### F/W

#### The standard is geopolitical stability. Prefer:

#### 1. aff doesn’t read framing so presume neg

#### 2. political stability is a prereq to questions of china’s private entities ability to be morally correct

### 1NC – OFF

#### Xi’s regime is stable now, but its success depends on strong growth and private sector development.

**Mitter and Johnson 21** [Rana Mitter and Elsbeth Johnson, [Rana Mitter](https://hbr.org/search?term=rana%20mitter&search_type=search-all) is a professor of the history and politics of modern China at Oxford. [Elsbeth Johnson](https://hbr.org/search?term=elsbeth%20johnson&search_type=search-all), formerly the strategy director for Prudential PLC’s Asian business, is a senior lecturer at MIT’s Sloan School of Management and the founder of SystemShift, a consulting firm. May-June 2021, "What the West Gets Wrong About China," Harvard Business Review, [https://hbr.org/2021/05/what-the-west-gets-wrong-about-china accessed 12/14/21](https://hbr.org/2021/05/what-the-west-gets-wrong-about-china%20accessed%2012/14/21)] Adam

In China, however, growth has come in the context of stable communist rule, suggesting that democracy and growth are not inevitably mutually dependent. In fact, many Chinese believe that the country’s recent economic achievements—large-scale poverty reduction, huge infrastructure investment, and development as a world-class tech innovator—have come about because of, not despite, China’s authoritarian form of government. Its aggressive handling of Covid-19—in sharp contrast to that of many Western countries with higher death rates and later, less-stringent lockdowns—has, if anything, reinforced that view. China has also defied predictions that its authoritarianism would inhibit its capacity to [innovate](https://hbr.org/2011/06/what-the-west-doesnt-get-about-china). It is a global leader in AI, biotech, and space exploration. Some of its technological successes have been driven by market forces: People wanted to buy goods or communicate more easily, and the likes of Alibaba and Tencent have helped them do just that. But much of the technological progress has come from a highly innovative and well-funded military that has invested heavily in China’s burgeoning new industries. This, of course, mirrors the role of U.S. defense and intelligence spending in the development of Silicon Valley. But in China the consumer applications have come faster, making more obvious the link between government investment and products and services that benefit individuals. That’s why ordinary Chinese people see Chinese companies such as Alibaba, Huawei, and TikTok as sources of national pride—international vanguards of Chinese success—rather than simply sources of jobs or GDP, as they might be viewed in the West. Thus July 2020 polling data from the Ash Center at Harvard’s Kennedy School of Government revealed 95% satisfaction with the Beijing government among Chinese citizens. Our own experiences on the ground in China confirm this. Most ordinary people we meet don’t feel that the authoritarian state is solely oppressive, although it can be that; for them it also provides opportunity. A cleaner in Chongqing now owns several apartments because the CCP reformed property laws. A Shanghai journalist is paid by her state-controlled magazine to fly around the world for stories on global lifestyle trends. A young student in Nanjing can study propulsion physics at Beijing’s Tsinghua University thanks to social mobility and the party’s significant investment in scientific research.

#### Shifts in regime perception threatens CCP’s legitimacy from nationalist hardliners

Weiss 19 Jessica Weiss 1-29-2019 “Authoritarian Audiences, Rhetoric, and Propaganda in International Crises: Evidence from China” <http://www.jessicachenweiss.com/uploads/3/0/6/3/30636001/19-01-24-elite-statements-isq-ca.pdf> (Associate Professor of Government at Cornell University)//Elmer

Public support—or the appearance of it—matters to many autocracies. As Ithiel de Sola Pool writes, modern dictatorships are “highly conscious of public opinion and make major efforts to affect it.”6 Mao Zedong told his comrades: “When you make revolution, you must first manage public opinion.”7 Because autocracies often rely on **nationalist mythmaking**,8 success or failure in defending the national honor in international crises could burnish the leadership’s patriotic credentials or spark opposition. **Shared outrage at the regime’s foreign policy failures could galvanize street protests or elite fissures, creating intraparty upheaval** or inviting military officers to step in to restore order. Fearing a domestic backlash, authoritarian leaders may feel compelled to take a tough international stance. Although authoritarian leaders are rarely held accountable to public opinion through free and fair elections, fears of popular unrest and irregular ouster often weigh heavily on autocrats seeking to maximize their tenure in office. Considering the harsh consequences that authoritarian elites face if pushed out of office, even a small increase in the probability of ouster could alter authoritarian incentives in international crises.9 A history of nationalist uprisings make Chinese citizens and leaders especially aware of the linkage between international disputes and domestic unrest. The weakness of the PRC’s predecessor in defending Chinese sovereignty at the Paris Peace Conference in 1919 galvanized protests and a general strike, forcing the government to sack three officials and reject the Treaty of Versailles, which awarded territories in China to Japan. These precedents have made Chinese officials particularly sensitive to the appearance of hewing to public opinion. As the People’s Daily chief editor wrote: “History and reality have shown us that public opinion and regime safety are inseparable.”10 One Chinese scholar even claimed: “the Chinese government probably knows the public’s opinion better and reacts to it more directly than even the U.S. government.”11

#### Xi will launch diversionary war to domestic backlash – escalates in multiple hotspots and causes nuclear war

Norris 17, William J. Geostrategic Implications of China’s Twin Economic Challenges. CFR Discussion Paper, 2017. (Associate professor of Chinese foreign and security policy at Texas A&M University’s Bush School of Government and Public Service)//Elmer

Populist pressures might tempt the **party leadership** to encourage **diversionary nationalism**. The logic of this concern is straightforward: the Communist Party might seek to **distract a restless domestic population** with **adventurism abroad**.19 The **Xi** administration wants to **appear tough** in its **defense of foreign encroachments** against China’s interests. This need stems from a long-running narrative about how a weak Qing dynasty was unable to defend China in the face of European imperial expansion, epitomized by the Opium Wars and the subsequent treaties imposed on China in the nineteenth century. The party is **particularly sensitive** to **perceptions of weakness** because much of its **claim to legitimacy**—manifested in **Xi’s Chinese Dream** campaign today—stems from the party’s claims of leading the **restoration of Chinese greatness**. For example, the May Fourth Movement, a popular protest in 1919 that helped catalyze the CPC, called into question the legitimacy of the Republic of China government running the country at that time because the regime was seen as not having effectively defended China’s territorial and sovereignty interests at the Versailles Peace Conference. **Diversionary nationalist frictions** would likely occur if the Chinese leadership portrayed a foreign adversary as having made the first move, thus forcing Xi to stand up for China’s interests. An example is the 2012 attempt by the nationalist governor of Tokyo, Shintaro Ishihara, to buy the Senkaku/Diaoyu Islands from a private owner.20 Although the Japanese central government sought to avert a crisis by stepping in to purchase the islands—having them bought and administered by Ishihara’s Tokyo metropolitan government would have dragged Japan into a confrontation with China—China saw this move as part of a deliberate orchestration by Japan to nationalize the islands. Xi seemingly had no choice but to defend China’s claims against an attempt by Japan to consolidate its position on the dispute.21 This issue touched off a period of heated tensions between China and Japan, lasting more than two years.22 Such dynamics are not limited to Japan. Other possible areas of conflict include, but are not necessarily limited to, **Taiwan**, **India**, and the **South China Sea** (especially with the **Philippines** and **Vietnam**). The Chinese government will use such tactics if it believes that the costs are relatively low. Ideally, China would like to appear tough while avoiding material repercussions or a serious diplomatic breakdown. Standing up against foreign encroachment—without facing much blowback—could provide Xi’s administration with a tempting source of noneconomic legitimacy. However, over the next few years, Xi will probably not be actively looking to get embroiled abroad. Cushioning the fallout from slower growth while managing a structural economic transition will be difficult enough. Courting potential international crises that distract the central leadership would make this task even more daunting. Even if the top leadership did not wish to provoke conflict, a smaller budgetary allotment for security could cause **military interests** in China to **deliberately instigate trouble** to **justify** their **claims over increasingly scarce resources**. For example, an air force interested in ensuring its funding for a midair tanker program might find the existence of far-flung territorial disputes to be useful in making its case. Such a case would be made even stronger by a pattern of recent frictions that highlights the necessity of greater air power projection. Budgetary pressures may be partly behind a recent People’s Liberation Army reorganization and headcount reduction. A slowing economy might cause a further deceleration in China’s military spending, thus increasing such pressures as budgetary belts tighten. Challenges to Xi’s Leadership Xi Jinping’s efforts to address economic challenges could fail, unleashing consequences that extend well beyond China’s economic health. For example, an **economic collapse** could give rise to a Vladimir **Putin–like redemption figure** in China. Xi’s approach of centralizing authority over a diverse, complex, and massive social, political, and economic system is a **recipe for brittleness**. Rather than designing a resilient, decentralized governance structure that can gracefully cope with localized failures at particular nodes in a network, a highly centralized architecture **risks catastrophic**, **system-level failure**. Although centralized authority offers the tantalizing chimera of stronger control from the center, it also puts all the responsibility squarely on Xi’s shoulders. With China’s ascension to great power status, the consequences of internecine domestic political battles are increasingly playing out on the world stage. The international significance of China’s domestic politics is a new paradigm for the Chinese leadership, and one can expect an adjustment period during which the outcome of what had previously been relatively insulated domestic political frictions will likely generate **unintended international repercussions**. Such dynamics will influence Chinese foreign policy and security behavior. Domestic arguments over ideology, bureaucratic power struggles, and strategic direction could all have **ripple effects abroad**. Many of China’s party heavyweights still employ a narrow and exclusively domestic political calculus. Such behavior increases the possibility of international implications that are not fully anticipated, **raising the risks** of **strategic miscalculation** on the world stage. For example, the factional power struggles that animated the Cultural Revolution were largely driven by domestic concerns, yet manifested themselves in Chinese foreign policy for more than a decade. During this period, China was not the world’s second largest economy and, for much of this time, did not even have formal representation at the United Nations. If today’s globally interconnected China became engulfed in similar domestic chaos, the effects would be felt worldwide.23 Weakened Fetters of Economic Interdependence If China successfully transitioned away from its export-driven growth model toward a consumption-driven economic engine over the next four or five years, it could no longer feel as constrained by economic interdependence. To the extent that such constraints are loosened, the U.S.-China relationship will be more prone to conflict and friction.24 While China has never been the archetypal liberal economic power bent on benign integration with the global economy, its export-driven growth model produced a strong strategic preference for stability. Although past behavior is not necessarily indicative of future strategic calculus, China’s “economic circuit breaker” logic seems to have held its most aggressive nationalism below the threshold of war since 1979. A China that is both comparatively strong and less dependent on the global economy would be a novel development in modern geopolitics. As China changes the composition of its international economic linkages, global integration could place fewer constraints on it. Whereas China has been highly reliant on the import of raw materials and semifinished goods for reexport, a consumption-driven China could have a different international trade profile. China could still rely on imported goods, but their centrality to the country’s overall economic growth would be altered. Imports of luxury goods, consumer products, international brands, and services may not exert a significant constraining influence, since loss of access to such items may not be seen as strategically vital. If these flows were interrupted or jeopardized, the result would be more akin to an inconvenience than a strategic setback for China’s rise. That said, China is likely to continue to highly depend on imported oil even if the economic end to which that energy resource is directed shifts away from industrial and export production toward domestic consumption.

### 1NC – OFF

#### CP text: The People’s Republic of China ought to request that the International Court of Justice issue an advisory opinion on whether Chinese Private Sector entities should continue advancements in space through a coalition of the most heavily burdened nations.

#### The PRC should ask that the case take priority, and will not allow for private sector appropriation unless the ICJ finds it to be transboundary issue requiring action.

#### The CP ensures private appropriation doesn’t violate foreign nations perception of state activities which solves both scenarios and prevents war.

#### Advisory opinions from ICJ are necessary to clarify and develop international space law and they say yes

Simpson and Johnson 17 [Michael Simpson, International Space University · Space Policy and Law; Business and Management, Chris Johnson is the Space Law Advisor at the Secure World Foundation, a non-governmental organization (NGO) focused on the sustainable uses of outer space. Christopher does research, writes, and speaks about international and national space law with a special focus on peaceful uses of outer space, emerging governance challenges with non-traditional space activities, and identifying and characterizing deficiencies in existing space law., September 2017, Lacunae and Silence in International Space Law – A Hypothetical Advisory Opinion from the International Court of Justice, ResearchGate, https://www.researchgate.net/publication/320596144\_Lacunae\_and\_Silence\_in\_International\_Space\_Law\_-\_A\_Hypothetical\_Advisory\_Opinion\_from\_the\_International\_Court\_of\_Justice 12-16-2021] rohan

* lacunae = situation where there is no applicable law
* non liquet = no answer from governing system

Since international space law has developed for at least 60 years in an environment devoid of judicial opinions on live controversies, it lacks the judicial contribution to clarification and elaboration of terms and principles normally enjoyed by a body of law. For this reason, advisory opinions may be particularly useful in this area. The mechanism for seizing the Court also appears to be favorably developed. In the nuclear weapons case, the ICJ turned down a 1993 request from the World Meteorological Organization on the grounds that WMO, acting ultra vires lacked standing. Only when the UN General Assembly later made the request in its own name did the Court take up the question. Since many of the questions amenable to illumination through advisory opinions are within the remit of the UN Committee for the Peaceful Uses of Outer Space (UNCOPUOS), which itself reports through Fourth Committee to the General Assembly, the procedural pathway to a UNGA request is both established and clear. Equally as helpful is that UNCOPUOS operates by consensus. Thus, early requests for clarification, could easily establish that the necessary political will to seek increased clarity was present and permit to begin with less controversial concepts. Once the efficacy of advisory opinions to clarify elements of space law is established, the General Assembly could possibly decide to forward more challenging issues even where consensus in COPUOS could not be expected. III. NON-LIQUET AT THE ICJ. It is a general principle of law at both the national and international level (indeed inherited from ancient Roman law) that when asked to deliver a judgement, a court knows the law (Iura novit curia). So it should seem as an unexpected and rare surprise when a court does not, indeed, know the law. In the Nuclear Weapons advisory opinion, the Court considered the existing law applicable to the threat or use of nuclear weapons, and their treatment under the various sources and bodies of law. The Court was asked to consider “is the threat or use of nuclear weapons in any circumstances permitted under international law?” However, the Court slightly rephrased that question merely to “determine the legality or illegality of the threat or use of nuclear weapons.”11 In seeking an answer, the Court looked to custom and to treaties, and looking to a diverse field of special regimes of international law, including the law of armed conflict (LOAC) a.k.a. International Humanitarian Law (IHL) (including jus ad bellum and jus in bellow), environmental law, and human rights law. However, the law, as a system and as a whole, was weighed and found wanting. The Court concluded: 11 20 Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports (1996) p. 226, 238 para. 97. Accordingly, in view of the present state of international law viewed as a whole, as examined above by the Court, and of the elements of fact at its disposal, the Court is led to observe that it cannot reach a definitive conclusion as to the legality or illegality of the use of nuclear weapons by a State in such circumstance of self-defense, in which its very survival would be at stake. Non liquet, meaning, it is not clear, is where a court finds the law insufficient, and does not permit a conclusion one way or the other regarding the issue it is presented with. 12 IV. SPACE LAW, LACUNAE, AND NON-LIQUET The idea that gaps in the law or uncertainty with its provisions can render judicial decisions impossible, difficult, or unwise is at least as old as Roman law. As such the concepts of lacunae and non liquet still bear the Latin names that would have been familiar to lawyers and legal scholars throughout the Roman Empire. As explained by Mark Bogdansky, non liquet can be extended to cover both the case where no legal rule can be found that applies to a case under consideration and to the case where lack of clarity in the facts or in a principle of law makes it impossible to discern clearly the implications of that principle in light of the facts presented. Bogdansky refers to the former situation as ontological non liquet and to the latter as epistemological. We will use lacunae to refer to apparent gaps in international space law and will confine our use of “non liquet” to situations where a principle has been articulated but is not clear. Definitions become extremely important in discussing the impact of lacunae and non liquet on international space law. Note for example the list of lacunae in José Monserrat Filho’s excellent paper, “Space Law In The Light Of Bobbio's Theory Of Legal Ordering,” IAC-12.E7. 5. 6. 1. Definition of “space object”, “space debris”, “space activities”, “space launching”; 2. Binding “Space Debris Mitigation Guidelines”; 3. Prohibition of all kind of weapons in Earth orbits; 4. Definition and delimitation of the outer space; 5. Regulation of commercialization of space activities; 6. Environmental damage in Liability Convention; 7. Industrial exploitation of lunar natural resources; 8. Remote sensing activities in the XXI century; 9. Satellite data as evidence in criminal proceedings; 10. The use of nuclear power sources in space; 11. The human presence in space. 12 While items 2, 3, 6, and 11 fit clearly into our definition of lacunae, the others represent cases where legal principles have been articulated, but are subject to substantial disagreement as to their application to various fact situations. Where lacunae exist, the utility of advisory opinions is greatly constrained. The foundational principles of positivism and sovereignty that are key pillars of international law do not lend themselves to judicial activism in creating legal rules in the absence of political action to create them. On the other hand, where a situation of non liquet emerges from disagreement over definitions or the application of a legal principle to a particular situation, an advisory opinion could have either one of two beneficial outcomes. In the first case an advisory opinion could clarify the meaning of terms where uncertainty exists. This situation would require strong arguments to support the opinion and justify it. It might be elaborated on the basis of original intent reflected in the travaux préparatoires, clear patterns of application of terms and principles in the action of States parties to the agreements where uncertainty exists or lack of clarity is perceived, or lucid reasoning by analogy to similar situations where greater certainty can be demonstrated. The second case could result from an opinion that clarification cannot be provided and that the matter remains non liquet. In this case, there would be an unambiguous signal that political/ diplomatic action would be required to clarify the issues in dispute. Take for example the hypothetical example of a case seeking clarification of the non-appropriation clause of the Outer Space Treaty. A non liquet in such a case would leave those wishing to assert that a prohibition against off Earth mining existed in international law without a legal vindication of their position while those wishing to engage in such mining would face uncertainty because the Court had not ruled definitively that non appropriation did not apply to them. Since the mining advocates would be ~~handicapped~~ by uncertainty in their approaches to potential investors, both sides would have an incentive to seek a political resolution with the compromises that was likely to entail.

#### International space legal regime are needed to solve space war --- malleable laws are key in outer space

Hart 21 [Amalyah Hart, Amalyah Hart is a science journalist based in Melbourne, 11-19-2021, "Do we need new space law to prevent space war", Cosmos Magazine, https://cosmosmagazine.com/people/society/space-law-to-prevent-space-war/] simha

The week before last, a UN panel approved the creation of a working group to discuss next-generation laws to prevent the militarisation of space. The move comes as space 2.0 seems to be going into hyper-drive, with countries and corporations racing to claim their stake in the final frontier. It’s timely, as the potential for friction is gathering by the day, with China, India, Russia and the US testing anti-satellite missiles on their own satellites and creating worrisome clouds of debris. This week’s destruction by Russia of its “dead” satellite, Cosmos 1408, underlined the issue. Meanwhile, the orbital space around Earth is becoming jammed with machinery; currently, there are 3,372 active satellites whizzing around Earth, but in one or two decades that number is set to leap to potentially 100,000 or more. And that’s ignoring the space stations, telescopes and spyware already in orbit as countries flex their aerospace muscles. It’s a cosmic fracas. And contested territory is prime fodder for international disputes, as we know. It’s these kinds of disputes the group of UK diplomats who proposed the UN motion want to prevent, by coming to an agreed-upon set of norms for behaviour in space. Space law: what are the issues at stake? The current international framework for law in space is the UN’s 1967 Outer Space Treaty (OST), which sets governing principles for the exploration of space, including that space should be free for use by all nations, that celestial bodies like the Moon should be used exclusively for peaceful purposes, and that outer space should not be subject to national appropriation. Under international law, any and all objects being launched into space must be registered to avoid collisions. On top of these global laws, each nation-state has its own legal framework around the registering and launching of objects into space. But as technology evolves and new opportunities arise, are these old laws equipped to govern new problems? The UN’s 1967 Outer Space Treaty sets governing principles for the exploration of space, including that space should be free for use by all nations. “There exists an incredible amount of applicable law already, and it has served us really well,” says space law expert Steven Freeland, an emeritus professor at Western Sydney University and professorial fellow at Bond University. Freeland is vice-chair of a UN Committee on the Peaceful Uses of Outer Space (COPUOS) working group that is developing laws around the exploitation of resources in space. “There’s a lot of law at the multilateral level that then filters down to other layers of bilateral or ‘minilateral’ agreements and national laws. But clearly things move so quickly with technology, we’re doing so many more things in space that were beyond the contemplation of the drafters of the original treaties. Ideally we need more.” Freeland says there are myriad complex, interconnected issues in space that need tighter laws. These include the increasing militarisation of space; the proliferation of satellites, which can lead to overcrowding of “popular” orbits and increased demand for radio-wave spectra; ethical issues around human spaceflight; and the possible extraction of resources on celestial bodies like the Moon. Resource exploitation It might sound like science fiction, but mining in outer space is looking increasingly likely in the not-too-distant future. In September 2020, NASA announced that it would award contracts to private companies for the extraction and purchase of lunar regolith (rock matter) from the surface of the Moon, which could be mined and then studied in situ by the company, before the data and rights are transferred to the space agency. The move heralds what our space-based future might look like, with private companies mining celestial bodies for their precious resources. In our solar system, composed of millions of celestial bodies both large and small, the opportunities for cashing in look potentially endless – provided technology advances to the level of practical spaceflight. “Most wars on Earth have historically been fought over a quest for resources,” says Freeland, “so it’s incredibly important [to have appropriate space laws].” Just last month, scientists announced the discovery of two extraordinarily metal-rich near-Earth asteroids (NEAs), comprised of roughly 85% metals like iron, nickel and cobalt, which are thought to exceed Earth’s entire known metallic reserves. These three highly valuable metals, often known as the “iron triad”, are particularly critical for the energy supply chain and a renewable energy future; they’re used to build lithium-ion batteries, electrochemical capacitators for storing energy, and nano-catalysts for use in the energy sector. Under the OST, outer-space resources cannot be appropriated by nations, but the law and principle around the commercial use of space resources is less clear. The 1979 Moon Treaty holds that any celestial body is under the jurisdiction of the international community and therefore subject to international law. The treaty outlaws the military use of any celestial body as well as providing a legal framing for the “responsible” exploitation of celestial resources. But, to date, no space-capable nation has ratified the treaty. Militarisation That brings us to the militarisation of space. As technology advances, the potential avenues for weapons that cross the border from terrestrial to cosmic continue to proliferate. So, what laws protect us from a space war? “The issues about security in space have historically been dealt with by the CD, the Conference of Disarmament, but more recently the UK has led discussions at the United Nations that effectively seek to change the diplomatic language and thinking about space security,” says Freeland. Currently, the principles for governing space under the OST forbid the military use of space, but space is already used for military purposes such as surveillance, and some missiles carve a path through outer space on their journeys to their targets. As it currently stands, the only weapons found in space are the TP-82 Cosmonaut survival pistols that Russian astronauts regularly take on board the Soyuz spacecraft, intended to protect them from a potential wild animal attack if they are forced to emergency land in “off-the-map” territory. But as technology proliferates, the opportunities for space-based militarisation also grow. The existing laws were drafted long before many of these technologies were even dreamed up. The most worrisome technologies currently being trialled are anti-satellite missiles. “We have this strategic competition going on amongst the major powers,” says Gilles Doucet, a space security consultant based in Canada who worked for 35 years with the Canadian Department of National Defence. Doucet is both an engineer and an expert in space law. “They all wish to be dominant and make sure that their national security is secured by controlling, or at least not having other people control, outer space.” But what kinds of defence technologies are being developed in space? Doucet says the most worrisome technologies currently being trialled are anti-satellite missiles of the sort that Russia deployed earlier this week. Known as direct-ascent anti-satellite missiles (DA-ASAT), they can destroy satellites in low Earth orbit. “This essentially looks a lot like ballistic missile defence, but it’s happening in outer space against satellites,” he says. In fact, DA-ASAT technology is dependent on the same technology used for midcourse ballistic missile defence – the technology that the US, for example, deploys to defend itself from potential ballistic missile attacks on North America. These missiles fly at altitudes of around 3,000 to 4,000 kilometres, well within the low-Earth orbit many satellites operate in. This technology is being developed and tested by the US, China, India and Russia. “Destroying another country’s satellites would only occur in an armed conflict scenario,” Doucet says. “It would be because the other country’s satellite is providing an important military role – for example, a GPS satellite for directing munitions or an imagery satellite for locating your forces.” Other military applications in space, Doucet says, include the jamming of satellite communications and navigation, as well as interference with some GNSS signals, of which GPS – the satellite navigation system we all use for things like Google Maps – is one. Satellite jamming can have major disruptive potential. “You might be conducting an operation in a conflict – let’s say you wish to target a certain facility. Your missile system or your drone-launching missiles rely on GPS to guide them,” Doucet says. “So if you’re on the other end of it wanting to protect yourself, then you’ll send out jamming signals.” But while these signals can help defend a military target, Doucet says many satellites provide services for military and civilian companies and organisations at once. In this case, jamming a satellite’s signal may also interfere with civilian services it provides, including aircraft and ship navigation, car mapping, even timing signals for financial transactions. This means satellite jamming has major disruptive potential. And there are other areas where satellite technology could have duplicitous or combative potential. “Close proximity operations seem to get countries a bit upset,” says Doucet. Close proximity operations, as the name suggests, involve satellites moving close to other satellites. “One reason might be intelligence or inspection, just to take close images to understand how it’s built. But you may be getting close to intercept signals or to interfere with signals. “So that is a concern, because it’s one thing to get close for passively collecting information, but if you’re close you may also be in a position to interfere.” What might new space law systems look like? “We have a lot of space systems that are dual use, that have the potential to do harm,” Doucet says. “I’d like to see some transparency on the mission, on what you’re doing, to help alleviate concerns. “That might sound like a small step, but to militaries it’s actually a really big step to provide transparency.” Doucet says he’d also like to see clarification of the existing principles for space law already set out in the OST and other treaties. In fact, he’s currently working on the MILAMOS Project, developing a Manual on International Law Applicable to Military Uses of Outer Space at Canada’s McGill University. “I would like to see the existing legal regime being given a bit of life,” he says. “We’ve got tremendously good outer space principles, but over several decades countries have kind of refused to give them life because it’s too controversial. “The third thing I’d like to see is the major space powers sit down and talk. They’re all potentially losers if this keeps going down this path. I don’t think there’s a winner in a space war.” For all these complex problems, Doucet is cautiously optimistic about our chances of avoiding a space war. “I don’t think the issue about space security is as unique as people think,” he says. “Yes, it’s a very unique domain, but the actors are all the same, the interests are all the same. It’s the same people that have struggled over ballistic missile proliferation, nuclear weapons proliferation, treaties about the high seas, about aviation and all kinds of things. “So, we shouldn’t think this is an unsolvable problem. We may take lessons from how we’ve managed to agree to disagree in other areas beyond national jurisdiction.” Freeland agrees that even if international tensions may simmer at home, it’s in the best interest of major global powers to come to agreements about laws in space. “When it comes to these really big issues, particularly issues that have the propensity to go horribly wrong if we follow an irresponsible path, in the end it’s in [governments’] common interest to agree to the rules of the road,” he says. “The important element is that they have had the opportunity to buy in on the framing of those rules.“I think we need to be optimistic. With a great deal of caution, cool heads will prevail.”

### ON – Top Level

#### 1. NU. Government sector space militarization is inevitable regardless of private sector

**Shamas & Holden, 2019**, Victor Shamas &, Oslo Metropolitan University, Work Research Institute (AFI), Oslo, Norway; Thomas Holden, Independent scholar, Oslo, Norway, 2019, Palgrave Communications, One giant leap for capitalistkind: private enterprise in outer space, https://www.nature.com/articles/s41599-019-0218-9

On the other hand**, outer space still remains firmly within the domain of the state and is likely to do so for the foreseeable future, with the likely continued importance of military uses of satellite technology and the weaponization of Earth’s orbit**—crucially, the Outer Space Treaty only prohibits nuclear arms and other ‘weapons of mass destruction' in space, not conventional weapons, such as ballistic missiles.

#### 2. NU. The line between private and public is not clear, no uniqueness for the aff. China's "private" sector companies aren't private

Olson 20 [Stephen Olson, research fellow at the Hinrich Foundation. "Are Private Chinese Companies Really Private?" The Diplomat, 9-30-2020, accessed 1-14-2022, https://thediplomat.com/2020/09/are-private-chinese-companies-really-private/] HWIC

China has often been criticized for a lack of transparency, especially with regard to its economic and trade policies. While in many cases these criticisms are valid, it belies the fact that in other instances, China is remarkably open and transparent about its intentions and ambitions. Such is the case with China’s “Opinion on Strengthening the United Front Work of the Private Economy in the New Era,” recently released by the Central Committee of the Chinese Communist Party (and further elaborated on by President Xi Jinping himself). This document tells us in no uncertain terms that Chinese private companies will be increasingly called upon to conduct their operations in tight coordination with governmental policy objectives and ideologies. The rest of the world should take note. A Different Vision of “Private” Business The 5,000 word “opinion” aims to ratchet-up the role and influence of the CCP within the private sector in order “to better focus the wisdom and strength of the private businesspeople on the goal and mission to realize the great rejuvenation of the Chinese nation.” The objective is to establish a “united front” between business and government and facilitate the “enhancement of the party’s leadership over the private economy.” According to the plan, “private economic figures are to be more closely united around the party,” thereby achieving “a high degree of consistency with the Party Central Committee on political stand, political direction, political principles, and political roads.” All of this stands in stark contrast to long-accepted concepts of how private companies function in a free market. The overriding purpose of business, according to these traditional precepts, is to earn profits through the provision of value-added products and services, in response to marketplace signals and under the constraint of basic economic realities. Government ideology plays no role in that equation. But China has a very different vision. Government officials and government ideologies are directly infused into business operations. Private sector employees are “educated” on government policies and ideologies, with the expectation that this “enlightenment” will help inform their business decisions. This government-business symbiosis is further cemented by the provision of massive government subsidies (estimated to be about 3 percent of China’s GDP) to Chinese companies.

### On – S1

#### 1. No space war--- interdependence and deterrence check.

Bragg et al, July 2018 - \*Dr. Allison Astorino-Courtois, NSI’s Chief Analytics Officer (CAO) and Executive Vice President, PhD in IR @ NYU \*\*Dr. Robert Elder, PhD @ Emory, BA @ Clemson, Assistant prof of History @ Baylor \*\*\*Dr. Belinda Bragg, principle research scientist at NSI, Inc. Lecturer in polisci @ Texas A&M.;“Contested Space Operations, Space Defense, Deterrence, and Warfighting: Summary Findings and Integration Report,” NSI, https://nsiteam.com/social/wp-content/uploads/2018/11/Space-SMA-Integration-Report-Space-FINAL.pdf

Everyone needs space

While the US may be relatively more dependent on space for national security than are other states, it is far from alone in relying on space. Nuclear armed states are dependent on space for important command and control functions, and major powers are increasingly using space for battlefield situational awareness and communications. China and Russia were identified as having significant (and fairly equal) levels of strategic risk in space (ViTTa Q16), although their regional security priorities and (to date) less spacedependent economies place them at an advantage to the US. They may, therefore, see the strategic risk of conflict is space as lower than does the US. Still, space capabilities remain a source of economic expansion and national pride for both, and their calculations of the cost of conflict involving space may include consideration of these factors. Even now, there is a general consensus that the US and other actors have more to gain from space than they have from the loss of space-based capabilities (ViTTa Q3). This suggests that, although the US is more vulnerable in the space domain than are other states, the likelihood that aggressive action against an adversary’s space assets would be reciprocated may provide a degree of security. It also creates another incentive for actors to use diplomacy and international law to reduce risk and increase transparency in the space domain.

#### 2.a. T. Sustaining US development ensures we keep pace in the arms race – space capabilities achieve deterrence through risk assessment

Langeland, Krista. “Tailoring Deterrence for China in Space.” Rand.org, RAND, 2021, www.rand.org/content/dam/rand/pubs/research\_reports/RRA900/RRA943-1/RAND\_RRA943-1.pdf.

Because of China’s expressed ambitions and objectives in space— namely, preventing United States hegemony there and more globally—deterring China from interfering with space-based capabilities is of particular interest to the United States and its allies. Achieving deterrence in the space domain against China requires a specific consideration of how Chinese political decisionmakers assess the credibility of threats to retaliate, how they perceive potential punitive costs should they choose to attack, and, importantly, how such an attack might support their objectives despite the costs. This chapter thus examines China’s objectives in the space domain as stated in primary source documents to help build an understanding of its perception of cost and benefit from actions in space. Imposing a high cost on China for aggressive action in space also requires understanding both its perceptions of the credibility of retaliation and its calculation of military and political costs of the action being considered.1 Considering objectives and perceptions from a Chinese perspective will help to identify an effective approach for building a tailored deterrence strategy.

#### 2.b. The US is heavily reliant on private sector to maintain dominance in space – investing to maintain heg and keep pace with other nations

Werner, Debra. “Military Turns to Private Sector for Rapid Space Innovation.” SpaceNews, 9 Oct. 2019, spacenews.com/warfare-satellite-innovation-2019/.

California – Decades ago, the U.S. Defense Department led innovation in communications and remote sensing technology. Increasingly, U.S. military agencies are turning to the private sector for innovative communications and Earth observation products and services, according to government and industry executives at the Satellite Innovation 2019 conference here. “In terms of cost, capacity and volume, it would be hard for the military to beat what commercial industry is doing,” Rick Lober, vice president and general manager for Hughes Network Systems’ Defense and Intelligence Systems Division, told SpaceNews. The Defense Department is trying to speed up access to innovative commercial technologies through a variety of contracting mechanisms like other transaction authority as well as pilot and pathfinder programs aimed at testing new technologies and system architectures. U.S. Air Force Space Command, for example, is focused on replacing stove-pipe communications networks with enterprise architectures. Air Force Space Command took over responsibility in December for procuring the Defense Department’s commercial satellite communications services from the Defense Information Systems Agency. “We have a number of initiatives that our office has put in effect with more to come,” said Mike Nichols, chief of commercial satellite communications for Air Force Space Command’s Satellite Solutions Branch. Gen. John Raymond, who leads Air Force Space Command, “told us get after it: enterprise architecture, real-time provisioning, real-time situational awareness,” Nichols said. However, the Defense Department faces cultural challenges when it tries to quickly adopt commercial technology, said Ken Peterman, Viasat Government Systems president. Private sector innovation in space, cybersecurity and mobile networking are prompting changes in acquisition policy, practice and culture, Peterman said. “An acquisition system predicated on invention has to turn into one that can assess, adopt, apply and then evolve more effectively than ever before,” he added. As an example, Peterman points to Apollo program. “When we put a man on the moon, there were probably 10,000 NASA contracts to invent everything from aluminum foil to Tang, the breakfast drink,” Peterman said. “If NASA wanted to put a man or woman on Mars today, the fastest, most effective way to do that, might be to write a one or two-page statement of objectives and let Elon Musk, [Jeff] Bezos, Richard Branson and some others bid on that.” If government agencies don’t embrace commercial innovation, the consequences could be grave, according to a panel of experts discussing the implications of space as a warfare domain. “The U.S. government’s ability to maintain dominance in space will be heavily dependent on their ability to work quickly to take advantage of all the commercial innovation we’re talking about here,” said Chris DeMay, HawkEye 360 chief technology officer and co-founder. “We see enemy nations investing in their own companies with parallel capabilities that will exceed ours if the U.S. government can’t continue to invest at a faster rate.” Rajeev Gopal, advanced programs vice president for Hughes Network Systems’ Defense and Intelligence Systems Division, suggested government agencies gain access to commercial innovation with brief documents describing their needs instead of publishing 100 pages of requirements. He also suggested the government award fixed price contracts.

#### Proves the morality of the situation – without private sector china gets free pass to attack.

### On – S2

#### 1. Balancing solves regional stability by expanding alliance networks and stopping favoritism that encourages regional aggression

Walt 19 [STEPHEN M. WALT is Robert and Renee Belfer Professor of International Affairs at the Harvard Kennedy School and the author of The Hell of Good Intentions: America's Foreign Policy Elite and the Decline of U.S. Primacy. Foreign Affairs. May/June. “The End of Hubris And the New Age of American Restraint.” <https://www.foreignaffairs.com/articles/2019-04-16/end-hubris> My OCR sometimes turns E’s into C’s, I think I got them all, but please let me know if I missed one]

As an offshore balancer, the United States would establish normal relations with all countries in the region, instead of having “special relationships" with a few states and profoundly hostile relations with others. No country in the Middle East is so virtuous or vital that it deserves unconditional U.S. support, and no country there is so heinous that it must be treated as a pariah. The United States should act as China, India, Japan, Russia, and the eu do, maintaining normal working relationships with all states in the region -including Iran. Among other things, this policy would encourage rival regional powers to compete for U.S. support, instead of taking it for granted. For the moment, Washington should also make it clear that it will reduce its support for local partners if they repeatedly act in ways that undermine U.S. interests or that run contrary to core U.S. values. Should any state threaten to dominate the region from within or without in the future, the United States would help the rest balance against it, calibrating its level of effort and local presence to the magnitude of the danger.

#### 2. Heg encourages allies to reduce defense spending and encourages risky behavior entanglement – turns Taiwan

Posen ’16 (Barry R; 8/7/2016; Ford International Professor of Political Science at MIT, Director of the MIT Security Studies Program Council on Foreign Relations International Affairs Fellow; Rockefeller Foundation International Affairs Fellow; Guest Scholar at the Center for Strategic and International Studies; Woodrow Wilson Center Fellow; Smithsonian Institution; Transatlantic Fellow of the German Marshall Fund of the United States, and most recently Visiting Fellow at the John Sloan Dickey Center at Dartmouth College. "The High Costs and Limited Benefits of America’s Alliances," National Interest, <http://nationalinterest.org/blog/the-skeptics/the-high-costs-limited-benefits-americas-alliances-17273?page=show//)MBA> HBJ

The United States stands at the center of a far flung global alliance system, which commits it to defend the security of countries rich and poor, great and small, liberal and illiberal. The principal U.S. formal alliances are the North Atlantic Treaty Organization, the U.S.-Japan security treaty, the Republic of Korea Treaty, and the Australia-New Zealand (ANZUS) treaty. The United States has less formal relationships with Israel and several Arab states, and many others around the world. The foreign-policy establishment insists that all of these alliances are central to our security. The reasons offered since the end of the Cold War to support this judgment are seldom clear, and the costs are always buried, if acknowledged at all. The value of U.S. alliances should be judged on their contribution to U.S. security--the ability to defend the safety, sovereignty, and territorial integrity of the United States. The combination of the inherent strengths of the U.S. economy, the nature of modern military technology--both nuclear and conventional, along with the American military's mastery of those technologies--and two vast ocean barriers, make it either unbelievably foolhardy or hugely difficult for others to constitute a major threat to the U.S. homeland. Given the relative ease of ensuring U.S. security without extensive help from others, it is a challenge to show that the security value of these alliances exceeds the costs and risks incurred for them. In no case do current allies directly "defend" the United States, though some do occupy important strategic geography, which contributes to our military power. At best, our allies defend themselves with vast assistance from the United States. What does this assistance cost? Costs The United States bears four principal costs for these alliances: 1) the direct military costs; 2) the costs of wars waged mainly for the purpose of reassuring these allies; 3) the nuclear risks necessary to "extend" nuclear deterrence to these allies and 4) the "moral hazard" consequences of security guarantees, which have the perverse effect of driving down the defense efforts of allies and further driving up U.S. military costs. Supporters of the present alliance system routinely minimize its military costs. The Department of Defense's accounting systems make the calculation of such costs difficult. One cannot find a clear official statement that apportions the DOD budget to Europe, the MIddle East, and Asia. If a lay person attempts such a calculation, they will be brought up short by the defining characteristic of U.S. post-Cold War force structure: the U.S. military is essentially a global strategic reserve that can concentrate in defense of whichever ally is most in need of assistance. Small numbers of U.S. troops live abroad in Europe, Asia and the Middle East, and these small numbers make the effort look tiny. We must therefore try to estimate the cost of the U.S. grand strategy that commits the country to defend all these places. I have argued that if the United States were more judicious in its promises abroad, perhaps a fifth of the defense budget could be cut (excluding the costs of actual wars), amounting to roughly one hundred billion dollars per year at current prices. This is a nontrivial sum with major opportunity costs: it could reduce the deficit; repair the country's crumbling infrastructure; retrain American workers to compete more effectively in the global economy, or simply be returned to the taxpayer. Instead it subsidizes the defense of prosperous allies, providing welfare for the rich. The "credibility" wars that the U.S. fights, or threatens are another cost of the alliance system. The Balkan Wars of the 1990s fall into this category. So far, the post-Cold War world has not seen very expensive wars of this kind, but there was nothing about the Balkan wars that threatened the United States. Currently, members of the foreign-policy establishment argue that the United States should be assisting Ukraine in its fight with Russia and subverting the brutal Assad regime, in part to convince others of U.S. credibility. Once committed to defend allies everywhere, a state becomes obsessed with its political and military prestige, and vulnerable to the claim that "small" wars must be fought in the hope of deterring large ones. This is especially true when the actual strategic value of these allies is modest.A third cost of these alliances is the commitment to nuclear war that they embody. We understood this during the Cold War, but no one discusses this anymore. Europe's principal potential challenger is Russia; Japan's is China; South Korea's is North Korea. To defend these regions or countries from their most plausible challengers, and to deter attack, the United States must convince those challengers that it would, if pressed, wage nuclear war on their behalf. (The difficulty of making its nuclear-escalation commitments plausible further tempts America to fight 'small' wars to build credibility.) Are these nuclear commitments strategically necessary? During the Cold War, at the margin, one could make the argument that they were. We did not want to see what the Soviet Union might extract from rich European states or Japan by way of extra resources, if it could cow or conquer them, and convert their economic assets into military power. Today, however, it is hard to argue that any of the challengers that these countries face today are capable of conquering these allies, or coercing them into making great contributions to the challenger's military war chest. The United States assumes nuclear risks in the absence of a clear case for doing so. To offer an extreme example, the Baltic states are members of NATO. The United States is committed to their defense if they are challenged by Russia. These states cannot defend themselves conventionally, and because of the peculiarities of their geography, neither can the United States (This was seldom discussed when these states were brought into NATO in the George W. Bush administration.) I believe that a full fledged Russian challenge over the Baltics is unlikely, but were it to occur the United States could face the alternative of a potentially irreversible military defeat or a dramatic and dangerous nuclear crisis. Finally, these alliance commitments create a special kind of "moral hazard." The extravagant insurance that we offer these countries encourages them to engage in risky behavior. For the Europeans and Japanese, this consists of buying too little military insurance for themselves. Their defense budgets are too small even to sustain their present force structures. U.S. defense secretaries from both parties dutifully chide allies for their shortfalls and then go on to ignore them as we move to provide more security welfare. In NATO, for example, all but four of the allies fail to spend 2 percent of GDP on defense, an alliance commitment, while the United States spends 3 percent excluding war costs. (Germany, the fourth-most-productive economy in the world and the NATO ally best placed to assist the Baltic states, spends barely 1.2 percent.) Yet in the face of European concerns about Russian adventurism, the United States has rushed into the breach with five billion dollars of additional spending on European security over the last three fiscal years, which the Pentagon smuggled into the budget for Overseas Contingency Operations, whose purpose is to pay for actual unexpected war costs, and which therefore escapes the scrutiny of normal budget politics.