### Militarization AC

#### My framework is utilitarianism – the primary function of a just government is preserving life, without which there are no other values.

#### Contention One: Space militarization

#### 1. An Arms Race is heating up in Space – nations are developing weapons to protect commercial assets.

Rogin, 2021 - national security columnist for The Washington Post [Josh, “Opinion: A shadow war in space is heating up fast” November 30, 2021 https://www.washingtonpost.com/people/josh-rogin/]

When Russia blows up a satellite in space with a missile (as it did this month), or when China tests a new hypersonic missile (as it did last month), the ongoing arms race in space leaps into the news. But in between these “Sputnik”-like moments, outside the public’s view, the United States and its adversaries are battling in space every day. While Washington officials and experts warn of the risks of an arms race in space, the United States’ adversaries are constantly conducting operations against U.S. satellites that skirt the line between intelligence operations and acts of war. The pace of conflict is intensifying, according to a top Space Force general, who told me that China could overtake the United States to become the number one power in space by the end of the decade. “The threats are really growing and expanding every single day. And it’s really an evolution of activity that’s been happening for a long time,” Gen. David Thompson, the Space Force’s first vice chief of space operations, told me in an interview on the sidelines of the recent Halifax International Security Forum. “We’re really at a point now where there’s a whole host of ways that our space systems can be threatened.” John W. “Jay” Raymond: How the U.S. Space Force is trying to bring order to increasingly messy outer space Right now, Space Force is dealing with what Thompson calls “reversible attacks” on U.S. government satellites (meaning attacks that don’t permanently damage the satellites) “every single day.” Both China and Russia are regularly attacking U.S. satellites with non-kinetic means, including lasers, radio frequency jammers and cyber attacks, he said. Thompson repeatedly declined to comment on whether China or Russia has attacked a U.S. military satellite in a way that did permanent or significant damage, telling me that would be classified if it had happened. The Chinese military is quickly deploying ground-based systems for doing battle in space, such as lasers that can damage nosy U.S. intelligence community satellites, which could be considered an act of war. “The Chinese are actually well ahead [of Russia],” Thompson said. “They're fielding operational systems at an incredible rate.” Both the Russians and the Chinese are working on satellites that can attack other satellites, he said. For some time now there have been reports that China was developing a satellite that could claw another satellite or grab one with a robotic arm or a grappling hook. The Chinese government has several reasons to want to disable U.S. satellites, which have been useful in revealing concentration camps built to intern Uyghur Muslims and new Chinese nuclear missile silo fields. In 2019, Russia deployed a small satellite into an orbit so close to a U.S. “national security satellite” that the U.S. government didn’t know whether it was attacking or not, Thompson said. Then, the Russian satellite backed away and conducted a weapons test. It released a small target and then shot it with a projectile. “It maneuvered close, it maneuvered dangerously, it maneuvered threateningly so that they were coming close enough that there was a concern of collision,” he said. “So clearly, the Russians were sending us a message.” China is building its own version of satellite-based global positioning systems, said Thompson. That’s in addition to the “couple of hundred” intelligence, surveillance and reconnaissance satellites China has now deployed to watch over any part of the globe. China is also putting satellites into space at twice the rate of the United States, meaning that if nothing changes on our end, China will surpass the United States in capability in space in a few years, he estimated. “We are still the best in the world, clearly in terms of capability. They're catching up quickly,” he said. “We should be concerned by the end of this decade if we don't adapt.” While China is quickly weaponizing space, its government points fingers at United States, claiming that Washington is the diplomatic stumbling black. There are reports that the Biden administration is reaching out to Beijing to establish new negotiations for a nuclear arms control, as well as international norms for cyberspace and space, but U.S. officials say that China won’t meaningfully engage. The U.S. military is trying to speed up the procurement and deployment of space assets by creating structures like the Space Rapid Capabilities Office and the Space Development Agency, he said. Thompson’s idea is to deploy a large number of relatively low-cost satellites in constellations that increase the resiliency of U.S. space assets if they come under attack.

#### 2. Privatization of space is the cause of militarization – commercialization expands the military industrial complex and blurs the lines between commercial and military technology

Salin, 2001 – senior researcher at the Center and Institute of Air and Space Law at McGill Univ[Patrick A. “Privatization and militarization in the space business environment”, Space Policy, Vol. 17, Issue 1, <https://www.sciencedirect.com/science/article/abs/pii/S0265964600000503#>!]

We may consider that outer space should no longer be considered as a sanctuary safe from military operations as of 19 June 1999. On that day, a US Theater High-Altitude Area Defense (THAAD) rocket hit a target missile outside the Earth's atmosphere. Outer space is now undergoing a militarization process that is developing within a totally new framework, that of the privatization of space ventures and projects. The bipolar Cold War stage has been removed and gone is the threatening vision of nuclear warfare via all sorts of Earth-based and spaceborne weapons. Yet the big industrial concerns that manufactured the weapons of the Cold War have simply converted themselves and regrouped into mammoth civilian manufacturers, deploying constellations of civilian assets in outer space. Instead of procuring the much-criticized US Strategic Defense Initiative (SDI), they now produce dual-use goods that can be used in an undifferentiated manner for both civilian and military objectives [3 and 4] 3. The borderlines between civilian and military high technology goods that prevailed only a few years ago have become meaningless and technical parameters that qualified equipment as being military, less than five years ago, are now useless, commercial entities being able to sell these, once forbidden tools, as plain commercial gadgets. The confusion between the US Department of Commerce and the US Department of State over determining what is (or should be) subject to authorization and what is not is illustrative of this situation. Yet, thanks to the loopholes and inconsistencies of the international treaties on outer space, we may soon end up with exactly the same result as during the Cold War — Hollywood's Star Wars, live! We are slowly discovering that the militarization process of outer space seems to be a given, thanks to increasing competition within the space business environment. And, as privatization has accelerated during the last decade, we can clearly see an acceleration of the militarization process of outer space. This has become apparent through two main observations: (1) private space corporations are, more than ever, vanguards of national interests; and (2) commercial competition is another way for nations to impose their influence in space (and world) affairs. In the end, what is at stake here is the fragile equilibrium between world peace and tensions, now transported into outer space.

#### 3. Private exploitation of space expands the military industrial complex – the frontier mentality reinforces nationalism.

Billings, 2017 – consultant NASA’s Planetary Defense Coordination Office [Linda, “Should Humans Colonize Other Planets? No” Theology and Science · June <https://www.researchgate.net/publication/317888512_Should_Humans_Colonize_Other_Planets_No>]

The belief system perpetuated by the rhetoric of advocacy for colonizing other planets and exploiting extraterrestrial resources, as described here, is a variant of nationalist ideology--an American spirituality or even American orthodoxy--which excludes or rejects as unenlightened those who do not agree.35 In this sense, space advocacy can be viewed as a cultural ritual, performed for the purpose of maintaining social order, with its lopsided distribution of power and resources, perpetuating the values of those in control of that order – in this case, primarily the military industrial complex. In short, economic injustice is tied to space colonization proposals.

#### 4. Commercial space enterprises are deeply entangled with the military

Dinerman, 2009 - senior editor at the Gatestone Institute[Taylor March 2, 2009, “Space weapons: soft power versus soft politics,” <http://www.thespacereview.com/article/1317/1>]

The 2006 US Space Policy would not have been better received in Europe if it had been promulgated by a president more popular than George W. Bush, though the hysterical media reaction might have been less. Europe’s dislike of US space power is not based on America’s lack of soft power, but on the reality of its hard power. This is not something that better public relations or better public diplomacy can ever change. Trevor Brown believes that “The United States would do well to keep a low profile for its military space program and burnish its technological image by showcasing its commercial and scientific space programs. Doing so would enable it to accumulate rather than hemorrhage soft power.” To a very limited extent this is useful advice, but in fact there is little, short of censorship, the US can do to keep its military space operations under wraps. The debates over space power and space weaponization are going to continue under the new administration, and perhaps even gain in public prominence. Civil space programs are indeed useful tools for enhancing international cooperation, but they cannot in the short term build soft power. Scientific joint ventures, even with states that may not be friends or allies, are not to be sneered at. Commercial space ventures are notoriously difficult to disentangle from their half-hidden military motives.

#### 5. Space privatization is fostering space militarization because private assets will need to be defended, and commercial appropriation undermines space treaties which prevent Earth conflicts from spreading to space.

Salin, 2001 – senior researcher at the Center and Institute of Air and Space Law at McGill Univ[Patrick A. “Privatization and militarization in the space business environment”, Space Policy, Vol. 17, Issue 1, <https://www.sciencedirect.com/science/article/abs/pii/S0265964600000503#>!]

Outer Space only knows national flags, so that the increasing presence of private entities will inevitably lead to raising protection issues, diplomatic and military, paving the way for the militarization issue. Private corporations also act as de facto ambassadors of spacefaring nations, and private assets in space do not exist in their capacity as international objects (which they are, just like astronauts are to be regarded “as envoys of mankind” as per Art. V of the 1967 Outer Space Treaty). This means that private satellites are objects moving freely in an open domain that forms part of the common heritage of mankind, a *res communis* environment, with voices advocating the discarding of a bygone vision of Outer Space [[16](http://www.sciencedirect.com.ezproxy.library.unlv.edu/science/article/pii/S0265964600000503" \l "bib16" \t "_blank) and [17](http://www.sciencedirect.com.ezproxy.library.unlv.edu/science/article/pii/S0265964600000503" \l "bib17" \t "_blank)]. [11](http://www.sciencedirect.com.ezproxy.library.unlv.edu/science/article/pii/S0265964600000503" \l "fn11" \t "_blank) This is a reminder of the dreadnought theory of the early twentieth century, with its right of passage. However, in our case, the right of passage is being transformed into a right of stay, including new practices that could be revealed as pernicious in the long run [[18](http://www.sciencedirect.com.ezproxy.library.unlv.edu/science/article/pii/S0265964600000503" \l "bib18" \t "_blank)]. [12](http://www.sciencedirect.com.ezproxy.library.unlv.edu/science/article/pii/S0265964600000503" \l "fn12" \t "_blank) This is why some nations may abruptly intervene at any time if they consider their national interest, as vested in these flying birds, to be in jeopardy. Since we are in both a highly competitive and a strategically important environment, watchful nations may also intervene in advance, in order to foster their own national interest and secure strongholds regarding other nations they consider to be foes, or simply rivals. Very seldom do nations intervene in order to impose sanctions on those of their nationals active in space. The most recent (and rare) example confirming this observation is the cancellation last June by the FCC of the licenses it had granted to three US satellite operators.[13](http://www.sciencedirect.com.ezproxy.library.unlv.edu/science/article/pii/S0265964600000503" \l "fn13" \t "_blank) These were participants in the first round of 14 Ka-band systems, licensed in May 1997. These cancellations have raised protests, especially from PanAmSat, even though the FCC order clearly explained how each of the three operators did not abide by the construction deadlines and jeopardized the conditional license they had been granted. So, were there grounds for a protest? Although the FCC's action had one precedent in the recent past, it is not a practice and we welcome seeing the FCC take a firm stance, in tune with the USA's obligations under ITU regulations [[19](http://www.sciencedirect.com.ezproxy.library.unlv.edu/science/article/pii/S0265964600000503" \l "bib19" \t "_blank)]. With regard to the blurred relationship between defense and outer space, it was quite common a few years ago to read that, for some defense analysts, the Gulf War of the early 1990 s was considered to be the first outer space conflict, demonstrating clearly that the outer space environment is now integrated into military doctrine. It is a vital complement to armed conflicts on Earth and is not intended to be maintained as an open and new environment that should be immune from earthly considerations and their inevitable environmental pollution.[14](http://www.sciencedirect.com.ezproxy.library.unlv.edu/science/article/pii/S0265964600000503" \l "fn14" \t "_blank) It is a replica of the doctrine of ‘hot pursuit’, which was in favor at other times during ground conflicts that could not be restricted to a specific territory because of alleged outside interventions. This doctrine will eventually and inevitably transport Earth conflicts into outer space, when retaliation threats by opposing forces will target the satellites of the adversary. Not surprisingly, the next US Air Force war game, scheduled for January 2001, was to focus on “how space and air operations can be integrated in the 2015 time frame”, as well as on “the potential utility of military and commercial space systems”.[15](http://www.sciencedirect.com.ezproxy.library.unlv.edu/science/article/pii/S0265964600000503" \l "fn15" \t "_blank) We see that, in a context of slowly decaying international rules (the space treaties), the evolution of practice tends to make obsolete the debates on the limit of the Earth's atmosphere, because for the military this is waste of time.

#### 6. Privatization of space ensures space conflicts because it requires withdrawing from the Outer Space Treaty

Ganagle and Dudley-Rowley, 2005 – Exec Dir and CEO of Oceanic, Polar and Space-Alaska[Thomas, Marilyn “To Build Bifrost: Developing Space Property Rights and Infrastructure”, <http://www.astrosociology.com/Library/PDF/Submissions/To%20Build%20Bifrost.pdf>]

Danilenko observes, “Expanding space economic activities require the creation of a favorable legal framework.” It should be obvious that withdrawing from the Outer Space Treaty, which Danilenko calls “the basis for all subsequent treaties and other legal instruments relating to space activities,” is hardly the way to go about this.46 A final observation regarding the nature of the Outer Space Treaty should drive home the enormity of advocating withdrawal from it. This would not at all be the same thing as withdrawing from the 1972 Anti-Ballistic Missile Treaty, which was between two states. As the codification of near-universal principles, the treaty is regarded as the “constitution” of outer space. Jus cogens are peremptory norms of general law. Although they bear a resemblance to natural law, these norms are emanations of positive law, reflecting the evolving consensus of the civilized world.... Christol has suggested [“The Jus Cogens Principles and International Space Law,” IISL 26(1983):1] that the modified res communis (space for the benefit of all humanity) and other principles in the 1967 Outer Space Treaty are candidates for the jus cogens status.47 Jus cogens is Latin for “compelling law:” A peremptory norm... is a fundamental principle of international law considered to have acceptance among the international community of states as a whole. Unlike ordinary customary law that has traditionally required consent and allows the alteration of its obligations between states through treaties, peremptory norms cannot be violated by any state. The number of peremptory norms is considered limited but not exclusively catalogued. They are not listed or defined by any authoritative body, but arise out of case law and changing social and political attitudes. Generally included are prohibitions on waging aggressive war, piracy, genocide, slavery, and torture.48 Jus cogens principles cannot be circumvented by withdrawing from the treaties that codify them. Thus, if the Outer Space Treaty is jus cogens (and the fact that is has been ratified by 98 states and signed by 27 others makes a strong case for this), even if the U.S. withdrew from the treaty, it would still be bound by its principles. IV. Social Balance in Space Although there may be regulatory red tape that national governments need to streamline in order to lower barriers to private enterprise in outer space, the hue and cry over extraterrestrial real property rights is a red herring. Opening the floodgates to corporate planetary land grabs would close free access to space that the current international legal regime guarantees. Abrogating the international legal structure that has kept the peace in outer space for four decades would sow the seeds of future interplanetary armed conflict.

#### 7. The impact is global insecurity and war – space militarization undermines any peaceful use of space due to debris, and increases the chances for war by causing tensions and putting us on a hair trigger

Gilliard, 2018, Senior Editor of the International Affairs Forum [Alexandra, 9/6/18, “What are the Consequences of Militarizing Outer Space?,” <https://globalsecurityreview.com/consequences-militarization-space/>]

Consequences of Armament and Aggression in Space The consequences of weapons testing and aggression in space could span generations, and current technological advances only increase the urgency for policymakers to pursue a limitations treaty. As it stands, there are three major ramifications of a potential arms race in space: As both financial and technological barriers to the space services industry have decreased, the number of governmental and private investors with assets in space has inevitably increased. There is now an abundance of satellites in space owned by multiple states and corporations. These satellites are used to not only coordinate military actions, but to perform more mundane tasks, like obtaining weather reports, or managing on-ground communications, and navigation. Should states begin weapons testing in space, debris could cloud the orbit and make positioning new satellites impossible, disrupting our current way of life. More pressing, however, is that if a country’s satellites are successfully destroyed by an enemy state, military capabilities can be severely hindered or destroyed, leaving the country vulnerable to attack and unable to coordinate its military forces on the ground. Diminished future use of near space Whether caused by weapons testing or actual aggression, the subsequent proliferation of debris around the planet would damage our future ability to access space. Not only would debris act as shrapnel to preexisting assets in space, but it would also become much more difficult to launch satellites or rockets, hindering scientific research, space exploration, and commercial operations. From the past fifty-odd years of activity in space alone, the debris left behind in Earth’s orbital field has already become hazardous to spacecraft — a main reason why the U.S. and the Soviet Union did not continue with ASAT testing during the Cold War. If greater pollution were to occur, space itself could be become unusable, resulting in the collapse of the global economic system, air travel, and various communications. Power imbalances and proliferation on the ground Only so many states currently have access to space—which means any militarization will be by the few, while other states would be left to fend for themselves. This would establish a clear power imbalance that could breed distrust among nations, resulting in a more insecure world and a veritable power keg primed for war. Additionally, deterrence measures taken by states with access to space would escalate, attempting to build up weapons caches not dissimilar to the nuclear weapons stockpiling activities of the Cold War. In any arms race, it is inevitable that more advanced weaponry is created. Yet, this does not only pose a risk to assets in space. Should a terrestrial war break out, this weaponry may eventually be deployed on the ground, and space-faring states would be able to capitalize on the power imbalance by using these new developments against states that have not yet broken into the space industry or developed equally-advanced weaponry. Into the Future The militarization of space would inevitably increase the chances of war, and also threaten the industries that rely on space to carry out their daily operations. Without treaties and resolutions to regulate and limit armament in space, the international community risks facing extreme consequences. Furthermore, with the history of U.S. disinterest in UN efforts to regulate space, the implementation of a meaningful, multilateral agreement for arms control in space is unlikely. Ultimately, the international community will need to regulate actions, militarization, and the possibility of eventual armament in space sooner rather than later in order to reduce the threat of major war, economic destruction, and global insecurity.

#### 8. Space arms races will escalate to international conflicts because deterrence will collapse – there are no checks and balances like there are on the ground.

Krepon and Thompson, 2013 – founder and researcher at The Stimson Center [Michael and Julia "Anti-Satellite Weapons, Deterrence and Sino-American Space Relations." Stimson Center, Sept efaidnbmnnnibpcajpcglclefindmkaj/viewer.html?pdfurl=https%3A%2F%2Fwww.stimson.org%2Fwp-content%2Ffiles%2Ffile-attachments%2FAnti-satellite%2520Weapons%2520-The%2520Stimson%2520Center.pdf&clen=6894276&chunk=true]

CONCLUSION The US dependency on space will grow as Chinese military space capabilities grow. As a consequence, the United States is obliged to reinforce space deterrence capabilities while engaging in diplomatic initiatives aimed at reassurance. This combination of initiatives proved successful during the Cold War, and can continue to be successful in the future. successful deterrence requires situational awareness, attribution capabilities, as well as resilient space assets The key elements of space deterrence, as with nuclear deterrence, are secure retaliatory capabilities sufficient to deny advantages to an attacker, effective command and control mechanisms, and redundant safety and security mechanisms to prevent accidental as well as unauthorized use of military capabilities. In addition, successful 36deterrence requires situational awareness, attribution capabilities, as well as resilient space assets so that the United States is able to identify the perpetrator of harmful actions and continue to utilize space for national and economic security despite these acts. These requirements are not controversial, although they may not be affordable in sufficient measure – as was the case with the perceived requirements of nuclear deterrence. The crux of debate over space deterrence is whether to continue to rely very heavily on latent or residual capabilities to engage in warfare, if necessary, or to shift toward more evident, dedicated, kinetic and deployed means of dissuasion. There are several powerful arguments for the United States to continue to rely on inferred rather than heavily demonstrable deterrence in space. To begin with, a non-dedicated, nondeployed, non-kinetic space deterrence posture has been successful in the past. An inferred posture is also more conducive to stabilizing deterrence than the deployment and testing of dedicated, kinetic counter-space capabilities. These hallmarks of an intensified arms competition did not produce a great sense of security in the nuclear domain, and are unlikely to offer a greater sense of security in space. Instead, more demonstrable space deterrence efforts are likely to increase requirements and costs while decreasing assurance. An accelerated competition in the development, testing and deployment of US and Chinese counter-space capabilities is likely to spill over into the nuclear domain. The practical effect of this linkage would be to increase nuclear requirements in China, while retarding reductions in deployed US nuclear capabilities that are in excess of the Pentagon’s needs. In a constrained budget environment, the United States could apply defense dollars more wisely and enjoy added security if this dynamic could be avoided. Another reason to avoid an intensified competition in dedicated and deployed counter-space capabilities is that residual and latent US counter-space capabilities are growing significantly, particularly with respect to new missile defense interceptors. The growth in inferred capability provides the basis to avoid a competition in dedicated, deployed counter-space capabilities – if China is amenable to inferential deterrence. This is an essential qualifier. A continued US preference to avoid a heightened competition marked by repeated displays of dedicated capability to disrupt, damage or destroy space assets depends on Beijing’s acceptance of inferred deterrence. The United States and China have both demonstrated counter-space capabilities. If Beijing decides to ramp up its space warfare capabilities, the Pentagon will not be found wanting in this competition. A far more preferable posture would be one of “contingent 37restraint,” whereby the Pentagon does not exercise options well within its capabilities, as long as the PLA is similarly constrained. Parallel policies of contingent restraint worked during most, but not all, intervals of the Cold War. < This dynamic can also succeed under far less demanding contemporary circumstances. Deterrence is based on threats. Deterrence, by itself, is not reassuring. The Cold War did not become hot because deterrence was complemented by reassurance in the form of diplomatic accords to reduce nuclear dangers. Contingent restraint can be inferential, or it can be reinforced by diplomatic accords. Stable deterrence requires reassurance when competitors possess devastating military options. Washington and Beijing have yet to demonstrate successful diplomatic engagement to moderate a military competition in space. Neither have they agreed on cooperative joint ventures in space, like those that helped diminish pressures to ramp up US and Soviet space warfare requirements during the Cold War. Reassurance during the Cold War took the form of treaties. Senate consent to, the entry into force of treaties regarding military space capabilities seem unlikely.