## 1NC

#### CP: States ought to modify the Outer Space Treaty to allow for private space appropriation. States ought to ratify the modified version of the Outer Space Treaty. That solves indeterminacy and means private space appropriation no longer constitutes a violation of rule of law

## 1-Off

#### US leads the private space sector now but other countries sectors are growing— US private sector is key to growth

Harding 7/16 [(Luke, a Guardian foreign correspondent. His book Shadow State is published by Guardian Faber. Click here for Luke's public key) “The space race is back on – but who will win?” The Guardian, 7/16/21. <https://www.theguardian.com/science/2021/jul/16/the-space-race-is-back-on-but-who-will-win>] RR

Half a century on, space has opened up. It is less ideological and a lot more crowded. About 72 countries have space programmes, including India, Brazil, Japan, Canada, South Korea and the UAE. The European Space Agency is active too, while the UK boasts the most private space startups after the US.

Space today is also highly commercial. On Sunday Richard Branson flew to the edge of space and back again in his Virgin Galactic passenger rocket. On Tuesday, Branson’s fellow billionaire Jeff Bezos is due to travel in his own reusable craft, New Shepard, built by the Amazon founder’s company Blue Origin and launched from west Texas.

Non-state actors play an increasingly important role in space exploration. Elon Musk’s SpaceX vehicles have made numerous flights to the International Space Station (ISS), and since last year they have transported people as well as cargo. Later this year Musk is due to send his own all-civilian crew into orbit – though he isn’t going himself.

Even so, space still reflects tensions on Earth. “Astropolitics follows terrapolitics,” says Mark Hilborne, a lecturer in defence studies at King’s College London. Up there anything goes, he adds. “Space governance is a bit fuzzy. Laws are few and very old. They are not written for asteroid mining or for a time when companies dominate.”

The biggest challenge to US space supremacy comes not from Russia – heir to the Soviet Union’s pioneering space programme, which launched the Sputnik satellite and got the first human into space in the form of Yuri Gagarin – but from China.

In 2011 Congress prohibited US scientists from cooperating with Beijing. Its fear: scientific espionage. Taikonauts are banned from visiting the ISS, which has hosted astronauts from 19 countries over the past 20 years. The station’s future beyond 2028 is uncertain. Its operations may yet be extended in the face of increasing Chinese competition.

In its annual threat assessment this April, the office of the US Director of National Intelligence (DNI) described China as a “near-peer competitor” pushing for global power. It warns: “Beijing is working to match or exceed US capabilities in space to gain the military, economic, and prestige benefits that Washington has accrued from space leadership.”

The Biden administration suspects Chinese satellites are being used for non-civilian purposes. The People’s Liberation Army integrates reconnaissance and navigation data in military command and control systems, the DNI says. “Satellites are inherently dual use. It’s not like the difference between an F15 fighter jet and a 737 passenger plane,” Hilborne says.

Once China completes the Tiangong space station next year, it is likely to invite foreign astronauts to take part in missions. One goal: to build new soft-power alliances. Beijing says interest from other countries is enormous. The low Earth orbit station is part of an ambitious development strategy in the heavens rather than on land – a sort of belt and rocket initiative.

According to Alanna Krolikowski, an assistant professor at the Missouri University of Science and Technology, a “bifurcation” of space exploration is under way. In one emerging camp are states led by China and Russia, many of them authoritarian; in the other are democracies and “like-minded” countries aligned with the US.

Russia has traditionally worked closely with the Americans, even when terrestrial relations were bad. Now it is moving closer to Beijing. In March, China and Russia announced plans to co-build an international lunar research station. The agreement comes at a time when Vladimir Putin’s government has been increasingly isolated and subject to western sanctions. In June, Putin and his Chinese counterpart Xi Jinping renewed a friendship treaty. Moscow is cosying up to Beijing out of necessity, at a time of rising US-China bipolarity.

These rival geopolitical factions are fighting over a familiar mountainous surface: the moon. In 2019 a Chinese rover landed on its far side – a first. China is now planning a mission to the moon’s south pole, to establish a robotic research station and an eventual lunar base, which would be intermittently crewed.

Nasa, meanwhile, has said it intends to put a woman and a person of colour on the moon by 2024. SpaceX has been hired to develop a lander. The return to the moon – after the last astronaut, commander Eugene Cernan, said goodbye in December 1972 – would be a staging post for the ultimate “giant leap”, Nasa says: sending astronauts to Mars.

Krolikowski is sceptical that China will quickly overtake the US to become the world’s leading spacefaring country. “A lot of what China is doing is a reprisal of what the cold war space programmes did in the 1960s and 1970s,” she said. Beijing’s recent feats of exploration have as much to do with national pride as scientific discovery, she says.

But there is no doubting Beijing’s desire to catch up, she adds. “The Chinese government has established, or has plans for, programmes or missions in every major area, whether it’s Mars missions, building mega constellations of telecommunications satellites, or exploring asteroids. There is no single area of space activity they are not involved in.”

“We see a tightening of the Russia-China relationship,” Krolikowski says. “In the 1950s the Soviet Union provided a wide range of technical assistance to Beijing. Since the 1990s, however, the Russian space establishment has experienced long stretches of underfunding and stagnation. China now presents it with new opportunities.”

Russia is poised to benefit from cost sharing, while China gets deep-rooted Russian technical expertise. At least, that’s the theory. “I’m sceptical this joint space project will materialise anytime soon,” says Alexander​ Gabuev, a senior fellow at the Carnegie Moscow Centre. Gabuev says both countries are “techno-nationalist”. Previous agreements to develop helicopters and wide-bodied aircraft saw nothing actually made, he says.

The Kremlin has been a key partner in managing and resupplying the ISS. US astronauts used Russian Soyuz rockets to reach the station, taking off from a cosmodrome in Kazakhstan, after the Space Shuttle programme was phased out. But this epoch seems to be coming to an end as private companies such as SpaceX take over. “I expect US-Russian relations to get worse,” Gabuev says, adding that Americans “no longer need” Russia’s help.

Moscow’s state corporation for space activities, Roscosmos, has faced accusations of being more interested in politics than space research. Last month the newspaper Novaya Gazeta reported that Roscosmos’s executive director of manned space programmes, former cosmonaut Sergei Krikalev, had been fired. His apparent crime: questioning an official decision to shoot a film on the Russian section of the ISS.

The film, Challenge, is about a female surgeon operating on a cosmonaut in space, and has been backed and financed by Roscosmos . It stars Yulia Peresild, who is due to head to space in October with director Klim Shipenko. The launch seems timed to beat Tom Cruise, who is due to shoot his own movie on board the ISS with director Doug Liman.

Krikalev, who spent more than 800 days in space and was in orbit when the USSR collapsed, apparently told Roscomos’s chief, Dmitry Rogozin, that the film was pointless. Rogozin – its co-producer – has called on the west to drop sanctions in return for Russia’s cooperation on space projects. Putin, Rogozin’s boss, appears to not be very interested in other planets, though, and is more concerned with nature and the climate crisis these days.

“Space is one of the areas that has traditionally transcended politics. The Mir space station worked at a time of east-west tensions. There was symbolic cooperation. Whether this will continue in the future is really up for debate,” Hilborne says. “The US is very sensitive about what happens in space.”

Most observers think the US will remain the world’s pre-eminent space power, thanks to its innovative and flourishing private sector. China’s Soviet-style state programme appears less nimble. Despite ambitious timetables, and billions spent by Beijing, it is unclear when – or even if – an astronaut will return to the moon. The 2030s, perhaps? Will they be American or Chinese? Or from a third country?

It may well be that the first person to boldly go again doesn’t merely represent a nation or carry a flag. More likely, they will emerge from a lunar lander wearing a spacesuit with a SpaceX logo on the back – a giant leap not only for mankind, but for galactic marketing.

#### Continued success of private space companies is key to secure space for the US.

Macias & Sheetz 2/3 [(Amanda, covers global trade and foreign policy for CNBC. She joined CNBC’s Washington bureau in 2018 from CBS Radio. Amanda studied Broadcast Journalism and Finance at the University of Missouri. She is a Knight-Bagehot Fellow in Economics and Business Journalism at Columbia University in New York.) (Micheal, Space Reporter) “Space Force general says success of private companies like SpaceX helps U.S. secure the space domain” CNBC, 2/3/21. <https://www.cnbc.com/2021/02/03/space-force-general-america-owns-space-with-help-from-elon-musks-spacex.html>] RR

WASHINGTON – The nation’s top general leading the U.S. military mission in space said Wednesday that he is excited about Wall Street and billionaire investment in the space industry, which has sparked renewed interest in the field among Americans and strong recruitment at the Pentagon’s youngest branch.

“There is a ton of excitement across America on space in all sectors,” said Gen. John Raymond, the U.S. Space Force’s chief of operations, when asked by CNBC about the strides made by private space companies like Elon Musk’s SpaceX.

“I’ve talked about people knocking on our door wanting to come into the Space Force in numbers greater than what we have slots to fill. I’ve talked in the past about how universities are seeing more students apply for space STEM degrees, which I think is going to be great for our nation,” Raymond added.

“I’m excited about all of it, both what we’re doing here on national security and what’s going on in the commercial industry that we can leverage the advantage,” the four-star general said without specifically naming any companies.

“The U.S. has always, has long understood that we are stronger with a secure and stable space domain and all of those sectors play into that,” Raymond said.

The U.S. Space Force, the Pentagon’s youngest branch, has increasingly looked to partner with the private sector as companies and investors pour into the space industry. The Pentagon is closely watching the progress of rocket builders like Rocket Lab, Astra and Virgin Orbit in addition to SpaceX.

Raymond’s comments came on the heels of SpaceX announcing this week that it will fly its first all-civilian crew into orbit later this year, a mission known as Inspiration 4.

The landmark flight, led by billionaire Jared Isaacman, is aimed at using high-profile space tourism to raise support for St. Jude Children’s Research Hospital. Three yet-to-be-announced passengers will accompany Isaacman on the multiday journey around the Earth, with two of the seats to be decided in public online competitions this month.

SpaceX announces first space mission with all-civilian crew

Raymond also called out NASA’s Crew-1 mission, which was the first operational launch of SpaceX’s Crew Dragon spacecraft.

“If you look at what’s going on in the civil sector with the launch of U.S. astronauts, and in this last launch a Japanese astronaut from U.S. soil on a commercial launch vehicle, there’s a ton of excitement there,” he said.

Raymond did not provide a reaction to SpaceX’s Starship rocket test flight on Tuesday, which resulted in an explosion as it attempted to land.

Starship prototype SN9 launched successfully to about 33,000 feet but, like the previous prototype flight in December, the rocket smashed into the ground while attempting to land.

Private investment in space companies last year set a fresh annual record, despite industry fears that the Covid-19 pandemic would end the past decade’s momentum, according to a report by Space Capital last month. Builders of rockets and satellites brought in $8.9 billion in 2020, with venture capital and angel investors continuing to pour funds into space businesses.

#### Space privatization key to US heg— Russia and China benefit from a weakened US.

Weichert 17 [(Brandon J., a former Congressional staff member who holds a Master of Arts in Statecraft & National Security Affairs from the Institute of World Politics in Washington, D.C. He is the founder of The Weichert Report: An Online Journal of Geopolitics, and is currently completing a book on national security space policy.) “The High Ground: The Case for U.S. Space Dominance,” Science Direct, 2017. <https://www.sciencedirect.com/science/article/abs/pii/S0030438717300108>] RR

The global order is currently disordered. New states with completely different values from the United States are rising to prominence. Many of those states possess strategic cultures opposed to the American hegemony that has defined the post-Cold War order.

Yet, the United States still maintains greater power, wealth, and capabilities than the other states seeking to displace her. For the United States to maintain its hegemonic position, it must also maintain a dominant position in space. As has been noted before, space is the ultimate high ground from which a state can dominate all of the other strategic domains (land, air, sea, and cyberspace). The United States has enjoyed the benefits from dominating this region. Yet, states like China and Russia are moving forward with their own plans not only to deny America access to space, but also to dominate this realm. These states would then benefit from commanding the high ground of space at America’s expense.

Since at least the Nixon Administration, space has come to be viewed in a militarized light. By the end of the Cold War, space had not only been militarized, but many were searching for a way to weaponize it. Just as the drift toward militarization of space was inexorable, so too is the desire for weaponization. As rival states begin to hone their space skills, the United States should seek to obtain the first move advantage by capitalizing on its already sizable lead in space by weaponizing it first. The placing of weapons in orbit would not only increase the costs of attacking existing U.S. space architecture, but it would also lend itself to increasing global stability by raising the costs of aggressive behavior on belligerents. Whatever negatives the weaponization of space may have, nothing is more negative for America than to find itself losing its dominance of space to a state that has placed weapons in orbit first.

To be passive and allow temporary budgetary constraints to dictate longterm space strategy will damage irrevocably the U.S. position in orbit. Our enemies are aware of our shortsighted preference for space superiority over dominance and are moving toward degrading the American advantage in space.23 Space dominance will not only rebuff rising states from challenging the United States, but it will also lend stability to the world order. This proactive stance was the goal of Ronald Reagan’s Strategic Defense Initiative. It must be the goal of U.S. policymakers today.24

#### US leadership in this decade solves global war and results in a peaceful end to Chinese revisionism **Erickson and Collins 10/21** [(Andrew, A professor of strategy in the U.S. Naval War College’s China Maritime Studies Institute)(Gabriel, Baker Botts fellow in energy and environmental regulatory affairs at Rice University’s Baker Institute for Public Policy) “A Dangerous Decade of Chinese Power Is Here,” Foreign Policy, 10/18/2021] U.S. and allied policymakers are facing the most important foreign-policy challenge of the 21st century. **China’s power is peaking**; so is the political position of Chinese President Xi Jinping and the Chinese Communist Party’s (CCP) **domestic strength.** In the long term, China’s **likely decline** after this peak is a **good thing.** But right now, it creates a **decade of danger** from a system that increasingly realizes it only has a **short time** to fulfill some of its **most critical**, long-held **goals.**

Within the next five years, China’s leaders are likely to conclude that its deteriorating demographic profile, structural economic problems, and technological estrangement from global innovation centers are eroding its leverage to annex Taiwan and achieve other major strategic objectives. As Xi internalizes these challenges, his foreign policy is likely to become even more accepting of risk, feeding on his nearly decadelong track record of successful revisionist action against the rules-based order. Notable examples include China occupying and militarizing sub-tidal features in the South China Sea, ramping up air and maritime incursions against Japan and Taiwan, pushing border challenges against India, occupying Bhutanese and Tibetan lands, perpetrating crimes against humanity in [Xinjiang](https://www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html), and coercively enveloping Hong Kong.

The relatively low-hanging fruit is plucked, but Beijing is emboldened to grasp the biggest single revisionist prize: Taiwan.

Beijing’s actions over the last decade have triggered backlash, such as with the so-called AUKUS deal, but concrete constraints on China’s strategic freedom of action may not fully manifest until after 2030. It’s remarkable and dangerous that China has paid few costs for its actions over the last 10 years, even as its military capacities have rapidly grown.

Beijing will likely conclude that under current diplomatic, economic, and force postures for both “gray zone” and high-end scenarios, the 2021 to late 2020s timeframe still favors China—and is attractive for its 68-year-old leader, who seeks a historical achievement at the zenith of his career.

U.S. planners must mobilize resources, effort, and risk acceptance to maximize power and thereby deter Chinese aggression in the coming decade—literally starting now—and innovatively employ assets that currently exist or can be operationally assembled and scaled within the next several years. That will be the first step to pushing back against China during the 2020s—a decade of danger—before what will likely be a waning of Chinese power.

As Beijing aggressively seeks to undermine the international order and promotes a narrative of inevitable Chinese strategic domination in Asia and beyond, it creates a dangerous contradiction between its goals and its medium-term capacity to achieve them. China is, in fact, likely nearing the apogee of its relative power; and by 2030 to 2035, it will cross a tipping point from which it may never recover strategically. Growing headwinds constraining Chinese growth, while not publicly acknowledged by Beijing, help explain Xi’s high and apparently increasing risk tolerance. Beijing’s window of strategic opportunity is sliding shut.

China’s skyrocketing household debt levels exemplify structural economic constraints that are emerging much earlier than they did for the United States when it had similar per capita GDP and income levels. Debt is often a wet blanket on consumption growth. A 2017 analysis published by the Bank for International Settlements found that once the household debt-to-GDP ratio in a sample of 54 countries exceeded 60 percent, “the negative long-run effects on consumption tend to intensify.” China’s household debt-to-GDP ratio surpassed that empirical danger threshold in late 2020. Rising debt service burdens thus threaten Chinese consumers’ capacity to sustain the domestic consumption-focused “dual circulation” economic model that Xi and his advisors seek to build. China’s growth record during the past 30 years has been remarkable, but past exceptionalism does not confer future immunity from fundamental demographic and economic headwinds.

As debt levels continue to rise at an absolute level that has accelerated almost continuously for the past decade, China also faces a hollowing out of its working-age population. This critical segment peaked in 2010 and has since declined, with the rate from 2015 to 2020 nearing 0.6 percent annually—nearly twice the respective pace in the United States. While the United States faces demographic challenges of its own, the disparity between the respective paces of decline highlights its relative advantage compared to its chief geopolitical competitor. Moreover, the United States can choose to access a global demographic and talent dividend via immigration in a way China simply will not be able to do.

Atop surging debt and worsening demographics, China also faces resource insecurity. China’s dependence on imported food and energy has grown steadily over the past two decades. Projections from Tsinghua University make a compelling case that China’s oil and gas imports will peak between 2030 and 2035. As China grapples with power shortages, Beijing has been reminded that supply shortfalls equal to even a few percentage points of total demand can have outsized negative impacts.

Domestic resource insufficiency by itself does not hinder economic growth—as the Four Asian Tigers’ multi-decade boom attests. But China is in a different position. Japan and South Korea never had to worry about the U.S. Navy interdicting inbound tankers or grain ships. In fact, the United States was avowedly willing to use military force to protect energy flows from the Persian Gulf region to its allies. Now, as an increasingly energy-secure United States pivots away from the Middle East toward the Indo-Pacific, there is a substantial probability that energy shipping route protection could be viewed in much more differentiated terms—with oil and liquefied natural gas cargoes sailing under the Chinese flag viewed very differently than cargoes headed to buyers in other regional countries.

Each of these dynamics—demographic downshifts, rising debts, resource supply insecurity—either imminently threatens or is already actively interfering with the CCP’s long-cherished goal of achieving a “moderately prosperous society.” Electricity blackouts, real estate sector travails (like those of Evergrande) that show just how many Chinese investors’ financial eggs now sit in an unstable $52 trillion basket, and a solidifying alignment of countries abroad concerned by aggressive Chinese behavior all raise questions about Xi’s ability to deliver. With this confluence of adverse events only a year before the next party congress, where personal ambition and survival imperatives will almost drive him to seek anointment as the only Chinese “leader for life” aside from former leader Mao Zedong, the timing only fuels his sense of insecurity. Xi’s anti-corruption campaigns and ruthless removal of potential rivals and their supporters solidified his power but likely also created a quiet corps of opponents who may prove willing to move against him if events create the perception he’s lost the “mandate of heaven.” Accordingly, the baseline assumption should be that Xi’s crown sits heavy and the insecurity induced is thereby intense enough to drive high-stake, high-consequence posturing and action.

While Xi is under pressure to act, the external risks are magnified because so far, he has suffered few consequences from taking actions on issues his predecessors would likely never have gambled on. Reactions to party predations in Xinjiang and [Hong Kong](https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions/20210716_33) have been restricted to diplomatic-signaling pinpricks, such as sanctioning responsible Chinese officials and entities, most of whom lack substantial economic ties to the United States. Whether U.S. restraint results from a fear of losing market access or a belief that China’s goals are ultimately limited is not clear at this time.

While the CCP issues retaliatory sanctions against U.S. officials and proclaims a triumphant outcome to its hostage diplomacy, these tactical public actions mask a growing private awareness that China’s latitude for irredentist action is poised to shrink. Not knowing exactly when domestic and external constraints will come to bite—but knowing that when Beijing sees the tipping point in its rearview mirror, major rivals will recognize it too—amplifies Xi and the party’s anxiety to act on a shorter timeline. Hence the dramatic acceleration of the last few years.

Just as China is mustering its own strategic actions, so the United States must also intensify its focus and deployment of resources. The United States has taken too long to warm up and confront the central challenge, but it retains formidable advantages, agility, and the ability to prevail—provided it goes all-in now. Conversely, if Washington fails to marshal its forces promptly, its achievements after 2030 or 2035 will matter little. Seizing the 2020s would enable Beijing to ~~cripple~~ [destroy] the free and open rules-based order and entrench its position by economically subjugating regional neighbors (including key U.S. treaty allies) to a degree that could offset the strategic headwinds China now increasingly grapples with.

Deterrence is never certain. But it offers the highest probability of avoiding the certainty that an Indo-Pacific region dominated by a CCP-led China would doom treaty allies, threaten the U.S. homeland, and likely set the stage for worse to come. Accordingly, U.S. planners should immediately mobilize resources and effort as well as accept greater risks to deter Chinese action over the critical next decade.

The greatest threat is armed conflict over Taiwan, where U.S. and allied success or failure will be fundamental and reverberate for the remainder of the century. There is a high chance of a major move against Taiwan by the late 2020s—following an extraordinary ramp-up in People’s Liberation Army capabilities and before Xi or the party state’s power grasp has ebbed or Washington and its allies have fully regrouped and rallied to the challenge.

So how should policymakers assess the potential risk of Chinese action against Taiwan reaching dangerous levels by 2027 or possibly even earlier—as emphasized in the testimonies of Adms. Philip Davidson and John Aquilino? In June, Chairman of the Joint Chiefs Gen. Mark Milley testified to the House of Representatives that Xi had “challenged the People’s Liberation Army to accelerate their modernization programs to develop capabilities to seize Taiwan and move it from 2035 to 2027,” although China does not currently have the capabilities or intentions to conduct an all-out invasion of mainland Taiwan.

U.S. military leaders’ assessments are informed by some of the world’s most extensive and sophisticated internal information. But what’s striking is open-source information available to everyone suggests similar things. Moving forward, a number of open-source indicators offer valuable “early warning lights” that can help policymakers more accurately calibrate both potential timetables and risk readings as the riskiest period of relations—from 2027 onward—approaches.

Semiconductors supply self-sufficiency. Taiwan is the “OPEC+” of semiconductors, accounting for approximately two-thirds of global chip foundry capacity. A kinetic crisis would almost certainly disrupt—and potentially even completely curtail—semiconductor supplies. China presently spends even more each year on semiconductor imports (around $380 billion) than it does on [oil](http://english.customs.gov.cn/Statics/0aba4bfd-f8ed-477c-9d16-dc3def897b7b.html), but much of the final products are destined for markets abroad. Taiwan is producing cutting-edge 5-nanometer and 7-nanometer chips, but China produces around 80 percent of the rest of the chips in the world. The closer China comes to being able to secure “good enough” chips for “inside China-only” needs, the less of a constraint this becomes.

Crude oil, grain, strategic metals stockpiles—the commercial community (Planet Labs, Ursa Space Systems, etc.) has developed substantial expertise in cost-effectively tracking inventory changes for key input commodities needed to prepare for war.

Electric vehicle fleet size—the amount of oil demand displaced by electric vehicles varies depending on miles driven, but the more of China’s car fleet that can be connected to the grid (and thus powered by blockade-resistant coal), the less political burden Beijing will face if it has to weather a maritime oil blockade imposed in response to actions it took against Taiwan or other major revisionist adventures. China’s passenger vehicle fleet, now approximately 225 million units strong, counts nearly 6.5 million electric vehicles among its ranks, the lion’s share of which are full-battery electrics. China’s State Council seeks to have 20 percent of new vehicles sold in China be electric vehicles by 2025. This target has already basically been achieved over the last few months, meaning at least 3.5 to 4 million (and eventually many more) new elective vehicles will enter China’s car fleet each year from now on.

Local concentration of maritime vessels—snap exercises with warships, circumnavigations, and midline tests with swarms of aircraft highlight the growing scale of China’s threat to [Taiwan](https://www.andrewerickson.com/2021/06/quick-look-cmsis-4-6-may-2021-conference-large-scale-amphibious-warfare-in-chinese-military-strategy-taiwan-strait-campaign-focus/). But these assets alone cannot invade the island. To capture and garrison, Beijing would need not only air, missile, naval, and special operations forces but also the ability to move lots of equipment and—at the very least—tens of thousands of personnel across the Taiwan Strait. As such, Beijing would have to amass maritime transport assets. And given the scale required, this would alter ship patterns elsewhere along China’s coast in ways detectable with artificial intelligence-facilitated imagery analysis from firms like Planet Labs (or national assets).

Only the most formidable, agile American and allied deterrence can kick the can down the road long enough for China’s slowdown to shut the window of vulnerability. Holding the line is likely to require frequent and sustained proactive enforcement actions to disincentivize full-frontal Chinese assaults on the rules-based order in the Indo-Pacific. Chinese probing behavior and provocations must be met with a range of symmetric and asymmetric responses that impose real costs, such as publishing assets owned by Chinese officials abroad, cyber interference with China’s technological social control apparatus, “hands on” U.S. Navy and Coast Guard enforcement measures against Maritime Militia-affiliated vessels in the South China Sea, intensified air and maritime surveillance of Chinese naval bases, and visas and resettlement options to Hong Kongers, Uyghurs, and other threatened Chinese citizens—including CCP officials (and their families) who seek to defect and/or leave China. U.S. policymakers must make crystal clear to their Chinese counterparts that the engagement-above-all policies that dominated much of the past 25 years are over and the risks and costs of ongoing—and future—adventurism will fall heaviest on China.

Bombastic Chinese reactions to emerging cohesive actions verify the approach’s effectiveness and potential for halting—and perhaps even reversing—the revisionist tide China has unleashed across the Asian region. Consider the recent nuclear submarine deal among Australia, the United States, and the United Kingdom. Beijing’s strong public reaction (including toleration of [nuclear threats](https://www.globaltimes.cn/page/202109/1234460.shtml) made by the state-affiliated *Global Times*) highlights the gap between its global information war touting China’s irresistible power and deeply insecure internal self-perception. Eight nuclear submarines will ultimately represent formidable military capacity, but for a bona fide superpower that believes in its own capabilities, they would not be a game-changer. Consider the U.S.-NATO reaction to the Soviet Union’s commissioning of eight Oscar I/II-class cruise missile subs during the late Cold War. These formidable boats each carried 24 SS-N-19 Granit missiles specifically designed to kill U.S. carrier battle groups, yet NATO never stooped to public threats.

With diplomatic proofs of concepts like the so-called AUKUS deal, the Quadrilateral Security Dialogue, and hard security actions like the Pacific Deterrence Initiative now falling into place, it is time to comprehensively peak the non-authoritarian world’s protective action to hold the line in the Indo-Pacific. During this decade, U.S. policymakers must understand that under Xi’s strongman rule, personal political survival will dictate Chinese behavior. Xi’s recreation of a “one-man” system is a one-way, high-leverage bet that decisions he drives will succeed.

If Xi miscalculates, a significant risk given his suppression of dissenting voices while China raises the stakes in its confrontation with the United States, the proverbial “leverage” that would have left him with outsized returns on a successful bet would instead amplify the downside, all of which he personally and exclusively signed for. Resulting tensions could very realistically undermine his status and authority, embolden internal challengers, and weaken the party. They could also foreseeably drive him to double down on mistakes, especially if those led to—or were made in the course of—a kinetic conflict. Personal survival measures could thus rapidly transmute into regional or even global threats.

If Xi triggered a “margin call” on his personal political account through a failed high-stakes gamble, it would likely be paid in blood. Washington must thus prepare the U.S. electorate and its institutional and physical infrastructure as well as that of allies and partners abroad for the likelihood that tensions will periodically ratchet up to uncomfortable levels—and that actual conflict is a concrete possibility. Si vis pacem, para bellum (“if you want peace, prepare for war”) must unfortunately serve as a central organizing principle for a variety of U.S. and allied decisions during the next decade with China.

Given these unforgiving dynamics and stakes, implications for U.S. planners are stark: Do whatever remains possible to “peak” for deterrent competition against China by the mid-to-late 2020s, and accept whatever trade-offs are available for doing so.

Nothing we might theoretically achieve in 2035 and beyond is worth pursuing at the expense of China-credible capabilities we can realistically achieve no later than the mid-to-late 2020s.

### 2Off – Framing

**The standard is maximizing expected wellbeing**

**First, pleasure and pain are intrinsically valuable. People consistently regard pleasure and pain as good reasons for action, despite the fact that pleasure doesn’t seem to be instrumentally valuable for anything.**

**Moen 16** [Ole Martin Moen, Research Fellow in Philosophy at University of Oslo “An Argument for Hedonism” Journal of Value Inquiry (Springer), 50 (2) 2016: 267–281] SJDI

Let us start by observing, empirically, that a widely shared judgment about intrinsic value and disvalue is that pleasure is intrinsically valuable and pain is intrinsically disvaluable. On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues**.** This inclusion makes intuitive sense, moreover, for there is something undeniably good about the way pleasure feels and something undeniably bad about the way pain feels, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have. “Pleasure” and “pain” are here understood inclusively, as encompassing anything hedonically positive and anything hedonically negative.2 The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values**.** If you tell me that you are heading for the convenience store, I might ask: “What for?” This is a reasonable question, for when you go to the convenience store you usually do so, not merely for the sake of going to the convenience store, but for the sake of achieving something further that you deem to be valuable**.** You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. The reason is that the pleasure is not good for anything further; it is simply that for which going to the convenience store and buying the soda is good.3 As Aristotle observes**:** “We never ask [a man] what his end is in being pleased, because we assume that pleasure is choice worthy in itself.”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that if something is painful, we have a sufficient explanation of why it is bad. If we are onto something in our everyday reasoning about values, it seems that pleasure and pain are both places where we reach the end of the line in matters of value.

**Moreover, *only* pleasure and pain are intrinsically valuable. All other values can be explained with reference to pleasure; Occam’s razor requires us to treat these as instrumentally valuable.**

**Moen 16** [Ole Martin Moen, Research Fellow in Philosophy at University of Oslo “An Argument for Hedonism” Journal of Value Inquiry (Springer), 50 (2) 2016: 267–281] SJDI

I think several things should be said in response to Moore’s challenge to hedonists. First, **I do not think the burden of proof lies on hedonists to explain why the additional values are not intrinsic values. If someone claims that X is intrinsically valuable, this is a substantive, positive claim, and it lies on him or her to explain why we should believe that X is in fact intrinsically valuable.** Possibly, this could be done through thought experiments analogous to those employed in the previous section. Second, **there is something peculiar about the list of additional intrinsic values** that counts in hedonism’s favor**: the listed values have a strong tendency to be well explained as things that help promote pleasure and avert pain.** To go through Frankena’s list, life and consciousness are necessary presuppositions for pleasure; activity, health, and strength bring about pleasure; and happiness, beatitude, and contentment are regarded by Frankena himself as “pleasures and satisfactions.” The same is arguably true of beauty, harmony, and “proportion in objects contemplated,” and also of affection, friendship, harmony, and proportion in life, experiences of achievement, adventure and novelty, self-expression, good reputation, honor and esteem. Other things on Frankena’s list, such as understanding, **wisdom, freedom, peace, and security, although they are perhaps not themselves pleasurable, are important means to achieve a happy life, and as such, they are things that hedonists would value highly.** **Morally good dispositions and virtues, cooperation, and just distribution of goods and evils, moreover, are things that, on a collective level, contribute a happy society, and thus the traits that would be promoted and cultivated if this were something sought after.** To a very large extent, the intrinsic values suggested by pluralists tend to be hedonic instrumental values. Indeed, pluralists’ suggested intrinsic values all point toward pleasure, for while the other values are reasonably explainable as a means toward pleasure, pleasure itself is not reasonably explainable as a means toward the other values. Some have noticed this. Moore himself, for example, writes that though his pluralistic theory of intrinsic value is opposed to hedonism, its application would, in practice, look very much like hedonism’s: “Hedonists,” he writes “do, in general, recommend a course of conduct which is very similar to that which I should recommend.”24 Ross writes that “[i]t is quite certain that by promoting virtue and knowledge we shall inevitably produce much more pleasant consciousness. These are, by general agreement, among the surest sources of happiness for their possessors.”25 Roger Crisp observes that “those goods cited by non-hedonists are goods we often, indeed usually, enjoy.”26 What Moore and Ross do not seem to notice is that their observations give rise to two reasons to reject pluralism and endorse hedonism. The first reason is that if **the suggested non-hedonic intrinsic values are potentially explainable by appeal to just pleasure and pain** (which, following my argument in the previous chapter, we should accept as intrinsically valuable and disvaluable), **then—by appeal to Occam’s razor—we have at least a pro tanto reason to resist the introduction of any further intrinsic values and disvalues. It is ontologically more costly to posit a plurality of intrinsic values and disvalues, so in case all values admit of explanation by reference to a single intrinsic value and a single intrinsic disvalue, we have reason to reject more complicated accounts.** **The fact that suggested non-hedonic intrinsic values tend to be hedonistic instrumental values does not, however, count in favor of hedonism solely in virtue of being most elegantly explained by hedonism; it also does so in virtue of creating an explanatory challenge for pluralists.** The challenge can be phrased as the following question: **If the non-hedonic values suggested by pluralists are truly intrinsic values in their own right, then why do they tend to point toward pleasure and away from pain?**27

**Moral uncertainty means preventing extinction should be our highest priority.  
Bostrom 12** [Nick Bostrom. Faculty of Philosophy & Oxford Martin School University of Oxford. “Existential Risk Prevention as Global Priority.” Global Policy (2012)]  
These reflections on **moral uncertainty suggest** an alternative, complementary way of looking at existential risk; they also suggest a new way of thinking about the ideal of sustainability. Let me elaborate.¶ **Our present understanding of axiology might** well **be confused. We may not** nowknow — at least not in concrete detail — what outcomes would count as a big win for humanity; we might not even yet **be able to imagine the best ends** of our journey. **If we are** indeedprofoundly **uncertain** about our ultimate aims,then we should recognize that **there is a great** option **value in preserving** — and ideally improving — **our ability to recognize value and** to **steer the future accordingly. Ensuring** that **there will be a future** version of **humanity** with great powers and a propensity to use them wisely **is** plausibly **the best way** available to us **to increase the probability that the future will contain** a lot of **value.** To do this, we must prevent any existential catastrophe.

**Reducing the risk of extinction is always priority number one.   
Bostrom 12** [Faculty of Philosophy and Oxford Martin School, University of Oxford.], Existential Risk Prevention as Global Priority.  Forthcoming book (Global Policy). MP. http://www.existenti...org/concept.pdfEven if we use the most conservative of these estimates, which entirely ignores the   possibility of space colonization and software minds, **we find that the expected loss of an existential   catastrophe is greater than the value of 10^16 human lives**.  **This implies that the expected value of   reducing existential risk by a mere one millionth of one percentage point is at least a hundred times the   value of a million human lives.**  The more technologically comprehensive estimate of 10  54 humanbrain-emulation subjective life-years (or 10  52  lives of ordinary length) makes the same point even   more starkly.  Even if we give this allegedly lower bound on the cumulative output potential of a   technologically mature civilization a mere 1% chance of being correct, we find that the expected   value of reducing existential risk by a mere one billionth of one billionth of one percentage point is worth   a hundred billion times as much as a billion human lives. **One might consequently argue that even the tiniest reduction of existential risk has an   expected value greater than that of the definite provision of any ordinary good, such as the direct   benefit of saving 1 billion lives.**  And, further, that the absolute value of the indirect effect of saving 1  billion lives on the total cumulative amount of existential riskâ€”positive or negativeâ€”is almost   certainly larger than the positive value of the direct benefit of such an action.

## Case

**No space war – insurmountable barriers and everyone has an interest in keeping space peaceful**

**Dobos 19** [(Bohumil Doboš, scholar at the Institute of Political Studies, Faculty of Social Sciences, Charles University in Prague, Czech Republic, and a coordinator of the Geopolitical Studies Research Centre) “Geopolitics of the Outer Space, Chapter 3: Outer Space as a Military-Diplomatic Field,” Pgs. 48-49] TDI

Despite the theorized potential for the achievement of the terrestrial dominance throughout the utilization of the ultimate high ground and the ease of destruction of space-based assets by the potential space weaponry, the utilization of space weapons is with current technology and no effective means to protect them far from fulfilling this potential (Steinberg 2012, p. 255). In current global international political and technological setting, the utility of space weapons is very limited, even if we accept that the ultimate high ground presents the potential to get a decisive tangible military advantage (which is unclear). This stands among the reasons for the lack of their utilization so far. Last but not the least, it must be pointed out that the states also develop passive defense systems designed to protect the satellites on orbit or critical capabilities they provide. These further decrease the utility of space weapons. These systems include larger maneuvering capacities, launching of decoys, preparation of spare satellites that are ready for launch in case of ASAT attack on its twin on orbit, or attempts to decrease the visibility of satellites using paint or materials less visible from radars (Moltz 2014, p. 31). Finally, we must look at the main obstacles of connection of the outer space and warfare. The first set of barriers is comprised of physical obstructions. As has been presented in the previous chapter, the outer space is very challenging domain to operate in. Environmental factors still present the largest threat to any space military capabilities if compared to any man-made threats (Rendleman 2013, p. 79). A following issue that hinders military operations in the outer space is the predictability of orbital movement. If the reconnaissance satellite's orbit is known, the terrestrial actor might attempt to hide some critical capabilities-an option that is countered by new surveillance techniques (spectrometers, etc.) (Norris 2010, p. 196)-but the hide-and-seek game is on. This same principle is, however, in place for any other space asset-any nation with basic tracking capabilities may quickly detect whether the military asset or weapon is located above its territory or on the other side of the planet and thus mitigate the possible strategic impact of space weapons not aiming at mass destruction. Another possibility is to attempt to destroy the weapon in orbit. Given the level of development for the ASAT technology, it seems that they will prevail over any possible weapon system for the time to come. Next issue, directly connected to the first one, is the utilization of weak physical protection of space objects that need to be as light as possible to reach the orbit and to be able to withstand harsh conditions of the domain. This means that their protection against ASAT weapons is very limited, and, whereas some avoidance techniques are being discussed, they are of limited use in case of ASAT attack. We can thus add to the issue of predictability also the issue of easy destructibility of space weapons and other military hardware (Dolman 2005, p. 40; Anantatmula 2013, p. 137; Steinberg 2012, p. 255). Even if the high ground was effectively achieved and other nations could not attack the space assets directly, there is still a need for communication with those assets from Earth. There are also ground facilities that support and control such weapons located on the surface. Electromagnetic communication with satellites might be jammed or hacked and the ground facilities infiltrated or destroyed thus rendering the possible space weapons useless (Klein 2006, p. 105; Rendleman 2013, p. 81). This issue might be overcome by the establishment of a base controlling these assets outside the Earth-on Moon or lunar orbit, at lunar L-points, etc.-but this perspective remains, for now, unrealistic. Furthermore, no contemporary actor will risk full space weaponization in the face of possible competition and the possibility of rendering the outer space useless. No actor is dominant enough to prevent others to challenge any possible attempts to dominate the domain by military means. To quote 2016 Stratfor analysis, "(a) war in space would be devastating to all, and preventing it, rather than finding ways to fight it, will likely remain the goal" (Larnrani 20 16). This stands true unless some space actor finds a utility in disrupting the arena for others.

#### No impact to violations and violations now and inevitable – only chronic non-compliance triggers the link

Koplow 13(David, Professor of Law and Director of the Center for Applied Legal Studies at Georgetown University Law Center, “Indisputable Violations: What Happens When the United States Unambiguously Breaches a Treaty?” Winter, http://www.fletcherforum.org/wp-content/uploads/2013/02/Koplow\_37-1.pdf)

So what? Why does it matter that the United States violates treaties, and occasionally does so without a shred of legal cover? Perhaps that is the realpolitik privilege of the global hegemon: to be able to sustain hypocrisy asserting that its unique international responsibilities and its “exceptional” position in the world enable the United States explicitly to welch on its debts, fudge on its obligations, and adopt a “do as we say, not as we do” approach with other countries. However, there is a cost when the world’s strongest state behaves this way. One potential danger is that other countries may mimic this disregard for legal commitments and justify their own cavalier attitudes toward international law by citing U.S. precedents. Reciprocity and mutuality are fundamental tenets of international practice; it is foolhardy to suppose that other parties will indefinitely continue with treaty compliance if they feel that the United States is taking advantage of them by unilateral avoidance of shared legal obligations. So far, there has not been significant erosion of the treaties discussed in the three examples. The United States and Russia will fall years short of compliance with the CWC destruction obligations, but other parties, with the notable exception of Iran, have reacted with aplomb, comfort- able with the two giants’ unequivocal commitment to eventual compli- ance. Likewise, the VCCR is not unraveling, even if other states lament the asymmetry in consular access to detained foreigners. And while many states pay their UN dues late and build up substantial arrearages, that recalcitrance seems to stem more from penury than from a deliberate choice to follow the U.S. lead. But that persistent flouting undermines the treaties—and by exten- sion, it jeopardizes the entire fabric of international law. Chronic noncompliance—especially ostentatious, unexcused, unjustified noncompli- ance—also sullies the nation’s reputation and degrades U.S. diplomats’ ability to drive other states to better conform with their obligations under the full array of treaties and other international law commitments from trade to human rights to the Law of the Sea. The United States depends upon the international legal structure more than anyone else: Americans have the biggest interest in promoting a stable, robust, reliable system for international exchange. It is shortsighted and self-defeating to publicly and unblushingly undercut the system that offers the United States so many benefits. It is especially damaging when, following an indisputable violation, the United States acknowledges its default, participates in an international dispute resolution procedure, and apologizes—but then continues to violate the treaty. The CWC implementation bodies, the International Court of Justice, and even the UN General Assembly and Security Council are unable to effectively do much to sanction or penalize the mighty United States, but it is still terrible for U.S. interests to disregard those mechanisms. CONCLUSION A unifying theme underlies the three violations described above. They all rely upon an insidious combination of a constitutional design that automatically elevates domestic U.S. law above international law; a superpower status that enables the United States to default on treaty obligations without risking immediate meaningful adverse consequences; and a domestic legal and political culture that too often disregards international affairs and foreign opinion, with the result that our government’s violations attract little popular attention and outrage. At this point, little can be done to remedy these three specific violations. The 2012 CWC deadline has passed, and even heroic and expen- sive remedial efforts today could not destroy the remaining chemical ￼￼￼The violations of Consular Relations obligations are not “inevitable,” but the Department of State can do little to compel state and local law enforcement officials to be more attentive to a treaty that they have no perceived stake in upholding. weapons much faster than the current enterprise. The violations of Consular Relations obligations are not “inevi- table,” but the Department of State can do little to compel state and local law enforcement officials to be more attentive to a treaty that they have no perceived stake in upholding. The United States’ persistent withholding of dues to the UN and its constituent bodies is a deliberate political choice by congressional and executive leaders who profess little shame in driving the country into violation of its interna- ￼￼￼tional legal commitments. Our perspective in reflecting upon the three indisputable violations, therefore, must be forward-looking. International law affords a state multiple options when confronting a proposed treaty that it largely agrees with, but for which it doubts its ability to fully comply. The state may propose key alterations during the treaty negotiations or, if the document has already been concluded, it may propound amendments. Often, it can join the treaty with “reservations,” which create certain legally allowable unilateral exemptions. Sometimes, the wise course is to delay joining the treaty until the state can be certain of its ability to comply. If it has already joined, it might take advantage of a “withdrawal” clause to exit the accord. But in the interest of international credibility of the state and the international mandate, what it should not do is to join the treaty unconditionally, accept the full array of legal obliga- tions, demand that other countries extend to it the promised benefits, and then undeniably flout its responsibilities. The United States has too often embarrassed itself by playing fast- and-loose with international law and there is plenty of blame to spread around. Sometimes Congress has been at fault; sometimes it was the execu- tive branch in the lead. Sometimes the violation is deliberate; at other times it is an unintended consequence of other policies or failures. But what these three unlovely cases have in common is insufficient attention to the obliga- tion to “faithfully execute” a treaty as “supreme law”—and that failure is both foolish and illegal. ￼￼￼This is not an argument that the specific costs of these particular indisputable violations are, or will soon become, unbearable. The United States is so big and powerful—and international law is so underdeveloped and flimsy—that in the short-run a superpower can “get away with” these transgressions. But in the long-run, lawless behavior is unsustainable; elevating domestic policy preferences above binding international legal obligations is profoundly not in the U.S. interest. Even if the feeble enforcement mechanisms of the international community cannot compel the United States to honor its commitments, the country itself should work to promote the rule of law by its deeds as well as by its rhetoric. ...in the long-run, lawless behavior is unsustain- able; elevating domestic policy preferences above binding international legal obligations is profoundly not in the U.S. interest. ￼￼￼John Jay warned in Federalist Paper No. 64 on March 7, 1788, “that a treaty is only another name for a bargain, and that it would be impossible to find a nation who would make any bargain with us, which should be binding on them absolutely, but on us only so long and so far as we may think proper to be bound by it.” President Obama made the same point in his celebrated April 5, 2009 speech in Prague: “Rules must be binding. Violations must be punished. Words must mean something.” That is true, even for the United States.

#### Rule of law solves nothing

Acharya 13 – Associate Professor of Law, Gonzaga University School of Law (Upendra D., May, “GLOBALIZATION, DEREGULATION, POWER, AND AGENCY: GLOBALIZATION AND HEGEMONY SHIFT: ARE STATES MERELY AGENTS OF CORPORATE CAPITALISM?” 36 B.C. Int'l & Comp. L. Rev. 937, Lexis)

PROCESS OF HEGEMONY: INTERNATIONAL LAW, POWER, AND DETERRITORIALIZATION¶ ¶ Discussions of hegemonic international law posit that international law is relatively weak, that it is nothing more than epiphenomenal, [\*940] merely a production of normative standards that mirror the interests of powerful states. n14 The hegemonic international law theory also posits that hegemons (powerful nations among the many sovereign states) define the course of states' behavior by creating and influencing international law to give effect to the hegemons' interests and condone actions that support those interests. n15 This Part critically observes hegemons' techniques and methods of consolidating power, n16 leading to the next Part's discussion addressing an emerging corporate-centric hegemonic international law, a new form of international law contrasted to Vagts's state-centric hegemonic international law. n17¶ ¶ Because international law is based on the mutual consent of sovereign states, each participating state must have common values and interests for international law to be effective. n18 Political, cultural, religious, [\*941] and economic traditions were naturally varied among states before the implementation of international law. n19 Because of this variation, the powerful Western states superimposed self-styled Western values such as democracy, a definitive structure of rule of law, industrial development, perception of peace, and eventually capitalism on less-influential or less-powerful states. n20 Western hegemons present these values as though they are prerequisites for stability. n21 In reality, however, formal consent to these values allows (in the creation of international law) the hegemon to disrupt existing value structures--an inherently destabilizing action--and take advantage of the less-powerful states' resources. n22 This process of obtaining consent is so sophisticated that it frequently requires engaging lawyers and legal scholars to guide less-powerful states. n23 These scholars typically represent Western education and ideologies within the scope of the broader interests of hegemons, imposing Western legal traditions on non-Western states. n24¶ ¶ Despite maintaining consent to superimposed Western norms, international law lacks a formal enforcement and compliance authority. n25 Nevertheless, fragmented informal or non-legal authority has been institutionalized through means controlled by hegemons that can make others comply with the norms. n26 In this scattered and pseudo-legal compliance mechanism, hegemons may comply with international law when faced with worldwide pressure and opposition from competing [\*942] hegemons. n27 For non-hegemons, a hint of pressure, economic or otherwise, is sometimes sufficient to force compliance with the regime. n28¶ ¶ According to Antonio Gramsci:¶ ¶ [H]egemony presupposes that account be taken of the interests and the tendencies of the groups over which hegemony is to be exercised, and that a certain compromise equilibrium should be formed--in other words, that the leading group [hegemons] should make sacrifices of an economic-corporate kind. But . . . such sacrifices and such a compromise cannot touch the essential . . . [they] must necessarily be based on the decisive function exercised by the leading group in the decisive nucleus of economic activity. n29¶ ¶ ¶ ¶ B.S. Chimni also noted the current influence of what he terms the "transnational capitalist class," that produces a culture in which "the third world counterparts essentially act as 'transmission belts and filtering devices for the imposition of the transnational agenda.'" n30¶ ¶ [\*943] International law, in its creation and application, has been a victim of the hegemonic power consolidation process. n31 Rather than recognizing and respecting the common goals and values of a pluralistic world, international law deems hegemons' values those of "true" civilization, held in esteem and aspired to by all others at the expense of unique and insightful non-Western thought. n32 Now in the era of globalization, evolving hegemonic international law theory warrants questioning whether states are really the hegemons in today's world. In order to address this question, it is important to analyze the processes of hegemony in the development of international law and to identify when the course of the hegemonic process departed from state-centric to corporate-centric hegemony.

#### Empirics prove and tons of thumpers

Hiken, 12 (Associate Director Institute for Public Accuracy, 7-17-’12 (Luke, “The Impotence of International Law” <http://www.fpif.org/blog/the_impotence_of_international_law>)

Whenever a lawyer or historian describes how a particular action “violates international law” many people stop listening or reading further. It is a bit alienating to hear the words “this action constitutes a violation of international law” time and time again – and especially at the end of a debate when a speaker has no other arguments available. The statement is inevitably followed by: “…and it is a war crime and it denies people their human rights.” A plethora of international law violations are perpetrated by every major power in the world each day, and thus, the empty invocation of international law does nothing but reinforce our own sense of impotence and helplessness in the face of international lawlessness. The United States, alone, and on a daily basis violates every principle of international law ever envisioned: unprovoked wars of aggression; unmanned drone attacks; tortures and renditions; assassinations of our alleged “enemies”; sales of nuclear weapons; destabilization of unfriendly governments; creating the largest prison population in the world – the list is virtually endless. Obviously one would wish that there existed a body of international law that could put an end to these abuses, but such laws exist in theory, not in practice. Each time a legal scholar points out the particular treaties being ignored by the superpowers (and everyone else) the only appropriate response is “so what!” or “they always say that.” If there is no enforcement mechanism to prevent the violations, and no military force with the power to intervene on behalf of those victimized by the violations, what possible good does it do to invoke principles of “truth and justice” that border on fantasy? The assumption is that by invoking human rights principles, legal scholars hope to reinforce the importance of and need for such a body of law. Yet, in reality, the invocation means nothing at the present time, and goes nowhere. In the real world, it would be nice to focus on suggestions that are enforceable, and have some potential to prevent the atrocities taking place around the globe. Scholars who invoke international law principles would do well to add to their analysis, some form of action or conduct at the present time that might prevent such violations from happening. Alternatively, praying for rain sounds as effective and rational as citing international legal principles to a lawless president, and his ruthless military.