I negate the resolution: the appropriation of outer space by private entities is unjust.

First, an observation: the affirmative debater must prove that the appropriation of outer space by private entities is actively unjust. Simply proving that appropriation of outer space is not a good idea is not sufficient to vote aff since the word “unjust” in the resolution requires proving an active moral statement in regards to private entities appropriating outer space. Thus, my proving that appropriation of outer space by private entities is either actively good or permissible is enough to vote negative, since the affirmative must prove the resolution as an active moral statement. Permissibility negates since the affirmative must prove the presence of a moral obligation, otherwise we don’t have an obligation to perform an action.

An agent’s actions reflect philosophically on the nature of the agent themselves. **Wallace:**

To hold someone morally responsible is to view the person as the potential target of a special kind of moral appraisal. **People who are morally responsible** are not seen merely as acting in ways that happen to be good or bad; they **are not just causally responsible for certain** welcome or unwelcome **happenings, the way a clogged drain might be said to be responsible for the unfortunate overflowing of a basin. Rather, the actions** of morally responsible people **are thought to reflect** specially **on them as agents**, opening them to a kind of moral appraisal that does more than record a causal connection between them and the consequences of their actions. As Susan Wolf has suggested**, assessing people as morally responsible has a quality of "depth," going beyond mere description of the moral character of what they do, or of their causal role in bringing their actions about.** An account of what it is to hold people responsible should start by characterizing this quality of depth, so as to locate more precisely the distinctive aspect of the phenomenon that is to be explained. [1] Wallace, R. Jay (Professor of Philosophy, University of California, Berkeley). Responsibility and the Moral Sentiments. (1994).

Thus, it follows that the ability to bring conditions upon oneself is a prerequisite to moral judgement. The right to self-ownership is the basis of all ethics. It is epistemically foundational since any attempt to update belief in response to evidence requires that one possess ownership over one’s mental states, i.e. that one is free to adopt and discard beliefs. This means that self-ownership includes a right to control one's mind and identity as well as the body, as well as making the decision to engage in the principles of a moral theory. Epistemology comes prior since it governs our acceptance of all other philosophical claims. And this comes before other epistemological arguments since a right to revise one’s beliefs is a conceptual prerequisite to any particular theory of justification.

My framework is means-based--“Maximizing self-ownership” is contradictory since it empowers the state to impose trade-offs, violating one person’s self-ownership to protect others, but once the state has this authority there’s no longer a right of self-ownership since we can’t forbid its infringements. Rather, consistency requires that the state protects against infringements of self-ownership without violating the self-ownership of other natural persons.

Thus, the standard is consistency with self-ownership, defined as a moral actor’s right to control one’s self under principles of mutual restraint.

1. I contend that the appropriation of outer space by private entities is consistent with their self interest and an act of exercising their self-ownership under principles of mutual restraint.

Private entities’ ventures into space are a reflection of their self interest, and under principles of self-ownership are not unjust insofar as they do not violate the self ownership of another. Because outer space is defined as the space between celestial bodies, the resolution is not a question of the appropriation of entities such as stars, planets, or asteroids; it is a question of the appropriation of the relatively empty space between those entities.

Second, the violation of self ownership of another in terms of property acquisitions means there would have to be a present owner of those resources, which presupposes that the area has already been appropriated. **Feser 1**, (Edward Feser, 1-1-2005, accessed on 12-15-2021, Cambridge University Press, "THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION | Social Philosophy and Policy | Cambridge Core", Edward C. Feser is an American philosopher. He is an Associate Professor of Philosophy at Pasadena City College in Pasadena, California.https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1) [brackets for gen lang]//phs st

There is a serious difficulty with this criticism of Nozick, however. It is just this: **There is no such thing as an unjust initial acquisition of resources;** therefore**, there is no case** to be made **for redistributive taxation on the basis of alleged injustices in initial acquisition.** This is, to be sure, a bold claim. Moreover, in making it, I contradict not only Nozick’s critics, but Nozick himself, who clearly thinks it is at least possible for there to be injustices in acquisition, whether or not there have in fact been any (or, more realistically, whether or not there have been enough such injustices to justify continual redistributive taxation for the purposes of rectifying them). But here is a case where Nozick has, I think, been too generous to the other side. Rather than attempt —unsatisfactorily, in the view of his critics—to meet the challenge to show that initial acquisition has not in general been unjust, he ought instead to have insisted that there is no such challenge to be met in the first place. Giving what I shall call “the basic argument” for this audacious claim will be the task of Section II of this essay. The argument is, I think, compelling, but by itself it leaves unexplained some widespread intu- itions to the effect that certain specific instances of initial acquisition are unjust and call forth as their remedy the application of a Lockean proviso, or are otherwise problematic. (A “Lockean proviso,” of course, is one that forbids initial acquisitions of resources when these acquisitions do not leave “enough and as good” in common for others.) Thus, Section III focuses on various considerations that tend to show how those intuitions are best explained in a way consistent with the argument of Section II. Section IV completes the task of accounting for the intuitions in question by considering how the thesis of self-ownership itself bears on the acqui- sition and use of property. Section V shows how the results of the previ- ous sections add up to a more satisfying defense of Nozickian property rights than the one given by Nozick himself, and considers some of the implications of this revised conception of initial acquisition for our under- standing of Nozick’s principles of transfer and rectification. II. The Basic Argument **The reason there is no such thing as an unjust initial acquisition of resources is that there is no such thing as either a just or an unjust initial acquisition of resources.** The concept of **justice**, that is to say, simply does not apply to initial acquisition. It **applies only after initial acquisition has already taken place.** In particular, **it applies only to transfers of property** (and derivatively, to the rectification of injustices in transfer). This, it seems to me, is a clear implication of the assumption (rightly) made by Nozick that **external resources are initially unowned.** Consider the following example. **Suppose an individual A seeks** to acquire **some previously unowned resource R. For** it **to be the case that A commits an injustice in acquiring R, it would also have to be the case that there is some individual B** (or perhaps a group of individuals) **against whom A commits the injustice. But for B to have been wronged by A’s acquisi- tion of R, B would have to have** had a rightful claim over R, **a right to R.** By hypothesis, **however, B did not have a right to R, because** no one had a right to it—**it was unowned**, after all. **So B was not wronged and could not have been**. In fact, **the** very **first person who could conceivably be wronged by anyone’s use of R would be**, not B, but **A himself,** since A is the first one to own R. **Such a wrong would in the nature of the case be an injustice in transfer**—in unjustly taking from A what is rightfully his—**not in initial acquisition. The same thing**, by extension, **will be true of all unowned resources**: it is only after some- one has initially acquired them that anyone could unjustly come to possess them, via unjust transfer. **It is impossible,** then, **for there to be any injustices in initial acquisition**.7

Thus, because the affirmative must prove that the appropriation of private property by private entities is unjust, proving that it is either just or permissible is enough to negate. If the action is permissible, for example, then an individual may act upon their self-ownership in taking such an action so long as the self-ownership of another is not violated and under principles of mutual restraint.

Brackets for clarity and gendered language.

Treating resources as a commons inevitably leads to a disaster of mismanagement, waste, and destruction. **Robert Smith** explains:

**“Picture a pasture open to all.** It is to be expected that **each herder will try to keep as many cattle as possible on the commons.** Such an arrangement may work reasonably satisfactorily for centuries because tribal wars, poaching, and disease keep the num- bers of both man and beast well below the carrying capacity of the land. Finally, however, comes the day of reckoning, that is, the day when the long-desiredgoal of social stability becomes a reali- ty. At this point, **the inherent logic of the commons** remorselessly **generates tragedy.** As **a rational** being, each **herder seeks to maximize [their] gain.** Explicitly or implicitly, more or less consciously, he asks, **[They ask] “What is the utility to me of adding one more animal** to my herd**?”** The util- ity has one negative and one positive component. I. The positive component is a function of the increment of one animal. **Since the herder receives all the proceeds from** the sale of **the additional animal, the positive utility is** nearly **+ 1.** 2. **The negative component is** a function of the additional **over- grazing** created by one more animal. Since, **however, the effects of overgrazing are shared by all the** **herders**, **the negative utility for any** particular decision-making **herder is only a fraction of 1.** Adding together the component partial utilities, **the rational herder concludes that the only** sensible **course** for him to pursue **is to add another animal** to his herd. And another; and another. . . . **But this** is the **conclusion is reached by** each and **every rational herder sharing a commons. Therein is the tragedy.** **Each person is locked into a system that compels** him**[them] to increase** his herd **without limit**—in a world that is limited. **Ruin is the destination toward which all** men **rush**, **each pursuing their own best interest in a society that believes in the freedom of the commons. Freedom in a commons brings ruin to alI.”**

Smith, Robert J. “Resolving the tragedy of the commons by creating private property rights in wildlife.” *Cato Journal,* Vol. 1, No. 2, Fall 1981.

This is empirically proven in the context of space. In the status quo, space IS a commons - the Outer Space Treaty prohibits private ownership of space. That means that anyone who wants to can send orbital materials into space, and the result is that space is vastly overcrowded, filled with deadly debris, and NO ONE is working to solve the problem because EVERYONE has an incentive to keep adding material and no incentive to take care of the resource.

Private ownership solves the tragedy because private owners have incentives to care for their property. **Smith 2:**

**“**In all of these cases, it is clear that the problem of **overexploitation** or overharvesting **is a result of the resource’s being under public** **rather than private ownership.** The difference in their management is a direct result of two totally different forms of property rights and ownership: public, communal, or common property vs. private property. **Wherever we have public ownership we find overuse, [and] waste,** and extinction; **but private ownership results in sustained-yield use and preservation.** Although **it may be** philosophically or **emotionally pleasing to** environmentalists to **persist in maintaining that** wildlife, the oceans, and **natural resources belong to humankind, the inevitable result of such thinking is the opposite of what they desire.”**

Smith, Robert J. “Resolving the tragedy of the commons by creating private property rights in wildlife.” *Cato Journal,* Vol. 1, No. 2, Fall 1981.

This turns their position: treating space as a commons ultimately maximizes structural violence because it leads to the over-use and destruction of near-earth-spacea as a resource, which means no one benefits. The harms of this destruction fall most heavily on the poor who likely depend on satellite-based technology for access to things like the internet or global communications.

And don’t let them say that they solve over-use by making space a commons, because the meaning of “commons” is:

**“land or resources belonging to** or affecting **the whole of a community.”**

*Oxford Languages*

That means that when space is a “commons,” anyone can use it – commons are *unregulated.* It’s not that commons belong to **no one, RATHER, COMMONS BELONG TO *EVERYONE.*** But only the wealthy and privileged will get to enjoy the commons, because they have the resources to access them. For example, national parks are a commons, but the very poor often don’t benefit from them because they may not be able to afford to travel or take long vacations. Similarly, if space is a commons, only the wealthy will be able to access them because only they can afford the technology necessary. So the aff is the worst of both worlds:

If the resource is a commons, then it is GUARANTEED that:

1. It will be over-used to the point of tragedy, and
2. Only the very wealthy will have access

If you allow space to become private property as in the negative world, then it is at least *possible* for governments to ensure equitable distribution of space-as-property. Governments don’t *necessarily* do that, but they *can* – for example, many progressive democracies redistribute resources in the form of money, real estate or homes, and access to goods like health care. So if space can be property, it is POSSIBLE to have an equitable distribution of it in the negative world, but impossible in the aff world.

O/v on the aff, my opponent said on cross examination that the main thesis of the aff is that no one can privately appropriate, or own, the global commons. However, this does not prevent people from USING the global commons. My opponent also said there would be regulations in place, but these regulations are specific to APPROPRIATION, and not USE, of the commons. Natural parks, for example, are not owned by anyone, but are available for everyone to visit, and hence, use.

On the contention 1:

1) TURN: The affirmative only makes the crowding of space worse. This is because in a world with no property rights in space, space is a COMMONS -- which means that its use is unregulated. Just because you can't have a property interest in something doesn't mean you can't use it; ie, no one owns national parks, but millions of people visit them every year. In the status quo, for example, the Outer Space Treaty prohibits private ownership in space but there are still thousands of private satellites being sent every year. SO THE AFF DOESN'T SOLVE, BECAUSE WITHOUT PROPERTY RIGHTS PRIVATE AGENCIES CAN STILL PUT SATELLITES IN ORBIT.

The aff assumes that prohibiting private ownership of near-earth space is the same thing as preventing satellite launches, but that simply isn't true. As long as space is a commons, there will be infinitely many satellite launches.

The neg solves better by allowing private ownership over specific orbital paths and/or zones. 1) This leads to FEWER satellites, because each privately owned orbit can only be used by its owner 2) There will be fewer collisions because private owners will control specific orbits 3) Private companies will have an strong incentive to clear space debris from their privately-owned zones

On the contention 2: TURN: a global commons actually perpetuates space colonialism because an unregulated commons in the world of the affirmative doesn’t mean no one can use that space through private appropriation,

* Disad to prohibiting ownership of space that doesn’t link to regulating use
* Prohibiting appropriation doesn’t have that big of an effect on use
* Prohibiting appropriation just makes the resources common, doesn’t prevent people from using them