# 1NC vs HWL WL Penn R2

## T

T:

#### I: Affirmatives can only defend whether exclusive possession is unjust.

* The definition is from Black’s Law Dictionary

Su 17 [Jinyuan Su, Professor and Assistant Dean at Xi'an Jiaotong University School of Law, China, “Legality of unilateral exploitation of space resources under international law,” 2017, *International & Comparative Law Quarterly*, Vol. 66, Issue 4, pp. 991-1008, https://doi.org/10.1017/S0020589317000367, EA]

The Outer Space Treaty does not prohibit expressis verbis the extraction of space resources. However, there exists a possibility that the recognition of property rights by a State, which is a party to the Outer Space Treaty, over resources extracted in outer space may conflict with its international obligations under Article II of the treaty, which proscribes the national appropriation of outer space 'by claim of sovereignty, by means of use or occupation, or by any other means'.26 The term 'appropriation' means '[t]he exercise of control over property; a taking of possession'.27

#### V: They ban all use which is distinct from appropriation.

Harris No Date [Philip R Harris, Ph.D.; Visiting Professor in the California School of International Management, “Space Law and Space Resources,” No Date, *National Space Society*, https://space.nss.org/settlement/nasa/spaceresvol4/spacelaw.html, Accessed: 01/20/22, EA]

According to the present space law, all mining in space-lunar, asteroidal, or planetary-is treated alike. The operative treaty provisions are (1) that space is reserved for the benefit and is the province of all mankind; (2) that every nation shall have equal access to outer space; (3) that nations cannot appropriate space under any claim of national sovereignty; (4) nevertheless, that nations are free to explore and "use" outer space. The official positiion of the United States. clearly enunciated in the debates of UNCOPUOS, interprets these provisions to permit any nation or corporation to mine (Artist Pat Rawlings rendering of lunar mining and processing) and otherwise use the resources of outer space.

#### Negate –

#### 1 – Extra T – going beyond the resolution makes it impossible to determine if the resolutional part of their action was justifiable – means they haven’t affirmed. Independently justifies adding planks to the aff to spike our best neg ground and solvency deficits.

#### 2 – Limits – opening the topic up to restricting any use of space lets them spec subsets of specific private sector activities like companies, satellites, and programs – moots the core question of whether private space property is just and spikes any possible generic deficits on the topic.

#### Drop the debater – abusive advocacies skew substance – 1AR restart doesn’t check 1NC construction.

#### Competing interps – offense proves they’re not reasonable and anything else encourages arbitrary judge intervention.

#### No RVIs – leads to baiting T and chilling checks on abusive AFFs – causes substance crowdout.

## CP

Counterplan:

#### States ought to amend the Outer Space Treaty to create a private property regime that grants exclusive rights to private entities to exploit resources within space facilities and a safety zone of 1000 meters if they inhabit, maintain and/or operate said facility for a period of at least one year conditional upon peaceful use of the property.

#### Only a private property regime solves for space mining and colonization.

Babcock 19 [Hope M. Babcock, Professor of Law, Georgetown University Law Center, “The Public Trust Doctrine, Outer Space, and the Global Commons: Time to Call Home ET,” 2019, *Syracuse Law Review*, Vol. 69, https://lawreview.syr.edu/wp-content/uploads/2019/09/H-Babcock-Article-Final-Document-v2.pdf, EA]

For those who seek development of space resources, “a reliable property rights regime will remove impediments to business activities on these bodies and inspire the commercial confidence necessary to attract the enormous investments needed for tourism, settlement, construction, and business development, and for the extraction and utilization of resources.”263 The resources supporting private space mining companies are essentially worthless if the companies have no legal right to the resources they have mined.264 “Without the legal right to use water and hydrogen mined from celestial bodies, and to alienate platinum group elements, the potential profitability of private space expeditions collapses along with the goals of deeper space exploration and settlement.”265 The lack of a stable private property regime in outer space also means that space settlements will not be able “to claim sufficient land to yield enough of the only ‘product’ the settlement can sell profitably enough to guarantee its survival.”266 The strong belief is that unless private property rights in outer space and its resources are recognized, commercial enterprises will be unable to sustain any type of successful commercial activities in outer space.267

The absence of “‘security derived from ownership and sovereign control, [means that] entities that might be interested in the development of space resources will be reluctant to undertake [the] expensive and risky path’ implicit in all space travel”268 without some return on their investment.269 In all likelihood, such a return would be “in the form of the right to exploit limited areas of space and in proceeds from the sale of space resources.”270 This uncertainty arguably leaves a large “legal void, a wasteland of indeterminacy and instability.”271 According to Reinstein, “Unless people and nations are encouraged to exploit the riches of space, humanity will never know their benefit. And the more we are able to exploit, the more humanity stands to benefit. If commercialization is to be successful, space law must encourage investment in outer space development.”272

#### Private actors solve space war and specifically ASAT restraint.

Cobb 21 [Wendy N. Whitman Cobb, Associate Professor of Strategy and Security Studies at the School of Advanced Air and Space Studies, “Privatizing Peace: How Commerce Can Reduce Conflict in Space,” 2021, Routledge, pp. 68-69, EA]

Finally, given the involvement of an ever-larger number of private actors in space, states also need to consider the lost opportunity costs if private actors choose to forego research, development, and deployment of new technologies because the danger in space is too high. As space becomes more commercialized, these private actors can exert pressure on states to behave peacefully in order to promote further economic development. Gartzke and Quan Li argue that this can happen through the movement of capital from conflict-prone states or areas to non-conflictual states.50 This is not necessarily applicable to space because there is no area in space which is formally protected, but commercial space actors may choose not to engage in new economic investment which can in turn affect a state’s economic performance. To date, the size of the space sector is comparatively small, so, arguably, the potential economic loss would not be that great. Where the harm comes from is state reliance on private actors for military and national security space services. As states contract out space services to a greater extent, private actors exert an even greater influence over the state by having a capability they do not.

Why might private companies want a more conflict-free space? If there is weaponized conflict in space, they could potentially benefit through new launches to send up replacement satellites; this is similar to an argument that war can actually be beneficial to an economy because companies are needed to create materiel and weapons.51 But, in a debris filled environment, sending replacements is more difficult and dangerous. Some private companies want to engage in human spaceflight; a conflictual or more dangerous orbital environment would likely prevent those activities or increase their costs to such an extent that it becomes economically infeasible. James Clay Moltz argues specifically that “the growing presence of space tourists in low-Earth orbit would greatly increase the incentives for restraint in any future [ASAT] test programs.”52 Those foregone development costs and commercial activities can have a similar cost to states simply by discouraging private actors from participating in the market.

#### That turns case and goes nuclear – extinction.

Blatt 20 [Talia M. Blatt, “Anti-Satellite Weapons and the Emerging Space Arms Race,” 05/26/20, *Harvard International Review*, https://hir.harvard.edu/anti-satellite-weapons-and-the-emerging-space-arms-race/, EA]

Nevertheless, a space race born from the Cold War continues to unfold. While the current space race may not have the same monopoly on the American imagination as the sprint to the moon held during the 1950s and 60s, it deserves our equal attention. We are now witnessing the rapid and increasingly international development of anti-satellite weapons. The race for these weapons not only increases the risk of global conflict—it could jeopardize all future space exploration.

What Are Anti-Satellite Weapons (ASATs)?

Difficult to define, ASATs occupy a gray zone in international arms control. On one level, they are exactly what the term suggests: weapons designed to destroy or limit satellites for military purposes, such as undermining the command and control centers of an adversary’s military. ASATs can function in several ways. For example, kinetic energy ASATs (KE-ASATs) destroy satellites by physically colliding with them at high velocities. Drones, ballistic missiles, and explosives detonated near satellites can all function as KE-ASATs.

Conversely, non-kinetic ASATs use any non-physical mechanism to render a satellite inoperative, such as blinding satellites with lasers, launching cyberattacks, or jamming frequencies.

But definitional issues arise because any technology that can physically or non-kinetically damage a satellite can be considered an ASAT weapon. For example, supposedly benign technology aimed at removing defunct satellites or other space junk—known as Active Debris Removal (ADR) technology—can also remove active satellites. With ostensibly civil but covertly military capabilities or functions, many space technologies, including ADR, are put in a category commonly known as “dual-use.” The dual-use nature of space infrastructure makes differentiating between weapon and non-weapon nearly impossible. As a result, regulating ASATs—and many other space-based weapons systems—is extremely difficult.

A Brief History of ASAT Proliferation

The earliest ASAT testing began during the Cold War, when the success of Sputnik I in October of 1957 catalyzed American fears about the Soviet Union’s potential goal of developing nuclear armed satellites capable of circling the globe. In response, the US developed its first ASAT: Bold Orion, an air-launched ballistic missile. The Soviet Union responded with its own ASAT program, developing weapons through the 1960s and 70s known as co-orbitals. Unlike previous KE-ASAT designs, these co-orbitals worked by syncing up with a target satellite’s orbit, then detonating.

The United States responded to Soviet co-orbitals in the 1980s with the ASM-135 weapon, an air-launched KE-ASAT distinguished by its hit-to-kill method. Unlike the Soviet co-orbitals, the hit-to-kill system did not require explosives; it just used the energy generated by the collision between the craft and the satellite, making delivery more stable. In a 1985 demonstration authorized by President Ronald Reagan, an ASM-135 successfully destroyed a defunct satellite.

Roughly 30 years later, China joined the space race. In 2007, China successfully tested a KE-ASAT, destroying an old weather satellite with a ballistic missile. And just last year, India also successfully tested an ASAT in what the Indian government referred to as Mission Shakti.

As of 2018, Russia and China were still developing more advanced non-kinetic ASATs. Russia is specifically developing an ASAT system known as Nudol, which operates in Lower Earth Orbit and can move between orbital paths, threatening more satellites than weapons limited to just one orbital path. So, despite the end of the Cold War era, more and more nations are jumping into a space arms race that is resulting in the rapid proliferation of advanced space weaponry.

The ASAT Appeal

A global fixation on anti-satellite weapons is arguably the logical end result of the main American project of the late 20th and early 21st century: the movement to digital communications. Via the telephone, computers, and eventually the internet, the United States pioneered the use of space-based communications for most civil and military functions. The benefits of satellite-based communications—namely increased efficiency, precision, and volume of information transmitted—are self-evident; however, the US lead in the transition to space-based systems posed a threat: relying on satellites for military use more than any other country created an asymmetric dependency. In other words, an unexpected denial of space-enabled information or capabilities would be more debilitating to the United States than to any other country because no other country is as dependent on satellite communications.

In an era of US hegemony, powers like Russia, China, and India are looking for arenas in which they can make the most gains against a conventionally stronger opponent. The space race has an asymmetric nature: the more the United States develops in space, the more it has to lose. Thus, space warfare provides an arena where emerging powers can gain a strategic advantage relative to the US.

More broadly, ASATs are also desirable because they can function as conflict deterrents. If a conflict arises, countries may be less likely to escalate if they believe their opponents are capable of essentially blinding their military. Just as two nuclear armed opponents risk mutually assured destruction (MAD), two ASAT armed countries risk mutual impotence. If they both can “turn off” each other’s militaries—or deny access to the satellites upon which their opponent’s conventional and nuclear forces rely—both countries are rendered close to defenseless, a risk they would be extremely reluctant to take.

A Uniquely Dangerous Arms Race

Despite their deterrent functions, ASATs are more likely to provoke or exacerbate conflicts than dampen them, especially given the risk they pose to early warning satellites. These satellites are a crucial element of US ballistic missile defense, capable of detecting missiles immediately after launch and tracking their paths.

Suppose a US early warning satellite goes dark, or is shut down. Going dark could signal a glitch, but in a world in which other countries have ASATs, it could also signal the beginning of an attack. Without early warning satellites, the United States is much more susceptible to nuclear missiles. Given the strategy of counterforcing—targeting nuclear silos rather than populous cities to prevent a nuclear counterattack—the Americans might believe their nuclear weapons are imminently at risk. It could be twelve hours before the United States regains satellite function, which is too long to wait to put together a nuclear counterattack. The United States, therefore, might move to mobilize a nuclear attack against Russia or China over what might just be a piece of debris shutting off a satellite.

Additionally, accidental warfare, or strategic miscalculation, is uniquely likely in space. It is much easier to hold an adversary’s space systems in jeopardy with destructive ASATs than it is to sustainably defend a system, which is expensive and in some cases not technologically feasible because of limitations on satellite movement. Space is therefore considered offense-dominant; offensive tactics like weapons development are prioritized over defensive measures, such as improving GPS or making satellites more resistant to jamming.

As a result, countries are left with poorly defended space systems and rely on offensive posturing, which increases the risk that their actions are perceived as aggressive and incentivizes rapid, risky counterattacks because militaries cannot rely on their spaced-based systems after first strikes.

There are several hotspots in which ASATs and offensive-dominant systems are particularly relevant. Early warning satellites play a central role in US readiness in the event of a conflict involving North Korea. News of North Korean missile launches comes from these satellites. Given North Korea’s history of nuclear provocations, unflinchingly hostile rhetoric towards the United States and South Korea, and diplomatic opacity, North Korea is always a threatening, unknowable adversary, but recent developments have magnified the risk. With the health of Kim Jong-un potentially in jeopardy, a succession battle or even civil war on the peninsula raises the chances of loose nukes. If the regime is terminal, traditional MAD risk calculus will become moot; with nothing to lose, North Korea would have no reason to hold back its nuclear arsenal. Or China might decide to seize military assets and infrastructure of the regime. If the US does not have its early warning satellites because they have been taken out in an ASAT attack, the US, South Korea, and Japan are all in imminent nuclear peril, while China could be in a position to fundamentally reshape East Asian geopolitics.

The South China Sea is another hotspot in which ASATs could risk escalation. China is developing Anti-Access Area Denial (A2/AD) in the South China Sea, a combination of long range radar with air and maritime defense meant to deny US freedom of navigation in the region. Given the disputed nature of territory in the South China Sea, the United States and its allies do not want China to successfully close off the region.

But the most effective way to break an A2/AD system would be with anti-satellite weapons. ASATs could neutralize the maritime surveillance China relies upon to deny access to the region and guide cruise missiles. Thus, China is extremely wary of US ASAT development: risks to Beijing’s South China Sea strategy are seen as threats to China itself because of territorial sovereignty claims that are deeply important to the regime and have only become more pronounced under President Xi Jinping. If a Chinese satellite went dark, Beijing might perceive it as a US ASAT designed to undermine the A2/AD approach, and escalate with conventional force.

An Even Greater Risk

Many of these conflict scenarios start with the loss of satellite function, which may seem unlikely. But ASATs threaten satellites through more than just direct attack. ASAT testing, rather than deployment, risks the exponential accumulation of debris, which endangers satellites and creates a host of other problems.

KE-ASATs rely on smashing satellites into thousands of pieces, so each test adds tremendous amounts of space debris. The 2007 Chinese KE-ASAT test alone increased the number of objects in orbit by 20 percent, producing more than two thousand pieces of debris large enough to be tracked and likely thousands more too small to be counted that will remain in orbit for centuries.

Even the smallest pieces of debris can do great damage; traveling at more than 15,000 miles per hour, they can crash into other debris in a proliferation known as the Kessler Syndrome. The situation in space could approach a critical mass in which collision cascading occurs even if all launches were halted, choking orbits with debris until all satellites are destroyed and spaceflight rendered impossible. Compared to the negligible debris created during commercial launches, ASAT tests—especially if the arms race continues to escalate and countries with less developed space programs join with cruder designs—may accelerate the debris in space closer and closer to this critical mass.

If debris knocks out a satellite, an increasingly likely possibility in a world with ASAT tests, then the aforementioned conflict scenarios become more likely. Conflict aside, ASAT-based debris clouds are terrifying in their own right. Public health, transportation, climate science, and a litany of other crucial infrastructures are dependent on satellites that are now at risk. Satellite GPS is a cornerstone of the modern economy; some pundits believe that the slightest glitch in GPS satellites could shock the stock market and further destabilize an unstable global economy. During the pandemic, satellites are playing a crucial role in geospatial data collection for infectious disease modeling.

#### That solves and restores legal certainty.

Brehm 15 [Andrew R. Brehm, attorney at the law firm Scopelitis Garvin, “Private Property in Outer Space: Establishing a Foundation for Future Exploration,” 2015, *Wisconsin International Law Journal*, Vol. 33, Issue 2, https://repository.law.wisc.edu/s/uwlaw/media/77012, EA]

International agreement is essential to establishing a system of private property rights in outer space for the simple reason that outer space does not belong to one single nation; it is not the prerogative of the US government, or any government, to implement unilateral legislation that would significantly alter outer space and the current space law framework. It would frustrate the common conception of outer space as a free and open place, as well as the current legal framework, to simply enact domestic legislation that allows for the acquisition of private property rights in outer space. A collaborative, international approach is necessary for legal and practical reasons, in order to successfully establish an effective and beneficial system of private property rights in outer space.

Wayne White’s treaty proposal creates a strong foundation for international discussion of the increasingly important issue of private property acquisition in outer space. White’s well-crafted treaty proposal seeks to advance private exploration of outer space within the regulatory framework of the Outer Space Treaty and existing international space law. By creating a system in which private entities can establish real property rights in their space objects and a surrounding safety zone, the proposal incentivizes private investment of large sums into space exploration programs. Provisions which authorize the right to exclude, the right to be free from interference, the exclusive right to appropriate resources within an established safety zone, and the right to sell real property further encourage private space exploration and create strong associated incentives. 107 Private space exploration and resource extraction entities allocate substantial investments in furtherance of their space programs. 108 Allowing such entities to mine valuable platinum group resources, as well as water and hydrogen in celestial bodies that can be used to propel deeper space exploration, not only provides a robust safety net for current space exploration entities, but also creates a system that encourages new entities to enter into the field of private space exploration. Increased space exploration across the board would have nearly unlimited benefits in terms of societal, economical, and technological advancement. 109

Additionally, an international agreement alleviates some of the general concerns associated with establishing private property rights in outer space. Outer space is generally viewed as a place that should be open to all for free and peaceful use. 110 Opponents of private property rights in outer space often cite concerns about over-allocation of property at the exclusion of non-spacefaring nations or entities, and associated concerns. " 1 White’s proposed international agreement alleviates these concerns by placing limitations on which real property rights can be acquired.

First, under the proposal for an international agreement, private entities are entitled to formal recognition of property rights if they “inhabit, maintain and/or operate a space facility for a period of at least one year.” 112 This overcomes the potential issue of modern-day private colonialism where private entities could simply stake their company flags and claim ultimate title to the property. Of course, the duration requirement could be extended and additional requirements for formal recognition of property rights could be attached. Additionally, the property rights under White’s system would only apply to space facilities and a safety zone of either 500 or 1,000 meters surrounding a space facility.113 This limitation avoids concerns of over-allocation of private property in space. Essentially, private entities would not be capable of acquiring private property rights to vast amounts of territory. Also, property rights of private entities would immediately terminate if the property is used for non-peaceful purposes, if it is abandoned for an extended period of time, or if it used to prevent free access to outer space or celestial bodies114 These provisions ensure that outer space will be used for peaceful purposes and will remain open for free exploration.

Ultimately, a well-crafted international agreement similar to White’s proposal creates a system of private property rights in outer space that remains true to the overarching goals of outer-space exploration. Such a system would incentivize private space exploration in a realistic and pragmatic fashion that benefits all mankind. If peaceful and free space exploration is a desirable goal, White’s treaty proposal lays a strong foundation. This foundation has the potential to lead to an effective international system that addresses modem space exploration concerns while facilitating future development in the arena of space exploration.

## CP

#### States ought to call a global constitutional convention and establish a constitution reflecting intergenerational concern with exclusive authority to determine whether the appropriation of outer space by private entities is unjust and bind participating bodies to its result.

#### The CP applies intergenerational equity to future generations – that’s better than trying to decide now whether the plan is beneficial across deep time – every country would say yes.

Tan 2k [David Tan, LL.M., Harvard Law School; LL.B. (Hons), B.Com., University of Melbourne. Former Tutor in Law, Trinity College, University of Melbourne, “Towards a New Regime for the Protection of Outer Space as the "Province of All Mankind",” 2000, *The Yale Journal of International Law*, Vol. 25, https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1114&context=yjil]

Edith Brown Weiss has advanced the theory of “intergenerational equity,” which provides for generational rights and obligations.158 Her thesis consists of a normative framework of intersecting theories of intergenerational and intragenerational equity that are derived from an underlying planetary trust, embodying the notion that generations act as stewards to sustain the welfare and well-being of all generations. This planetary trust obliges “each generation to preserve the diversity of the resource base and to pass the planet to future generations in no worse condition than it receives it.”159 The principle of the conservation of options requires each generation “to conserve the diversity of the natural and cultural resource base, so that it does not unduly restrict the options available to future generations in solving their problems and satisfying their own values, and should be entitled to diversity comparable to that enjoyed by previous generations.”\*60 The theory of intergenerational equity is an appealing one. Unfortunately, Weiss’s model generally rests upon an intertemporal human rights model for preserving the global environment. This presents many problems, ranging from the questionable existence of the right to a decent environment to the issue of remedies in respect of claims made by future generations against present generations.161

Whether the global awareness of the harm to our sense of intergenerational identity, as evidenced by the various U.N. General Assembly resolutions and numerous international conventions, will be sufficient to mobilize the implementation and enforcement of effective legal measures on behalf of future generations is doubtful. But more importantly, the notions of intergenerational identity and sustainable development will prove to be invaluable concepts in framing the discussion in Part VI.

Current literature has concentrated on the notion of sustainable development as involving the integration of economic and environmental considerations at all levels of decision-making.162 But the outer-space environment has been largely ignored, as if it were simply economic development on Earth that must be environmentally sound. There is no reason, however, why the precautionary principles that emerge from the concept of sustainable development in the Stockholm Declaration, the Rio Declaration, and the World Charter for Nature should not apply equally to the outer-space environment. Few states, if any, will take issue with the proposition that the exploration and use of outer space should be sustainable. It is in the common interest of all states, whether spacefaring or otherwise, to subscribe to a regime that allows for the development of space activities in a manner that leaves the space environment in a substantially unimpaired condition for future generations. One might even ultimately find that the uniqueness and vulnerability of the outer-space environment demand that the international community as a whole recognize sustainable development as a “global ethic”163 that transcends terrestrial boundaries, as a peremptory norm that prohibits “policies and practices that support current living standards by depleting the productive base, including natural resources, and that leaves future generations with poorer prospects and greater risks than our own.”164 We should not confine our actions to those we are now able to determine as directly or indirectly benefiting ourselves or our descendants. On the contrary, we should “cultivate our natural sense of obligation not to act wastefully or wantonly even when we cannot calculate how such acts would make any present or future persons worse off.”165 It seems impossible to find universally agreed-upon limits on the freedom of exploration and use of outer space. Rather than focus on indeterminate rules of custom-formation, we should concentrate on establishing fair and workable arrangements and institutions that can successfully accommodate the competing interests of all nations. With these guidelines in mind, we will now examine new methods of treaty-making that will enhance the willingness of states to participate in an environmental program that seeks to achieve an acceptable balance between pollution control and freedom of space exploration.

#### That solves the aff – it addresses shared anxieties while building political consensus.

Gardiner 14 1 [Stephen M. Gardiner, Professor of Philosophy and Ben Rabinowitz Endowed Professor of Human Dimensions of the Environment at the University of Washington, Seattle, “A Call for a Global Constitutional Convention Focused on Future Generations,” 2014, *Ethics & International Affairs*, Vol. 28, Issue 3, pp. 299-315, https://doi.org/10.1017/S0892679414000379, EA]

A Constitutional Convention

In my view, the above line of reasoning leads naturally to a more specific proposal: that we—concerned individuals, interested community groups, national governments, and transnational organizations—should initiate a call for a global constitutional convention focused on future generations. This proposal has two components. The first component is procedural. The proposal takes the form of a “call to action.” It is explicitly an attempt to engage a range of actors, based on a claim that they have or should take on a set of responsibilities, and a view about how to go about discharging those responsibilities. The second component is substantive. The main focus for action is a push for the creation of a constitutional convention at the global level, whose role is to pave the way for an overall constitutional system that appropriately embodies intergenerational concern.

The substantive idea rests on several key ideas. Still, for the purposes of a basic proposal, I suggest that these be understood in a relatively open way that, as far as is practicable, does not prejudge the outcome of the convention, and especially its main recommendations. First, the convention itself should be understood as “a representative body called together for some occasional or temporary purpose” and “constituted by statute to represent the people in their primary relations.”14 Second, a constitutional system should be thought of in a minimalist sense as “a set of norms (rules, principles or values) creating, structuring, and possibly defining the limits of government power or authority.”15 Third, the “instigating” role of the convention should be to discuss, develop, make recommendations toward, and set in motion a process for the establishment of a constitution. Fourth, its primary subject matter should be the need to adequately reflect and embody intergenerational concern, where this would include at least the protection of future generations, the promotion of their interests (where “interests” is to be broadly conceived so as to include rights, claims, welfare, and so on), and the discharging of duties with respect to them. It may also (and in my view should) include some way of reflecting concern for past generations, including responsiveness to at least certain of their interests and views. However, I will leave that issue aside in what follows.

The proposal to initiate a call for a global constitutional convention has at least two attractive features. First, it is based in a deep political reality, and does not underplay the challenge. It acknowledges the problem as it is, both specific and general, and calls attention to the heart of that problem, including to the failures of the current system, the need for an alternative, and the background issue of responsibility. Moreover, though the proposal is dramatic and rhetorically eye-catching, it is so in a way that is appropriately responsive to the seriousness of the issue at hand, the persistent political inertia surrounding more modest initiatives, and the fact that (grave though concerns about it are) climate change is only one instance of the tyranny of the contemporary (and the wider perfect moral storm), and we should expect others to arise over the coming decades and centuries.

The second attractive feature of the proposal is that, though ambitious, it is not alienating. While it does not succumb to despair in the face of the challenge, neither does it needlessly polarize and divide from the outset (for example, by leaping to specific recommendations about how to fill the institutional gap). Instead, it acknowledges that there are fundamental difficulties and anxieties, but uses them to start the right kind of debate, rather than to foreclose it. As a result, the proposal is a promising candidate to serve as the subject of a wide and overlapping political consensus, at least among those who share intergenerational concern.

Selective Mirroring

To quell some initial anxieties, it is perhaps worth clarifying the open-ended and non-alienating character of the proposal. One temptation would be to view the call for a global constitutional convention as a fairly naked plea for world government, a prospect that would be deeply alienating—indeed anathema—to many. However, that is not my intention. Though it is possible that a global constitutional convention would lead in this direction, it is by no means certain.

At a minimum, no such body could plausibly recommend any form of “world government” without simultaneously advancing detailed suggestions about how to avoid the standard threats such an institution might pose. Moreover, it seems perfectly conceivable, even likely under current ways of thinking, that a global constitutional convention would pursue what we might call a selective mirroring strategy. Specifically, a convention would seek to develop a broader system of institutions and practices that reflected the desirable features of a powerful and highly centralized global authority but neutralized the standing threats posed by it (for example, it might employ familiar strategies such as the separation of powers). In all likelihood, one feature of a selective mirroring approach would be the significant preservation of existing institutions to serve as a bulwark against the excesses of any newly created ones. Whether and how such a strategy might be made effective against the perfect moral storm, and whether something closer to a “world government” would do better, would be a central issue for discussion by the convention.

#### It spills over to foster broader intergenerational representation, but independence is key

Gardiner 14 2 [Stephen M. Gardiner, Professor of Philosophy and Ben Rabinowitz Endowed Professor of Human Dimensions of the Environment at the University of Washington, Seattle, “A Call for a Global Constitutional Convention Focused on Future Generations,” 2014, *Ethics & International Affairs*, Vol. 28, Issue 3, pp. 299-315, https://doi.org/10.1017/S0892679414000379, EA]

One set of guidelines concerns how the global constitutional convention relates to other institutions. The first guideline concerns relative independence:

(1) Autonomy: Any global constitutional convention should have considerable autonomy from other institutions, and especially from those dominated by factors that generate or facilitate the tyranny of the contemporary (and the perfect moral storm, more generally).

Thus, for example, attempts should be made to insulate the global constitutional convention from too much influence from short-term and narrowly economic forces.

The second guideline concerns limits to that independence:

(2) Mutual Accountability: Any global constitutional convention should be to some extent accountable to other major institutions, and they should be accountable to it.

Thus, for example, though the global constitutional convention should not be able to decide unilaterally that national institutions should be radically supplanted, nevertheless such institutions should not have a simple veto on the recommendations of the convention, including those that would result in sharp limits to their powers.

A third guideline concerns adequacy:

(3) Functional Adequacy: The global constitutional convention should be constructed in such a way that it is highly likely to produce recommendations that are functionally adequate to the task.

Thus, for example, the tasks of the global constitutional convention should not be assigned to any currently existing body whose design and authority is clearly unsuitable. In my view, this guideline rules out proposals such as the Royal Society’s suggestion that governance of geoengineering should be taken up by the United Nations’ Commission on Sustainable Development,20 or the Secretary-General’s recommendation of a new United Nations’ High Commissioner for Future Generations.21 Though such proposals may have merit for some purposes (for example, as pragmatic, incremental suggestions to highlight the importance of intergenerational issues), they are too modest, in my opinion, to reflect the gravity of the threats posed by climate change in particular, and the perfect moral storm more generally.

Aims

A second set of guidelines concerns the aims of the global constitutional convention. Here, the perfect moral storm analysis would suggest:

(4) Comprehensiveness: The convention should be under a mandate to consider a very broad range of global, intergenerational issues, to focus on such issues at a foundational level, and to recommend institutional reform accordingly.

(5) Standing Authority: Though the convention may recommend the establishment of some temporary and issue-specific bodies, its focus should be on the establishment of institutions with standing authority over the long term.

These guidelines are significant in that they stand against existing issue-specific approaches to global and intergenerational problems, and encourage not only a less ad hoc but also a more proactive approach. In particular, the global constitutional convention might be expected to recommend institutions that would be charged with identifying, monitoring, and taking charge of intergenerational issues as such. For example, such institutions should address not only specific policy issues (such as climate change, large asteroid detection, and long-term nuclear waste) but also the need to identify similar threats before they arise.

#### Proactive measures mitigate a laundry list of emerging catastrophic risks – extinction.

Beckstead 14 [Nick Beckstead, Nick Bostrom, Niel Bowerman, Owen Cotton-Barratt, William MacAskill, Seán Ó hÉigeartaigh, Toby Ord, \* Future of Humanity Institute, University of Oxford, \*\* Director, Future of Humanity Institute, University of Oxford, \*\*\* Global Priorities Project, Centre for Effective Altruism; Department of Physics, University of Oxford, \*\*\*\* Global Priorities Project, Centre for Effective Altruism; Future of Humanity Institute, University of Oxford, \*\*\*\*\* Uehiro Centre for Practical Ethics, University of Oxford, \*\*\*\*\*\* Cambridge Centre for the Study of Existential Risk; Future of Humanity Institute, University of Oxford, \*\*\*\*\*\*\* Programme on the Impacts of Future Technology, Oxford Martin School, University of Oxford, “Policy Brief: Unprecedented Technological Risks,” 2014, *The Global Priorities Project, The Future of Humanity Institute, The Oxford Martin Programme on the Impacts of Future Technology, and The Centre for the Study of Existential Risk*, https://www.fhi.ox.ac.uk/wp-content/uploads/Unprecedented-Technological-Risks.pdf, Accessed: 03/13/21, EA]

In the near future, major technological developments will give rise to new unprecedented risks. In particular, like nuclear technology, developments in synthetic biology, geoengineering, distributed manufacturing and artificial intelligence create risks of catastrophe on a global scale. These new technologies will have very large benefits to humankind. But, without proper regulation, they risk the creation of new weapons of mass destruction, the start of a new arms race, or catastrophe through accidental misuse. Some experts have suggested that these technologies are even more worrying than nuclear weapons, because they are more difficult to control. Whereas nuclear weapons require the rare and controllable resources of uranium-235 or plutonium-239, once these new technologies are developed, they will be very difficult to regulate and easily accessible to small countries or even terrorist groups.

Moreover, these risks are currently underregulated, for a number of reasons. Protection against such risks is a global public good and thus undersupplied by the market. Implementation often requires cooperation among many governments, which adds political complexity. Due to the unprecedented nature of the risks, there is little or no previous experience from which to draw lessons and form policy. And the beneficiaries of preventative policy include people who have no sway over current political processes — our children and grandchildren.

Given the unpredictable nature of technological progress, development of these technologies may be unexpectedly rapid. A political reaction to these technologies only when they are already on the brink of development may therefore be too late. We need to implement prudent and proactive policy measures in the near future, even if no such breakthroughs currently appear imminent.

## Case

### 1NC – Framing

#### Defer to consequentialist util.

Woller 97 [Gary Woller, president of Woller & Associates, an international development consulting firm, “A Forum On The Role of Environmental Ethics in Restructuring Environmental Policy and Law for the Next Century | An Overview By Gary Woller, Brigham Young University,” 1997, *Policy Currents*, Vol. 7, No. 2, https://web.archive.org/web/20011108151525/http://apsapolicysection.org/vol7\_2/72.pdf, Recut EA]

Moreover, virtually all public policies entail some redistribution of economic or political resources, such that one group's gains must come at another group's expense. Consequently, public policies in a democracy must be justified to the public, and especially to those who pay the costs of those policies. Such justification cannot simply be assumed a priori by invoking some higher-order moral principle. Appeals to a priori moral principles, such as environmental preservation, also often fail to acknowledge that public policies inevitably entail trade-offs among competing values. Thus since policymakers cannot justify inherent value conflicts to the public in any philosophical sense, and since public policies inherently imply winners and losers, the policymakers' duty to the public interest requires them to demonstrate that the redistributive effects and value trade-offs implied by their polices are somehow to the overall advantage of society.

At the same time, deontologically based ethical systems have severe practical limitations as a basis for public policy. At best, a priori moral principles provide only general guidance to ethical dilemmas in public affairs and do not themselves suggest appropriate public policies, and at worst, they create a regimen of regulatory unreasonableness while failing to adequately address the problem or actually making it worse. For example, a moral obligation to preserve the environment by no means implies the best way, or any way for that matter, to do so, just as there is no a priori reason to believe that any policy that claims to preserve the environment will actually do so. Any number of policies might work, and others, although seemingly consistent with the moral principle, will fail utterly. That deontological principles are an inadequate basis for environmental policy is evident in the rather significant irony that most forms of deontologically based environmental laws and regulations tend to be implemented in a very utilitarian manner by street-level enforcement officials. Moreover, ignoring the relevant costs and benefits of environmental policy and their attendant incentive structures can, as alluded to above, actually work at cross purposes to environmental preservation. (There exists an extensive literature on this aspect of regulatory enforcement and the often perverse outcomes of regulatory policy. See, for example, Ackerman, 1981; Bartrip and Fenn, 1983; Hawkins, 1983, 1984; Hawkins and Thomas, 1984.) Even the most die-hard preservationist/deontologist would, I believe, be troubled by this outcome. The above points are perhaps best expressed by Richard Flathman,

The number of values typically involved in public policy decisions, the broad categories which must be employed and above all, the scope and complexity of the consequences to be anticipated militate against reasoning so conclusively that they generate an imperative to institute a specific policy. It is seldom the case that only one policy will meet the criteria of the public interest (1958, p. 12).

It therefore follows that in a democracy, policymakers have an ethical duty to establish a plausible link between policy alternatives and the problems they address, and the public must be reasonably assured that a policy will actually do something about an existing problem; this requires the means-end language and methodology of utilitarian ethics. Good intentions, lofty rhetoric, and moral piety are an insufficient, though perhaps at times a necessary, basis for public policy in a democracy.

#### Extinction outweighs –

MacAskill 14 [William MacAskill, Associate Professor in Philosophy and Research Fellow at the Global Priorities Institute, University of Oxford, “Normative Uncertainty,” 2014, University of Oxford PhD Thesis, http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.677.4121&rep=rep1&type=pdf]

However, even if we believe in a moral view according to which human extinction would be a good thing, we still have strong reason to prevent near-term human extinction. To see this, we must note three points. First, we should note that the extinction of the human race is an extremely high stakes moral issue. Humanity could be around for a very long time: if humans survive as long as the median mammal species, we will last another two million years. 188 On this estimate, the number of humans in existence in the future, given that we don’t go extinct anytime soon, would be 2×10^14. 189 So if it is good to bring new people into existence, then it’s very good to prevent human extinction.

Second, human extinction is by its nature an irreversible scenario. If we continue to exist, then we always have the option of letting ourselves go extinct in the future (or, perhaps more realistically, of considerably reducing population size). But if we go extinct, then we can’t magically bring ourselves back into existence at a later date.

Third, we should expect ourselves to progress, morally, over the next few centuries, as we have progressed in the past. So we should expect that in a few centuries’ time we will have better evidence about how to evaluate human extinction than we currently have.

#### Their impact is about medical racism – not specific to all of structural violence.

#### Util turns their framing – requires we do treat all lives as lives that are always going to be lived

#### They don’t meet their criterion – clearly don’t eliminate “structural violence” on earth OR in space.

### 1NC – Case

#### Private sector is superior – it’s safer and more peaceful

Diakovska 20 [Halyna Diakovska and Olga Aliieva, Ph.D.s in Philosophy, Associate Professors, Donbass State Pedagogical University, “Consequentialism and Commercial Space Exploration,” 2020, *Philosophy and Cosmology*, Vol. 24, pp. 5-24, https://doi.org/10.29202/phil-cosm/24/1, EA]

The experience of the USA showed that leadership in space exploration, which is maintained solely through public funding, could be erroneous. Since 1984, the share of public funding has gradually decreased in space telecommunications, commercial space transportation, remote sensing, etc., while the share of participation of non-state enterprises has increased rapidly. A legal and regulatory framework has been modified to stimulate space commercialization. The stages of space law development are discussed in the research of Valentyn Halunko (Halunko, 2019), Larysa Soroka (Soroka & Kurkova, 2019), etc. Larysa Soroka and Kseniia Kurkova explored the specifics of the legal regulation of the use and development of artificial intelligence for the space area (Soroka & Kurkova, 2019).

As a result of changing the legal framework and attracting private investors to the space market, the US did not lose its leadership in space exploration, but rather secured it. Private investment along with government funding have significantly reduced the risk of business projects in the space industry. The quality and effectiveness of space exploration programs have increased.

In 2018, Springer published an eloquent book The Rise of Private Actors in the Space Sector. Alessandra Vernile, the author of the book, explores a broad set of topics that reveal the role of private actors in space exploration (Vernile, 2018). The book covers the following topics: “Innovative Public Procurement and Support Schemes,” “New Target Markets for Private Actors,” etc. In the “Selected Success Stories,” Vernile provides examples of successful private actors in space exploration (Vernile, 2018).

The current level of competition, which has developed on the space market, allows us to state the following fact. Private space companies have been able to compete with entire states in launching spacecraft, transporting cargo to orbital stations, and exploring space objects. The issue of mining on space objects, the creation of space settlements and the intensive development of the space tourism market are on the agenda.

In the 21st century, the creation of non-governmental commercial organizations specializing in the field of commercial space exploration, is regarded as an ordinary activity. They are established as parts of the universities around projects funded by private investors. For example, Astropreneurship & Space Industry Club based on the MIT community (Astropreneurship, 2019).

Large-scale research in the field of commercial space exploration, as well as the practical results achieved, led to the formation of a new paradigm called “New Space” ecosystem. The articles of Deganit Paikowsky’s (Paikowsky, 2017), Clelia Iacomino (Iacomino & Ciccarelli, 2018) et al. reveal its key meanings and the opportunities it offers in the space sector. The “New Space” ecosystem is a new vision for commercial space exploration. It is the formation of a cosmic worldview, in which the near space with all the wealth of its resources and capabilities, becomes a part of the global economy and the sustainable development of the society. The “New Space” ecosystem offers the following ways for commercial space exploration (Iacomino & Ciccarelli, 2018):

1. Innovative public procurement and support schemes, which significantly expand the role of commercial actors in space exploration.

2. Attracting new entrants in the space sector. First of all, these are companies working in the domain of Information and communications technology, artificial intelligence, etc. that are expanding their research in space markets. They offer innovative business models and new solutions to space commercialization.

3. Innovative industrial approaches based on new processes, methods, and industrial organization for the development and production of space systems or launchers.

4. Disruptive market solutions, which significantly reduce commercial space exploration prices, increase labor productivity, provide new types of services, etc.

5. Substantial private investment from different sources and involving different funding mechanisms. For instance, these are private fortunes, venture capital firms, business angels, private equity companies, or banks, etc.

6. Involvement of an increasing number of space-faring nations investing in the acquisition of turnkey space capabilities or even in the development of a domestic space industrial base. This expands the space markets and makes it more competitive.

The analysis of the research and advances in commercial space exploration allows us to draw the following conclusions:

1. In fact, the space market has already been created. It is currently undergoing continuous development that will integrate the resources and capabilities of the near space into the global economy over the next decade.

2. A new paradigm, denoted by the term “New Space” ecosystem, is at the heart of the created space market. The “New Space” ecosystem is a step towards the formation of cosmic thinking, in which outer space, with its resources and capabilities, is considered as a sphere of human activities.

3. Space market regulates space law, which is constantly evolving. The space law develops within the bounds of international law. In essence, the space market is integrated into the international legal field and is governed by its laws.

#### Private property is key to transform short-term goals into settlement.

Jonckheere 18 [Evarist Jonckheere, Master of Laws, Ghent University, “The Privatization of Outer Space and the Consequences for Space Law,” 2018, Master’s Thesis, https://libstore.ugent.be/fulltxt/RUG01/002/479/330/RUG01-002479330\_2018\_0001\_AC.pdf, EA]

The reality is that private enterprises are already moving in a direction that will need a similar regime. So, the big legal uncertainties concerning space property should be dealt with sooner rather than later.194 Legal certainty on an international level would greatly benefit the space industry. The existing risks of space ventures would be minimized as private companies would know what they are up against. This could give a boost to private enterprises to be more technologically innovative and entrepreneurial when it comes to outer space exploration. The prospect of gaining property rights might push them to undergo more fully realized expeditions for larger and fixed rewards. The legal regime should however ensure fairness and order between the competing space entrepreneurs.195

#### Private sector is key – profit motive.

Cumbers 20 [John Cumbers, former bioengineer at NASA, “The New Space Race: Meet The Investors Building A New Space Settlement Industry,” 02/18/20, *Forbes*, https://www.forbes.com/sites/johncumbers/2020/02/18/the-new-space-race-meet-the-investors-building-a-new-space-settlement-industry/#77d3d83b6b58, EA]

Fifty years have passed since Neil Armstrong stepped foot on the moon. That feat, and many other space milestones over the past half-century, were carried out by huge government projects, the US and Soviet Union chief among them.

Those days are gone. With decreasing costs of spacecraft development, as well as improved remote sensing and data analytics capabilities, more and more space exploration and investment activities are undertaken by private space companies.

From 2009 to 2018, a total of $18 billion was invested in space start-ups, with $3.25 billion invested in 2018 alone. Forward-looking investors are bullish on a range of space technologies. These include spacecraft that deliver people and payloads to space for research, industry, and recreation; high-resolution Earth imaging for environmental monitoring; satellites for communications and data sharing on- and off-planet; and mining the solar system for precious metals. These technologies enable humans to settle in space in the future and also improve the quality and sustainability of life on Earth.

“Commercial space is a large and rapidly growing market that will be worth trillions of dollars over the next decade. This is a unique moment in history to invest in an exciting and rapidly growing sector,” according to space VC firm Space Angels.

These lucrative opportunities—together with the falling costs of space exploration—make the space bioeconomy an attractive investment option for venture capitalists. As investors continue to fund space start-ups at an accelerating rate, the meteoric rise in venture capital investment in the space industry is expected to continue.

#### Solves international cooperation, resources, and existential risks.

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

Space activities are also a key way of promoting international cooperation and global awareness. While the international competition of the “space race” fueled one nation all the way to the Moon, shortly afterward, the Apollo-Soyuz program announced a thawing of this competition and commenced a period of cooperation between the United States of America and the Union of Soviet Socialist Republics. Currently the International Space Station continues this cross-national cooperation in space, with five space agencies (representing Canada, the European Space Agency nations, Japan, Russia, and the United States) participating. In addition to cooperation in space exploration itself, the perspective given from space has itself helped to produce some feelings of unity on Earth, with the famous “Blue Marble” and “Earthrise” pictures showing Earth’s oneness and scientific discoveries supported by space science, such as those related to climate change, helping to promote international cooperation to address these problems.

Gaining access to new critical resources may be another reason to go into space. Earth is a finite planet, and certain elements on Earth are very rare in the planetary crust, particularly platinum group metals that are very dense and siderophilic (iron-loving) and so have tended to sink toward the core over the natural history of the planet. However, asteroids and other objects in space (for example, planets, comets, and moons) can sometimes have these elements in abundance and in more available locations, making them potentially excellent sources for these valuable materials. Now-defunct asteroid-mining startup Planetary Resources once estimated that one “platinum-rich 500 meter wide asteroid contains . . . 1.5 times the known world-reserves of platinum group metals (ruthenium, rhodium, palladium, osmium, iridium, and platinum).” 7 In addition to returning elements to a resource-hungry Earth, further exploration and development of space will require access to resources that are not purely sourced from Earth. In particular, it will be necessary to gain access to water, which is relatively rare in the inner solar system and which would be far too costly to transport in any significant amounts from the Earth’s surface.

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

#### Profit motive is key even for governments.

Cobb 21 [Wendy N. Whitman Cobb, Associate Professor of Strategy and Security Studies at the School of Advanced Air and Space Studies, “Privatizing Peace: How Commerce Can Reduce Conflict in Space,” 2021, Routledge, pp. 63, EA]

Admittedly, demonstrating that government investment in space technology impacts the general economy is not the same as demonstrating the government has an interest directly in the economy. However, spending on space is routinely justified by government officials precisely because it is a net positive to the economy.27 In the United States, this justification began early. In April 1963, in response to a request from President John F. Kennedy to review NASA’s budget, Vice President Lyndon B. Johnson justified the spending on space largely in economic terms, writing,

It cannot be questioned that billions of dollars directed into research and development in an orderly and thoughtful manner will have significant effect upon our national economy. No formula has been found which attributes specific dollar values to each of these areas of anticipated developments, however, the “multiplier” of space research and development will augment our economic strength, our peaceful posture, and our standard of living.28

More recently, in a March 2019 announcement tasking NASA to return to the moon by 2024, Vice President Mike Pence invoked economic rationales several times to justify the project:

The United States must remain first in space, in this century as in the last, not just to propel our economy and secure our nation, but above all because the rules and values of space, like every great frontier, will be written by those who have the courage to get there first and the commitment to stay.29

This justification of space development in terms of its economic potential is not limited to the United States. Both Russia and China have concerned themselves with the economic and commercial potentials of their space programs.30 The Chinese government in particular has emphasized the commercial applications of its launch systems since it entered the global launch market in the 1980s. For China, space development is not just a means of enhancing their economy but also of connecting their disparate population centers with outlying areas and of further supporting space development.31 If politicians are supporting space funding, even in part, because they believe it benefits the economy, then this first premise, that states are interested in a successful economy, is more than plausible.

#### Literally no warrants for why private exploration is bad – it’s all rhetorical.

#### Cap is sustainable – decoupling and dematerialization mitigate ecological impacts.

Pooley 21 [Gale Pooley and Marian L. Tupy, \* associate professor of business management at Brigham Young University-Hawaii, “How Dematerialization Is Changing the World: A Response to Giorgos Kallis,” 04/27/21, *Cato Unbound*, https://www.cato-unbound.org/2021/04/27/gale-pooley-marian-l-tupy/how-dematerialization-changing-world-response-giorgos-kallis, EA]

Second, pessimists, who recognize that the human population may actually shrink in the future, worry that free enterprise will continue to drive human consumption of resources to higher and higher levels.[6] Again, the data do not agree. In our response to Katherine Trebeck and Dirk Philipsen, we already mentioned McAfee’s 2019 book, More from Less: The Surprising Story of How We Learned to Prosper Using Fewer Resources―and What Happens Next. Sophisticated economies, McAfee found, are currently producing ever more goods and services, while at the same time using ever fewer resources. That is a result of a sustained transition in advanced countries from industry to less resource-intensive economic activities that deal with services and information.

To that process we may also add dematerialization, which refers to declining consumption of material and energy per unit of gross domestic product (GDP). According to Jesse Ausubel from Rockefeller University and Paul E. Waggoner from the Connecticut Agricultural Experiment Station, “If consumers dematerialize their intensity of use of goods and technicians produce the goods with a lower intensity of impact, people can grow in numbers and affluence without a proportionally greater environmental impact.”[7]

Why would people do that? Dematerialization replaces atoms with knowledge and makes economic sense to producers, since spending less on inputs can swell profit margins and make outputs cheaper and therefore more competitive.[8] It makes sense to consumers as well. Consider, for example, the growing use of smartphones. The product combines functions that previously required a myriad of separate devices, including a telephone, camera, radio, television set, alarm clock, newspaper, photo album, voice recorder, maps, compass, and more.

Replacement of many devices with one produces substantial efficiency gains. How substantial? In 2018, a team of 21 researchers led by Professor Arnulf Grubler from the International Institute for Applied Systems Analysis in Austria estimated the “savings from device convergence on smartphones … for materials use (device weight) and for its associated embodied energy use.” They found that smartphones can reduce material use by a factor of 300. They can reduce power use by a factor of 100 and standby energy use by a factor of 30.[9] That means that we use 99.67 percent less material, 99 percent less power, and 97 percent less standby energy.

To summarize, pessimists worry that future growth will mirror that seen during the Industrial Revolution: bigger and deeper mines, bigger and more polluting steel mills, and so on. But economic growth does not have to come from bigness. On the contrary, it can—and does—come from “smartness” with things like miniaturization, as in the computing industry, which saw the replacement of massive mainframe computers with smaller and much more efficient personal computers. To quote the economic historian Joel Mokyr,

The main logical issue here is that economic growth can be resource saving as much as resource-using, and that the very negative effects that congestion and pollution engender will set into motion searches for techniques that will abate them. Such responses may be more effective in democratic than in autocratic regimes because concerned public opinion can map better into public policy, but in the end the need for humans to breathe clean air is about as universal a value as one can find. Investment in soil reclamation, desalination, recycling, and renewable energy count just as much as economic growth as economic activities that use up resources. Whether or not wise policies will help steer technological progress in that direction, the basic notion that per capita income growth has to stop because the planet is finite is palpable nonsense.[10]

Third, pessimists assume that humanity will sit idly by and allow environmental problems to overwhelm our planet. That is highly improbable given our species’ track record of tackling past challenges. According to Nordhaus, it took six times as much land to feed a single person in the Neolithic period as it does now. If we were still harvesting einkorn with sticks and stones, we would certainly be above our carrying capacity. Instead, we’ve improved our agricultural efficiency so much that less than 2 percent of the U.S population actually has to farm at all.[11]

#### Transition wars go nuclear

Milne 17 [Drew Milne and John Kinsella, \* Staff Fellow and Director of Studies in English, Cambridge, \*\* Professor of English at Kenyon College in the United States, a Fellow of Churchill College, Cambridge University, and Adjunct Professor to Edith Cowan University, “Nuclear theory degree zero, with two cheers for Derrida,” 2017, *Angelaki*, Vol. 22, Issue 3, https://www.tandfonline.com/doi/full/10.1080/0969725X.2017.1387358 – potentially triggering words censored]

Another version of the “accelerationist” argument captures some of the ideological workings of the term. In Marxist circles, an “accelerationist” is someone who thinks that the collapse of capitalism will be hastened by allowing reactionary forces to speed up capitalism’s self-destruction. There are occasions when such an argument has validity: nothing about the form of the argument makes it inherently or structurally wrong. There are revolutionary moments when allowing capitalism to collapse in order to rebuild a socialist society is a better path than propping up a failing capitalist regime. The judgement is political rather than philosophical. In most contexts, however, the accelerationist argument, especially as a political principle, is deeply dangerous. It would be better, for example, to preserve a failing US capitalist regime while building social forces to take it over, than to allow the nuclear weapons of the United States to fall into the hands of a ~~suicidal~~ military rearguard or some counter-revolutionary terrorist organisation. Preserving the possibility of human life might involve propping up collapsing capitalist institutions, not least the nuclear safety inspectorate, rather than allowing humanity to be swallowed up by some death spiral of presidential dictators in fear of being toppled. These are critical judgements that could arise at any moment, with real risks that poor judgements will hasten a nuclear confrontation that leads to mutually assured annihilation. The formal shape of an accelerationist argument needs to be understood strategically and politically if it is to address nuclear questions.

The accelerationist view that the deepening of capitalism could hasten its self-destructive tendencies and lead to its collapse is not inherently ~~suicidal~~, but consideration of what the collapse of capitalism might mean for the global stock of nuclear weapons and nuclear power stations indicates dangers. Amid the collapse of capitalism, securing the safety of nuclear resources is a fundamental priority, and preparing a decelerationist strategy is an essential political position for any radical formation serious about nuclear safety. Against the horizon of nuclear crisis, we rely on workers to know how to manage and decommission nuclear weapons, silos and power stations. This requires “good” science and ongoing struggles to control the decision making around weapons and energy systems. Concrete consideration of what happens to ageing nuclear systems in an imploding political system has been tested in the fall of the Soviet Union. Imagine the retrenchment of reactionary forces around nuclear installations threatening ~~suicidal~~ political terrorism on a global scale. The risks of a collapsing capitalist system taking the world down with it are clear. Chernobyl and Fukushima, moreover, stand as metonyms of the risks involved in systems that were apparently functional and yet spiralled out of control even in what might be called peacetime. The risks of the US or the Chinese nuclear androids imploding involve different decisions. Again, the need is for nuanced political judgements and strategies, involving scientific expertise along with solidarity between scientists, workers and new social formations.

#### The state responds with military crackdowns.

**Flaherty ’5** [Kevin; 2005; B.A. in International Relations from the University of South California; Cryptogon, “Militant Electronic Piracy:  
Non-Violent Insurgency Tactics Against the American Corporate State,” <http://cryptogon.com/docs/pirate_insurgency.html/>]

Any violent insurgency against the American Corporate State is sure to fail and will only serve to enhance the state's power. The major flaw of violent insurgencies, both cell based (Weathermen Underground, Black Panthers, Aryan Nations etc.) and leaderless (Earth Liberation Front, People for the Ethical Treatment of Animals, etc.) is that they are attempting to attack the system using the same tactics the American Corporate State has already mastered: terror and psychological operations. The American Corporate State attained primacy through the effective application of terror and psychological operations. Therefore, it has far more skill and experience in the use of these tactics than any upstart could ever hope to attain. This makes the American Corporate State impervious to traditional insurgency tactics.

- Political Activism and the ACS Counterinsurgency Apparatus

The American Corporate State employs a full-time counterinsurgency infrastructure with resources that are unimaginable to most would be insurgents. Quite simply, violent insurgents have no idea of just how powerful the foe actually is. Violent insurgents typically start out as peaceful, idealistic, political activists. Whether or not political activists know it, even with very mundane levels of political activity, they are engaging in low intensity conflict with the ACS.

The U.S. military classifies political activism as “low intensity conflict.” The scale of warfare (in terms of intensity) begins with individuals distributing anti-government handbills and public gatherings with anti-government/anti-corporate themes. In the middle of the conflict intensity scale are what the military refers to as Operations Other than War; an example would be the situation the U.S. is facing in Iraq. At the upper right hand side of the graph is global thermonuclear war. What is important to remember is that the military is concerned with ALL points along this scale because they represent different types of threats to the ACS.

Making distinctions between civilian law enforcement and military forces, and foreign and domestic intelligence services is no longer necessary. After September 11, 2001, all national security assets would be brought to bear against any U.S. insurgency movement. Additionally, the U.S. military established NORTHCOM which designated the U.S. as an active military operational area. Crimes involving the loss of corporate profits will increasingly be treated as acts of terrorism and could garner anything from a local law enforcement response to activation of regular military forces.

Most of what is commonly referred to as “political activism” is viewed by the corporate state's counterinsurgency apparatus as a useful and necessary component of political control.

Letters-to-the-editor...

Calls-to-elected-representatives...

Waving banners...

“Third” party political activities...

Taking beatings, rubber bullets and tear gas from riot police in free speech zones...

Political activism amounts to an utterly useless waste of time, in terms of tangible power, which is all the ACS understands. Political activism is a cruel guise that is sold to people who are dissatisfied, but who have no concept of the nature of tangible power. Counterinsurgency teams routinely monitor these activities, attend the meetings, join the groups and take on leadership roles in the organizations.

It's only a matter of time before some individuals determine that political activism is a honeypot that accomplishes nothing and wastes their time. The corporate state knows that some small percentage of the peaceful, idealistic, political activists will eventually figure out the game. At this point, the clued-in activists will probably do one of two things; drop out or move to escalate the struggle in other ways.

If the clued-in activist drops his or her political activities, the ACS wins.

But what if the clued-in activist refuses to give up the struggle? Feeling powerless, desperation could set in and these individuals might become increasingly radicalized. Because the corporate state's counterinsurgency operatives have infiltrated most political activism groups, the radicalized members will be easily identified, monitored and eventually compromised/turned, arrested or executed. The ACS wins again.

#### Transition fails – GDP and military strength.

Hanania 20 [Richard Hanania, research fellow at Defense Priorities, and a postdoctoral research fellow at the Saltzman Institute of War and Peace Studies at Columbia University., “Americans hate each other. But we aren’t headed for civil war.,” 10/29/20, *The Washington Post*, https://www.washingtonpost.com/outlook/civil-war-united-states-unlikely-violence/2020/10/29/3a143936-0f0f-11eb-8074-0e943a91bf08\_story.html, EA]

Wealth and military power explain why, in the United States, civil war is likely to remain a metaphor. Its per capita gross domestic product is about $62,000 a year, among the highest in the world, and its military is clearly capable of wiping out any challenges to state power. (The U.S. Civil War occurred when the nation had a per capita GDP comparable to that of a developing nation today, and when military technology was limited to rifles and cannon.) The Pentagon has 1.3 million active-duty personnel, can find terrorists on the other side of the world and wipe them out with the push of a button, and boasts a command-and-control structure with no recent history of factionalization. There is no swamp or mountain peak that is beyond the easy reach of the U.S. military.

A recent survey by Nationscape revealed that 36 percent of Republicans and 33 percent of Democrats thought that violence was at least somewhat justified to accomplish political goals. The opportunity model suggests that while a survey result like this reveals disturbing things about our political culture, it does not presage civil war.

To be sure, riots and general discord can happen as long as leaders lack the political will to respond (or if, as today, leaders disagree about the line dividing peaceful protest from lawlessness). But as soon as the authorities perceive a serious enough problem, they can move quickly and decisively, a lesson learned by the anarchists who recently took over part of Seattle, declaring it the Capitol Hill Autonomous Zone. They were tolerated for just over three weeks until they were cleared out by local police in partnership with the FBI. Law enforcement at the local and national levels, from police to the military, remains united and under civilian control, willing and able to put down potential threats to our governing system or territorial integrity.

### 1NC – Method

#### “Taxing billionaires” and “free health care” is not getting rid of space capitalism – it’s petit bourgeoisie reformism that doesn’t attempt to mitigate the impacts of capitalism, but rather redistribute its gains from developing countries to the first world. Obviously kills any solvency if they win cap is bad.