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THE CLAUSEWITZ NEBULAE: THE LEGITIMACY OF MILITARY ACTIVITIES IN OUTER SPACE
DURING ARMED CONFLICTS AND ENVIRONMENTAL CONSIDERATIONS.

Abstract

"The eyes of the world now look into space, to the moon and to the planets beyond, and we have vowed that we shall not see it governed by a hostile flag of conquest, but by a banner of freedom and peace. We have vowed that we shall not see space filled with weapons of mass destruction, but with instruments of knowledge and understanding"

Shortly after he was sworn in as president of the United States John F. Kennedy, eloquently presented a dream of space exploration. This dream has become a reality and his vision of this dream as expressed in his speech at Rice University in 1962 survives him as a testament of his leadership, and remains as the principles from which the normative-space continuum results and functions. Outer space remains a unique not only for the dreams and visions associated with it but also in both its physical element and normative structure. A lethal Earth weapon, such as an assault rifle may very well be useless in outer space and a space weapon useless on Earth. For example a shadow cast upon a satellite by another satellite can effectively kill the targeted satellite depriving it of the solar energy required for its survival. Yet on earth the casting of a shadow will certainly not be part of a campaign of shock and awe. This article shall analyse the normative structure that regulates military activities in outer space during an international armed conflict taking into consideration the unique physical element and normative structure attributable to Outer Space and conclude with normative structures that protect the space environment. The analysis shall underline the "Lorenzian paradoxical nature" of space security as presently structured within the corpus of space law. Within his book *Civilized Man's Eight Deadly Sins*; Konrad Lorenz astutely predicted the relationship between market economics and the threat of ecological catastrophe in what may be described as the "Lorenzian Paradox" stating "all the advantages that Man has gained from his ever-deepening understanding of the natural world that surrounds him, his technological, chemical and medical progress, all of which should seem to alleviate suffering...tends to favour humanity's destruction".