## Off

### T - appropriation

#### Interpretation – appropriation means taking possession of something

**Dictionary ND**, Dictionary.com, “appropriation”, <https://www.dictionary.com/browse/appropriation>, DD AG

**the act of** appropriating or **taking possession of something**, often without permission or consent.

#### Appropriation of outer space is the exercise of exclusive control.

**Trapp 13** (TIMOTHY JUSTIN TRAPP, JD Candidate @ UIUC Law, ‘13, TAKING UP SPACE BY ANY OTHER MEANS: COMING TO TERMS WITH THE NONAPPROPRIATION ARTICLE OF THE OUTER SPACE TREATY UNIVERSITY OF ILLINOIS LAW REVIEW [Vol. 2013 No. 4])//DebateDrills AY

The issues presented in relation to the nonappropriation article of the Outer Space Treaty should be clear.214 The ITU has, quite blatantly, created something akin to “property interests in outer space.”215 It allows nations to exclude others from their orbital slots, even when the nation is not currently using that slot.216 This is directly in line with at least one definition of outer-space appropriation.217 [\*\*Start Footnote 217\*\*Id. at 236 (“**Appropriation of outer space**, **therefore, is ‘the exercise of exclusive control or exclusive use’ with a sense of permanence, which limits other nations’ access to it.**”) (quoting Milton L. Smith, The Role of the ITU in the Development of Space Law, 17 ANNALS AIR & SPACE L. 157, 165 (1992)). \*\*End Footnote 217\*\*]The ITU even allows nations with unused slots to devise them to other entities, creating a market for the property rights set up by this regulation.218 In some aspects, this seems to effect exactly what those signatory nations of the Bogotá Declaration were trying to accomplish, albeit through different means.219 Though the legitimacy of such a regime may be questionable, it remains in effect, showing that it is at least tolerable under the edict of the nonappropriation article of the Outer Space Treaty.220 There must, therefore, be something about the ITU that differentiates it from something like the Bogotá Declaration.221 The most immediate difference is the character of the body promulgating the regulation. The Bogotá Declaration is an agreement between eight countries claiming rights to all space above them.222 The ITU’s regulations are promulgated under the auspices of the U.N.223 While the Bogotá Declaration is an international agreement, it is still a very limited cooperation.224 The ITU, through the U.N., comprises the largest possible cooperation of international actors, giving it an international character as opposed to simply a multinational character.225 Furthermore, the allocation of orbital slots by the ITU is a response to the limited character of geostationary orbits.226 While the Bogotá Declaration was probably promulgated in response to a few nations’ fears that they may be excluded from the space arena,227 **the allocation system of the ITU is a measure to make sure that the GEO resource is efficiently managed for the use of all mankind**.228

#### Violation: they defend ISS and similar stations which is not a form of appropriation

Timothy Justin Trapp 2013, TAKING UP SPACE BY ANY OTHER MEANS: COMING TO TERMS WITH THE NONAPPROPRIATION ARTICLE OF THE OUTER SPACE TREATY ,<https://www.illinoislawreview.org/wp-content/ilr-content/articles/2013/4/Trapp.pdf>, TAKING UP SPACE BY ANY OTHER MEANS: COMING TO TERMS WITH THE NONAPPROPRIATION ARTICLE OF THE OUTER SPACE TREATY, accessed 2/20/22 | DD JH

The **I**nternational **S**pace **S**tation presents a unique application of the nonappropriation principle. All spacecraft must inherently occupy some amount of space. If this were to constitute appropriation by occupation and thus violate the nonappropriation article, the result would be absurd and would render the nonappropriation article unenforceable. The International Space Station, however, is different from regular satellites in that it actually contains a livable area within itself, making it a sort of man-made celestial body.182 Thus, it would seem that any exclusion of any party from the space inside the spacecraft would count as appropriation by exclusion. It would even stand to reason that any claim of ownership of any part of the spacecraft would be appropriation by claim of sovereignty. In fact, the Intergovernmental Agreement on Cooperation in the Detailed Design, Development, Operation, and Utilization of the Permanently Manned Civil Space Station (ISS Agreement) sets up a regime of national control, ownership, and exclusion.183 So why does this not count as appropriation? Though it may seem that the International Space Station has appropriated the space it occupies through the terms of the ISS Agreement, this agreement has one important bit of language to keep it safe.184 Specifically, the ISS Agreement says that “[n]othing in this agreement shall be interpreted as . . . constituting a basis for asserting a claim to national appropriation over outer space or over any portion of outer space.”185 The effectiveness of such a proclamation may make it seem that it is enough for an actor merely to say that it is not appropriating space. That cannot be the case, however, because any actor could make such a claim and then act in direct violation of it. Something more subtle must be going on in the context of the International Space Station. One of the saving graces of the International Space Station must be that the ISS Agreement makes sure that the space station complies with the general principles guiding the exploration and exploitation of outer space.186 Indeed, the space station is a cooperative effort, furthering the goal of international harmony through space exploration.187 The agreement establishing the space station also directly states that it “will enhance the scientific, technological, and commercial use of outer space,” thus furthering the Outer Space Treaty’s goal of making sure that use is for the benefit of all.188 Furthermore, the ISS Agreement provides that the International Space Station will be used for peaceful purposes, again complying with the Outer Space Treaty’s mandate of the same.189 By complying with the underlying principles of the Outer Space Treaty, it seems that the International Space Station gains legitimacy and is thus not subject to stricter interpretations of the nonappropriation article.190 Another characteristic of the International Space Station that separates it from other acts of appropriation is that it is a multi-national entity.191 Though different nations do have different rights with respect to certain parts of the spacecraft, those rights are subject to a multinational agreement.192 Thus, it may accurately be said that while there has been no national appropriation of space, there has been international appropriation of space, which may be allowed under the current regime.193 The combination of the international character of the International Space Station and its compliance with the underlying principles of the Outer Space Treaty allow it a presumed legitimacy,194 or these aspects have at least kept any nation from attacking it under the nonappropriation article of the Outer Space Treaty.195 This creates further leeway in the application of the nonappropriation article and may allow for a similar international cooperation in the regulation of the creation of space debris

#### Standards:

#### Limits: there are infinitely many combinations that entities could send into space AND resources they can use. That explodes neg prep – it’s impossible for me to research every possible technology and resource, from type of satellite to type of mineral.

#### There’s no unifying DA to all private activity in outer space – there’s no generics that apply to all private activity in outer space – means underlimiting is worse and a technical definition of appropriation gives me generics about property rights

#### TVA solves – just read your aff as an advantage to the whole rez. We aren’t stopping them from reading new FWs, mechanisms, or advantages. PICs don’t solve – it’s ridiculous to say that neg potential abuse justifies the aff making it impossible for me to win

#### Drop the debater – deters future abuse and we indict the whole advocacy

#### Competing interps – reasonability invites arbitrary judge intervention and a race to the bottom

#### No RVIs – logical litmus for substance and incentivizes baiting abuse to win prepped out counterinterps

### K

#### Threats are constructed – their security discourse creates a self fulfilling prophecy that makes true understanding of structural causes behind “threats” impossible.

**Mack 91:** Dr. Mack, professor at Harvard Medical School, 1991, (John E., “The Psychodynamics of International Relationships” Vol 1 p. 58-59)

Attempts to explore the psychological roots of enmity are frequently met with an argument that, reduced to its essentials , goes something like this: “It’s very well to psychologize but my enemy is real. The Russians (or Germans, Arabs, Israelis, Americans) are armed, threaten us, and intend us harm. Furthermore, there are real struggles between us and them and differing national interests: competition over oil, land or scarce resources and genuine conflicts of values between our two nations (or political systems) It is essential that we be strong and maintain a balance of superiority of (military and political) power, lest the other side take advantage of our weakness.” This argument is neither wrong nor right, but instead simply limited. It fails to grapple with a critical distinction that informs the entire subject. Is the threat really generated by the enemy as it appears to be at any given moment, or is it based on one’s own contribution to the threat, derived from distortion of perception by provocative words and actions in a cycle of enmity and externalization of responsibility? In sum, the enemy IS real, but we have not learned to identify our own role in creating that enemy or in elaborating the threatening image we hold of the other group or country and its actual intentions or purposes. “we never see our enemy’s motives and we never labor to asses his will with anything approaching objectivity.”

#### Their security discourse causes genocide and interventionism in the name of cleansing the world of violent “others”

Friis 2k - Friis, UN Sector at the Norwegian Institute of International Affairs, 2k, (Karsten, Peace and Conflict Studies 7.2, “From Liminars to Others: Securitization Through Myths,” <http://shss.nova.edu/pcs/journalsPDF/V7N2.pdf#page=2>). NS

The problem with societal securitization is one of representation. It is rarely clear in advance who it is that speaks for a community. There is no system of representation as in a state. Since literately anyone can stand up as representatives, there is room for entrepreneurs. It is not surprising if we experience a struggle between different representatives and also their different representations of the society. What they do share, however, is a conviction that they are best at providing (a new) order. If they can do this convincingly, they gain legitimacy. What must be done is to make the uncertain certain and make the unknown an object of knowledge. To present a discernable Other is a way of doing this. The Other is represented as an Other -- as an unified single actor with a similar unquestionable set of core values (i.e. the capital “O”). They are objectified, made into an object of knowledge, by representation of their identity and values. In other words, the representation of the Other is depoliticized in the sense that its inner qualities are treated as given and non-negotiable. In Jef Huysmans (1998:241) words, there is both a need for a mediation of chaos as well as of threat. A mediation of chaos is more basic than a mediation of threat, as it implies making chaos into a meaningful order by a convincing representation of the Self and its surroundings. It is a mediation of “ontological security”, which means “...a strategy of managing the limits of reflexivity ... by fixing social relations into a symbolic and institutional order” (Huysmans 1998:242). As he and others (like Hansen 1998:240) have pointed out, the importance of a threat construction for political identification, is often overstated. The mediation of chaos, of being the provider of order in general, is just as important. This may imply naming an Other but not necessarily as a threat. Such a dichotomization implies a necessity to get rid of all the liminars (what Huysmans calls “strangers”). This is because they “...connote a challenge to categorizing practices through the impossibility of being categorized”, and does not threaten the community, “...but the possibility of ordering itself” (Huysmans 1998:241). They are a challenge to the entrepreneur by their very existence. They confuse the dichotomy of Self and Other and thereby the entrepreneur’s mediation of chaos. As mentioned, a liminar can for instance be people of mixed ethnical ancestry but also representations of competing world-pictures. As Eide (1998:76) notes: “Over and over again we see that the “liberals” within a group undergoing a mobilisation process for group conflict are the first ones to go”. The liminars threaten the ontological order of the entrepreneur by challenging his representation of Self and Other and his mediation of chaos, which ultimately undermines the legitimacy of his policy. The liminars may be securitized by some sort of disciplination, from suppression of cultural symbols to ethnic cleansing and expatriation. This is a threat to the ontological order of the entrepreneur, stemming from inside and thus repoliticizing the inside/outside dichotomy. Therefore the liminar must disappear. It must be made into a Self, as several minority groups throughout the world have experienced, or it must be forced out of the territory. A liminar may also become an Other, as its connection to the Self is cut and their former common culture is renounced and made insignificant. In Anne Norton’s (1988:55) words, “The presence of difference in the ambiguous other leads to its classification as wholly unlike and identifies it unqualifiedly with the archetypal other, denying the resemblance to the self.” Then the liminar is no longer an ontological danger (chaos), but what Huysmans (1998:242) calls a mediation of “daily security”. This is not challenging the order or the system as such but has become a visible, clear-cut Other. In places like Bosnia, this naming and replacement of an Other, has been regarded by the securitizing actors as the solution to the ontological problem they have posed. Securitization was not considered a political move, in the sense that there were any choices. It was a necessity: Securitization was a solution based on a depoliticized ontology.10 This way the world-picture of the securitizing actor is not only a representation but also made into reality. The mythical second-order language is made into first-order language, and its “innocent” reality is forced upon the world. To the entrepreneurs and other actors involved it has become a “natural” necessity with a need to make order, even if it implies making the world match the map. Maybe that is why war against liminars are so often total; it attempts a total expatriation or a total “solution” (like the Holocaust) and not only a victory on the battlefield. If the enemy is not even considered a legitimate Other, the door may be more open to a kind of violence that is way beyond any war conventions, any jus in bello. This way, securitizing is legitimized: The entrepreneur has succeeded both in launching his world-view and in prescribing the necessary measures taken against it. This is possible by using the myths, by speaking on behalf of the natural and eternal, where truth is never questioned.

#### The alternative is to reject securitization – this opens up space for emancipatory political engagement.

**Neocleous:** [Mark, Professor of the Critique of Political Economy; Head of Department of Politics & History Brunel Univ, Critique of Security, 185-6]

The only way out of such a dilemma, to escape the fetish, is perhaps to eschew the logic of securityaltogether **-** to reject it as so ideologically loaded in favour of the state that any real political thought other than the authoritarian and reactionary should be pressed to give it up. That is clearly something that can not be achieved within the limits of bourgeois thought and thus could never even begin to be imagined by the security intellectual. It is also something that the constant iteration of the refrain 'this is an insecure world'and reiteration of one fear**,** anxiety and insecurity after **another** will also make it hard to do**.** But it is something that the critique of security suggests we may have to consider if we want a political way out of the impasse of security. This impasse exists because security has now become so all-encompassing that it marginalises all else, most notably the constructive conflicts, debates and discussions that animate political life. The constant prioritising of a mythical security as a political end - as the political end constitutes a rejection of politics in any meaningful sense of the term. That is, as a mode of action in which differences can be articulated, in which the conflicts and struggles **t**hat arise from such differences can be fought for and negotiated, in which people might come to believe that another world is possible - that they might transform the world and in turn be transformed. Security politics simply removes this; worse, it remoeves it while purportedly addressing it. In so doing it suppresses all issues of power and turns political questions into debates about the most efficient way to achieve 'security', despite the fact that we are never quite told - never could be told - what might count as having achieved it. Security politics is, in this sense, an anti-politics,"' dominating political discourse in much the same manner as the security state tries to dominate human beings, reinforcing security fetishism and the monopolistic character ofsecurity on the political imagination. We therefore need to get beyond security politics, not add yet more 'sectors' to it in a way that simply expands the scope of the state and legitimises state intervention in yet more and more areas of our lives. Simon Dalby reports a personal communication with Michael Williams, co-editor of the important text Critical Security Studies, in which the latter asks: if you take away security, what do you put in the hole that's left behind? But I'm inclined to agree with Dalby: maybe there is no hole**."**' The mistake has been to think that there is a hole and that this hole needs to be filled with a new vision or revision of security in which it is re-mapped or civilised or gendered or humanised or expanded or whatever. All of these ultimately remain within the statist political imaginary, and consequently end up reaffirming the state as the terrain of modern politics, the grounds of security. The real task is not to fill the supposed hole with yet another vision of security, but to fight for an alternative political language which takes us beyond the narrow horizon of bourgeois security and which therefore does not constantly throw us into the arms of the state. That's the point of critical politics: to develop a new political language more adequate to the kind of society we want. Thus while much of what I have said here has been of a negative order, part of the tradition of critical theory is that the negative may be as significant as the positive in setting thought on new paths. For if security really is the supreme concept of bourgeois society and the fundamental thematic of liberalism, then to keep harping on about insecurity and to keep demanding 'more security' (while meekly hoping that this increased security doesn't damage our liberty) is to blind ourselves to the possibility of building real alternatives to the authoritarian tendencies in contemporary politics. To situate ourselves against security politics would allow us to circumvent the debilitating effect achieved through the constant securitising of social and political issues, debilitating in the sense that 'security' helps consolidate the power of the existing forms of social domination and justifies the short-circuiting of even the most democratic forms. It would also allow us to forge another kind of politics centred on a different conception of the good. We need a new way of thinking and talking about social being and politics that moves us beyond security. This would perhaps be emancipatory in the true sense of the word.What this might mean**,** precisely, must be open to debate. But it certainly requires recognising that security is an illusion that has forgotten it is an illusion; it requires recognising that security is not the same as solidarity; it requires accepting that insecurity is part of the human condition, and thus giving up the search for the certainty of security and instead learning to tolerate the uncertainties, ambiguities and 'insecurities' that come with being human; it requires accepting that 'securitizing' an issue does not mean dealing with it politically, but bracketing it out and handing it to the state;it requires us to be brave enough to return the gift."'

#### Representations must precede policy discussion – they determine what is politically thinkable.

Crawford 02 — Neta, PhD MA MIT, BA Brown, Prof. of poli sci at boston univ. Argument and Change in World Politics, p. 19-21

Coherent arguments are unlikely to take place unless and until actors, at least on some level, agree on what they are arguing about. The at least temporary resolution of meta-arguments- regarding the nature of the good (the content of prescriptive norms); what is out there, the way we know the world, how we decide between competing beliefs (ontology and epistemology); and the nature of the situation at hand( the proper frame or representation)- must occur before specific arguments that could lead to decision and action may take place. Meta-arguments over epistemology and ontology, relatively rare, occur in instances where there is a fundamental clash between belief systems and not simply a debate within a belief system. Such arguments over the nature of the world and how we come to know it are particularly rare in politics though they are more frequent in religion and science. Meta-arguments over the “good” are contests over what it is good and right to do, and even how we know the good and the right. They are about the nature of the good, specifically, defining the qualities of “good” so that we know good when we see it and do it. Ethical arguments are about how to do good in a particular situation. More common are meta-arguments over representations or frames- about how we out to understand a particular situation. Sometimes actors agree on how they see a situation. More often there are different possible interpretations. Thomas Homer-Dixon and Roger karapin suggest, “Argument and debate occur when people try to gain acceptance for their interpretation of the world”. For example, “is the war defensive or aggressive?”. Defining and controlling representations and images, or the frame, affects whether one thinks there is an issue at stake and whether a particular argument applies to the case. An actor fighting a defensive war is within international law; an aggressor may legitimately be subject to sanctions. Framing and reframing involve mimesis or putting forward representations of what is going on. In mimetic meta-arguments, actors who are struggling to characterize or frame the situation accomplish their ends by drawing vivid pictures of the “reality” through exaggeration, analogy, or differentiation. Representations of a situation do not re-produce accurately so much as they creatively re-present situations in a way that makes sense. “mimesis is a metaphoric or ‘iconic argumentation of the real.’ Imitating not the effectivity of events but their logical structure and meaning.” Certain features are emphasized and others de-emphasized or completely ignore as their situation is recharacterized or reframed. Representation thus becomes a “constraint on reasoning in that it limits understanding to a specific organization of conceptual knowledge.” The dominant representation delimits which arguments will be considered legitimate, framing how actors see possibities. As Roxanne Doty argues, “the possibility of practices presupposes the ability of an agent to imagine certain courses of action. Certain background meanings, kinds of social actors and relationships, must already be in place.” If, as Donald Sylvan and Stuart Thorson argue, “politics involves the selective privileging of representations, “it may not matter whether one representation or another is true or not. Emphasizing whether frames articulate accurate or inaccurate perceptions misses the rhetorical importof representation- how frames affect what is seen or not seen, and subsequent choices. Meta-arguments over representation are thus crucial elements of political argument because an actor’s arguments about what to do will be more persuasive if their characterization or framing of the situation holds sway. But, as Rodger Payne suggests, “No frame is an omnipotent persuasive tool that can be decisively wielded by norm entrepreneurs without serious political wrangling.” Hence framing is a meta-argument.

#### The framework – we meet based on the self fulfilling prophecy and b. better for education – fiat is illusory the only thing we have is our representations which means that it comes before any debate arguments especially in the context of theoretical extinction outweighs genocide. 1. We discount them because things like your scenario is made up – the debate space already solves for it, we talk about extinction all the time but we don’t talk about reps – you can talk about extinction but not in a securitizing way.

## case

### 1nc – turn

#### US space heg is unsustainable, but short-term growth causes war with China

Fabian 21 [Captain Chris Fabian, USSF, is a Crew Commander in the 3rd Space Operations Squadron supporting the Delta 9 mission. “Psychology of Deterrence in Sino-U.S. Space Relations” Space Force Journal, JANUARY 31, 2021 https://spaceforcejournal.org/psychology-of-deterrence-in-sino-u-s-space-relations/]

The space domain is a likely flash-point due to its importance in China’s active defense strategy in East Asia. Degrading U.S. space capabilities will disrupt the U.S. military’s “Find, Fix, Target, Track, Engage, and Assess” (F2T2EA) “kill chain,” and cripple its ability to conduct joint operations.[98] Also, space is an increasingly vital part of China’s over-the-horizon F2T2EA chain designed to hold U.S. naval and ground-based assets at risk within the first island chain.[99] If China is able to operationalize its vision of informationized warfare to use space-based intelligence, surveillance, and reconnaissance assets for intermediate-range ballistic missile targeting, it then can establish a temporary zone of control that U.S. forces cannot penetrate without accepting disproportionate risk.[100] Therefore, China is incentivized to protect its own space assets for use in this reconnaissance-strike complex and to undertake counterspace operations to cripple the U.S. military’s kill chain in the early stages of a conflict. China likely will not accept U.S. space dominance, and freedom of action in space is essential to deterring U.S. intervention in East Asia in order to preserve Chinese sovereignty.[101]

Deterrence Without Provocation?

A system of mutual restraint emerges when opponents share a similar strategic culture and are highly invested in international norms that preserve the core interests of both parties. This results in adequate signaling before an attack occurs, strict rules of engagement, and tactics that reduce collateral damage.[102] Despite the United States and Soviet Union both possessing ASAT weapons during the Cold War, the probability of their use remained low because an escalation ladder was clearly defined, and a series of robust firebreaks arose to prevent missteps by both nations.[103] A similar system does not exist between the United States and China for several reasons.[104]

The lack of ritualization in space warfare between the United States and China increases the risk for misunderstanding. Chinese counterspace action intended to have a tactical or operational effect may cross American strategic red lines resulting in unintended escalation.[105] Worryingly, the PLA may not widely appreciate the implication of interfering with or destroying U.S. space capabilities that are critical to nuclear operations.[106][107] Such an attack could raise fears of a broader attack and provoke preemptive escalation by the United States.[108]

Asymmetry between the United States’ and China’s space capabilities produces deterrence instability. A symmetric, force-on-force encounter with the United States may be a difficult endeavor; however, China believes it can level the playing field if it can exploit perceived U.S. vulnerabilities in space.[109] China is incentivized to strike U.S. space systems, thereby exploiting U.S. overreliance on space in order to gain military advantage.[110] The PLA has contemplated the possibility that a first-strike on space assets could create a temporary advantage that it can leverage to accomplish limited strategic objectives and to deter U.S. counterattack as part of an active defense strategy, all within a limited scope of conflict.[111] Thus, as it currently stands, maintaining a significant U.S. advantage in space systems to apply towards conventional conflict may invite attack rather than deter it.

As Chinese spacepower grows, so does its vulnerability to attack from the United States.[112] If Chinese strategists understand their vulnerability, it may heighten their awareness of the high costs of conflict with the United States, reinforcing mutual deterrence.[113] However, in the meantime, the United States will likely fall into three traps in its efforts to deter Chinese aggression. First, the lack of offense-defense distinguishability for space systems makes it difficult to determine whether a cooperative or competitive strategy is optimal.[114] Distinguishability is further confounded by the inherent dual-use of many space technologies; this makes it difficult to discern between a technology’s civilian or military utility.[115] In this environment, offense-defense distinguishability depends on observing how a capability is implemented rather than on an analysis of the underlying technology.[116] Therefore, developing defensive capabilities may be perceived as a threat to the space assets of an opponent, regardless of intended purpose.[117] If the United States responds in-kind to recent Russian or Chinese technology demonstrations in order to show that it is not defenseless against potential threats, these countries will recognize such a system’s offensive potential and may accelerate their own programs as a result.[118]

Second, an offense dominant environment produces pressure to build offensive weapons and incentivizes pre-emption.[119] This has a destabilizing effect in both the short and long terms by heightening the fear of surprise attack during international crisis and by incentivizing arms racing.[120] It is widely believed that space is currently offense dominant.[121] Satellites are fragile systems that move in stable orbits with no geographic cover, making them vulnerable to attack.[122] The United States’ over-reliance on space support for conventional warfighting means that an attack on high-value, low-density space systems at the outset of a conflict may offer a substantial warfighting benefit and produce first-mover advantage.[123] It is possible for the United States to deny probable gains to China by fielding select defensive capabilities and pursuing system architectures that do not fall prey to the offense-defense distinguishability trap. These include hardening satellite components, employing anti-jamming techniques, employing quick-response launch vehicles to replenish constellations, disaggregation, improving maneuverability, or employing active countermeasures.[124] However, many of these methods are costly and technically complex, while ASAT systems are comparatively cheaper and simpler.[125] Therefore, China can maintain a space “fleet in being” by operationalizing a small number of cheap and easy-to produce offensive weapons. This may induce the United States to pursue costly, inefficient denial based strategies in order to simultaneously defend its space assets and maintain stability.[126]

Third, cost-imposing deterrent measures are likely to have a problem with proportionality and credibility. The threat of conventional terrestrial military action by the United States to deter an attack on space assets lacks proportionality due to the risk of casualties, collateral damage, and horizontal escalation.[127] A tit-for-tat strategy along a clearly defined escalation ladder using any type of space weapon lacks credibility because the United States is far more reliant on space systems than China. This overreliance results in a large vulnerability gap between the U.S. and Chinese space enterprises.[128] As an expeditionary military power with a post-industrialized economy, the United States loses more in the event of a space war. This asymmetry is amplified in a Taiwan, South China Sea, or East China Sea conflict where the United States must rely on space assets to support an expeditionary force. In the same scenario, China is less reliant on space assets because of access to continental based command, control, communications, computers, intelligence, surveillance, and reconnaissance (C4ISR) assets. In 2008, the United States shot down one of its own satellites with a modified Aegis system.[129] However, if such a system were to be operationalized, it would not represent a credible means of deterrence because of the deleterious impact such weapons have on the space environment.[130] The United States must seek first-strike stability to protect its national interests and to preserve the safety of the space environment until a strong system of mutual deterrence emerges. However, this must be done by developing credible, proportional, and, most importantly, non-escalatory deterrence through asymmetric means.

Moving Forward

The evolving world order does not demand cooperation between the United States and China, nor does it necessitate dividing into separate power blocs where the United States undermines China’s rise. Rather, there is room for a competitive relationship that redefines a shared world order while preserving the core interests of both parties.[131] However, the current pattern of factionalism will compel the creation of competing world orders. In the absence of common goals and agreed rules of restraint, institutionalized rivalry is likely to escalate beyond the calculation and intentions of its advocates. The penalties of failure could be drastic and perhaps irrevocable in an era in which unprecedented offensive capabilities and intrusive technologies multiply.[132]

U.S. decisionmakers must account for psychological and cultural factors currently present in the Sino-U.S. relationship. This will improve crisis management in a complex, competitive environment and reduce the chance of strategic miscalculation. Openness and exchange among scientific, policymaking, and military communities must be encouraged to build a shared and holistic perspective. Exchange must be accompanied by the knowledge that space represents the ultimate high ground and that space dominance is the ultimate encirclement that threatens Chinese sovereignty.

U.S. decisionmakers must pursue deterrence stability with the understanding that many of the most straightforward, conventional deterrence options contribute to crisis instability and deepen the security dilemma. The rapid growth of China’s economy, development of high technology industry, and military modernization indicate that symmetry with U.S. space capabilities may only be decades away. U.S. decisionmakers must question whether gaining a temporary first-mover advantage is worth the risk of inviting long-term challenge to its space superiority. They must reassess the long-term economic and political cost of maintaining space dominance versus accepting a measured level of risk as China’s space capabilities grow. Maintaining space dominance through dedicated acquisitions reform, accelerated investment in science and technology, and concerted spacepower theory and doctrine development may be possible, but the organizational and financial cost will be exceedingly high.

#### The plans abrupt rise in hegemony sparks conflict with Russia and China

Ashford 21 (Emma Ashford is a senior fellow in the New American Engagement Initiative at the Atlantic Council’s Scowcroft Center for Strategy and Security, 4-1-2021 Emma, "Great-Power Competition Is a Recipe for Disaster", Foreign Policy, https://foreignpolicy.com/2021/04/01/china-usa-great-power-competition-recipe-for-disaster/)

Instead, the “return of great-power competition” is essentially an easier way of admitting that the United States is in relative decline. The unipolar moment—the three-decade period of U.S. global predominance that started with the collapse of the Soviet Union—is ending. In the parlance of political science, other states are beginning to balance against the United States. In layman’s terms, this means that with the United States in relative decline, other states are increasingly willing to take actions they would not have during the 1990s, whether it’s Russian intervention in Syria, Chinese claims to the South China Sea, or European steps to circumvent U.S. sanctions legislation. Irving Kristol, considered the godfather of neoconservatism, once noted that a neoconservative is just a liberal who’s been mugged by reality; some of the loudest voices proclaiming an era of great-power competition are just liberal internationalists who have been mugged by the reality of power politics. Yet if this were all there was to it, the debate surrounding great-power competition would be far less problematic. Scholars and pundits would update their mental models for a more competitive world and move on with their lives. Instead, foreign-policy circles in Washington are increasingly fixated on the notion that the United States must commit to competition with China, Russia, and other states. Great-power competition is portrayed less as a fact of life and more as a strategy in and of itself. Certainly, some authors do suggest a potential endpoint to great-power competition, such as Hal Brands and Zack Cooper, whose recent piece in Foreign Policy argued that competition between the United States and China would only lessen when the regime in Beijing collapsed. But they are still unclear on why we should pursue an existential Cold War-style struggle with China, rather than a more measured approach of competitive coexistence. This example is emblematic of the debate on great-power competition as a whole. As a grand strategy—what the Yale University professor John Lewis Gaddis once described as “the calculated relationship of means to large ends”—great-power competition is sorely lacking. For starters, it’s not clear whether competition is itself a means or an end. The 2017 National Security Strategy, for example, describes the world as an “arena of continuous competition” for which the United States must prepare. Whether it is domestic infrastructure projects, student loan forgiveness, repairs to democratic institutions, or increasing the birth rate, a wide range of policy priorities are now portrayed as essential to the pursuit of great-power competition. This suggests that great-power competition is itself an end. Why the country is compelled to compete in this way typically goes unstated. Indeed, if great-power competition is instead a means to an end, it’s not at all clear what those ends are. There’s rarely a concrete goal among those who proselytize in favor of a strategy of great-power competition. Consider how the topic is portrayed by former National Security Advisor H.R. McMaster in his recent book. He opens by noting that “after the end of the Cold War, America and other free and open societies forgot that they had to compete to keep their freedom, security, and prosperity” while later arguing that states must “compete thoroughly as the best means of avoiding confrontation.” Confusingly, he portrays competition as both an alternative to conflict and as a Manichean struggle between good and evil, with the United States beset by adversaries on all sides. It’s easy to dismiss this kind of rhetoric as silly, but it also carries substantial danger. For one thing, the focus on competition masks a whole series of underlying assumptions about the international system and America’s role in it. Washington’s policy community appears convinced that we are headed for a more dangerous world, one in which the United States must push back against the perceived aggression of states like China and Russia. Though articles almost always include an obligatory aside—that cooperation with China on climate change is a must!—the frame is almost uniformly confrontational. To be clear, there are good reasons for Washington’s strategic community to perceive an increasingly competitive world. The gap between the United States and other countries is narrowing militarily; it has already closed by some economic measures. And pushback against U.S. foreign-policy choices among other states has increased in recent years, from Chinese attempts to revise maritime rules to Russia’s aggressive targeting of foreign elections. But a more competitive world isn’t the same thing as an all-out struggle. Great-power competition is often portrayed as an all-or-nothing conflict, where revisionist autocracies are challenging the United States in every sphere. In reality, thus far China and Russia are only selectively revisionist, attempting to change the status quo where it suits their interests and to maintain it in other places. The risks of the all-or-nothing approach to global politics cannot be overstated. As Fareed Zakaria put it recently, “The United States risks squandering the hard-won gains from four decades of engagement with China, encouraging Beijing to adopt confrontational policies of its own, and leading the world’s two largest economies into a treacherous conflict of unknown scale and scope.” Indeed, if one assumes—as much of the writing on great-power competition does—that China and Russia are implacable foes of the United States determined to destroy the existing order and overturn U.S. hegemony, then policies that would otherwise be unthinkable are suddenly on the table. Military buildup in Europe and Asia becomes necessary, even if it raises the risk of open conflict with another nuclear power. Economic decoupling seems vital to protect supply chains, though studies show that the costs to U.S. companies and workers would be extreme. A recent report by the U.S. Chamber of Commerce’s China Center, for example, estimated that the U.S. economy could lose up to $1 trillion in growth if tariffs were more broadly applied to all U.S.-China trade. Restrictions on tourism or on Chinese students studying in the United States would cost between $15 billion and $30 billion per year. The bottom line is simple: It’s easy to make fun of great-power competition as a meaningless buzzword or as Washington’s foreign-policy elite rediscovering that other states get to have a say in world politics. But as the political scientist Robert Kagan wrote recently, the biggest question of the coming decades may be whether countries can “confine the global competition to the economic and political realms and thus spare themselves and the world from the horrors of the next great war or even the still frightening confrontations of another cold war.” In that context, the ~~blind~~ pursuit of a strategy of great-power competition is irresponsible and shortsighted. The last time the United States single-mindedly pursued a poorly thought-out slogan masquerading as a strategy, it ended up fighting a two-decade global war on terrorism, a conflict from which it is still struggling to extricate itself and that had immense negative effects on the country’s foreign relations and its domestic liberties. Yet if today’s leaders are not careful, the rhetoric of great-power competition could drag the United States into a conflict even more costly and damaging.

#### No leadership impact.

Fettweis 20, Associate Professor of Political Science at Tulane University. (Christopher J., 6-3-2020, "Delusions of Danger: Geopolitical Fear and Indispensability in U.S. Foreign Policy", *A Dangerous World? Threat Perception and U.S. National Security*, <https://www.cato.org/publications/publications/delusions-danger-geopolitical-fear-indispensability-us-foreign-policy>)

Like many believers, proponents of hegemonic stability theory base their view on faith alone.41 There is precious little evidence to suggest that the United States is responsible for the pacific trends that have swept across the system. In fact, the world remained equally peaceful, relatively speaking, while the United States cut its forces throughout the 1990s, as well as while it doubled its military spending in the first decade of the new century.42 Complex statistical methods should not be needed to demonstrate that levels of U.S. military spending have been essentially unrelated to global stability. Hegemonic stability theory’s flaws go way beyond the absence of simple correlations to support them, however. The theory’s supporters have never been able to explain adequately how precisely 5 percent of the world’s population could force peace on the other 95 percent, unless, of course, the rest of the world was simply not intent on fighting. Most states are quite free to go to war without U.S. involvement but choose not to. The United States can be counted on, especially after Iraq, to steer well clear of most civil wars and ethnic conflicts. It took years, hundreds of thousands of casualties, and the use of chemical weapons to spur even limited interest in the events in Syria, for example; surely internal violence in, say, most of Africa would be unlikely to attract serious attention of the world’s policeman, much less intervention. The continent is, nevertheless, more peaceful today than at any other time in its history, something for which U.S. hegemony cannot take credit.43 Stability exists today in many such places to which U.S. hegemony simply does not extend. Overall, proponents of the stabilizing power of U.S. hegemony should keep in mind one of the most basic observations from cognitive psychology: rarely are our actions as important to others’ calculations as we perceive them to be.44 The so‐​called egocentric bias, which is essentially ubiquitous in human interaction, suggests that although it may be natural for U.S. policymakers to interpret their role as crucial in the maintenance of world peace, they are almost certainly overestimating their own importance. Washington is probably not as central to the myriad decisions in foreign capitals that help maintain international stability as it thinks it is. The indispensability fallacy owes its existence to a couple of factors. First, although all people like to bask in the reflected glory of their country’s (or culture’s) unique, nonpareil stature, Americans have long been exceptional in their exceptionalism.45 The short history of the United States, which can easily be read as an almost uninterrupted and certainly unlikely story of success, has led to a (perhaps natural) belief that it is morally, culturally, and politically superior to other, lesser countries. It is no coincidence that the exceptional state would be called on by fate to maintain peace and justice in the world. Americans have always combined that feeling of divine providence with a sense of mission to spread their ideals around the world and battle evil wherever it lurks. It is that sense of destiny, of being the object of history’s call, that most obviously separates the United States from other countries. Only an American president would claim that by entering World War I, “America had the infinite privilege of fulfilling her destiny and saving the world.“46 Although many states are motivated by humanitarian causes, no other seems to consider promoting its values to be a national duty in quite the same way that Americans do. “I believe that God wants everybody to be free,” said George W. Bush in 2004. “That’s what I believe. And that’s one part of my foreign policy.“47 When Madeleine Albright called the United States the “indispensable nation,” she was reflecting a traditional, deeply held belief of the American people.48 Exceptional nations, like exceptional people, have an obligation to assist the merely average. Many of the factors that contribute to geopolitical fear — Manichaeism, religiosity, various vested interests, and neoconservatism — also help explain American exceptionalism and the indispensability fallacy. And unipolarity makes hegemonic delusions possible. With the great power of the United States comes a sense of great responsibility: to serve and protect humanity, to drive history in positive directions. More than any other single factor, the people of the United States tend to believe that they are indispensable because they are powerful, and power tends to blind states to their limitations. “Wealth shapes our international behavior and our image,” observed Derek Leebaert. “It brings with it the freedom to make wide‐​ranging choices well beyond common sense.“49 It is quite likely that the world does not need the United States to enforce peace. In fact, if virtually any of the overlapping and mutually reinforcing explanations for the current stability are correct, the trends in international security may well prove difficult to reverse. None of the contributing factors that are commonly suggested (economic development, complex interdependence, nuclear weapons, international institutions, democracy, shifting global norms on war) seem poised to disappear any time soon.50 The world will probably continue its peaceful ways for the near future, at the very least, no matter what the United States chooses to do or not do. As Robert Jervis concluded while pondering the likely effects of U.S. restraint on decisions made in foreign capitals, “It is very unlikely that pulling off the American security blanket would lead to thoughts of war.“51 The United States will remain fundamentally safe no matter what it does — in other words, despite widespread beliefs in its inherent indispensability to the contrary.

#### Retrenchment key to a concert strategy and multilateralism -- that unlocks global governance.

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I think there is a strategy consistent with the international disposition: great power concert. A concert strategy requires that all great powers pursue mutual accommodation and recognize each other’s interests as part of a larger commitment to maintain international stability. Patrick Porter and Amitav Acharya argue that a great power concert strategy is the best suited to adapt to the transfer of wealth and power to Asia along with the “multiplex” nature of world politics (not to mention a global perspective on international relations). The emergence of a diverse range of state and non-state actors bound together by extreme interdependence makes it impossible for any one actor, such as the United States, to establish rules for global governance which can mobilize all others. On this basis, a concert strategy would lead the United States to collaborate with others on the basis of mutual co-existence and embrace joint decision-making at the global level for coping with macrostructural processes that threaten all peoples around the world. In this way, a concert strategy is firmly grounded the international disposition and can serve as the realization of progressive internationalism.

Security and The Balance of Power

A concert strategy can do what establishment foreign policy cannot, namely de-escalate great power competition by giving up US hegemony. If adopted, the United States would treat other great powers, like Russia, China, and Iran, as equal partners in the maintenance of global stability and incorporate their interests into regional security agreements. The United States would give up its self-assumed role as an unrivaled global hegemon and seek a balance of power based on mutual respect with other great powers as partners rather than enemies. This kind of international posture would result in a more horizontal great power system, one that Stacie Goddard as identified as being productive of status quo rather than revisionist intentions. It would be compatible with recognition of the great power identities of other states and provide them with ontological security.

Transitioning from a hegemonic security strategy to a balance of power one will require that the United States engage in some degree of retrenchment from its already expansive commitments. But supporters of hegemony are wrong when they claim that retrenchment will encourage great power aggression and lead to the abandonment of our allies. The United States can engage in moderate forms of retrenchment consistent with great power recognition while still maintaining commitments to allies that strive to uphold human dignity. For example, were the United States to support a moratorium on NATO expansion, as Michael O’Hanlon suggests, it would signal that the United States is no longer interested in moving the frontiers of its influence to the gates of Moscow and remove the sense of threat experienced by Russian leaders. By recognizing the validity of Russian security interests as well as its great power identity, the equal relationship made possible by a concert strategy will better deal with the threat of interstate conflict compared to US hegemony.

Reviving Global Governance

A concert strategy informed by the internationalist disposition can further enable more robust forms of global governance. Rather than attempt international cooperation based on a priori liberal normative templates, the United States would accept the validity of all claims made by collective actors in world politics in an open-ended and inclusive process of deliberation. The result would be less of a hegemonic order and more of a constitutionalist one, in which the United States binds itself to a truly democratic process of decision-making at the global level. The emergence of global governance norms would be a function less of hegemonic socialization and more of a right held by all actors to contest the validity of standards of expected behavior. In other words, a concert strategy would enable the United States to accept processes of norm contestation as the motor of transnational cooperation and generate more legitimate rules for regulating global governance. It would expand the US order building project initially identified by Ikenberry on the basis of restraint and institutional self-binding, but without retaining its own hierarchical position in world politics or engaging in hypocritical forms of dominance.

The implications for economic governance are profound: the United States would no longer exclude from consideration the notion of social democratic regulation of global capitalism and instead promote non-capitalist perspectives on the economy. Todd Tucker provides one great example of this approach when he argues that ISDS arbitration should include labor leaders and social justice advocates rather than international lawyers chosen by multinational firms which initiate legal action against sovereign states. It would also enable the United States to seriously consider Piketty’s call for a global wealth tax, Palley and Chow’s call for minimum wage floors, and a binding multilateral treaty that regulates global business activities on the basis of human rights. And finally, it would enable the drastic shift away from fossil fuels necessary to avoid climate apocalypse.

In Search of a Global Public

Naysayers might argue that all this degree of international cooperation sounds idealist, but all are possible in a context of declining great power competition. Once the United States recognizes the equal membership of all others in world politics on the basis of our extreme interdependencies, it can make possible what Mitzen has referred to as collective intentionality, or the emergence of a plural subject composed of several individuals who make and uphold joint commitments to each other and demand adherence as members of a global public. This kind of action is what the internationalist disposition can help us conceptualize, and even realize, through a concert strategy.

If progressive internationalists want to realize their objectives, they should be willing to turn away from the US establishment and embrace a concert strategy. By prioritizing cooperation on non-state issues and resolving great power competition through equal recognition, they can realize security for their own citizens as well as others. However, IR constructivists remind us that no foreign policy can be enacted by policymakers without a legitimating national security narrative. Progressive internationalists must continue to develop a new story about the United States that rationalizes a concert strategy and renders US national identity compatible with the pluralism we find in both world politics and US domestic politics. To develop this narrative, progressive internationalists should engage radical critiques of democracy, like those offered by Chantal Mouffe, which seek maximal inclusion of others and accept difference and conflict as irreducible elements of political life. A pluralist strategic narrative can thereby serve as the basis for mutual respect of others and enable the democratization of world politics.

### 1nc - defense

#### No spillover card that indicates sufficiency – also Mason indicates many alt causes, including bad governance and realist policymaking

#### Multilat sucks –

#### Ineffective laws.

Michael Williams 2021 [Filling the Void: Why Existing International Law is Not Suited to Mitigating Space Debris] [DS] [http://www.mjilonline.org/filling-the-void-why-existing-international-law-is-not-suited-to-mitigating-space-debris/]

Space and the sea have long been paralleled, each seen as a type of res communis. There has been a push to try to understand the former through a similar lens as the latter. Space, however, provides new and complex issues that do not lend themselves well to being approached through existing frameworks. One such issue forthcoming is addressing the fear of the Kessler syndrome[1]. The Kessler syndrome, also known as ablation cascade or collision cascading, is a theoretical scenario in which a high density of space debris pollution increases the density of space debris as objects collide. As objects collide, more objects are produced generating a positive feedback loop and the likelihood of collisions increases exponentially. The fear is that as the density of space debris in low earth orbits (LEO) is increased, our ability to access space is diminished. Rockets traversing in a LEO can be rendered inoperable, or even destroyed, by pieces of debris no larger than golf balls. This fear has risen drastically as states, such as China beginning in 2007, have begun testing anti-satellite missiles which turn one item of space debris into several thousands.[2] The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies applies international law to space, but current international law – absent a new treaty – is insufficient to address the Kessler syndrome.[3] As it currently stands, soft law, customary international law, and existing treaties do not sufficiently address the issue of space debris. The strongest argument for a soft law approach to space debris mitigation is the Space Debris Mitigation Guidelines, drafted by the Committee on the Peaceful Uses of Outer Space and endorsed by the United Nations General Assembly in 2007.[4] As part of these guidelines, member states are encouraged to utilize rockets that limit debris produced during normal operations and that any manmade object placed in LEO should only reside there so long as they remain operational and should be removed from orbit in a controlled fashion following termination of operation. As these requirements are all soft law, none of them are mandatory and member states are encouraged to comply on their own initiative. This approach fails to solve the issue for the same host of reasons that soft law has proven largely insufficient to address large scale tragedies of the common issues. Spacefaring member states have no incentive to comply, no penalty for noncompliance, and, perhaps more uniquely, the technology is still undeveloped that allows for full compliance. The recently signed Artemis Accords, however, holds that NASA and member states shall act in a manner that is consistent with the Space Debris Mitigation Guidelines, but it remains unclear to what extent member states will regulate the rapidly growing number of space fairing corporations.[5] Customary international law faces several hurdles when addressing this issue and ultimately stumbles, proving insufficient. When drafting the United Nations Convention on the Law of the Sea (UNCLOS), there were thousands of years of seafaring to look to for what the existing customary law was at that time.[6] This is not the case with spacefaring, and parallels that can be established – if any – do not provide a strong enough foundation to build on. The Debris Mitigation Guidelines could either be a codification of customary international law in 2007 or could have become customary international law through practice and opinio juris since endorsement. It is unlikely that it codified customary international law as there is such a short window of time and so few states participated in this process of space debris mitigation before 2007. Equally unlikely is that it has become customary international law since 2007. Customary international law requires the practice of states engaged in the action – a small number here – but there has been hardly any compliance with the guidelines beyond verbal promises and guarantees. There has been zero opinio juris on the subject, unsurprising given the lack of state practice. Even if we viewed the Debris Mitigation Guidelines as binding member states through customary international law, this would again fail to address the debris left in space by corporations. The Space Liability Convention, in conjunction with Article 31 of the Vienna Convention on the Law of Treaties, could be seen as addressing the issue of manmade space debris, but this stretches the bounds of treaty interpretation to its uttermost limits.[7] There has only been one claim under the Space Liability Convention so it can hardly be argued there is sufficient subsequent practice.[8] The definitions contained within the Space Liability Convention have, to some academics and scholars, been viewed as covering space debris. This interpretation is only possible due to the wide array of tracking of space debris and its origins.[9] Absent being able to understand where space debris originated it would be impossible to assign liability to the launching state or party. Even with tracking, fault-based liability hardly addresses space debris that is the result of a true accident. The Outer Space Treaty and the Registration Convention, the two other major treaties in the international space law regime create a patchwork framework that is nearly too vague to be usable.[10] To truly address this issue, and others, in this new frontier, a treaty of the magnitude of UNCLOS is needed. A treaty of this scale is necessary, compared to a mere framework convention, to protect the rights of all mankind, including nations who have not yet ventured into space. To truly address the issue, such a treaty would need to hold member states strictly liable for the acts committed by private entities within their borders. As with natural resources in the high seas, we cannot let the first nations to reach space pollute it beyond usability before other nations are able to partake as well. Space, and access to it, must be a resource for all mankind.

#### Bad voting procedures.

Hugo Peter 4/23/2021 [THE IMPORTANCE OF THE UN COPUOS IN THE SPACE DEBRIS MITIGATION: WHAT EVOLUTION FOR THE UN COPUOS?] [DS] [https://conference.sdo.esoc.esa.int/proceedings/sdc8/paper/194/SDC8-paper194.pdf]

REFLECTION ON THE VOTING PROCEDURE IN THE UN COPUOS 2.1 REFLECTION ON THE CONSENSUS The voting procedure of the UN COPUOS is the consensus and it seems quite complicated to change it. The history of the UN COPUOS explains the adoption of the vote by consensus against the unanimity vote on the one hand – which was championed by the USSR (the Union of Soviet Socialist Republics) and the majority vote on the other hand – which was supported by the USA. A compromise was finally reached through the adoption of the consensus voting procedure [21]. However, as Eilene Galloway mentions: “That meant that every member of the Committee had a veto right” [22]. As a result, it allows each State to sink any project they disagree with. Although similar to the unanimity procedure, the consensus procedure should not be confused with the former. While unanimity is the expression of the agreement of each voting member to a proposal - which means that if one does not agree, the proposition will not be validated. When the vote happens, if no States opposes it, then the proposal is passed. As a consequence, in the case of consensus, States do not express their full agreement. Some may not agree but not to the extent of opposition which would signify the failure to adopt the text [23]. From a formal perspective if these two procedures are quite similar, their legal consequences are widely different. Instruments adopted by unanimity will have a stronger impact and States will be morally more bound by such instruments whereas consensus instruments, while easier to adopt, will have a lighter impact on the behaviour of States. Consensus was chosen so as to avoid permanent blockage as the Committee was built during the Cold War and the opposition between the two blocs was so strong that each one would have blocked any initiative coming from the opposite camp. Considering the current context and composition of the UN COPUOS and the fact that the Committee does not rely on the opposition between two blocs any longer but instead operates on multilateral rivalry, it may be time to think about an evolution of the voting procedure. Unanimity appears to be a utopic voting procedure, considering the many oppositions between States. Consequently, it would not allow the UN COPUOS to be more effective or reliable. The main goal of such a change would be to allow member States to adopt stronger instruments that could better address the current challenges, primarily space debris

. The UN COPUOS could move towards the adoption of a qualified majority procedure. While the simple majority would not be strong enough and would create the risk that only half the members respect the adoption of legal instruments, a qualified majority, at the 2/3 or 3/5 for example, could be a reasonable solution. It would both allow to enforce instruments with a stronger base that reveals the clear agreement of a large majority and at the same time enable those who disagree to clearly express their opposition without blocking the adoption of the instrument. 2.2 REFLECTION ON THE ‘ONE VOTE PER STATE’ PRINCIPLE Concerning the vote, another debatable point is discussed by Bin Cheng: ’the one vote per State’ principle, which is directly inspired by the UN Charter and its article 18 paragraph 1 [24]. In his analysis of domestic law, Professor Cheng states that this rule is not the most democratic one. From the State’s point of view, it appears democratic as each State is equal no matter what its size or capabilities are. From the population’s and citizens’ perspective however – which is the analysis of Bin Cheng, it is not the case any longer. Indeed, in this case, it means that while each State has the same importance, their citizens are not in any case taken into consideration. Even though this reflection is worth discussing, it seems complicated to individualize the vote according to the number of citizens or, for example, according to the capabilities of each State. In a global context, such as the UN’s, to favour population size instead of State equality seems inequal as it would mean that large countries will always have a preponderant vote and will weigh more on the world forum. The principle of ‘one vote per State’ establishes legal equality in law which is already disturbed by factual inequalities linked to the importance and weight of the economies, the diplomacy, and the technology that some States enjoy. Hence, it seems counterproductive to bring changes that could lead to more disequilibrium. In the case of the UN COPUOS and space matters, such an idea of considering the population or any other means could make the UN COPUOS disappear. The ‘one vote per State’ rule in the Committee guarantees equality between States, no matter whether they have space capabilities or not, and no matter how developed these capabilities are. 2.3 FINAL REFLECTION Finally, while the voting procedure should be reviewed and maybe updated to the current situation (end of the Cold War, more member States, development of space capabilities all over the world), the ‘one vote per State’ rule should remain unchanged to guarantee equality between States within the UN COPUOS and between spacefaring and non-spacefaring nations. Keeping hold of this rule will allow States and the UN COPUOS to carry on with negotiations without taking the risk of losing the interest of smaller States. It will also guarantee the same weight to every State on the global work carried out by the Committee and its SubCommittees. And lastly, it will allow States with capacities in development as well as the ones which do not have any yet, to focus on developing them. Conversely, the consensus rule could be the object of a serious reflection within the Committee and particularly within its Legal Sub-Committee so as to examine how it could evolve and what the consequences of such a medication could be. Moreover, the UN COPUOS creates a precedent which could lead other organs of the UN to adopt the consensus rule, even though article 18 of the United Nations Charter only mentions majority or qualified majority. The passage from consensus to qualified majority could help the UN COPUOS to grow and gather more States from all over the world, just like the UNGA and its 193 member States. Such a modification could allow the UN COPUOS to reconnect with its great past. While hard law was established as a predominant model for space law, the blockages within the Committee and its SubCommittees render them useless and unable to adopt new hard law instrument. The tendency nowadays in the UN COPUOS and space law in general turns towards soft law even though it is non-binding. The traditional opposition between hard and soft laws needs to change, generally speaking but more specifically in the case of the UN COPUOS if it wants to be relevant in the next decades.

#### Tons of alt causes to militarization.

Jaramillo et al 11 [Cesar Jaramillo, Project Ploughshares. ­Researchers based at the McGill University Institute of Air and Space Law and at George Washington University’s Space Policy Institute were supervised on site by, respectively, Dr. Ram Jakhu and Dr. Peter Hays. ­e research team included: Timiebi Aganaba, McGill University; Laura Delgado, George Washington University; Catherine Doldirina, McGill University; Diane Howard, McGill University; David McArthur, George Washington University; Brian Weeden, Technical Advisor, Secure World Foundation. Space Security. August 2011. Download it here: https://careersdocbox.com/76784525-US\_Military/Space-security.html]

Protecting satellites, ground stations, and communications links depends on the nature of the space negation threat that such systems face, but, in general terms, threats can include cyber-attacks against space system computers, electronic attacks on satellite communications links, conventional or nuclear attacks on the ground- or space-based elements of a space system, and directed energy attacks such as dazzling or blinding satellite sensors with lasers.

#### But no war

Zarybnisky 18 [Eric J. Zarybnisky, MA in National Security Studies from the Naval War College, PhD in Operations Research from the MIT Sloan School of Management, Lt Col, USAF. Celestial Deterrence: Deterring Aggression in the Global Commons of Space. March 28, 2018. <https://apps.dtic.mil/dtic/tr/fulltext/u2/1062004.pdf>]

PREVENTING AGGRESSION IN SPACE

While deterrence and the Cold War are strongly linked in the public’s mind through the nuclear standoff between the United States and the Soviet Union, the fundamentals of deterrence date back millennia and deterrence remains relevant. Thucydides alludes to the concept of deterrence in his telling of the Peloponnesian War when he describes rivals seeking advantages, such as recruiting allies, to dissuade an adversary from starting or expanding a conflict.6F 6 Aggression in space was successfully avoided during the Cold War because both sides viewed an attack on military satellites as highly escalatory, and such an action would likely result in general nuclear war.7F 7 In today’s more nuanced world, attacking satellites, including military satellites, does not necessarily result in nuclear war. For instance, foreign countries have used highpowered lasers against American intelligence-gathering satellites8F 8 and the United States has been reluctant to respond, let alone retaliate with nuclear weapons. This shift in policy is a result of the broader use of gray zone operations, to which countries struggle to respond while limiting escalation. Beginning with the fundamentals of deterrence illuminates how it applies to prevention of aggression in space.

#### No space war – it’s hype and systems are redundant

Johnson-Freese and Hitchens 16 [Dr. Joan Johnson-Freese is a member of the Breaking Defense Board of Contributors, a Professor of National Security Affairs at the Naval War College and author of Space Warfare in the 21st Century: Arming the Heavens. Views expressed are those of the author alone. Theresa Hitchens is a Senior Research Scholar at the Center for International and Security Studies at Maryland (CISSM), and the former Director of the United Nations Institute for Disarmament Research (UNIDIR) in Geneva, Switzerland. Stop The Fearmongering Over War In Space: The Sky’s Not Falling, Part 1. December 27, 2016. https://breakingdefense.com/2016/12/stop-the-fearmongering-over-war-in-space-the-skys-not-falling-part-1/]

In the last two years, we’ve seen rising hysteria over a future war in space. Fanning the flames are not only dire assessments from the US military, but also breathless coverage from a cooperative and credulous press. This reporting doesn’t only muddy public debate over whether we really need expensive systems. It could also become a self-fulfilling prophecy. The irony is that nothing makes the currently slim possibility of war in space more likely than fearmongering over the threat of war in space.

Two television programs in the past two years show how egregious this fearmongering can get. In April 2015, the CBS show 60 Minutes ran a segment called “The Battle Above.” In an interview with General John Hyten, the then-chief of U.S. Air Force Space Command, it came across loud and clear that the United States was being forced to prepare for a battle in space — specifically against China — that it really didn’t want.

It was explained by Hyten and other guests that China is building a considerable amount of hardware and accumulating significant know-how regarding space, all threatening to space assets Americans depend on every day. If viewers weren’t frightened after watching the segment, it wasn’t for lack of trying on the part of CBS.

Using terms like “offensive counterspace” as a 1984 NewSpeak euphemism for “weapons,” it was made clear that the United States had no choice but to spend billions of dollars on offensive counterspace technology to not just thwart the Chinese threat, but control and dominate space. While it didn’t actually distort facts — just omit facts about current U.S. space capabilities — the segment was basically a cost-free commercial for the military-industrial complex.

In retrospect though, “The Battle Above” was pretty good compared to CNN’s recent special, War in Space: The Next Battlefield. The latter might as well have been called Sharknado in Space – because the only far-out weapons technology our potential adversaries don’t have, according to the broadcast, seems to be “sharks with frickin’ laser beams attached to their heads!”

First, CNN needs to hire some fact checkers. Saying “unlike its adversaries, the U.S. has not yet weaponized space” is deeply misleading, like saying “unlike his political opponents, President-Elect Donald Trump has not sprouted wings and flown away”: A few (admittedly alarming) weapons tests aside, no country in the world has yet weaponized space. Contrary to CNN, stock market transactions are not timed nor synchronized through GPS, but a closed system. Cruise missiles can find their targets even without GPS, because they have both GPS and precision inertial measurement units onboard, and IMUs don’t rely on satellite data. Oh, and the British rock group Pink Floyd holds the only claim to the Dark Side of the Moon: There is a “far side” of the Moon — the side always turned away from the Earth — but not a “dark side” — which would be a side always turned away from the Sun.

More nefariously, the segment sensationalized nuggets of truth within a barrage of half-truths, backed by a heavy bass, dramatic soundtrack (and gravelly-voiced reporter Jim Sciutto) and accompanied by sexy and scary visuals.

Make no mistake there are dangers in space, and the United States has the most to lose if space assets are lost. The question is how best to protect them. Here are a few facts CNN omitted.

The Reality

The U.S. has all of the technologies described on the CNN segment and deemed potentially offensive: maneuverable satellites, nano-satellites, lasers, jamming capabilities, robotic arms, ballistic missiles that can be used as anti-satellite weapons, etc. In fact, the United States is more technologically advanced than other countries in both military and commercial space.

That technological superiority scares other countries; just as the U.S. military space community is scared of other countries obtaining those technologies in the future. The U.S. military space budget is more than 10 times greater than that of all the countries in the world combined. That also causes other countries concern.

More unsettling still, the United States has long been leery of treaty-based efforts to constrain a potential arms race in outer space, as supported by nearly every other country in the world for decades. Indeed, under the administration of George W. Bush, the U.S. talking points centered on the mantra “there is no arms race in outer space,” so there is no need for diplomat instruments to constrain one. Now, a decade later, the U.S. military – backed by the Intelligence Community which operates the nation’s spy satellites – seems to be shouting to the rooftops that the United States is in danger of losing the space arms race already begun by its potential adversaries. The underlying assumption — a convenient one for advocates of more military spending — is that now there is nothing that diplomacy can do.

However, it must be remembered that most space-related technologies – with the exception of ballistic missiles and dedicated jammers – have both military and civil/commercial uses; both benign — indeed, helpful — and nefarious uses. For example, giving satellites the ability to maneuver on orbit can allow useful inspections of ailing satellites and possibly even repairs.

Further, the United States is not unable to protect its satellites, as repeated during the CNN broadcast by various interviewees and the host. Many U.S. government-owned satellites, including precious spy satellites, have capabilities to maneuver. Many are hardened against electro-magnetic pulse, sport “shutters” to protect optical “eyes” from solar flares and lasers, and use radio frequency hopping to resist jamming.

Offensive weapons, deployed on the ground to attack satellites, or in space, are not a silver bullet. To the contrary, U.S. deployment of such weapons may actually be detrimental to U.S. and international security in space (as we argued in a recent Atlantic Council publication, Towards a New National Security Space Strategy). Further, there are benefits to efforts started by the Obama Administration to find diplomatic tools to restrain and constrain dangerous military activities in space.

These diplomatic efforts, however, would be undercut by a full-out U.S. pursuit of “space dominance.” This includes dialogue with China, the lack of which Gen. William Shelton, retired commander of Air Force Space Command, lamented in the CNN report.

Given CNN’s “cast,” the spin was not surprising. Starting with Ghost Fleet author Peter Singer set the sensationalist tone, which never altered. The apocalyptic opening, inspired by Ghost Fleet, posited a scenario where all U.S. satellites are taken off-line in nearly one fell swoop. Unless we are talking about an alien invasion, that scenario is nigh on impossible. No potential adversary has such capabilities, nor will they ever likely do so. There is just too much redundancy in the system.

#### No internal – Johnson ev admits private sector is better, aff doesn’t solve anyways

Theyre going to say no to heg -