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**US wins space race now due to private competition – it's key to space dominance and militarization is good – the plan nukes the US’s silver bullet against Chinese aggression**

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As Jeff Bezos, the wealthiest man on the planet, readies to launch himself into space aboard one of his own rockets, the world is watching the birth of a new dawn in space. Previously, America relied on its government agency, NASA, to propel it to the cosmos during the last space race with the Soviet Union. Today, America’s greatest hopes are with its private sector.

Jeff Bezos is not engaging in such risky behavior simply because he’s an adrenaline junky. No, he’s launching himself into orbit because his Blue Origins is in a titanic struggle with Elon Musk’s SpaceX — and Bezos’s firm is losing.

Whatever happens, **the American people will benefit from the competition that is shaping up between America’s space entrepreneurs. This has always been how innovation occurs: through** the dynamic, often **cutthroat competition between actors in the private sector.** While money is their ultimate prize, fame and fortune are also alluring temptations to make men like Musk and Bezos risk much of their wealth to change the world.

**The private space race** among these entrepreneurs **is part of a far more important marathon between** Red **China and the U**nited **S**tates**. Whichever nation wins the new space race will determine the future of the earth below.**

Consider this: Since winning its initial contracts to launch sensitive U.S. military satellites into orbit, **SpaceX has lowered the cost of military satellite launches** on taxpayers by “over a million dollars less” than what bigger defense contractors can do. Elon **Musk** is convinced that he **can bring these costs down even more**, thanks to his reusable Falcon 9 rocket.

The competition between the private space start-ups is fierce — just as the competition between Edison and Westinghouse was — but the upshot is ultimately greater innovation and lower costs for you and me. In fact, Elon Musk insists that if NASA gives SpaceX the contract for building the Human Landing System for the Artemis mission, NASA would return astronauts to the lunar surface by 2024 — four years before NASA believes it will do so. (Incidentally, 2024 is also when China anticipates having a functional base on the moon’s southern pole.)

Whereas China has an all-of-society approach to its space race with the United States, Washington has yet to fully galvanize the country in the way that John F. Kennedy rallied America to wage — and win — the space race in the Cold War. **America’s private sector**, therefore, **is the silver bullet against China’s quest for** total **space dominance. If left unrestricted by** meddlesome **Washington** bureaucrats, **these companies will ensure** that **the U**nited **S**tates **retains its overall competitive advantage over China** — and all other challengers, for that matter.

Indeed, the next four years could prove decisive in who will be victorious.

Enter the newly minted NASA director, Bill Nelson, whose station at the agency has effectively poured cold water on the private sector’s ambitious space plans. “Space is not going to be the Wild West for billionaires or anyone else looking to blast off,” Nelson admonished an inquiring reporter.

Why not?

America’s actions during its western expansion created a dynamic and advanced nation that was well-positioned to dominate the world for the next century. Should we not attempt to emulate this in order to remain dominant in the next century?

More important, this is precisely how **China treats space: as a new Wild West** . . . but one in **which Beijing’s forces will dominate**. China takes a leap-without-looking approach to space development — everything that can be done to further its grand ambition of becoming the world’s most dominant power by 2049 will be done. Meanwhile, the Biden administration wants to prevent America’s greatest strength, the free market, from helping to beat its foremost geopolitical competitor.

Nelson’s comments are fundamentally at odds with America’s spirit and animating principles. Whatever one’s opinion about Bezos or Musk, the fact is that their private space companies are inspiring greater innovation today in the space sector after years of its being left in the sclerotic hands of the U.S. government.

Sensing that the federal government’s dominance of U.S. space policy is waning, the Biden administration would rather cede the strategic high ground of space to China than let wildcatting innovators do the hard work. Today, the Federal Aviation Authority (FAA) and NASA are contriving new ways for strangling the budding private space sector, just as it is taking flight.

Risk aversion is not how one innovates. Risk is what led Americans to the moon just 66 years after the Wright brothers flew their first airplane. A willingness for risk doesn’t exist today in the federal government — which is why the feds shouldn’t be running space policy.

The U.S. government should be partnering with the new space start-ups, not shunning them. The FAA should be automatically approving SpaceX launches, not stymying them. The federal government will not win space any more than it could win the West or build the locomotive. It takes strong-willed, brilliant individuals of a rare caliber to do that. All government can do is to give the resources and support to private-sector innovators and let them make history for us.

The next decade will decide who wins space. Let it be America — and let America’s dynamic start-ups win that race, not China’s state capitalism.

**And, space dominance key to global peace – nuclear and conventional deterrence is collapsing, which will provoke civilization-ending revisionist aggression from Russia and China**

Dr. Robert **Zubrin 19**, Masters in Aeronautics and Astronautics and Ph.D. in Nuclear Engineering from the University of Washington, President of Pioneer Energy, Founder and President of the Mars Society, Senior Fellow with the Center for Security Policy, The Case for Space: How the Revolution in Spaceflight Opens Up a Future of Limitless Possibility, p. Google Books

The **U**nited **S**tates needs a new national security policy. For the first time in more than 60 years, we face the real possibility of a **large-scale conventional war**, and we are **woefully unprepared**.

Eastern and Central Europe is now **so weakly defended** as to **virtually invite invasion**. The **U**nited **S**tates is not about to go to nuclear war to defend any foreign country. So **deterrence is dead**, and, with the German army cut from 12 divisions to three, the British gone from the continent, and American forces down to a 30,000-troop **tankless remnant**, the only serious and committed ground force that stands between Russia and the Rhine is the Polish army. **It’s not enough**. Meanwhile, in **Asia**, the powerful growth of the Chinese economy promises that nation eventual overwhelming numerical force superiority in the region.

How can we **restore the balance**, creating a **sufficiently powerful** conventional force to **deter aggression**? It won’t be by matching potential adversaries tank for tank, division for division, replacement for replacement. Rather, the **U**nited **S**tates must seek to **totally outgun** them by obtaining a **radical technological advantage**. This can be done by achieving **space supremacy**.

To grasp the importance of space power, some historical perspective is required. Wars are fought for control of territory. Yet for thousands of years, victory on land has frequently been determined by dominance at sea. In the 20th century, victory on both land and sea almost invariably went to the power that controlled the air. In the **21st century**, victory on land, sea or in the air will go to the power that controls **space**.

The **critical military importance** of space has been **obscured** by the fact that in the period since the **U**nited **S**tates has had space assets, all of our wars have been fought against **minor powers** that we could have defeated without them. Desert Storm has been called the first space war, because the allied forces made extensive use of GPS navigation satellites. However, if they had no such technology at their disposal, the end result would have been just the same. This has given some the impression that space forces are just a frill to real military power — a useful and convenient frill perhaps, but a frill nevertheless.

But consider how history might have changed had the Axis of World War II possessed reconnaissance satellites — merely one of many of today’s space-based assets — without the Allies having a matching capability. In that case, the Battle of the Atlantic would have gone to the U-boats, as they would have had infallible intelligence on the location of every convoy. Cut off from oil and other supplies, Britain would have fallen. On the Eastern front, every Soviet tank concentration would have been spotted in advance and wiped out by German air power, as would any surviving British ships or tanks in the Mediterranean and North Africa. In the Pacific, the battle of Midway would have gone very much the other way, as the Japanese would not have wasted their first deadly airstrike on the unsinkable island, but sunk the American carriers instead. With these gone, the remaining cruisers and destroyers in Adm. Frank Jack Fletcher’s fleet would have lacked air cover, and every one of them would have been hunted down and sunk by unopposed and omniscient Japanese air power. With the same certain fate awaiting any American ships that dared venture forth from the West Coast, Hawaii, Australia and New Zealand would then have fallen, and eventually China and India as well. With a monopoly of just one element of space power, the Axis would have won the war.

But modern space power involves far more than just **recon**naissance satellites. The use of space-based **GPS** can endow munitions with 100 times greater accuracy, while space-based **communications** provide an unmatched capability of **c**ommand and **c**ontrol of forces. Knock out the enemy’s reconnaissance satellites and he is effectively blind. Knock out his comsats and he is deaf. Knock out his navsats and he loses his aim. In any serious future conventional conflict, even between opponents as mismatched as Japan was against the United States — or Poland (with 1,000 tanks) is currently against Russia (with 12,000) — it is space power that will **prove decisive**.

Not only Europe, but **the defense of the entire free world hangs upon this** matter. For the past 70 years, U.S. Navy carrier task forces have controlled the world’s oceans, first making and then keeping the Pax Americana, which has done so much to secure and advance the human condition over the postwar period. But should there ever be another major conflict, an adversary possessing the ability to locate and target those carriers from space would be able to **wipe them out** with the **push of a button**. For this reason, it is **imperative** that the **U**nited **S**tates possess space capabilities that are **so robust** as to not only assure our own ability to operate in and through space, but also be able to **comprehensively deny it** to others.

*Space superiority* means having better space assets than an opponent. Space supremacy means being able to assert a **complete monopoly** of such capabilities. The latter is what we must have. If the United States can gain space supremacy, then the capability of any American ally can be multiplied by orders of magnitude, and with the support of the similarly multiplied striking power of our own land- and sea-based air and missile forces be made **so formidable** as to render any conventional attack **unthinkable**. On the other hand, should we **fail** to do so, we will remain **so vulnerable** as to increasingly **invite aggression** by ever-more-**emboldened** revanchist powers.

For this reason, both **Russia** and **China** have been developing and actively testing antisatellite (ASAT) systems. Up till now, the systems they have been testing have been ground launched, designed to orbit a few times and then collide with and destroy targets below one thousand kilometers altitude. This is sufficient to take out our reconnaissance satellites but not our GPS and communications satellites, which fly at twenty thousand and thirty-six thousand kilometers respectively. However, the means to reach these are straightforward, and, given their critical importance to us, there is every reason to believe that such development is well underway.11

The Obama administration sought to **dissuade** adversaries from developing ASATs by **setting a good example** and **not working on them ourselves**. This approach has **failed**. As a consequence, many defense policy makers are now advocating that we move aggressively to develop ASATs of our own. While more hardheaded than the previous policy, such an approach remains entirely inadequate to the situation.

The United States armed forces are far more dependent upon space assets than any potential opponent. Were both sides in a conflict able to destroy the space assets of the other, we would be the overwhelming loser by the exchange.

**Space dominance solves hegemony – deterrence strategies, even rudimentary ones, are perceived as weakness and causes aggression**

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While space superiority and space dominance share a militarized view of space, there are fundamental differences in their stated end goals. Those who favor space superiority view space as a global commons, accessible to all in peacetime. They take a more defensive and reactive view of space and the actors who seek access to this domain. The space superiority model understands that U.S. dependence on space is vital for the basic functioning of American civilization (banking transactions, cell phone signals, GPS functions, television broadcasts, as well as essential military surveillance and support functions all across satellites in space). Yet, this model also accepts that current budgetary constraints mean that the United States is unlikely to invest significantly more into unwieldy and expensive space systems.

A strategy of space superiority accepts the risk arising from reliance on space systems, while deterring attacks on space assets. As actors such as China or Russia become increasingly dependent on space systems themselves, space superiority advocates believe that U.S. willingness to retaliate in kind against any attack on its own space assets is sufficient.7 This is in keeping with the classic deterrence model of Mutual Assured Destruction (MAD).

Unfortunately, however, U.S. dependence on space assets for its very survival is so much greater than any other state that such a threat is unrealistic. The reason that states like China or Russia are developing counter-space capabilities is because the cost to them is extremely low, whereas the benefit for them (in the event of war with the United States) is high. For the cost of a ground-based laser or an anti-satellite (ASAT) missile launcher, China could knock out the ability of all U.S. forces in the Pacific to coordinate and adequately defend themselves from a Chinese offensive.

What could the United States do to the Chinese in return? The best option for U.S. retaliation in space would be to launch some blinding attacks on the handful of China's space assets. However, this ultimately would not deter China from escalating any future conflict since China's investment in space is so low compared to that of the United States. In addition, since Chinese forces are designed to operate in an environment without those assets, such retaliation grounded on deterrence-based models becomes highly problematic and ineffective.

Rather than serving as a stabilizing force in space, then, the defensive and reactive space superiority model would be an inducement for conflict in the strategic high ground of space. Or, rather, the direction of attack would be unidirectional: from U.S. adversaries toward essential U.S. space systems. Thus, while space confers unequivocal advantages to the U.S. forces that depend on space assets for their vital functions, it also provides adversaries with an unprecedented weakness for them to exploit.

The fact is that United States, China, or Russia's dependence on space is asymmetrical. Over the long run, a deterrent-based, space superiority model would eventually allow other states not only to gain and maintain access to space, but also effectively to gain strategic parity with the United States in space. Make no mistake, **the more that states are able to access space, no matter how nascent or rudimentary** their space programs may be, the **more they will refine their capabilities** and be able to develop space programs for their own strategic ends. While most defense analysts believe that deterrence during the Cold War led to bipolar stability, a deterrence-based model in space would create instability. If a near-peer competitor like China or Russia believed that it had acquired the capacity to achieve parity with the United States, what would stop that state from trying to gain strategic advantage over America in space?

A Hegemonic Model

The best solution to avoid this situation is a hegemonic model. The only way that the United States can ensure its continued strategic advantage in space is to embrace fully the space dominance model by weaponizing space. While space superiority advocates will denounce this policy as both cost-ineffective and destabilizing, a hegemonic approach to space is far more in keeping with U.S. traditions and values. Indeed, as John Lewis Gaddis asserts, the American response to foreign threat is traditionally to take “the offensive, by becoming more conspicuous, by confronting, neutralizing, and if possible overwhelming the sources of danger rather than fleeing from them. Expansion, we have assumed, is the path to security.”8

What of the claim that a deterrence-based space superiority model creates stability? The primary claim of deterrence efficacy is that during the Cold War, the more or less equal nuclear balance ensured that neither side had an incentive to launch a disarming first strike. This view was the basis of the mutual assured destruction theory. Since there was no conceivable advantage to either side from these weapons, both sides were forced into a more constructive diplomatic relationship. In all of the time that deterrence was employed, American policymakers assured the public that MAD was better than the alternatives—compellence,9 Rollback,10 and hegemony—because it restrained Soviet aggression.

American policymakers assumed that the Soviet strategists in the Kremlin viewed nuclear arms in the same apocalyptic terms that they did. As such, U.S. policymakers were not only content to allow American nuclear dominance to erode, but also to degrade actively those capabilities through strategic arms agreements. In the meantime, until 1986, mainstream Soviet strategists and policymakers were convinced that they could prevail in a nuclear war. They were just biding their time.11

In this light then, deterrence was not built around the concept of enlightened self-interest, but more likely the result of U.S. policymakers’ inability to see through the fog of the Cold War. The Soviets were by definition a revolutionary power. Even after they had renounced the concept of spreading global communist revolution, however, the urge to transform fundamentally the world order to reflect their own image remained a high strategic priority for the USSR. The United States failed to discern this situation until the Reagan Administration.

President Ronald Reagan, rather than accept the Cold War deterrence paradigm, planned to bring American technical and strategic dominance to bear in space in order to help defeat the Soviet Union. Reagan also recognized that the demilitarized sanctuary view of space was irrelevant, and he **eschewed arms control agreements** that sought to counteract the inherent American advantages in space. President Reagan not only embraced a militarized view of space, but in 1983, he also called for the weaponization of space with his Strategic Defense Initiative (SDI).

By the 1980s, the United States was becoming increasingly dependent on space for military purposes (primarily in the area of satellites). These space systems formed the backbone of the modern military force that Reagan was assembling to counter the Soviet Union. What is more, Reagan's preferred strategy of Rollback meant that the United States would no longer sacrifice its own strategic advantages on the altar of diplomacy. After all, Reagan did not accept the Soviets as an equal and legitimate global power. He detested communism and viewed its proponents in the USSR as the great villains on the world stage. Furthermore, Reagan was staunchly opposed to nuclear weapons. Therefore, he sought to remove the notion of deterrence through MAD and replace it with the concept of hegemony through “Mutual Assured Survival.”

These views coalesced into the Reagan Administration's commitment to placing missile defense systems in orbit. It also called for developing new technologies (i.e., directed-energy weapons) to be used in space. The United States would not only remove the threat of the Soviet nuclear arsenal by creating a working missile defense system in space, but it would also move beyond the Soviet threat by permanently dominating the high ground of space. This position was the basis of SDI.12 In fact, the Reagan Administration's shift in focus was a key factor in the collapse of the Soviet Union as the Soviet leadership then embarked on a tit-for-tat arms buildup that their economy simply could not sustain. 13

Even if deterrence did facilitate a significant reduction in hostility—thereby creating the bipolar stability—no such hope for stability exists in space today. As argued earlier, U.S. reliance on space assets for its most basic functions is far greater than that of other countries. Furthermore, there is no way that the United States can—or should—abandon its use of space as a strategic domain. Thus, a hegemonic model for **space dominance is the only hope to create the stability** that most planners seek, while at the same time defending the American position in space.

Space dominance as a model for stability is nothing new. Indeed, Hegemonic Stability Theory (HST) asserts that the most stable global systems are those in which one actor dominates the system. In such a system, power is aggregated so greatly into a single, dominant actor that such a hegemonic power acts as a stabilizing force. Due to its relative strength, the hegemonic power can set the agenda and the rules that govern the system. The relative weakness of the other actors in the system is well understood, which then prompts these weak actors to abandon any hope of challenging the hegemonic power's rule. Eventually, they end up accommodating the hegemonic power. The lack of challenge creates peaceful stability.14 The fact that one actor is setting the rules means that the system is simple to operate in, as well.

The same logic that buttresses the HST international relations theory arguably undergirds the military strategy of space dominance. If this claim is so, then American hegemony in space is essential for the continued survival of the United States. Whereas there are legitimate arguments to be made regarding the reliance on deterrence-based models for creating stability during the Cold War, the fact is that the world is more multipolar today than it was 25 years ago. Despite what writer Fareed Zakaria has dubbed “the rise of the rest,”15 the United States still retains greater relative power. Therefore, it is **inevitable** and logical that the United States should expand its hegemonic position in space, in order to secure its place there.

Whereas deterrence-based models, such as space superiority, may have worked in a less chaotic international system, no such stability can be achieved today. Many of America's competitors are revanchist states intent on redefining the world order. They are not interested in preserving the American position in space. Also, they are not cowed by a U.S. deterrence strategy in space. Rather, they view such a policy as a **concession that the United States is becoming weaker.**

Space dominance would create greater stability than space superiority. Missile defense systems, tungsten rods, and even directed-energy weapons potentially would all be placed in key orbits around the Earth. This, on top of the existing U.S. space infrastructure, would prove to the world that the United States is committed to preserving its position in space. In a world of rogue states, space-based weapons likely would prevent surprise nuclear attacks. Failing that, the fact that the United States possessed strategic, offensive weapons in orbit—that could be brought down against any hostile actor—undoubtedly, would make even the most intractable foe hesitant.

It is arguable that overwhelming U.S. space power would trickle down from the strategic high ground to lower strategic domains. Rather than wasting time demonstrating resolve by “temporarily blinding Chinese satellites,”16 for example, the overwhelming American presence in space presumably would dissuade potential attackers.

**US hegemony prevents great-power conflicts that escalates to nuclear war**

**Brands and Edel 19** (Hal Brands and Charles Edel. Hal Brands is the Henry Kissinger Distinguished Professor of Global Affairs in the Johns Hopkins School of Advanced International Studies and a scholar at the American Enterprise Institute. Charles Edel is a senior fellow at the United States Studies Centre at the University of Sydney and previously served on the U.S. Secretary of State’s policy planning staff, “Rediscovering Tragedy. In The Lessons of Tragedy: Statecraft and World Order; Chapter 6: The Darkening Horizon,” Yale University Press, pp 128-131 <http://www.jstor.org/stable/j.ctvbnm3r9.11>)

Each of these geopolitical challenges is different, and each reflects the distinctive interests, ambitions, and history of the country undertaking it. Yet there is growing cooperation between the countries that are challenging the regional pillars of the U.S.-led order. Russia and China have collaborated on issues such as energy, sales and development of military technology, opposition to additional U.S. military deployments on the Korean peninsula, and military exercises from the South China Sea to the Baltic. In Syria, Iran provided the shock troops that helped keep Russia’s ally, Bashar al-Assad, in power, as Moscow provided the air power and the diplomatic cover. “Our cooperation can isolate America,” supreme leader Ali Khamenei told Putin in 2017. 34 More broadly, what links these challenges together is their opposition to the constellation of power, norms, and relationships that the U.S.-led order entails, and in their propensity to use violence, coercion, and intimidation as means of making that opposition effective. Taken collectively, these challenges constitute a geopolitical sea change from the post– Cold War era.

The revival of great-power competition entails **higher international tensions** than the world has known for decades, and the revival of **arms races, security dilemmas**, and other artifacts of a more dangerous past. It entails sharper **conflicts over the international rules of the road** on issues ranging from freedom of navigation to the illegitimacy of altering borders by force, and intensifying competitions over states that reside at the intersection of rival powers’ areas of interest. It requires confronting the prospect that rival powers could overturn the favorable regional balances that have underpinned the U.S.-led order for decades, and that they might construct rival spheres of influence from which America and the liberal ideas it has long promoted would be excluded. Finally, it necessitates recognizing that great-power rivalry could lead to **great-power war**, a prospect that seemed to have followed the Soviet empire onto the ash heap of history.

Both Beijing and Moscow are, after all, optimizing their forces and exercising aggressively in preparation for potential conflicts with the United States and its allies; Russian doctrine explicitly emphasizes the limited use of nuclear weapons to achieve escalation dominance in a war with Washington.35 In Syria, U.S. and Russian forces even came into deadly contact in early 2018. American airpower decimated a contingent of government-sponsored Russian mercenaries that was attacking a base at which U.S. troops were present, an incident demonstrating the increasing boldness of Russian operations and the corresponding potential for escalation.36 The world has not yet returned to the epic clashes for global dominance that characterized the twentieth century, but it has returned to the historical norm of great-power struggle, with all the associated dangers.

Those dangers may be even greater than most observers appreciate, because if today’s great-power competitions are still most intense at the regional level, who is to say where these competitions will end? By all appearances, **Russia does not simply want to be a “regional power**” (as Obama cuttingly described it) that dominates South Ossetia and Crimea.37 It aspires to the deep European and extra-regional impact that previous incarnations of the Russian state enjoyed. Why else would Putin boast about how far his troops can drive into Eastern Europe? Why else would Moscow be deploying military power into the Middle East? Why else would it be continuing to cultivate intelligence and military relationships in regions as remote as Latin America?

Likewise, China is today focused primarily on securing its own geopolitical neighborhood, but its ambitions for tomorrow are clearly much bolder. Beijing probably does not envision itself fully overthrowing the international order, simply because it has profi ted far too much from the U.S.-anchored global economy. Yet China has nonetheless positioned itself for a global challenge to U.S. influence. Chinese military forces are deploying ever farther from China’s immediate periphery; Beijing has projected power into the Arctic and established bases and logistical points in the Indian Ocean and Horn of Africa. Popular Chinese movies depict Beijing replacing Washington as the dominant actor in sub-Saharan Africa—a fi ctional representation of a real-life effort long under way. The Belt and Road Initiative bespeaks an aspiration to link China to countries throughout Central Asia, the Middle East, and Europe; BRI, AIIB, and RCEP look like the beginning of an alternative institutional architecture to rival Washington’s. In 2017, Xi Jinping told the Nineteenth National Congress of the Chinese Communist Party that Beijing could now “**take center stage in the world”** and act as an alternative to U.S. leadership.38

These ambitions may or may not be realistic. But they demonstrate just how signifi cantly the world’s leading authoritarian powers desire to shift the global environment over time. **The revisionism we are seeing today may therefore be only the beginning**. As China’s power continues to grow, or if it is successful in dominating the Western Pacifi c, it will surely move on to grander endeavors. If Russia reconsolidates control over the former Soviet space, it may seek to bring parts of the former Warsaw Pact to heel. Historically, this has been a recurring pattern of great-power behavior—**interests expand with power**, the appetite grows with the eating, risk-taking increases as early gambles are seen to pay off.39 This pattern is precisely why the revival of great-power competition is so concerning—because **geopolitical revisionism** by unsatisfied major powers has so often **presaged intensifying international conflict, confrontation, and** even **war**. The great-power behavior occurring today represents the warning light flashing on the dashboard. It tells us there may be still-greater traumas to come.

We’ll answer their hedge here –

1. Comp prob – short disad, ev overlap
2. Casual direction – our links are bigger
3. Complexity – our ev takes this into account
4. Decision gridlock – no need to prioritize in decisions

**2**

**Text: The United Nations Committee on the Peaceful Uses of Outer Space (COPUOS)’s Legal Subcommittee ought to designate outer space as a global commons.**

**Normal means for treaties involves solely the signatory countries**

**Berkeley Law Library 16**

Berkeley Law (It’s the handbook from the Berkeley law library, just a basic definition), 2016-2-23 (date from source code), "Treaties and International Agreements," Berkeley Law Library, https://www.law.berkeley.edu/library/guide.php?id=65, // HW AW

Treaties can be referred to by a number of different names: international conventions, international agreements, covenants, final acts, charters, protocols, pacts, accords, and constitutions for international organizations. Usually these different names have no legal significance in international law. **Treaties may be bilateral (two parties) or multilateral (between several parties) and a treaty is usually only binding on the parties to the agreement.** An agreement "enters into force" when the terms for entry into force as specified in the agreement are met. Bilateral treaties usually enter into force when both parties agree to be bound as of a certain date.

**The CP competes off of actor spec – they had complete control over how and who implements the aff, especially in this topic since the actor was not specified in the resolution. The actor is a key, debatable element and a change poses an opportunity cost, which is sufficient for competition.**

**COPUOS has jurisdiction and has passed treaties on similar topics in the past**

**UNOOSA ND**

UNOOSA (united nations outer space committee), 2021 (no date but written about the 2021 conference), "COPUOS 2021 Session," UNOOSA, <https://www.unoosa.org/oosa/en/ourwork/copuos/index.html> // HW AW

The Committee on the Peaceful Uses of Outer Space (COPUOS) was set up by the General Assembly in 1959 to govern the exploration and use of space for the benefit of all humanity: for peace, security and development. The Committee was tasked with reviewing international cooperation in peaceful uses of outer space, studying space-related activities that could be undertaken by the United Nations, encouraging space research programmes, and **studying legal problems arising from the exploration of outer space**. The Committee was **instrumental in the creation of the five treaties and five principles of outer space**. International cooperation in space exploration and the use of space technology applications to meet global development goals are discussed in the Committee every year. Owing to rapid advances in space technology, the space agenda is constantly evolving. The Committee therefore provides a unique platform at the global level to monitor and discuss these developments. The Committee has two subsidiary bodies: the [Scientific and Technical Subcommittee](https://www.unoosa.org/oosa/en/ourwork/copuos/stsc/2020/index.html), and the [Legal Subcommittee](https://www.unoosa.org/oosa/en/ourwork/copuos/lsc/2019/index.html), both established in 1961. The Committee reports to the [Fourth Committee of the General Assembly](http://www.un.org/en/ga/fourth/), which adopts an annual resolution on international cooperation in the peaceful uses of outer space.

#### COPUOS is losing legitimacy due to an inability to reach consensus and thereby pass policies – the plan restores faith, discourages weak agreements, solves space debris, sustainability, and security issues

**Masson-Zwaan 19**

Tanja Masson-Zwaan (deputy director of institute of air and space at Leiden University), 2019, "SYNOPSIS ON THE NEW SPACE RACE: NEW STATES IN SPACE " Cambridge, https://www.cambridge.org/core/services/aop-cambridge-core/content/view/E68383DE71B60A711EE1E4578CA303A8/S2398772319000138a.pdf/new\_states\_in\_space.pdf, // HW AW

The “old” space race started in 1957 and involved mainly the United States and the Soviet Union. These states led the development of the initial international agreements adopted in the framework of the UN Committee on the Peaceful Uses of Outer Space (COPUOS).1 Within less than two decades, between 1967 and 1984, five international treaties were adopted and entered into force.2 At the time, COPUOS had less than twenty-five member states and agreement was reached relatively easily. Gradually, the group of space actors grew, but space activity remained state-centered and involved a relatively small number of states, while private-entity involvement was mostly limited to the telecommunication sector in the United States. Today, the landscape is entirely different. Not only are more and more states interested and involved in exploring and using outer space, but private entities also have entered the scene, and the trend of privatization and commercialization of space activities is expected to gain more speed in years to come. As the number of states active—or wishing to become active—in outer space has grown, so has the membership of COPUOS, which today counts nearly ninety states.3 It has thus **become more difficult to reach consensus, which has been the working method of COPUOS from the start**. As a consequence of the growing number and diversity of stakeholders, in recent decades the **agreements among states about the use and exploration of outer space have taken the form of principles and other UN resolutions, rather than legally binding treaties**. At the same time, a growing number of new topics require states’ attention. With constant advances in technology, new capacities and activities emerge at high speed, such as ever-smaller satellites, large constellations of hundreds or even thousands of satellites, the prospect of suborbital flights, reusable launch vehicles, on-orbit servicing, and the use of resources from asteroids or the Moon. These developments were not foreseen in the early days of space exploration. Although the UN space treaties and resolutions provide the basic legal framework, some form of further elaboration is now needed to provide clear and predictable standards to govern these new activities. Issues such as the continuing congestion of outer space, the problems related to the mitigation and remediation of space debris, the long-term sustainability of space activities, space traffic management, space situational awareness, and the security of critical space infrastructure will also increasingly require the attention of the international community of states. In this changed landscape with new states, private entities, new activities, and new concerns, it is useful to look at how emerging space nations view the rules that were laid down in the past, the issues that will require regulation in the future, and whether there are any special concerns that influence their positions.4 The main principles of international space law are embodied in the Outer Space Treaty of 1967 (OST). The treaty has been widely adopted and states have consistently acted in accordance with its principles.5 In addition, states have not publicly contested those principles, proposed amendments, or withdrawn from the treaty. Thus, at least parts of the treaty could be considered to have reached the status of customary international law, meaning that they are binding on all states, including nonparties. The following sections highlight principles that are not likely to be contentious for new space states and then identify current principles and future issues that may raise more concerns.

**Revitalizing COPUOS solves great power space conflict – it is the single organization that has enough member states, legitimacy, and empirical success to ensure peace – it stopped the first space race, it can do it again**

**McMillan 21**

Anne Mcmillan (journalist trained in law, chai tea enthusiast), 7-14-2021, "The final frontier – 21st century space race," International Bar Association, <https://www.ibanet.org/the-final-frontier> , // HW AW

As far as international oversight is concerned, the UN Committee on the Peaceful Uses of Outer Space (COPUOS) is the main forum governing the exploration and use of space. But it has failed to achieve an agreement on the interpretation of the broad concepts outlined in the OST, and legal developments since 1979 have been in the form of soft law guidelines and principles. Perhaps multinational initiatives led by individual states, such as the recent US-sponsored Artemis Accords, signal an alternative route. These envisage a series of bilateral agreements between the US and individual countries in the context of planned future exploration of the Moon, Mars, comets and asteroids. Nacimiento thinks such initiatives could help to develop space law. ‘There is some indication that international space law may develop in a different form, meaning not necessarily within the United Nations Committee on the Peaceful Uses of Outer Space and via multilateral international treaties. The Artemis Accords signed in October 2020 are one very recent example of how space law could develop in the future.’ However, not all states support the US-led initiative and so far the Artemis accords have only been signed by eight countries. Predictably China and Russia are prominent critics, objecting in particular to a suggestion in Artemis to create ‘safety zones’ around national lunar exploration sites, arguing that this amounts to a creeping claim of sovereignty. Nacimiento concedes that the provision for such zones under Artemis ‘could be in conflict with existing international law prohibiting any form of national appropriation of celestial bodies. It remains to be seen how these Accords work in practice and if they develop into generally recognized principles of cooperation.’ Although much of Artemis reflects existing international law, its future is likely to depend on as much as law itself. The mere fact that the process is led by the US seems to have stoked the fires of competing states, with the head of Russia’s space agency dubbing it ‘too US-centric’. Consequently, China and Russia signed an agreement this year to set up a rival system for exploration of the Moon, planning to establish a joint ‘International Lunar Research Station’. This, like the US-led effort, seeks to attract international partners. Monthly number of objects in Earth orbit by object type As China-Russia cooperation increases, Russia-US cooperation is waning. For many years the International Space Station has been a beacon for international cooperation in space, notably as a forum for detente between Russia and the US. However, it will eventually be de-orbited, possibly as soon as 2024, and with its demise will go a touchstone of cooperation between historical rivals. Clearly, events in space exploration have moved on since the 1967 OST which reduced tensions between Russia and the US. But now, with China as a significant new player, we seem to be witnessing a reignition of the space race. ‘The UN, notably its COPUOS, is still the best forum for all discussions on where the OST and the rest of the framework might need further elaboration, interpretation and implementation, comprising basically all the spacefaring nations,’ says von der Dunk. Based on experience, are international bodies helping to reduce friction in space?

**Case**

### Framing

**Extinction is the only coherent and egalitarian framework – prefer it**

**Khan 18** (Risalat, activist and entrepreneur from Bangladesh passionate about addressing climate change, biodiversity loss, and other existential challenges. He was featured by The Guardian as one of the “young climate campaigners to watch” (2015). As a campaigner with the global civic movement Avaaz (2014-17), Risalat was part of a small core team that spearheaded the largest climate marches in history with a turnout of over 800,000 across 2,000 cities. After fighting for the Paris Agreement, Risalat led a campaign joined by over a million people to stop the Rampal coal plant in Bangladesh to protect the Sundarbans World Heritage forest, and elicited criticism of the plant from Crédit Agricolé through targeted advocacy. Currently, Risalat is pursuing an MPA in Environmental Science and Policy at Columbia University as a SIPA Environmental Fellow, “5 reasons why we need to start talking about existential risks,” https://www.weforum.org/agenda/2018/01/5-reasons-start-talking-existential-risks-extinction-moriori/)

**Infinite** future **possibilities** I find the story of the Moriori profound. It teaches me two lessons. Firstly, that human culture is **far from immutable**. That we can struggle against our baser instincts. That **we can master them and rise to unprecedented challenges**. Secondly, that even this does not make us masters of our own destiny. We can make visionary choices, but the future can still surprise us. This is a humbling realization. Because **faced with an uncertain future, the only wise thing we can do is prepare** for possibilities. Standing at the launch pad of the Fourth Industrial Revolution, the possibilities seem endless. They range from an era of abundance to the end of humanity, and everything in between. How do we navigate such a wide and divergent spectrum? I am an optimist. From my bubble of privilege, life feels like a rollercoaster ride full of ever more impressive wonders, even as I try to fight the many social injustices that still blight us. However, the accelerating pace of change amid uncertainty elicits one fundamental observation. Among the infinite future possibilities**, only one outcome is truly irreversible: extinction**. Concerns about extinction are often dismissed as **apocalyptic alarmism**. Sometimes, they are. But repeating that mankind is still here after 70 years of existential warning about nuclear warfare is a **straw man argument**. **The fact that a 1000-year flood has not happened does not negate its possibility**. And there have been **far too many nuclear near-misses to rest easy.** As the World Economic Forum’s Annual Meeting in Davos discusses how to create a shared future in a fractured world, here are five reasons why the possibility of existential risks should raise the stakes of conversation: 1. **Extinction is the rule, not the exception** More than 99.9% of all the species that ever existed are gone. **Deep time is unfathomable** to the human brain. But if one cares to take a tour of the billions of years of life’s history, we find a litany of forgotten species. And we have only discovered a mere fraction of the extinct species that once roamed the planet. In the speck of time since the first humans evolved, more than 99.9% of all the distinct human cultures that have ever existed are extinct. Each hunter-gatherer tribe had its own mythologies, traditions and norms. They wiped each other out, or coalesced into larger formations following the agricultural revolution. However, as major civilizations emerged, even those that reached incredible heights, such as the Egyptians and the Romans, eventually collapsed. It is only in the very recent past that we became a truly global civilization. Our interconnectedness continues to grow rapidly. “Stand or fall, we are the last civilization”, as Ricken Patel, the founder of the global civic movement Avaaz, put it. 2. Environmental pressures can drive extinction More than 15,000 scientists just issued a ‘warning to humanity’. They called on us to reduce our impact on the biosphere, 25 years after their first such appeal. The warning notes that we are far outstripping the capacity of our planet in all but one measure of ozone depletion, including emissions, biodiversity, freshwater availability and more. The scientists, not a crowd known to overstate facts, conclude: “soon it will be too late to shift course away from our failing trajectory, and time is running out”. In his 2005 book Collapse, Jared Diamond charts the history of past societies. He makes the case that overpopulation and resource use beyond the carrying capacity have often been important, if not the only, drivers of collapse. Even though we are making important incremental progress in battles such as climate change, we must still achieve tremendous step changes in our response to several major environmental crises. We must do this even while the world’s population continues to grow. These pressures are bound to exert great stress on our global civilization. 3. Superintelligence: unplanned obsolescence? Imagine a monkey society that foresaw the ascendance of humans. Fearing a loss of status and power, it decided to kill the proverbial Adam and Eve. It crafted the most ingenious plan it could: starve the humans by taking away all their bananas. Foolproof plan, right? This story describes the fundamental difficulty with superintelligence. A superintelligent being may always do something entirely different from what we, with our mere mortal intelligence, can foresee. In his 2014 book Superintelligence, Swedish philosopher Nick Bostrom presents the challenge in thought-provoking detail, and advises caution. **Bostrom cites a survey of industry experts that projected a 50% chance of the development of artificial superintelligence by 2050**, **and a 90% chance by 2075**. The latter date is within the life expectancy of many alive today. Visionaries like Stephen Hawking and Elon Musk have warned of the existential risks from artificial superintelligence. Their opposite camp includes Larry Page and Mark Zuckerberg. But on an issue that concerns the future of humanity, is it really wise to ignore the guy who explained the nature of space to us and another guy who just put a reusable rocket in it? 4. Technology: known knowns and unknown unknowns Many fundamentally disruptive technologies are coming of age, from bioengineering to quantum computing, 3-D printing, robotics, nanotechnology and more. Lord Martin Rees describes potential existential challenges from some of these technologies, such as a bioengineered pandemic, in his book Our Final Century. Imagine if North Korea, feeling secure in its isolation, could release a virulent strain of Ebola, engineered to be airborne. Would it do it? Would ISIS? Projecting decades forward, we will likely develop capabilities that are unthinkable even now. The unknown unknowns of our technological path are profoundly humbling. 5. 'The Trump Factor' Despite our scientific ingenuity, we are still a confused and confusing species. Think back to two years ago, and how you thought the world worked then. Has that not been upended by the election of Donald Trump as US President, and everything that has happened since? The mix of billions of messy humans will forever be unpredictable. When the combustible forces described above are added to this melee, we find ourselves on a tightrope. What choices must we now make now to create a shared future, in which we are not at perpetual risk of destroying ourselves? Common enemy to common cause Throughout history, we have rallied against the ‘other’. Tribes have overpowered tribes, empires have conquered rivals. Even today, our fiercest displays of unity typically happen at wartime. We give our lives for our motherland and defend nationalistic pride like a wounded lion. But like the early Morioris, we 21st-century citizens find ourselves on an **increasingly unstable island**. We may have a violent past, but **we have no more dangerous enemy than ourselves**. Our task is to find our own Nunuku’s Law. Our own shared contract, based on equity, would help us navigate safely. It would ensure a future that unleashes the full potential of our still-budding human civilization, in all its diversity. We cannot do this unless we are **humbly grounded in the possibility of our own destruction**. **Survival is life’s primal instinct**. In the absence of a common enemy, we must find common cause in survival. Our future may depend on whether we realize this.

**Solvency**

1. **NU – space is already a global commons**
2. **Plan fails –**
3. **Global commons still allow for private appropriation**
4. **China inevitably undermines solvency – that's stang**
5. **Plan is utopian space is not antarctica or high seas**
6. **Turn – limitations on commons access such as private entity restrictions lead to backlash**

**Stang 13**

Gerald Stang (associate fellow at the EUISS) , 2013, "Global Commons: between cooperation and competition" European Institute for security studies, https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief\_17.pdf, // HW AW

Rapid economic development and increasing international trade are leading to a more crowded international stage and raising new challenges in the ‘global commons’ – those domains that are not under the control or jurisdiction of any state but are **open for use by countries, companies and individuals from around the world**. Their management involves increasingly complex processes to accommodate and integrate the interests and responsibilities of states, international organisations and a host of non-state actors. Shared rules regarding the usage of - and access to - the global commons encourage their peaceful and cooperative use. Over the last seven decades, the US has led in the creation of a liberal international order which has attempted to define these rules in such a way as to make it easier and more beneficial to join the order and follow the rules than it does to operate outside of (or undermine) it. With the rise of nonWestern, less liberal powers - particularly **China - questions must be asked regarding the durability of the existing processes for managing the global commons,** along with the potential for developing effective new processes that can address new threats and challenges. The EU is uniquely positioned to play an important role in giving value to existing multilateral frameworks and in developing new ones for international cooperation in these domains. But with a multitude of competing interests among stakeholders, much work remains to be done. What exactly are the global commons? Security analysts generally identify **four domains as global commons: high seas, airspace, outer space** and, now, cyberspace. From a security perspective, the primary concern is safeguarding ‘access’ to these domains for commercial and military reasons. It is important to highlight that this language differs from the discourse on commons developed by environmental analysts: their arguments focus on damage to the ‘condition’ of the commons from overuse by actors who do not have to pay direct costs. They worry about the depletion of shared resources such as ocean fish stocks, or the damage to shared domains such as Antarctica or the atmosphere. A third strand of analysis looks not at the need for ‘access’ to or preservation of the ‘condition’ of the commons, but at the capacity of the commons to provide ‘global public goods’. As there is no accepted definition of a global public good (a functioning trading system, peace, clean water, electricity, the internet, and many other things are often included), it may be wiser to focus on the four global commons relevant to security analysts mentioned above. While there are major differences between the ‘access’ views of security analysts and the ‘condition’ views of environmentalists, both are concerned about how the Global commons: Between cooperation and competition by Gerald Stang Photo by NASA / Rex Features (1568628a) European Union Institute for Security Studies April 2013 2 rules for use of the commons are set and enforced. In today’s interconnected world, **any limitations on access to the commons would be highly disruptive**. Militaries rely on access to the commons to pursue security goals in domains outside their sovereign control. Economic actors rely on the commons to trade and conduct business. **Changes to the condition of the commons can therefore disrupt commerce and security, not to mention the status of the global environment.** Each of the four commons discussed below possesses unique attributes and poses unique challenges for international cooperation and governance. Sea As the primary avenue for international commerce since ancient times, norms for access to and passage on the seas have developed and evolved over many years. Only in recent decades, however, have there been agreed regulatory frameworks and institutions to manage them. The UN Convention on the Law of the Sea (UNCLOS), first initiated in 1956 though not legally in force until 1994, is the primary international treaty regarding the sea, laying out rules for territorial boundaries (22km from shore), resource management and the rights of states within their exclusive economic zones (370km from shore). The International Tribunal for the Law of the Sea (ITLOS), created by UNCLOS, has the power to resolve disputes by States Parties. Except for the US, most countries and all global powers - including the EU-27 - have signed and ratified UNCLOS. The UN International Migratory Organization (IMO), created in 1948, regulates international shipping and rulings on safety, environmental and technical cooperation issues (the EU has observer status). As the world’s only global sea power, the United States has historically seen itself as the protector of free movement on the seas. With 11 carrier groups (Russia has one, rarely used) and hundreds of naval bases and allied ports throughout the globe, the US has a naval footprint that dwarfs all its allies and competitors. While countries such as Iran and China may be uncomfortable with US capacity to deny others access to the sea, US support for the creation and respect of transparent international regulations for use of the sea (which they adhere to themselves despite not having ratified UNCLOS), has allowed for the stable management of access to the seas. Except for the disruptive (but still rare) threat of piracy, access to the seas is generally a smooth and well-regulated process. The massive and relatively effective, if ad hoc, global response to the localised piracy problem off the coast of Somalia (for which the EU launched Atalanta, its own anti-piracy mission under the CSDP) highlighted the world’s impressive capacity to handle disruptions of this type. Territorial disputes exist in places like the South China Sea, but relate to historical boundary disagreements rather than conflict over rules of sea access. Normally, no state has an interest in disrupting sea trade. Even in times of crisis, while individual states may wish to deny their opponents access to certain regions, they are unlikely to harm their own interests by disrupting traffic on the world’s oceans. Environmental ‘condition’ issues in the sea commons are disconnected from ‘access’ issues. No single international treaty or body addresses pollution, overfishing or the various challenges in the melting Arctic. A confusing patchwork of sea basin cooperation groupings, regional fisheries management organisations and pollution monitoring agreements is in place. The integrated marine policy of the EU recognizes the need to improve governance of the seas while avoiding treaty congestion. While no unifying treaty or body to manage maritime issues is likely to appear, years of patient discussion in a variety of venues (of the type that the EU excels at) may lead to greater coherence and cooperation in managing environmental threats. Air International air travel requires the use of national airspace for continuous transit and involves detailed agreements that define transit rights. The UN International Civil Aviation Organisation, established in 1947, is the leading institution for regulating air travel. All EU countries are members, while the EU has observer status. As with piracy at sea, any potential disruption of access to the air commons is likely to come from non-state actors. While terrorist events can disrupt air traffic, however, intergovernmental cooperation between national police and security agencies is well established. Any systemic threat to the air commons appears so unlikely that some security analysts do not even include air as a one of the commons. Also like the sea commons, issues of management of environmental ‘condition’ are disconnected from ‘access’ issues. The accumulation of greenhouse gases is a form of pollution of the atmosphere, but the alarm stems from their effects on the biosphere rather than from the risk that the atmosphere may become unbreathable or inaccessible. The EU is a global leader on climate change, with the world’s most comprehensive emissions trading scheme and intense efforts to regulate and limit emissions. The Union has set the tone at the international level but has been unable to win agreement for an internal carbon tax or stronger emissions targets from external partners. European Union Institute for Security Studies April 2013 3 Space More than a thousand orbiting satellites facilitate communications in both the military and the civilian spheres, regulated by a mix of UN guidelines, bilater- al Cold War agreements and industry standards. The UN International Telecommunications Union (ITU) allocates radio spectrum and satellite orbits and develops international technical standards. Established in 1869, the ITU has almost universal membership among existing states, including all EU countries - though not the EU itself. The 1967 Outer Space Treaty, signed by all spacefaring nations, provides the minimal framework for activities in space, banning weapons of mass destruction and preventing states from claims to celestial bodies. The Treaty does not establish infrastructure for coordination, and consultation among party states is ad hoc. Following China’s destruction of one of its own satellites in 2007, there has been increasing concern about protection of satellites from attack. During the later stages of the Cold War, the US and the USSR tacitly agreed to a moratorium on testing anti-satellite weapons (ASAT) - but there are no binding rules in place. The satellite’s destruction also created a debris cloud which could have damaged other satellites or spacecraft. Unlike the sea and air domains, the problem of debris management in space indicates an overlap between ‘access’ and ‘condition’ issues. While access to space has previously been limited to a small number of states, **the increasing role of new actors (including from the private sector) suggests that the creation of comprehensive and binding regulations for the space commons may become more difficult.** The EU has pushed to become a key actor in space matters, working with the European Space Agency (ESA) - an intergovernmental body - on Galileo, Europe’s civilian satellite navigation system. In an effort to get ahead of the curve and manage uncertainty, the European Council approved a voluntary Code of Conduct for Outer Space Activities in late 2008 (revised in 2010) to address both space operations and space debris. It has only limited operational requirements but develops important cooperation, consultation, and notification mechanisms. To make it more palatable to the US and other states, it is not binding and has no enforcement mechanism. As with many efforts in multilateral regulation of the global commons, the US has been hesitant to agree to the Code for fear of diminishing its own freedom of manoeuvre. It may be an important step, however, in setting the groundwork for future space cooperation if the EU can follow up on the Code’s development with diplomatic action by bringing other space-faring countries on board. Cyberspace Cyberspace differs from the other commons because it is not a physical domain and because of the preponderant role of the private sector in both the infrastructure and the management of the domain. All of the physical nodes of the internet also exist within states and are subject to national law, rather than existing physically outside of national control as for the other commons. The American and security-related roots of the internet are reflected in how technical internet standards are managed. The Internet Corporation for Assigned Names and Numbers (ICANN), a private non-profit entity under contract with the US government, has ensured the coordination of internet addresses and registries since 1998. While ICANN operations have been stable - and their inclusive governance style has won imitators for handling technical issues - many countries prefer a formal international body to manage technical internet issues. The ITU has been suggested as a neutral management body, but this idea has been resisted by most Western states. Interestingly, non-Western states are pushing for international management of the internet within a framework that provides individual countries with rights and roles, rather than leaving it to the nonprofit sector to decide how the internet works. All EU-27 countries are members of the ITU and, following a European Parliament deliberation, voted as a bloc against the measures granting more power to the ITU, concerned over states wishing to regulate, control, and limit internet use. The UN Internet Governance Forum (IGF) has become the leading multi-stakeholder platform for states and other actors to debate internet governance. Regardless of the ICANN/ITU issue, states can filter and censor within their territories, and for the time being, efforts to protect against cyber attacks remain within the national sphere. Cyberspace allows for the spread of information, creating pressures for transparency in both democratic and non-democratic states. Discussions on the management of cyberspace, therefore, have become connected with those on the power of states to control information. Finally, although there is no environmental constitu- ency for cyberspace, there are constituencies of users and providers - private and public - who play a similar role in pushing for the protection of certain conditions in cyberspace. Unlike for sea and air domains, therefore, there is overlap between ‘access’ and ‘condition’ discussants. With worries about Cold War-style espionage and cyber conflict between states, cyber security problems European Union Institute for Security Studies April 2013 4 QN-AK-13-017-2A-N | ISSN 2315-1110 are expected to grow worse and are unlikely to be addressed through multilateral fora. Problems with hackers of various types make problems of attribution, response and coordination of policing very difficult. Cyber conflict involving states will ebb and flow along with the quality of the relationship between those states and competing states will continue to test each other’s cyber defences.

**Advantage1**

### Adv 2

**Space debris creates existential deterrence and a taboo**

Bowen 18 [(Bleddyn, lecturer in International Relations at the University of Leicester) “The Art of Space Deterrence,” European Leadership Network, February 20, 2018, https://www.europeanleadershipnetwork.org/commentary/the-art-of-space-deterrence/] TDI

Fourth, the ubiquity of space infrastructure and the fragility of the space environment may create a degree of existential deterrence. As space is so useful to modern economies and military forces, a large-scale disruption of space infrastructure may be so intuitively escalatory to decision-makers that there may be a natural caution against a wholesale assault on a state’s entire space capabilities because the consequences of doing so approach the mentalities of total war, or nuclear responses if a society begins tearing itself apart because of the collapse of optimised energy grids and just-in-time supply chains. In addition, the problem of space debris and the political-legal hurdles to conducting debris clean-up operations mean that even a handful of explosive events in space can render a region of Earth orbit unusable for everyone. This could caution a country like China from excessive kinetic intercept missions because its own military and economy is increasingly reliant on outer space, but perhaps not a country like North Korea which does not rely on space. The usefulness, sensitivity, and fragility of space may have some existential deterrent effect. China’s catastrophic anti-satellite weapons test in 2007 is a valuable lesson for all on the potentially devastating effect of kinetic warfare in orbit.