example, Britain’s principal instrument of colonial and imperial power: the East India Company. Sudipta Sen (1998) shows that, contrary to claims that the British brought capitalism to India, the East India Company had to adjust to pre-existing market structures and political relations to gain access to the thriving trade already in place in northern India.4 Only through this kind of entry could the East India Company later redirect the trade to its favor. L.H.M. Ling (2002b) traces how institutional elites in East Asia learned syncretically and “interstitially” between two world orders – the agrarian-based, cosmo-moral universe of Confucian governance and the Westphalian inter-state system of commerce and trade – to cumulate into what we know as Asian capitalism today. Walter Mignolo (2000) highlights the “gnosis” of thought and action, Self and Other, that comes from centuries of transgressing and reformulating the colonial boundaries that comprise Latin America. Of course, those subjected to hegemony must accommodate others more than those who perpetrate it. Yet hegemony’s very asymmetry highlights the resilience and creativity of the marginalized. Ordinary people can journey across subjectivities to engage syncretically with others, even under conditions of poverty and inequality, to rebuild, reconstruct, and reorganize communities. Cherrie Moraga and Gloria Anzaldua (1983) characterize their straddling of multiple worlds as life on the “borderlands.” Typically, they point out, women of color from the South must bear the biggest burden of negotiating the multiple worlds of language, culture, class, and gender to survive white- majority society in the North despite systemic discrimination and obstacles. Still, they are able to exercise internal reserves of freedom, thought, and action to sort through hegemony, not simply surrender to it. Similarly, the indigenous populations of the Americas, Australia, and New Zealand have entered into treaties with their white majorities to retain aspects of indigenous ontologies by formalizing them in Western institutions (Shilliam 2008).

# Case

### 1NC – Framework

**The Javorsky study is grossly miscut – their definition of an extinction event is “an event that wipes out 10% of the population” – that’s green**

**Javorsky 18** [Emilia Javorsky is a Boston-based physician-scientist focused on the invention, development and commercialization of new medical therapies. She also leads an Artificial Intelligence in Medicine initiative with The Future Society at the Harvard Kennedy School of Government. Why **Human Extinction** Needs a **Marketing Department**. January 15, 2018. https://www.xconomy.com/boston/2018/01/15/why-human-extinction-needs-a-marketing-department/]

Experts at Oxford University and elsewhere have estimated that the risk of a global human extinction event this century—or at least of an event that wipes out 10 percent or more of the world’s population— is around **1 in 10**. The most probable culprits sending us the way of the dinosaur are mostly **anthropogenic risks**, meaning those created by humans. These include climate change, **nuclear disaster**, and more emerging risks such as artificial intelligence gone wrong (by accident or nefarious intent) and bioterrorism. A recent search of the scientific literature through ScienceDirect for “human extinction” returned a demoralizing 157 results, compared to the 1,627 for “dung beetle.” I don’t know about you, but this concerns me. Why is there so little research and action on existential risks (risks capable of rendering humanity extinct)?

A big part of the problem is a **lack of awareness** about the **real threats** we face and what can be done about them. When asked to estimate the chance of an extinction event in the next 50 years, U.S. adults in surveys reported chances ranging from **1 in 10 million** to 1 in 100, certainly not 10 percent. The **awareness** and **engagement issues** extend to the **academic community** as well, where **a key bottleneck** is a lack of talented people **studying existential risks**. Developing viable **risk mitigation strategies** will require widespread **civic engagement** and **concerted research** efforts. Consequently, there is an **urgent need** to improve the **communication** of the **magnitude** and importance of **existential risks**. The first step is getting an audience to pay attention to this issue.

### 1NC – Contention

#### Extinction is good---suffering outweighs the benefits of human existence

Joshua Rothman 17 {Joshua Rothman, the ideas editor of the New Yorker citing David Benatar, Associate Professor of Philosophy at University of Cape Town and author of Better To Never Have Been. 11-27-2017. “The Case for Not Being Born.” https://www.newyorker.com/culture/persons-of-interest/the-case-for-not-being-born}//JM

People, in short, say that life is good. Benatar believes that they are mistaken. “The quality of human life is, contrary to what many people think, actually quite appalling,” he writes, in “The Human Predicament.” He provides an escalating list of woes, designed to prove that even the lives of happy people are worse than they think. We’re almost always hungry or thirsty, he writes; when we’re not, we must go to the bathroom. We often experience “thermal discomfort”—we are too hot or too cold—or are tired and unable to nap. We suffer from itches, allergies, and colds, menstrual pains or hot flashes. Life is a procession of “frustrations and irritations”—waiting in traffic, standing in line, filling out forms. Forced to work, we often find our jobs exhausting; even “those who enjoy their work may have professional aspirations that remain unfulfilled.” Many lonely people remain single, while those who marry fight and divorce. “People want to be, look, and feel younger, and yet they age relentlessly”:

They have high hopes for their children and these are often thwarted when, for example, the children prove to be a disappointment in some way or other. When those close to us suffer, we suffer at the sight of it. When they die, we are bereft.

The knee-jerk response to observations like these is, “If life is so bad, why don’t you just kill yourself?” Benatar devotes a forty-three-page chapter to proving that death only exacerbates our problems. “Life is bad, but so is death,” he concludes. “Of course, life is not bad in every way. Neither is death bad in every way. However, both life and death are, in crucial respects, awful. Together, they constitute an existential vise—the wretched grip that enforces our predicament.” It’s better, he argues, not to enter into the predicament in the first place. People sometimes ask themselves whether life is worth living. Benatar thinks that it’s better to ask sub-questions: Is life worth continuing? (Yes, because death is bad.) Is life worth starting? (No.)

Benatar is far from the only anti-natalist. Books such as Sarah Perry’s “Every Cradle Is a Grave” and Thomas Ligotti’s “The Conspiracy Against the Human Race” have also found audiences. There are many “misanthropic anti-natalists”: the Voluntary Human Extinction Movement, for example, has thousands of members who believe that, for environmental reasons, human beings should cease to exist. For misanthropic anti-natalists, the problem isn’t life—it’s us. Benatar, by contrast, is a “compassionate anti-natalist.” His thinking parallels that of the philosopher Thomas Metzinger, who studies consciousness and artificial intelligence; Metzinger espouses digital anti-natalism, arguing that it would be wrong to create artificially conscious computer programs because doing so would increase the amount of suffering in the world. The same argument could apply to human beings.

Like a boxer who has practiced his counters, Benatar has anticipated a range of objections. Many people suggest that the best experiences in life—love, beauty, discovery, and so on—make up for the bad ones. To this, Benatar replies that pain is worse than pleasure is good. Pain lasts longer: “There’s such a thing as chronic pain, but there’s no such thing as chronic pleasure,” he said. It’s also more powerful: would you trade five minutes of the worst pain imaginable for five minutes of the greatest pleasure? Moreover, there’s an abstract sense in which missing out on good experiences isn’t as bad as having bad ones. “For an existing person, the presence of bad things is bad and the presence of good things is good,” Benatar explained. “But compare that with a scenario in which that person never existed—then, the absence of the bad would be good, but the absence of the good wouldn’t be bad, because there’d be nobody to be deprived of those good things.” This asymmetry “completely stacks the deck against existence,” he continued, because it suggests that “all the unpleasantness and all the misery and all the suffering could be over, without any real cost.”

Some people argue that talk of pain and pleasure misses the point: even if life isn’t good, it’s meaningful. Benatar replies that, in fact, human life is cosmically meaningless: we exist in an indifferent universe, perhaps even a “multiverse,” and are subject to blind and purposeless natural forces. In the absence of cosmic meaning, only “terrestrial” meaning remains—and, he writes, there’s “something circular about arguing that the purpose of humanity’s existence is that individual humans should help one another.” Benatar also rejects the argument that struggle and suffering, in themselves, can lend meaning to existence. “I don’t believe that suffering gives meaning,” Benatar said. “I think that people try to find meaning in suffering because the suffering is otherwise so gratuitous and unbearable.” It’s true, he said, that “Nelson Mandela generated meaning through the way he responded to suffering—but that’s not to defend the conditions in which he lived.”

#### Host of tech risks destroy the universe – which outweighs.

Joe Packer 7 – MA in Communication from Wake Forest University, PhD in Communication from the University of Pittsburgh and Professor of Communication at Central Michigan University, Alien Life in Search of Acknowledgment, p. 62-63 Recut Justin

Once we hold alien interests as equal to our own we can begin to revaluate areas previously believed to hold no relevance to life beyond this planet. A diverse group of scholars including Richard Posner, Senior Lecturer in Law at the University of Chicago, Nick Bostrom, philosophy professor at Oxford University, John Leslie philosophy professor at Guelph University and Martin Rees, Britain’s Astronomer Royal, have written on the emerging technologies that threaten life beyond the planet Earth. Particle accelerators labs are colliding matter together, reaching energies that have not been seen since the Big Bang. These experiments threaten a phase transition that would create a bubble of altered space that would expand at the speed of light killing all life in its path. Nanotechnology and other machines may soon reach the ability to self replicate. A mistake in design or programming could unleash an endless quantity of machines converting all matter in the universe into copies of themselves. Despite detailing the potential of these technologies to destroy the entire universe, Posner, Bostrom, Leslie, and Ree’s only mention of alien life in their works is in reference to the threat aliens post to humanity. The rhetorical construction of otherness only in terms of the threats it poses, but never in terms of the threat one poses to it, has been at the center of humanity’s history of genocide, colonization, and environmental destruction. Although humanity certainly has its own interests in reducing the threat of these technologies evaluating them without taking into account the danger they pose to alien life is neither appropriate nor just. It is not appropriate because framing the issue only in terms of human interests will result in priorities designed to minimize the risks and maximize the benefits to humanity, not all life. Even if humanity dealt with the threats effectively without referencing their obligation to aliens, Posner, Bostrom, Leslie, and Ree’s rhetoric would not be “just,” because it arbitrarily declares other life forms unworthy of consideration. A framework of acknowledgement would allow humanity to address the risks of these new technologies, while being cognizant of humanity’s obligations to other life within the universe. Applying the lens of acknowledgment to the issue of existential threats moves the problem from one of self destruction to universal genocide. This may be the most dramatic example of how refusing to extend acknowledgment to potential alien life can mask humanity’s obligations to life beyond this planet.

#### Humans will create evil AI---causes infinite torture

**Turchin and Denkenberger 18** {Turchin is a researcher at the Science for Life Extension Foundation; Denkenberger is with the Global Catastrophic Risk Institute (GCRI) @ Tennessee State University, Alliance to Feed the Earth in Disasters (ALLFED). 5-3-2018. “Classification of Global Catastrophic Risks Connected with Artificial Intelligence.”}//JM

6.4. AI that is programmed to be evil We could imagine a perfectly aligned AI, which was deliberately programmed to be bad by its creators. For example, a hacker could create an AI with a goal of killing all humans or torturing them. The Foundational Research Institute suggested the notion of s-risks, that is, the risks of extreme future suffering, probably by wrongly aligned AI (Daniel 2017). AI may even upgrade humans to make them feel more suffering, like in the short story “I have no mouth but I must scream” (Ellison 1967). The controversial idea of “Roko’s Basilisk” is that a future AI may torture people who did not do enough to create this malevolent AI. This idea has attracted attention in the media and is an illustration of “acausal” (not connected by causal links) blackmail by future AI (Auerbach 2014). However, this cannot happen unless many people take the proposition seriously.

#### “Extinction” is a decision rule -- it solves future generations of nonhuman suffering.

Sittler-Adamczewski 16 Thomas M. Sittler-Adamczewski (University of Oxford). “Consistent Vegetarianism and the Suffering of Wild Animals.” Journal of Practical Ethics. OXFORD UEHIRO PRIZE IN PRACTICAL ETHICS 2015-16. December 2016. JDN. http://www.jpe.ox.ac.uk/papers/consistent-vegetarianism-and-the-suffering-of-wild-animals/

Ethical consequentialist vegetarians believe that farmed animals have lives that are worse than non-existence. In this paper, I sketch out an argument that wild animals have worse lives than farmed animals, and that consistent vegetarians should therefore reduce the number of wild animals as a top priority. I consider objections to the argument, and discuss which courses of action are open to those who accept the argument. Many consequentialists are vegetarian because they care about the harm done to farmed animals. Some consequentialists may be vegetarian because of environmental concerns, and others for non-consequentialist reasons, but these are not my main focus here. More precisely then, ethical consequentialist vegetarians believe that farmed animals have lives so bad they are not worth living, so that it is better for them not to come into existence. Vegetarians reduce the demand for meat, so that farmers will breed fewer animals, preventing the existence of additional animals. If ethical consequentialist vegetarians1 believed that animals have lives that are unpleasant but still better than non-existence, they would focus on reducing harm to these animals without reducing their numbers, for instance by supporting humane slaughter or buying meat from free-range cows. I will argue that if vegetarians were to apply this principle consistently, the suffering of wild animals would dominate their concerns, and would plausibly lead them to support reducing the number of wild animals, for instance through habitat destruction or sterilisation. SUFFERING IN NATURE, AND ITS IMPLICATIONS If animals like free-range cows have lives that are not worth living, almost all wild animals could plausibly be thought to also have lives that are worse than non-existence. Nature is often romanticised as a well-balanced idyll, so this may seem counter-intuitive. But extreme forms of suffering like starvation, dehydration, or being eaten alive by a predator are much more common in wild animals than farm animals. Crocodiles and hyenas disembowel their prey before killing them (Tomasik 2009). In birds, diseases like avian salmonellosis produce excruciating symptoms in the final days of life, such as depression, shivering, loss of appetite, and just before death, blindness, incoordination, staggering, tremor and convulsions (Michigan Department of Natural Resources). While a farmed animal like a free-range cow has to endure some confinement and a premature and potentially painful death (stunning sometimes fails), a wild animal may suffer comparable experiences, such as surviving a cold winter or having to fear predators, while additionally undergoing the aforementioned extreme suffering (Tomasik 2013). Wild animals do experience significant pleasure, for instance when they eat, play, have sex, or engage in other normal physical activity. One reason to suspect that on average this pleasure is outweighed by suffering is that most species use the reproductive strategy of r-selection, which means that the overwhelming majority of their offspring starve or are eaten shortly after birth and only very few reach reproductive age (Horta 2010; Ng 1995). For instance, ‘in her lifetime a lioness might have 20 cubs; a pigeon, 150 chicks; a mouse, 1000 kits’ (Hapgood 1979), the vast majority of which will die before they could have had many pleasurable experiences. Overall, it seems plausible that wild animals have worse lives than, say, free-range cows. If vegetarians think it’s better for the latter not to exist, they must believe the same thing about wild animals. A second important empirical fact is that wild animals far outnumber farmed animals. Using figures from the FAO, Tomasik estimates that the global livestock population is 24 billion (including 17 billion chicken) (Tomasik 2014). I restrict my count of wild animals to those at least as complex as chicken or small fish, which vegetarians clearly believe do have moral weight. Using studies of animal density in different biomes, Tomasik estimates conservatively that there are at least [60 Billion] 6\*10^10 land birds, [600 Billion] 10^11 land mammals, and [60 trillion] 10^13 fish. Animals in each of these categories alone are several times more numerous than livestock. If wild animals’ well-being is indeed below the threshold for a life worth living, and the above numbers are remotely correct, the scale of wild animal suffering is vast. As Richard Dawkins writes, ‘During the minute it takes me to compose this sentence, thousands of animals are being eaten alive; others are running for their lives, whimpering with fear; others are being slowly devoured from within by rasping parasites; thousands of all kinds are dying of starvation, thirst and disease.’ (Dawkins 1996) If they accept the premises so far, consistent vegetarians should focus on preventing the existence of as many wild animals as possible, since even a small reduction in the global number of wild animals would outweigh the impact of ending all livestock production. For example, they could reduce animal populations by sterilising them, or by destroying highly dense animal habitats such as rainforests. It may even be the case that vegetarians should react to this argument by eating more meat, since feeding livestock requires more surface area for agriculture, and fields contain far fewer wild animals per square kilometre than other biomes such as forests (Matheny and Chan 2005, 585). Of course, to the extent that it is more difficult to reduce wild animal populations than farm animal populations, vegetarians should focus more resources on the latter. But it seems implausible that it would be over a hundred times more difficult to achieve the same proportional reduction, which is what would be needed to reverse my conclusion that wild animal suffering dominates. There could be some simple ways, for instance, for vegetarians to reduce habitat sizes: supporting the construction of large parking lots, or donating to a pro-deforestation lobby. In the final paragraph, I touch upon the issue of how most effectively to reduce wild animal suffering.

#### Non-human suffering is the largest impact -- in quantity and severity – r-selection guarantees it

Moen 16 Ole Martin Moen (University of Oslo, Centre for the Study of Mind in Nature). “The ethics of wild animal suffering.” Etikk i praksis. Nord J Appl Ethics (2016), 91–104. JDN. <http://www.olemartinmoen.com/wp-content/uploads/TheEthicsofWildAnimalSuffering.pdf>

If you have an open wound, a fractured bone, or terminal cancer, you suffer. But how do wounds, bone fractures, and cancers feel for animals such as sparrows, rabbits, and bears? Theoretically, it is possible that it does not feel like anything at all, because animals might not be conscious. Perhaps animals are just complicated machines, more like clocks and cars than like humans. Though it is difficult to establish conclusively that animals really are conscious, however, it is also increasingly difficult to see why rejecting consciousness in animals is any more reasonable than rejecting consciousness in other human beings. Although solipsism at the species level might make sense within religious contexts where humans are taken to have originated separately from all other animals, it coheres well with neither neuroscience nor evolution. Comparing ourselves to sparrows, rabbits, and bears, we may observe that we have the same kind of neurons, the same main brain parts, and the same pain pathways (C and A delta fibers) that they have. Sparrows, rabbits, and bears, moreover, react to noxious stimuli the same way we do, and they stop doing so when anesthetized (see Griffin & Speck 2004; Dawkins 2015). Since we and other animals are genetically, neurologically, and functionally very close, we would need weighty evidence to conclude that, despite these similarities, humans work in fundamentally different ways from other animals: humans consciously, animals non-consciously.1 Increased understanding of animal consciousness helped spur the animal ethics movement. Keeping animals in small cages, castrating them without anesthetics, and branding them with glowing irons—practices that, if performed on humans, would land the perpetrator in prison for decades—are common farming practices around the world. Millions of farm animals live and die under such conditions. Opposing human disregard for animal welfare, Peter Singer (1990) famously argues that just as we have gradually expanded our circle of moral concern to encompass ethnic groups other than our own, and finally humanity as a whole, we should further expand it to include other sentient species. According to Singer, it is suffering as such that is bad, and it is bad whoever experiences it. Though the animal ethics movement is commendable, its circle of moral concern has hitherto expanded almost exclusively to captive animals. With very few exceptions—most notably, David Pearce and Jeff McMahan, whom I shall discuss in detail below—animal ethicists have failed to adequately take into account the suffering of animals living in the wild. Wild animals, however, vastly outnumber captive animals, and arguably, billions of wild animals live lives that are even more painful and distressing than those of their captive counterparts. Though it might well be difficult to alleviate suffering in the wild, and comparatively easier to alleviate suffering caused by humans, disregarding wild animal suffering from the outset involves a form of anthropocentrism that, sadly, enjoys wide acceptance even among those who purport to oppose the doctrine. We might dub this the second anthropocentrism. While traditional anthropocentrics are concerned only with human suffering, anthropocentrics of the second kind are concerned only with human-caused suffering. I will suggest, however, that if we take suffering as such to be bad (roughly along the lines that Singer does), it is unclear why the species membership of those who cause the suffering is morally relevant while the species membership of those who suffer is not. My aim in this paper is not to sway those who are indifferent to animal welfare. Rather, my aim is to make those who are concerned with animal welfare more concerned with the welfare of wild animals. Moreover, I shall exclusively discuss welfarist concerns, so if there are other grounds to care for animals, they lie beyond the scope of this paper. My discussion is limited to mammals and birds, the reason for which is that these are the animals whose ability to suffer is least disputed. If fish, amphibians, reptiles, and/or invertebrates can also suffer, my conclusion is amplified. The empirical side Let me start by defending three empirical claims: (1) that there are vastly more wild than captive animals; (2) that wild animals have the same capacity to suffer as captive animals; and (3) that many, perhaps most, wild animals suffer at least as much as their captive counterparts. These are all empirical claims that say nothing about the value significance of wild animal suffering. As such, we should accept or reject these claims irrespective of our ethical views. How many captive animals are there? According to the Food and Agriculture Organization of the United Nations (2014), the total number of livestock in the world is—at any given time—roughly 25 billion, the majority of which are chicken, followed by ducks, cattle, and sheep. Although this figure leaves out pets and laboratory animals, let us take for granted, for the sake of convenience, that the number of livestock is roughly representative of the number of captive animals. How many wild animals are there? According to Brian Tomasik’s (2014a) estimations, which are generated from research data on the typical prevalence of various animals in various environments coupled with data on the global prevalence of these environments, there are—at any given time—between 60 and 200 billion birds and between 100 and 1,000 billion mammals. If we assume the middle estimate for both birds and mammals, there are, at any given time, 700 billion wild birds and wild mammals combined. This is roughly 25 times the number of birds and mammals in captivity. (If we were to include in our estimates fish, amphibians, reptiles, and invertebrates, which are rare in human captivity but very prevalent in the wild, we would end up with thousands of times more wild than captive animals.) A further empirical premise is that wild animals have the same ability to suffer as captive animals. By this I simply mean that if you tear the skin of both a wild and a captive animal, there is no compelling reason to believe that this would hurt more for the captive animal than for the wild animal. In fact, if we were to conclude that there is a difference between the two, we should probably conclude that while captive animals are more docile (due to drugs and lack of stimulation), wild animals remain sharp and focused. Let us assume, however, that the ability to suffer is the same, or roughly the same, in captive and wild animals. How much do wild animals actually suffer? Very likely, some wild animals suffer very little. Some live long and peaceful lives, have few natural enemies, and have ample supplies of food. When they die, moreover, many animals die quick and painless deaths. The fact that some lives in the wild are pleasant, however, does not contradict the fact for billions of wild animals, life is filled with suffering. One prominent source of suffering is predation. Every day, millions of animals are eaten alive, and though some of them are killed quickly, larger animals will often stay alive for minutes or hours before they die of blood loss, suffocation, drowning, or internal bleeding from poisoning (Tomasik 2014b). While some become paralyzed, and are likely to feel nothing, others feel excruciating pain. Predation is a very visible cause of suffering. In response to this, Tyler Cowen (2003) and Jeff McMahan (2010) have argued that if we can easily prevent a predator attack, we have at least a pro tanto moral reason to do so. In their view, the way predators kill their prey is often so gruesome that if a human were to treat animals similarly, we would have strong reasons to intervene – and for the animal that is eaten alive, the species membership of the attacking predator is likely to matter very little. Though this is an important observation, I think Cowen and McMahan fail to appreciate that suffering caused by predation is likely to account for only a small fraction of the total suffering in nature. Though death from predation might be the most violent and visible cause of suffering, deaths from disease and parasites tend to be more drawn out in time. The same is true of deaths from droughts, floods, and freezing. Life in the wild is also a constant quest for nutrition; at any given time, thousands of animals are in the process of starving to death. Though there is no agent responsible for this suffering, and though it might be hard for us to detect it, the suffering is nonetheless real and prevalent. When a parent animal starves or freezes to death, gets eaten, or dies from disease, its young offspring will often face an equally painful death. This borders on an important point, namely that most suffering in nature is likely to be endured by very young individuals. The reason is not primarily that many parent animals die (although that is also the case), but that most wild animals give birth to many more offspring than are likely to reach adulthood. While humans normally give birth to just one child per year, and provide extensive care to each child (this is called the Kselection strategy), many animals follow a different reproductive strategy: they give birth to dozens or hundreds of offspring every year, and care very little for each individual (the r-selection strategy). These strategies both work to spread the parents’ genes in the population, but the r-selection strategy—which is most common in smaller animals—leads to enormous amounts of suffering because of the very large number of young individuals that are left to starve to death or get eaten, either by their stronger siblings or by other predators (for an elaboration, see Horta 2010). If the average female in a given animal population gives birth to 50 offspring every year—and the population size remains stable year after year—then the majority of individuals in that population will be individuals dying before reaching adulthood. If we grant that animals become conscious shortly after birth, as we assume to be the case with humans, their deaths will often involve pain, and since their lives are very short, they will have very few good things in life to weigh up for all that is bad. For these reasons, Richard Dawkins is almost certainly correct when he writes: The total amount of suffering per year in the natural world is beyond all decent contemplation. During the minute that it takes me to compose this sentence, thousands of animals are being eaten alive, others are running for their lives, whimpering with fear, others are being slowly devoured from within by rasping parasites, thousands of all kinds are dying of starvation, thirst and disease (Dawkins 1995: 131-32). Wild animal suffering is mostly invisible to us. Humans never see the vast majority of wild animals, and those that are seen by us are predominantly healthy and moving. We do not see the young individuals starving to death or the adult individuals being devoured by parasites, and we must keep in mind that even if we saw them, their suffering would often not be apparent to us. While we have evolved to pick up pain cues from other human beings, we are much worse at picking up pain cues from non-human animals, especially those that are genetically remote from us. Moreover, many animals hide signs of weakness and disease to avoid attracting predators (including humans) looking for easy prey. When Thomas Hobbes wrote that life, in the state of nature, is “solitary, poor, nasty, brutish, and short,” he meant human life (Hobbes 1651/1996: XIII.9). It seems, however, that the description is also fitting for the lives of many non-human animals. Because of the brutality of wildlife, one could even make the provocative case that a typical life in the wild is even more painful and distressing than a typical life in human captivity. Although factory farming is often grotesque, animals in captivity are seldom killed in ways that draw out their deaths over several minutes or hours; they are not exposed to predators until they are slaughtered; they typically have access to sufficient amounts of food and water; and the temperature tends to be comfortable. Concerning larger animals, such as cattle, individuals with serious Moen, O.M. Etikk i praksis. Nord J Appl Ethics (2016), 91–104 95 diseases will often be euthanized. For this reason, it is not clear that the average life in the wild is filled with any less suffering than the average life in captivity. However, even if wild animals do, on average, suffer less than captive animals, the sheer number of wild animals is still so overwhelming that the majority of suffering on Earth almost certainly takes place among animals living in wild nature.

#### Species-neutral valuations are the most ethical -- prioritizing humans is arbitrary, clearly self-interested, and the same logic as racism and sexism.

Harris 99 – Dr. John Harris, Ph.D., Sir David Alliance Professor of Bioethics and Research Director at the Centre for Social Ethics and Policy and Director of the Institute of Medicine Law and Bioethics at the University of Manchester, “The Concept of the Person and the Value of Life”, Kennedy Institute of Ethics Journal, Volume 9, Number 4, December, Project Muse

Some people have attempted to overcome, or rather side-step, this problem by simply stipulating that it is human beings that matter (see Warnock 1983). Although this move certainly avoids the problem, it does so at some cost. It is difficult to imagine how one would defend a moral theory that was founded on the stipulation of an arbitrary (and totally unjustified) preference for one kind of creature over another, particularly when this preference is asserted by self-interested individuals on behalf of their own kind. We are all too familiar with the sordid and disreputable history of similar claims in which the moral priority and superiority of "our own kind" has been asserted on behalf of Greeks at the expense of barbarians, whites over blacks, Nazis over Jews, and men over women. Simply stipulating arbitrarily the superiority of our own kind, whether defined by species membership, race, gender, nationality, religion, or any other nonmoral characteristic is, and has always been, disreputable. Membership of a natural kind, or of an ethnic, religious or other grouping, is not of itself a moral property. Potentiality The problem is to distinguish in some morally significant respect, human embryos from the embryos and indeed the adult members of any other species. Species membership is not enough because human embryos seem not to differ, except in species membership and in one other feature that I will discuss in a moment, from the embryos and indeed adult members of other species. Unlike adult members of many other species they are not conscious, although they may become so at some stage during their development. The one thing human embryos have that members of other species do not is their potential not simply to be born and to be human, but to become the sort of complex, intelligent, self-conscious, multifaceted creatures typical of the human species. There are, however, two fatal difficulties for the potentiality argument. Two Problems with Potentiality The logical difficulty. The logical difficulty is straightforward but telling. We are asked to accept that human embryos or fetuses are persons, morally important beings whose interests trump those of other sorts of beings, in virtue of their potential to become another sort of being. But it does not follow logically, even if we accept that we are required to treat ‘x’ in certain ways, and even if ‘a’ will inevitably become ‘x,’ that we must treat ‘a’ as if it had become ‘x,’ at a time or at a stage prior to its having become ‘x’. This is a rather cumbersome and inelegant way of making the point that acorns are not oak trees, nor eggs omelettes. Anyone reading this essay shares with its author one very important, inescapable potential. [End Page 297] We are both potentially dead, however, I hope neither of us is required to concede that it is therefore appropriate for anyone to treat us now, as if we already were dead. Further, it should be noted that the reader and I have this potential with far greater certainty than does the human embryo have the potential to become a glorious, sophisticated adult member of the human species. The scope of potential for personhood. The second difficulty with the potentiality argument involves the scope of the potential for personhood. If the human zygote has the potential to become an adult human being and is supposedly morally important in virtue of that potential, then what of the potential to become a zygote? Something has the potential to become a zygote, and whatever has the potential to become the zygote has whatever potential the zygote has. It follows that the unfertilized egg and the sperm, taken together, but as yet un-united, also have the potential to become fully functioning adult humans. It is sometimes objected that the individual sperm that will fertilize the egg is not identifiable in advance of conception. I am not sure why this is an objection, and it is true that in normal reproduction the identity of the sperm that will successfully fertilize the egg is unpredictable. But the identity of the sperm is not necessarily opaque. The technique known as ICSI (Intra Cytoplasmic Sperm Injection) does identify the individual sperm prior to fertilization. In addition, it is theoretically possible to stimulate eggs, including human eggs, to divide and develop without fertilization (parthenogenesis). As yet it has not been possible to continue the development process artificially beyond early stages of embryogenesis, but if it becomes possible then unfertilized eggs themselves, without need of sperm or cloning (see below), also would have the potential of the zygote. Finally, cloning by nuclear transfer, which involves deleting the nucleus of an unfertilized egg, inserting the nucleus taken from any adult cell, and electrically stimulating the resulting newly created egg to develop, can, in theory, produce a new human. This means that any cell from a normal human body has the potential to become a new “twin” of that individual. All that is needed is an appropriate environment and appropriate stimulation. But this of course is true of normal reproduction. The zygote only has the potential to become an adult member of the species if placed in the appropriate environment and treated thereafter in appropriate and complex ways. The techniques of parthenogenesis and cloning by nuclear substitution mean that conception is no longer the necessary precursor of human beings. [End Page 298] Thus if the argument from potential is understood to afford protection and moral status to whatever has the potential to grow into a normal adult human being, then potentially every human cell deserves protection. I shall not be concerned to refute such an ethic here, but will simply note that it is a very exhausting ethic. What is important about potential? The account of potentiality given here and elsewhere has been criticized for its simplicity. John Finnis (1995, p. 50), for example, has argued that: “[a]n organic capacity for developing eye-sight is not ‘the bare fact that something will become’ sighted; it is an existing reality, a thoroughly unitary ensemble of dynamically inter-related primordia of, bases and structures for, development.” He concludes that “there is no sense whatever in which the unfertilized ovum and that sperm constitute one organism, a dynamic unity, identity, whole.” On the other hand, the account of potential I have outlined treats potentiality as a rather more straightforward idea. A has the potential for Z if, when a certain number of things do and do not happen to A (or to A plus N), then A or A plus N will become Z. For even a “unitary ensemble of dynamically inter-related primordia of, bases and structures for development” must have a certain number of things happen to it and a certain number of things that do not happen to it if its potential is to be actualized. If this monstrous beast of Finnis’s is a zygote, it must implant, be nourished, and have a genetic constitution compatible with survival to term and beyond. Why, the list of things that must happen in normal reproduction, should not also include fertilization is unclear to me. Moreover Finnis’s insistence on a “unitary ensemble,” on “one organism,” seems vulnerable to cloning by nuclear substitution. For any of Finnis’s skin cells, if treated appropriately, might be cloned. As Julian Savulescu (1999, p. 91) has recently reminded us, “What happens when a skin cell turns into a totipotent stem cell is that a few of its genetic switches are turned on and others are turned off. To say it doesn’t have the potential to be a human being until its nucleus is placed in the egg cytoplasm is like saying my car does not have the potential to get me from Melbourne to Sydney unless the key is turned in the ignition.” Most importantly, however, Finnis’s objections, and those of a similar kind, miss the main point of the argument from potential. The potentiality of something, or some things, has moral importance on the assumption [End Page 299] that actualizing a particular potential is what matters. We would not worry about what precisely it is that has the potential to be a person, or an adult human being, if persons or adult humans did not matter. We are only interested in the potentiality argument because we are interested in the potential to become a particular, and particularly valuable, sort of thing. If, as I suggested above, the zygote (Finnis’s unitary ensemble) is important because it has the potential for personhood, and that is what makes it a matter of importance to protect and actualize its potential; then whatever has the potential to become a zygote must also be morally significant for the same reason. Those with their “eyes on the prize,” value potentiality for personhood, not because the potential is contained within “one organism,” but because it is the potential to become something the actualisation of which has moral importance. Gradualism Another approach to the question of when human life becomes morally important is the gradualist approach to moral status. It is suggested that since we know that a morally important person will almost certainly, eventually emerge, it is appropriate to accord a gradually increasing moral status to the embryo or fetus. This view is attractive and has about it the classic air of political compromise. However, if we know why, in virtue of what, it is that normal human adults possess personhood, then we will in principle be able to gauge more precisely when these features, whatever they are, might with some plausibility be said to be present in the emerging individual. Furthermore, if, as I suggest later, personhood turns out to be a threshold concept, then proximity to the threshold is unimportant compared with the importance of crossing it, and there is no justification for taking a gradualist approach to personhood or moral status. Brain Birth Finally, Michael Lockwood (1988) has suggested an elegant solution to the problem of when morally important life begins. Noting that “brain death” is an almost universally accepted criterion of death, and hence of the termination of the moral status of the individual, he has proposed that “brain birth” might be a sensible point at which to date the genesis of moral status. The problem is that “brain death,” although almost universally accepted as a criterion of death, seems less acceptable as a criterion of loss of moral status. Discussion of why this is so is postponed, [End Page 300] however, until the consideration of a case of persistent vegetative state in the penultimate section of this paper. The Meaning of Life Let us step aside for a moment from the previous concerns and consider the question “what is the meaning of life?” rather than “what is it that gives moral status or ultimate value to life?” Philosophers, of this century at least, have generally shied away from this sort of question, except, that is, for the distinguished and much underrated Douglas Adams. In his seminal trilogy, “The Hitchhiker’s Guide to the Galaxy,” Adams (1972, Ch. 27) conducted a famous thought experiment. He imagined a race of beings that wished to solve the ultimate question, the question of the meaning of “life, the universe and everything,” and to this end constructed a hyper-intelligent computer to solve the problem. After seven and a half million years, the computer came back with the answer “42.” This answer is illuminating in an interesting way. Clearly it seems unsatisfactory as an answer to the question: “What is the meaning of life, the universe and everything?” However, the problem with criticizing the answer is that we have not the most rudimentary of idea of what a more plausible (less outrageous) answer might look like. We seem to lack a perspective from which to criticize any answer offered. Nonhuman Persons If we turn now from this question of the meaning of life to questions of its value and ultimate status, things are rather different. Here we do seem to have a perspective, not only from which to criticize possible answers to the question, but from which to construct our own answer. Consider the question of whether there are persons on other planets. Although we do not know the answer to this question, we do know what would convince us that we had found an affirmative answer. We have, in the back of our minds at least, an idea of what we are looking for when we look for people, or evidence of people, on other planets. Let us be clear, however, about what we are *not* looking for. First, we are not looking exclusively or primarily, for human beings. We do not expect persons on other planets, if there are any, necessarily to be members of our own species. Second, we are not necessarily even looking for organic life forms, it may be that we will become convinced that self-constructing machines of sufficient intelligence would count as persons. Third, we are not looking for nonpersonal life forms, although we may also find these and be excited if we do. Neither are we looking for the sort of machinery that would not count as a person (perhaps machinery left behind by persons long since deceased). These observations show us that we do not, in fact, regard species membership as hugely significant in trying to understand what a person might be. Nor even do we require that persons be organic life forms. What then are we looking for? What should convince us that we had discovered persons on other planets? Suppose, that instead of us discovering persons on other planets, they discovered us. Demonstrating their vastly superior technology by arriving on Earth having traversed unimaginable interstellar distances, the extraterrestrials are hungry and tired after their long journey. What could we point to about ourselves that ought to convince the extra-terrestrials that they had discovered persons, morally significant beings of special importance, on another planet? What could we say of ourselves that should convince them of the appropriateness of "having us for dinner" in one sense rather than another? What should convince them to treat us as dinner guests rather than the dinner itself? What makes for a moral distinction between ourselves and, say, lettuces or turnips? Toward the end of the seventeenth century in his "Essay Concerning Human Understanding" the philosopher John Locke attempted to answer this question in a way that has scarcely been surpassed. He wrote: We must consider what person stands for; which I think is a thinking intelligent being, that has reason and reflection, and can consider itself the same thinking thing, in different times and places; which it does only by that consciousness which is inseparable from thinking and seems to me essential to it; it being impossible for anyone to perceive without perceiving that he does perceive. (Locke 1690, Ch. 27, Book II, p. 188) It seems to me that it is beings possessing these capacities, or something closely akin to them, that we are looking for when we ask the question "Are there persons on other planets?" And we must hope that if it is others of vastly superior technology that are asking the question, that they recognize in us fellow creatures of moral standing, fellow persons. It is a species-neutral description but it identifies those features, the potential for which is so important to the failed potentiality argument and the presence of which in space creatures should surely convince us that we had at last encountered persons elsewhere in the universe.