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### 1NC – OFF

#### Interpretation: “Appropriation of outer space” by private entities refers to the exercise of exclusive control of space.

TIMOTHY JUSTIN TRAPP, JD Candidate @ UIUC Law, ’13, TAKING UP SPACE BY ANY OTHER MEANS: COMING TO TERMS WITH THE NONAPPROPRIATION ARTICLE OF THE OUTER SPACE TREATY UNIVERSITY OF ILLINOIS LAW REVIEW [Vol. 2013 No. 4]

The issues presented in relation to the nonappropriation article of the Outer Space Treaty should be clear.214 The ITU has, quite blatantly, created something akin to “property interests in outer space.”215 It allows nations to exclude others from their orbital slots, even when the nation is not currently using that slot.216 This is directly in line with at least one definition of outer-space appropriation.217 [\*\*Start Footnote 217\*\*Id. at 236 (“Appropriation of outer space, therefore, is ‘the exercise of exclusive control or exclusive use’ with a sense of permanence, which limits other nations’ access to it.”) (quoting Milton L. Smith, The Role of the ITU in the Development of Space Law, 17 ANNALS AIR & SPACE L. 157, 165 (1992)). \*\*End Footnote 217\*\*]The ITU even allows nations with unused slots to devise them to other entities, creating a market for the property rights set up by this regulation.218 In some aspects, this seems to effect exactly what those signatory nations of the Bogotá Declaration were trying to accomplish, albeit through different means.219

#### Ownership of extracted resources is NOT appropriation.

Wrench 19 [John G., J.D. Candidate, Case Western Reserve University School of Law, Cleveland, Ohio, May 2019; B.A., Philosophy & Religious Studies, Pace University, Pleasantville, New York, December 2015. Case Western Journal of International Law; Volume 51, Issue 1, Article 11, “Non-Appropriation, No Problem: The Outer Space Treaty Is Ready for Asteroid Mining” <https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=2546&context=jil>] brett

Secondly, even if nations, businesses, and individuals are equally bound by the non-appropriation principle, the scope of that restriction is not entirely clear from the text of Article II.59 It is unlikely, however, that the non-appropriation principle is an absolute ban on the ownership of resources extracted in outer space.

An interpretation of Article II supporting a blanket ban on resource ownership is unwarranted by the text of the OST and illfounded on account of the international community’s common practices. Scholars have noted that the international community has never questioned whether scientific samples harvested from celestial bodies belong to the extracting nation.60 Furthermore, space-faring members of the international community rejected the Moon Treaty precisely because it prohibited all forms of ownership in resources extracted from celestial bodies.61 The space-faring nations’ support for the OST, coupled with their rejection of an alternative set of rules governing extracted resources, is at the very least an indication of what those nations believe the non-appropriation principle to stand for.

#### Proper construction of Article XII OST provides rights *to* property in outer space, not appropriation *of* outer space. Construction of A. XII OST to provide in-situ property rights is absurd.

Michelle L.D. Hanlon, LLM Air and Space Law @ McGill, JD magna cum laude Georgetown Law Center, BA Political Science @ Yale, ‘18, "The Space Review: Our fear of “heritage” imperils our future," No Publication, <https://www.thespacereview.com/article/3450/1>

Nor are the landing sites protected under international law. Current space treaties do not cover historic preservation or cultural heritage. Sure, Article VIII of the Outer Space Treaty and the Return and Rescue Agreement confirm that all space objects remain the possession of the State to whom they belong. If found, they must be returned. This does not protect the sites themselves, or the artifacts that scientists, engineers, and archaeologists would like to analyze in situ. Article III of the Liability Convention states that entities can be liable “in the event of damage being caused to a space object,” but how is damage defined in respect of an already nonoperational space object?

And what about the sites?

Article XII of the Outer Space Treaty suggests that states retain some control over their “stations, installations, equipment and space vehicles” but that such sites shall be open to others on the basis of “reciprocity.” But taken literally and to the extreme, this could mean that a state can essentially claim sovereignty over any area in which its equipment is strewn. Surely this is not the intent of the law?

#### Private appropriation of extracted space resources is distinct from appropriation “of” outer space. Despite longstanding permission of appropriation of extracted resources, sovereign claims are still universally prohibited.

Abigail D. Pershing, J.D. Candidate @ Yale, B.A. UChicago,’19, "Interpreting the Outer Space Treaty's Non-Appropriation Principle: Customary International Law from 1967 to Today," Yale Journal of International Law 44, no. 1

II. THE FIRST SHIFT IN CUSTOMARY INTERNATIONAL LAW’S INTERPRETATION OF THE NON-APPROPRIATION PRINCIPLE Since the drafting of the Outer Space Treaty, several States have chosen to reinterpret the non-appropriation principle as narrower in scope than its drafters originally intended. This reinterpretation has gone largely unchallenged and has in fact been widely adopted by space-faring nations. In turn, this has had the effect of changing customary international law relating to the non-appropriation principle. Shifting away from its original blanket application in 1967, States have carved out an exception to the non-appropriation principle, allowing appropriation of extracted space resources.53 This Part examines this shift in the context of the two branches of the United Nation’s customary international law standard: State practice and opinio juris. A. State Practice The earliest hint of a change in customary international law relating to the interpretation of the non-appropriation clause came in 1969, when the United States first sent astronauts to the moon. As part of his historic journey, astronaut Neil Armstrong collected moonrocks that he brought back with him to Earth and promptly handed off to the National Aeronautics and Space Administration (NASA) as U.S. property.54 Later, the USSR similarly claimed lunar material as government property, some of which was eventually sold to private citizens. 55 These first instances of space resource appropriation did not draw much attention, but they presented a distinct shift marking the beginning of a new period in State practice. Having previously been limited by their technological capabilities, States could now establish new practices with respect to celestial bodies. This was the beginning of a pattern of appropriation that slowly unfolded over the next few decades and has since solidified into the general and consistent State practice necessary to establish the existence of customary international law. Currently, the U.S. government owns 842 pounds of lunar material.56 There is little question that NASA and the U.S. government consider this material, as well as other space materials collected by American astronauts, to be government property.57 In fact, NASA explicitly endorses U.S. property rights over these moon rocks, stating that “[l]unar material retrieved from the Moon during the Apollo Program is U.S. government property.”5 The U.S. delegation’s reaction to the language of the 1979 Moon Agreement further cemented this interpretation that appropriation of extracted resources is a permissible exception to the non-appropriation clause of Article II. Although the United States is not a party to the Moon Agreement, it did participate in the negotiations.59 The Moon Agreement states in relevant part: Neither the surface nor the subsurface of the moon, nor any part thereof or natural resources in place, shall become property of any State, international intergovernmental or nongovernmental organization, national organization or nongovernmental entity or of any natural person.60 In response to this language, the U.S. delegation made a statement laying out the American view that the words “in place” imply that private property rights apply to extracted resources61—a comment that went completely unchallenged. That all States seemed to accept this point, even those bound by the Moon Agreement, is further evidence of a shift in customary international law.62 B. Opinio Juris: Domestic Legislation Domestic law, both in the United States and abroad, provides further evidence of the shift in customary international law surrounding the issue of nonappropriation as it relates to extracted space resources. Domestic U.S. space law is codified at Section 51 of the U.S. Code and has been regularly modified to expand private actors’ rights in space.63 Beginning in 1984, the Commercial Space Launch Act provided that “the United States should encourage private sector launches and associated services.”64 The goal of the 1984 Act was to support commercial space launches by private companies and individuals.65 It did not, however, specifically discuss commercial exploitation of space. The first such mention of commercial use of space appeared in 2004, with the Commercial Space Launch Amendments Act.66 This Act specifically aimed at regulating space tourism but did not explicitly guarantee any private rights in space.67 The most significant change in U.S. space law came with the passage of the Spurring Private Aerospace Competitiveness and Entrepreneurship (SPACE) Act in 2015. As incorporated into Section 51 of the Code, this Act provides: A United States citizen engaged in commercial recovery of an asteroid resource or a space resource under this chapter shall be entitled to any asteroid resource or space resource obtained, including to possess, own, transport, use, and sell the asteroid resource or space resource obtained in accordance with applicable law, including the international obligations of the United States.68 Whereas the idea that private corporations might go into space may have seemed far-fetched to the drafters of the Outer Space Treaty, the SPACE Act of 2015 was the first instance of a government recognizing such a trend and officially supporting private companies’ commercial rights to space resources under law. With the new 2015 amendment to Section 51 in place, U.S. companies can now rest assured that any profits they reap from space mining are firmly legal—at least within U.S. jurisdictions. Although the United States was the first country to officially reinterpret the non-appropriation principle, other countries are following suit. On July 20, 2017, Luxembourg passed a law entitled On the Exploration and Utilization of Space Resources with a vote of fifty-five to two.69 The law took effect on August 1, 2017.70 Article 1 of the new law states simply that “[s]pace resources can be appropriated,” and Article 3 expressly grants private companies permission to explore and use space resources for commercial purposes.71 Official commentary on the law establishes that its goal is to provide companies with legal certainty regarding ownership over space materials—a goal that the commentators regard as legal under the Outer Space Treaty despite the non-appropriation principle.72 The next country to enact similar legislation may be the United Arab Emirates (UAE). According to the UAE Space Agency director general, Mohammed Al Ahbabi, the UAE is currently in the process of drafting a space law covering both human space exploration and commercial activities such as mining.73 To further this goal, in 2017 the UAE set up the Space Agency Working Group on Space Policy and Law to specify the procedures, mechanisms, and other standards of the space sector, including an appropriate legal framework.74 C. Opinio Juris: Legal Scholarship Other major space powers are also considering similar laws in the future, including Japan, China, and Australia. 75 Senior officials within China’s space program have explicitly stated that the country’s goal is to explore outer space and to take advantage of outer space resources.76 The general international trend clearly points in this direction in anticipation of a potential “space gold rush.” 7 Mirroring the shift in State practice and domestic laws, the legal community has also changed its approach to the interpretation of the nonappropriation principle. Whereas at the time of the ratification of the Outer Space Treaty the majority of legal scholars tended to apply the non-appropriation principle broadly, most legal scholars now view appropriation of extracted materials as permissible.78 Brandon Gruner underscores that this new view is historically distinct from prior legal interpretation, noting that modern interpretations of the Outer Space Treaty’s non-appropriation principle differ from those of the Treaty’s authors.79 In contrast to earlier legal theory that denied the possibility of appropriation of any space resources, scholars now widely accept that extracting space resources from celestial bodies is a “use” permitted by the Outer Space Treaty and that extracted materials become the property of the entity that performed the extraction.80 Stressing the fact that the Treaty does not explicitly prohibit appropriating resources from outer space, other authors conclude that the use of extracted space resources is permitted, meaning that the new SPACE Act is a plausible interpretation of the Outer Space Treaty.81 However, scholars have been careful to cabin the extent to which they accept the legality of appropriation. For instance, although Thomas Gangale and Marilyn Dudley-Rowley acknowledge the legality of private appropriation of extracted space resources, they nonetheless emphasize that “[o]wnership of and the right to use extraterrestrial resources is distinct from ownership of real property” and that any such claim to real property is illegal.82 Lawrence Cooper is also careful to point out this distinction: “[t]he [Outer Space] Treaties recognize sovereignty over property placed into space, property produced in space, and resources removed from their place in space, but ban sovereignty claims by states; international law extends this ban to individuals.”83 Although there remain some scholars who still insist on the illegality of the 2015 U.S. law and State appropriation of space resources generally,84 their dominance has waned since the 1960s. These scholars are now a minority in the face of general acceptance among the legal community that minerals and other space resources, once extracted, may be legally claimed as property. 85 Taken together, the elements described above—statements made in the international arena, de facto appropriation of space resources in the form of moon rocks, the adoption of new national policies permitting appropriation of extracted space resources, and the weight of the international legal community’s opinion— indicate a fundamental shift in customary international law. The Outer Space Treaty’s non-appropriation clause has been redefined via customary international law norms from its broad application to now include a carve-out allowing appropriation of space resources once such resources have been extracted.

#### Court precedent affirms appropriation is permanent occupation not temporary use

Marshall 82 [JUSTICE MARSHALL delivered the opinion of the Court. Loretto v. Teleprompter Manhattan CATV Corp., 458 US 419 - Supreme Court 1982] TDI

Since these early cases, this Court has consistently distinguished between flooding cases involving a permanent physical occupation, on the one hand, and cases involving a more temporary invasion, or government action outside the owner's property that causes consequential damages within, on the other. A taking has always been found only in the former situation. See United States v. Lynah, 188 U. S. 445, 468-470 (1903); Bedford v. United States, 192 U. S. 217, 225 (1904); United States v. Cress, 243 U. S. 316, 327-328 (1917); Sanguinetti v. United States, 264 U. S. 146, 149 (1924) (to be a taking, flooding must "constitute an actual, permanent invasion of the land, amounting to an appropriation of, and not merely an injury to, the property"); United States v. Kansas City Life Ins. Co., 339 U. S. 799, 809-810 (1950). In St. Louis v. Western Union Telegraph Co., 148 U. S. 92 (1893), the Court applied the principles enunciated in Pumpelly to a situation closely analogous to the one presented today. In that case, the Court held that the city of St. Louis could exact reasonable compensation for a telegraph company's placement of telegraph poles on the city's public streets. The Court reasoned: "The use which the [company] makes of the streets is an exclusive and permanent one, and not one temporary, shifting and in common with the general public. The ordinary traveler, whether on foot or in a vehicle, passes to and fro along the streets, and his use and occupation 429\*429 thereof are temporary and shifting. The space he occupies one moment he abandons the next to be occupied by any other traveller. . . . But the use made by the telegraph company is, in respect to so much of the space as it occupies with its poles, permanent and exclusive. It as effectually and permanently dispossesses the general public as if it had destroyed that amount of ground. Whatever benefit the public may receive in the way of transportation of messages, that space is, so far as respects its actual use for purposes of highway and personal travel, wholly lost to the public. . . . ..... ". . . It matters not for what that exclusive appropriation is taken, whether for steam railroads or street railroads, telegraphs or telephones, the state may if it chooses exact from the party or corporation given such exclusive use pecuniary compensation to the general public for being deprived of the common use of the portion thus appropriated." Id., at 98-99, 101-102 (emphasis added).[6] Similarly, in Western Union Telegraph Co. v. Pennsylvania R. Co., 195 U. S. 540 (1904), a telegraph company constructed and operated telegraph lines over a railroad's right of way. In holding that federal law did not grant the company the right of eminent domain or the right to operate the lines absent the railroad's consent, the Court assumed that 430\*430 the invasion of the telephone lines would be a compensable taking. Id., at 570 (the right-of-way "cannot be appropriated in whole or in part except upon the payment of compensation"). Later cases, relying on the character of a physical occupation, clearly establish that permanent occupations of land by such installations as telegraph and telephone lines, rails, and underground pipes or wires are takings even if they occupy only relatively insubstantial amounts of space and do not seriously interfere with the landowner's use of the rest of his land. See, e. g., Lovett v. West Va. Central Gas Co., 65 W. Va. 739, 65 S. E. 196 (1909); Southwestern Bell Telephone Co. v. Webb, 393 S. W. 2d 117, 121 (Mo. App. 1965). Cf. Portsmouth Harbor Land & Hotel Co. v. United States, 260 U. S. 327 (1922). See generally 2 J. Sackman, Nichols' Law of Eminent Domain § 6.21 (rev. 3d ed. 1980).[7] More recent cases confirm the distinction between a permanent physical occupation, a physical invasion short of an occupation, and a regulation that merely restricts the use of property. In United States v. Causby, 328 U. S. 256 (1946), the Court ruled that frequent flights immediately above a landowner's property constituted a taking, comparing such overflights to the quintessential form of a taking: "If, by reason of the frequency and altitude of the flights, respondents could not use this land for any purpose, their loss would be complete. It would be as complete as if the United States had entered upon the surface of the land and taken exclusive possession of it." Id., at 261 (footnote omitted). 431\*431 As the Court further explained, "We would not doubt that, if the United States erected an elevated railway over respondents' land at the precise altitude where its planes now fly, there would be a partial taking, even though none of the supports of the structure rested on the land. The reason is that there would be an intrusion so immediate and direct as to subtract from the owner's full enjoyment of the property and to limit his exploitation of it." Id., at 264-265. The Court concluded that the damages to the respondents "were not merely consequential. They were the product of a direct invasion of respondents' domain." Id., at 265-266. See also Griggs v. Allegheny County, 369 U. S. 84 (1962). Two wartime takings cases are also instructive. In United States v. Pewee Coal Co., 341 U. S. 114 (1951), the Court unanimously held that the Government's seizure and direction of operation of a coal mine to prevent a national strike of coal miners constituted a taking, though members of the Court differed over which losses suffered during the period of Government control were compensable. The plurality had little difficulty concluding that because there had been an "actual taking of possession and control," the taking was as clear as if the Government held full title and ownership. Id., at 116 (plurality opinion of Black, J., with whom Frankfurter, Douglas, and Jackson, JJ., joined; no other Justice challenged this portion of the opinion). In United States v. Central Eureka Mining Co., 357 U. S. 155 (1958), by contrast, the Court found no taking where the Government had issued a wartime order requiring nonessential gold mines to cease operations for the purpose of conserving equipment and manpower for use in mines more essential to the war effort. Over dissenting Justice Harlan's complaint that "as a practical matter the Order led to consequences no different from those that would have followed the temporary acquisition of physical possession of these mines by the United States," id., at 181, the Court reasoned that "the Government did not occupy, 432\*432 use, or in any manner take physical possession of the gold mines or of the equipment connected with them." Id., at 165-166. The Court concluded that the temporary though severe restriction on use of the mines was justified by the exigency of war.[8] Cf. YMCA v. United States, 395 U. S. 85, 92 (1969) ("Ordinarily, of course, government occupation of private property deprives the private owner of his use of the property, and it is this deprivation for which the Constitution requires compensation").

#### Violation: they ban asteroid mining

#### Standards:

#### 1] Limits and ground: the aff interpretation explodes the topic to allow any aff about extracting resources which structurally alters the neg research burden because there’s a qualitative difference between appropriation of outer space and of resources. That alters neg ground because it means the aff can defend trivial middle grounds that go beyond just exclusive appropriation unbalancing the topic.

#### 2]Precision outweighs—determines what we prepare for which controls the internal link to any pragmatic benefits of the activity

#### Topicality is a voting issue because topicality indicts the aff’s entire advocacy.

#### Competing interpretations: reasonability is arbitrary and causes a race to the bottom because the neg doesn’t know what constitutes a “reasonable” interp when doing prep.

#### No RVIs—T is an aff burden just like inherency

T OW 1ar theory—its lexically prior and outweighs on timeframe only 2 months to set topic norms

## 2

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### 1NC—OFF

#### CCP legitimacy high now.

Murray 22 (Yvonne, “2021 saw China's Xi Jinping tighten grip on power,” 1/4/22, RTE (Ireland's National Public Service Media), https://www.rte.ie/news/2021/1231/1269202-china-year-in-review/)

In 2021, while most of the world struggled to contain the virus, China kept its borders sealed, stamped out outbreaks with ruthless efficiency and in its zero-Covid bubble, set about turbo charging internal reforms.

It was the year, the Chinese leader, Xi Jinping, declared "the east is rising and the west is in decline". But his confidence was cautious, warning officials not to write off their main rival, the United States.

And as this superpower rivalry deepened, taking on what other countries feared was a distinctly Cold War hue, Taiwan took centre stage. The US President Joe Biden appeared to break with Washington's long-held policy of "strategic ambiguity" (which is meant to keep everyone in the dark as to whether the US would defend Taiwan) by stating the US would indeed come to the island’s defence. His aides later back-pedalled on his comments. When an unprecedented number of Chinese warplanes flew past Taiwan amid Beijing’s threats to take the island, many speculated the invasion was nigh.

And while China continued to look for parity of esteem for its authoritarian form of governance, especially in international institutions built on democratic norms, Taiwan became the touchstone in a global clash of values.

Democracy versus authoritarianism

The clashes came thick and fast. In the Spring, politicians in Europe, ho had criticised human rights abuses in Xinjiang, were hit with sanctions by Beijing. The shelving of the China Investment Agreement as a result, was a clear sign that Sino-European relations had taken a nosedive. In the autumn, Beijing lost a good friend with the exit of Germany’s Chancellor, Angela Merkel.

Then the decision by an EU country, Lithuania, to allow Taiwan to open a representative office under its own name, drew fury from Beijing, culminating in the sudden flight of Lithuanian diplomats out of China. In another dramatic diplomatic incident, Huawei’s senior executive, Meng Wanzhou, reached a deal with US prosecutors in her extradition case, allowing her to return to China. Within hours, the two Canadian citizens, Michael Kovrig and Michael Spavor, detained on spying charges in China were suddenly released - Beijing appearing to make no secret of its hostage diplomacy. Irish businessman Richard O’Halloran, meanwhile, remained detained without charge in Shanghai.

At the same time, the number of foreign journalists inside China, dwindled further. Reporters who tried to hold the one-party state government to account on issues like the re-education camps in Xinjiang, the ongoing erosion of democracy in Hong Kong or the virus origins were frequently called "fake news" and "hostile foreign forces" by a regime now entirely intolerant of scrutiny.

When I fled Beijing with my family in March after years of intimidation and harassment by the authorities, there were no Irish journalists, reporting for Irish outlets, left in China. In our Taipei exile, we joined a burgeoning number of China correspondents forced to cover the superpower from a distance.

In 2021, it seemed the chasm between China and much of the rest of the world - or to use Chairman Xi’s framing "east and west" - yawned wider.

The home front

But despite the chilly geopolitical atmosphere, on home turf this year the leadership was in a celebratory mood. Pomp and pageantry marked 100 years of the Communist Party in July and the party leader, Xi Jinping, used the moment to deliver a colourful message to his own people and more pointedly to the outside world.

"We will never allow anyone to bully, oppress or subjugate China," he said, to whoops and cheers in Tiananmen Square.

"Anyone who dares try to do that will have their heads bashed bloody against the Great Wall of Steel forged by over 1.4 billion Chinese people," he said.

Domestically, there is no doubt that the pandemic delivered a massive boost for the leadership. The Chinese public, looking at the infection and death rates in advanced democracies, felt a sense of national pride that China had to a large extent remained Covid-free, and the downsides of the policies, such as impact on mental health, received little attention.

However, those Chinese people who tried to document the chaos of the early response to the virus were forgotten. One citizen journalist, Zhang Zhan, is now dying in prison for attempting to report the reality of the Wuhan lockdown, countering the official propaganda. Others simply disappeared.

The government continued to push their own narratives on the origins of the virus, suggesting, alternately, that it came in on frozen food imports from Europe or it was manufactured in a US laboratory - both widely accepted by Chinese citizens and promoted by officials on international social media platforms.

The WHO's heavily choreographed mission to Wuhan resulting in the verdict that a leak from a Wuhan lab was "extremely unlikely" was another victory for the Communist Party. (Although the WHO chief, Tedros Adhanom, swiftly put the lab leak theory back on the table as soon as the team left China.) Common prosperity But behind the outward confidence, China’s leaders spoke of major internal challenges: a demographic crisis, pressing energy and food security issues as well as an unsustainable wealth gap which makes China one of the most unequal societies in the world. They know that the Party’s social contract with its citizens (to stay out of politics while leaders deliver growth and jobs) could suffer in a slowing economy, damaging their legitimacy. 2021 was in many ways a dress rehearsal for 2022

And so, under the banner of "common prosperity," the government enacted a series of crackdowns on technology companies, brought wealthy entrepreneurs to heel, banned expensive online education platforms and reined in the overheated real estate sector.

The government also went after the online gaming industry, which state media labelled "spiritual opium," limiting playing time for teenagers and prompting the American makers of the game Fortnite to pull the plug on their China venture.

With all this set to continue, 2021 was in many ways a dress rehearsal for 2022 - the year in which Xi, often compared to Mao, is expected to enter an unprecedented third term as leader of an unapologetically authoritarian, deeply nationalistic and increasingly powerful regime.

#### China’s “space dream” is key to Xi credibility – plan is a flip flop that undermines legitimacy.

Economic Times 20 [(Economic Times, Indian daily newspaper, internally cites Dean Cheng, Senior Research Fellow at the Heritage Foundation and the Davis Institute for National Security and Foreign Policy, former analyst in the International Security and Space Program at the Office of Technology Assessment, BA in Politics from Princeton University) “China attempting to militarize space as it seeks to modernize its military power,” 8/31/2020] JL

The Jamestown Foundation, a US think-tank, hosted a webinar on August 19 entitled "China's Space Ambitions: Emerging Dimensions of Competition." One presenter, Dean Cheng, Senior Research Fellow at The Heritage Foundation, noted that Beijing's space programme is linked to China's central concept of comprehensive national power. "This is basically how the Chinese think about how they rack and stack, how they compare with other countries."

China recognises that military power is important, but it is not the only factor in being a great power. Cheng drew a parallel with the former USSR, where military power alone did not ensure survival of that communist state. Other comprehensive national power factors are political unity, economic power, diplomatic strength, science and technology, and even culture. "Space touches every one of these aspects in comprehensive national power, and that is a part of why Chinese see space as so important."

Indeed, a strong space industrial complex will generate benefits that ripple through the rest of China's economy. Furthermore, he said space achievements "promote pride within China, especially for the Chinese Communist Party (CCP) ... It's symbolic of how far China has come," he said, and "it gives the CCP legitimacy".

China is pushing into space services, including satellite launches, satellite applications and Earth observation/satellite imagery for others. Satellite customers include Belarus, Laos, Pakistan and Venezuela, for example, attracting hard currency and influence. Cheng said most underestimate the impact this has, as such countries grow almost totally dependent on Chinese equipment, assets and training over time. Incidentally, China could have manufactured back doors into these systems for foreigners to allow it access.

Mark Stokes, Executive Director at the US-based Project 2049 Institute think-tank, said in the same webinar that PLA requirements have always been fundamental to development of Chinese space capabilities. Potential PLA space missions in support of joint warfighting in a crisis include targeting (battlefield surveillance, electronic reconnaissance and ocean surveillance), communications, PNT services (obtaining target data, navigation information, navigation support and timing services), space jamming (encompassing space communications, radar, electro-optical and PNT) and space protection.

Stokes said the end of 2015 was "significant" for Chinese space efforts because consolidation of end-users under the PLA's Strategic Support Force (PLASSF) occurred, specifically within the Space Systems Department. In terms of developing and meeting requirements, the PLASSF is now "much more efficient," the American analyst posited.

Indeed, China created its space force in 2015, just a few months after Russia. After formally establishing its Space Force in December 2019, the US is still getting its equivalent off the ground. Cheng said both China and Russia have been pushing to militarise space, even though such a term is probably meaningless given that 95 per cent of space technology has dual applications for both military and civilian use. Certainly, outer space can no longer be viewed as a sanctuary.

Stokes said that "not much has changed really in terms of the space launch infrastructure and the launch, tracking and control of space ... but they are now integrated with end-users, and that is going to have an effect on making the whole system more efficient."

China has freedom of action in space, and the creation of the PLASSF and consolidation of space/counter-space research, development and acquisition, as well as training and operations, have benefitted from a single integrated command. The PLA's ability to interfere with American military operations in places like Taiwan will continue to grow yearly.

Cheng said, "The Chinese see future war as revolving around joint operations, which are not just land, air and sea forces." They also include the outer space and electronic warfare domains, which are necessary for information dominance." China, therefore, wishes to deny an adversary like the US the use of space, plus it needs to give the Chinese military every advantage.

China has therefore developed the ability to target hostile space-based assets (from the ground or space) and their all-important data-links. Indeed, jamming and electronic warfare complement anti-satellite weapons (which China has already tested), any of which can achieve effective mission kills against US and allied satellites. Stokes has not yet ascertained which agency is responsible for satellite kinetic kills, but it could well be the PLA Rocket Force, which is traditionally very tightly controlled by the Central Military Commission.

A detailed report entitled China's Space and Counter-space Capabilities and Activities, prepared for the US-China Economic and Security Review Commission, was published on March 30. Its authors, Mark Stokes, Gabriel Alvarado, Emily Weinstein and Ian Easton, summarised China's counter-space capabilities as follows.

"China has an operational counter-space capability that will evolve through 2020 and out to 2035. These capabilities include anti-satellite kinetic kill vehicles (KKV) and space electronic countermeasures ... On the non-kinetic side, the PLA has an operational ground-based satellite electronic countermeasures capability designed to disrupt adversary use of satellite communications, navigation, search and rescue, missile early warning and other satellites through use of jamming."

China obtained its first ground-based satellite jammers from Ukraine in the late 1990s, but it has developed its own solutions since then. "The PLA is capable of carrying out electronic countermeasures to disrupt, deny, deceive or degrade space services. Jamming prevents users from receiving intended signals and can be accomplished by attacking uplinks and downlinks.

The PLA and defence industry are developing and deploying jammers capable of targeting satellite communications over a large range of frequencies, including dedicated military communication bands. The PLASSF also has advanced cyber capabilities that could be applied in parallel with counter-space operations."

Nonetheless, the report asserted that the US still assumed a technological lead in space.

"China also is carrying out research, development and testing on potential space-based counter-space systems. The PLASSF and defense industry have carried out advanced satellite maneuvers and are likely testing orbital technologies that could be applied to counter-space operations." The PLASSF Network Systems Department probably oversees satellite jamming operations.

#### Nationalist officials spark intraparty conflict--Xi will launch diversionary war to domestic backlash – escalates in multiple hotspots

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.

#### **US–China war goes nuclear – crisis mis-management ensures conventional escalation – extinction.**

Kulacki 20 [Dr. Gregory Kulacki focuses on cross-cultural communication between the United States and China on nuclear and space arms control and is the China Project Manager for the Global Security Program at the Union of Concerned Scientists, 2020. Would China Use Nuclear Weapons First In A War With The United States?, Thediplomat.com, https://thediplomat.com/2020/04/would-china-use-nuclear-weapons-first-in-a-war-with-the-united-states/] srey

Admiral Charles A. Richard, the head of the U.S. Strategic Command, recently told the Senate Armed Service Committee he “could drive a truck” through the holes in China’s no first use policy. But when Senator John Hawley (R-MO) asked him why he said that, Commander Richard backtracked, described China’s policy as “very opaque” and said his assessment was based on “very little” information. That’s surprising. **China** has been exceptionally **clear** **about** its **intentions** **on** the possible **first** **use** **of** **nuclear** **weapons**. On the day of its first nuclear test on October 16, 1964, China declared it “will never at any time or under any circumstances be the first to use nuclear weapons.” That **unambiguous** **statement** **has** **been** a **cornerstone** **of** **Chinese** **nuclear** **weapons** policy for 56 years and has been repeated frequently in authoritative Chinese publications for domestic and international audiences, including a highly classified training manual for the operators of China’s nuclear forces. Richard should know about those publications, particularly the training manual. A U.S. Department of Defense translation has been circulating within the U.S. nuclear weapons policy community for more than a decade. The commander’s comments to the committee indicate a familiarity with the most controversial section of the manual, which, in the eyes of some U.S. analysts, indicates there may be some circumstances where **China** **would** **use** **nuclear** **weapons** **first** **in** a **war** **with** **the** **U**nited **S**tates. This U.S. misperception is understandable, especially given the difficulties the Defense Department encountered translating the text into English. The language, carefully considered in the context of the entire book, articulates a strong reaffirmation of China’s no first use policy. But it also reveals **Chinese** military planners are **struggling** **with** **crisis** **management** **and** **considering** **steps** **that** could **create** **ambiguity** **with** **disastrous** **consequences**. Towards the end of the 405-page text on the operations of China’s strategic rocket forces, in a chapter entitled, “Second Artillery Deterrence Operations,” the authors explain what China’s nuclear forces train to do if **“**a strong military power possessing nuclear‐armed missiles and an absolute advantage in high‐tech conventional weapons is carrying out intense and continuous attacks against our major strategic targets and we have no good military strategy to resist the enemy.**”** The military power they’re talking about is the United States. The authors indicate China’s nuclear missile forces train to take specific steps, including increasing readiness and conducting launch exercises, to “dissuade the continuation of the strong enemy’s conventional attacks.” The manual refers to these steps as an “adjustment” to China’s nuclear policy and a “lowering” of China’s threshold for brandishing its nuclear forces. Chinese leaders would only take these steps in extreme circumstances. The text highlights several triggers such as U.S. conventional bombing of China’s nuclear and hydroelectric power plants, heavy conventional bombing of large cities like Beijing and Shanghai, or other acts of **conventional** **warfare** **that** “**seriously** **threatened**” the “safety and **survival**” of the nation. U.S. Misunderstanding Richard seems to believe this planned adjustment in China’s nuclear posture means China is **preparing** **to** **use** **nuclear** **weapons** first under these circumstances. He told Hawley that there are a “number of situations where they may conclude that first use has occurred that do not meet our definition of first use.” The head of the U.S. Strategic Command appears to assume, as do other U.S. analysts, that the **Chinese** would **interpret** **these** types of U.S. conventional **attacks** **as** **equivalent** **to** a **U.S. first use** **of** **nuclear** **weapons** against China. But that’s not what the text says. “Lowering the threshold” refers to China putting its nuclear weapons on alert — it does not indicate Chinese leaders might lower their threshold for deciding to use nuclear weapons in a crisis. Nor does the text indicate Chinese nuclear forces are training to launch nuclear weapons first in a war with the United States. China, unlike the United States, keeps its nuclear forces off-alert. Its warheads are not mated to its missiles. China’s nuclear-armed submarines are not continuously at sea on armed patrols. The manual describes how China’s nuclear warheads and the missiles that deliver them are controlled by two separate chains of command. Chinese missileers train to bring them together and launch them after China has been attacked with nuclear weapons. All of these behaviors are consistent with a no first use policy. The “adjustment” Chinese nuclear forces are preparing to make if the United States is bombing China with impunity is to place China’s nuclear forces in a state of readiness similar to the state the nuclear forces of the United States are in all the time. This step is intended not only to end the bombing, but also to convince U.S. decision-makers they cannot expect to destroy China’s nuclear retaliatory capability if the crisis escalates. Chinese Miscalculation Unfortunately, alerting Chinese nuclear forces at such a moment could have terrifying consequences. Given the relatively small size of China’s nuclear force, a U.S. president might be tempted to try to limit the possible damage from a Chinese nuclear attack by destroying as many of China’s nuclear weapons as possible before they’re launched, especially if the head of the U.S. Strategic Command told the president China was preparing to strike first. One study concluded that if the United States used nuclear weapons to attempt to knock out a small fraction of the Chinese ICBMs that could reach the United States it may kill tens of millions of Chinese civilians. The authors of the text assume alerting China’s nuclear forces would “create a great shock in the enemy’s psyche.” That’s a fair assumption. But they also assume this shock could “dissuade the continuation of the strong enemy’s conventional attacks against our major strategic targets.” That’s highly questionable. There is a **substantial** **risk** **the** **U**nited **S**tates **would** **respond** **to** this implicit **Chinese** **threat** **to** **use** **nuclear** **weapons** **by** **escalating**, rather than halting, its **conventional** **attacks**. If China’s nuclear forces were targeted, it would put even greater strain on the operators of China’s nuclear forces. A **slippery** **slope** **to** **nuclear** **war** Chinese military planners are aware that attempting to coerce the United States into halting conventional bombardment by alerting their nuclear forces could fail. They also know it might trigger a nuclear war. But if it does, they are equally clear China won’t be the one to start it. Nuclear attack is often preceded by nuclear coercion. Because of this, in the midst of the process of a high, strong degree of nuclear coercion we should prepare well for a nuclear retaliatory attack. The more complete the preparation, the higher the credibility of nuclear coercion, the easier it is to accomplish the objective of nuclear coercion, and the lower the possibility that the nuclear missile forces will be used in actual fighting. They assume if China demonstrates it is well prepared to retaliate the United States would not risk a damage limitation strike using nuclear weapons. And even if the United States were to attack China’s nuclear forces with conventional weapons, China still would not strike first. In the opening section of the next chapter on “nuclear retaliatory attack operations” the manual instructs, as it does on numerous occasions throughout the entire text: According to our country’s principle, its stand of no first use of nuclear weapons, the Second Artillery will carry out a nuclear missile attack against the enemy’s important strategic targets, according to the combat orders of the Supreme Command, only after the enemy has carried out a nuclear attack against our country. Richard is wrong. There are no holes in China’s no first use policy. But the worse-case planning articulated in this highly classified military text is a significant and deeply troubling departure from China’s traditional thinking about the role of nuclear weapons. Mao Zedong famously called nuclear weapons “a paper tiger.” Many assumed he was being cavalier about the consequences of nuclear war. But what he meant is that they would not be used to fight and win wars. U.S. nuclear threats during the Korean War and the Taiwan Strait Crisis in the 1950s – threats not followed by an actual nuclear attack – validated Mao’s intuition that nuclear weapons were primarily psychological weapons. Chinese leaders decided to acquire nuclear weapons to free their minds from what Mao’s generation called “**nuclear** **blackmail**.” A former director of China’s nuclear weapons laboratories told me China developed them so its leaders could “sit up with a straight spine.” Countering nuclear blackmail – along with compelling other nuclear weapons states to negotiate their elimination – were the only two purposes Chinese nuclear weapons were meant to serve. Contemporary Chinese military planners appear to have added a new purpose: compelling the United States to halt a conventional attack. Even though it only applies in extreme circumstances, it **increases** the **risk** **that** a **war** between the United States and China **will** **end** **in** a nuclear exchange with unpredictable and **catastrophic** **consequences**. Adding this new purpose could also be the first step on a slippery slope to an incremental broadening the role of nuclear weapons in Chinese national security policy. Americans would be a lot safer if we could avoid that. The United States government should applaud China’s no first use policy instead of repeatedly calling it into question. And it would be wise to adopt the same policy for the United States. If both countries declared they would never use nuclear weapons first it may not guarantee they can avoid a nuclear exchange

#### Loss of stability causes the CCP to escalate tensions and lash out – uniquely threatens Taiwan.

**Blumenthal and Urda 20** [09-28-20, Dan Blumenthal, Jakob Urda, The National Interest, “China’s aggressive tactics aim to bolster the Communist Party’s legitimacy”, https://www.aei.org/articles/chinas-aggressive-tactics-aim-to-bolster-the-communist-partys-legitimacy/, Jakob Urda is a Masters Student at Georgetown University and research specialist at a technology consultancy. He has previously worked at the Chicago Project on Security and Threats and studied in the Institute for the Study of War’s War Studies Program. Dan Blumenthal is the director of Asian Studies at the American Enterprise Institute and the author of the forthcoming book The China Nightmare: the Grand Ambitions of a Decaying State (AEI Press, November 17, 2020] //Lex AKu

Yet for the CCP, external aggression is a necessary tool to combat internal weakness. The CCP is obsessed with its fragilities, such as the threat of losing popular support and legitimacy and demands for more justice and freedoms. When Chinese people criticize their government, China must act more aggressively abroad. Beijing uses external aggression to fan Chinese nationalism and cast the CCP as the protector of the people and champion of a new era of Chinese glory. Coronavirus was a true moment of weakness for the CCP, as it exposed fissures in China’s overcentralized authoritarian political system to light. A now-infamous example of Chinese paranoia over potentially out-of-control domestic crises was the case of Dr. Li Wenliang. On February 7, Li, a doctor who warned of the coronavirus but was quickly censored by the Wuhan police, died from the virus himself. Li’s death quickly became the top trending topic on Chinese social media with hashtags such as “We want freedom of speech.” The CCP censored all mentions of Li or any coronavirus failings, fearing more organized protests. Simultaneously, the coronavirus battered China’s economic growth, which underpins the CCP’s claim to legitimacy, with an unprecedented 6.8 percent Q1 contraction. Far from the unified front which Beijing seeks to project, the coronavirus revealed the CCP’s dysfunction. For example, Dali, a midsize city, intercepted and distributed a shipment of surgical masks headed to the hard-hit municipality of Chongqing. Similarly, the City of Qingdao instructed customs officials to hold on to a shipment of masks and medical products headed to Shenyang. At the same time, Hong Kong dealt the CCP a major political embarrassment when it halted traffic coming in from the mainland. These reports demonstrate the government’s inability to enforce basic order among competing cities and provinces. In response to the tumult caused by the coronavirus crisis, the CCP mobilized popular support by reigniting conflicts with its neighbors. On April 2, during the peak of the coronavirus, a Chinese maritime security vessel sank a Vietnamese fishing boat near the Parcel islands. Just two weeks later on April 16, China escalated a month’s long standoff with Malaysia by deploying the coast guard to a disputed oil shelf. China also stepped up its military activities targeting Taiwan—who’s coronavirus response was strong and effective—with as many as three incursions in a single week in June. These episodes were widely condemned by the international community, but greeted with nationalist revelry at home. The need to project strength and unity domestically explains the timing of China’s border dispute with India. In May, violent brawls broke out between Chinese and Indian soldiers near Sikkim. On June 15, the Indian government reported that twenty Indian soldiers were killed by Chinese soldiers in the Galwan River Valley, a disputed border region controlled by India but claimed by China. The CCP has made full use of the crisis to rally nationalism. China’s foreign ministry issued statements blaming India for the clashes and state-propaganda popularized the slogan “China is not afraid.” The Global Times, a propaganda outlet, cast the clashes as an Indian invasion, saying “India has illegally constructed defense facilities across the border into Chinese territory in the Galwan Valley region.” Importantly, Chinese state-owned news outlets were also running news about India’s poor coronavirus response at the time, in contrast to its own “successes.” The recent border clashes mirror China’s 2017 standoff with India at Doklam, a strategic point near Bhutan. During the conflict, Foreign Minister Wang Yi made statements that cast the conflict as an Indian attack upon China, and state media circulated images from the 1962 Sino-Indian War, to remind the China populace that Beijing had defeated Delhi before. The India clashes coincided with another threat to CCP legitimacy: a fight to remove pro-democracy advocates from the Hong Kong Legislative Council. China ended up harshly cracking down on the supposedly autonomous city as well. Understanding China’s weaknesses is essential for policymakers attempting to make sense of its aggression. This dynamic is not only a Xi Jinping phenomenon: China’s modern history shows that domestic crises are often followed by belligerence. A study that pre-dated Xi’s rule, with a dataset of over three thousand interactions between the United States and China, found that the CCP was twice as likely to initiate disputes when the Shanghai Stock Exchange (SSE) experienced a substantial drop. The SSE is a barometer of elite sentiment in China because the government pledges to protect elite investments and uses SSE listings to reward party insiders. Insight into the CCP’s domestic political objectives helps determine the magnitude of the conflict and appropriate response. The editor of the Global Times wrote that a belligerent foreign policy was “necessary to satisfy the Chinese people.” Policymakers can use history to deduce what levels of aggression are “necessary” for the CCP’s goals. In India, it is unlikely that clashes will escalate into invasion because the current skirmishes satisfy the CCP’s purpose of bolstering legitimacy. However, Taiwan may be in particular danger from China’s reactionary aggression. This is because the ways in which conflict with Taiwan would bolster the CCP’s legitimacy align more closely with more violent coercion—reunification is a core element of the CCP’s platform and Taiwan’s clear success fighting the coronavirus is a major blow to Beijing’s legitimacy. Because Taiwan’s “threat” to the CCP stems from its mere existence, it is particularly vulnerable to reactionary aggression. Xi is a self-proclaimed follower of Mao. So, the 1958 Taiwan Strait Crisis is a powerful example; Mao needed to generate support for the great leap forward and deflect criticism from poor economic growth. To stir the nation, Mao seized islands controlled by Taiwan and threatened an invasion of the country until restrained by American nuclear brinksmanship. Over the last three months, China has faced another crisis in the form of historic floods. The Yangtze river basin has been inundated, affecting sixty-three million Chinese and inflicting over twenty-five billion dollars in direct damages. Many Chinese have raised concerns that the government’s massive infrastructure projects have worsened the crisis by draining wetlands and promoting development in flood-prone areas. Poor transparency has stirred more backlash as the CCP has been accused of hiding the extent of damages and censoring criticism. One political commentator in Beijing even predicted that the “Chinese public will question Beijing from this year’s continuous natural and man-made disasters, and even question China’s governance model and its effectiveness.” Instead of hoping that the crisis created by the current floods will give China’s neighbors breathing space, the United States should brace itself for the possibility of renewed aggression. The CCP must prove its worthiness to the tens of millions of displaced people across China, making it prone to lashing out. Taiwan may be an appealing target; it has been spared from flooding and has been visible in assisting neighboring countries like Japan with post-flood reconstruction. Already, China has begun live-fire sea-crossing drills near Taiwan.

#### Attempts at Taiwan cause US draw in, even during decline.

Bernstein 20 (Richard Bernstein,, 8-17-2020, "The Scary War Game Over Taiwan That the U.S. Loses Again and Again," No Publication, <https://www.realclearinvestigations.com/articles/2020/08/17/the_scary_war_game_over_taiwan_that_the_us_loses_again_and_again_124836.html>) mvp

But as **the U.S. seeks a closer alliance with Taiwan** – illustrated by **the visit** of Health and Human Services Secretary Alex Azar there **last week, the highest-level official U.S. delegation to the island in 40 years** – the possibility of war between the two superpowers may be more than theoretical: A bill now before both houses of Congress, **the Taiwan Defense Act, would end the long-held American policy of “strategic ambiguity”** – which aims to keep China guessing as to the U.S. response to any attempt to take Taiwan by force – and **require the U.S. “to delay, degrade, and ultimately defeat” an attempt by China “to use military force to seize control of Taiwan.”**

#### War goes nuclear.

**Talmadge 18**, Caitlin [**PoliSci PhD from MIT**, Government BA from Harvard, Prof of Security Studies at Georgetown’s Walsh School of Foreign Service.] “Beijing’s Nuclear Option.” Foreign Affairs. October 15, 2018. https://www.foreignaffairs.com/articles/china/2018-10-15/beijings-nuclear-option TG

As China’s power has grown in recent years, so, too, has the risk of war with the United States. Under President Xi Jinping, China has increased its political and economic pressure on Taiwan and built military installations on coral reefs in the South China Sea, fueling Washington’s fears that Chinese expansionism will threaten U.S. allies and influence in the region. U.S. destroyers have transited the Taiwan Strait, to loud protests from Beijing. American policymakers have wondered aloud whether they should send an aircraft carrier through the strait as well. Chinese fighter jets have intercepted U.S. aircraft in the skies above the South China Sea. Meanwhile, U.S. President Donald Trump has brought long-simmering economic disputes to a rolling boil.

A war between the two countries remains unlikely, but the prospect of a military confrontation—resulting, for example, from a Chinese campaign against Taiwan—no longer seems as implausible as it once did. And the odds of such a confrontation going nuclear are higher than most policymakers and analysts think.

Members of China’s strategic com­munity tend to dismiss such concerns. Likewise, U.S. studies of a potential war with China often exclude nuclear weapons from the analysis entirely, treating them as basically irrelevant to the course of a conflict. Asked about the issue in 2015, Dennis Blair, the former commander of U.S. forces in the Indo-Pacific, estimated the likelihood of a U.S.-Chinese nuclear crisis as “somewhere between nil and zero.”

This assurance is misguided. If deployed against China, the Pentagon’s preferred style of conventional warfare would be a potential recipe for nuclear escalation. Since the end of the Cold War, the United States’ signature approach to war has been simple: punch deep into enemy territory in order to rapidly knock out the opponent’s key military assets at minimal cost. But the Pentagon developed this formula in wars against Afghanistan, Iraq, Libya, and Serbia, none of which was a nuclear power.

China, by contrast, not only has nuclear weapons; it has also intermingled them with its conventional military forces, making it difficult to attack one without attacking the other. This means that a major U.S. military campaign targeting China’s conventional forces would likely also threaten its nuclear arsenal. Faced with such a threat, Chinese leaders could decide to use their nuclear weapons while they were still able to.

As U.S. and Chinese leaders navigate a relationship fraught with mutual suspicion, they must come to grips with the fact that a conventional war could skid into a nuclear confrontation. Although this risk is not high in absolute terms, its consequences for the region and the world would be devastating. As long as the United States and China continue to pursue their current grand strategies, the risk is likely to endure. This means that leaders on both sides should dispense with the illusion that they can easily fight a limited war. They should focus instead on managing or resolving the political, economic, and military tensions that might lead to a conflict in the first place.

## 3

### 1NC—OFF

#### India Soft Power is high now – space is key.

Amaresh 21 Preethi Amaresh 8-6-2021 "The rise of India as a global soft power" <https://www.bridgeindia.org.uk/the-rise-of-india-as-a-global-soft-power/> (political scientist and an author of the books, "Nihonomics" and "Nanmin". She is pursuing her doctoral degree in International Relations from Geneva School of Diplomacy, Switzerland.)//Elmer

More innovative uses of soft power more recently Soft power has been expanded in diverse forms by succeeding governments in India. The government of Narendra Modi at present has been creating innovative trends in the realm of Indian diplomacy by blending contemporary elements of soft power. Today, the state has used specific soft power assets of India such as Diaspora, Yoga, Buddhism and economic support for accomplishing diplomatic triumphs and advancing the nation’s national interests. India’s Ministry of External Affairs (MEA) has determined to promote a “soft power matrix” to measure the effectiveness of the country’s soft power outreach. The goal of the MEA is going to be an indispensable test condition in the aforementioned regard. Initiatives such as ‘Destination India’ and ‘Know India’ have likewise been launched. Cultural centers like the Indian Council for Cultural Relations (ICCR) even organized a national convention ‘Destination India’ initiative for the first time in 2019 which believes that India can move up fast to be a leader of the global knowledge society. ‘Namaste diplomacy’ and ‘Medical diplomacy’ of India today has become the talk post-COVID-19. India’s supremacy in space statesmanship and technology is an added principally induced soft power means with endless prospects. India’s regional diplomacy has reached outer space with the nation launching its GSAT-9, also known as the South Asia Satellite, that aimed to bestow South Asian countries with space-enabled services. As an ancient civilization, India has a throbbing democracy, the largest in the world, a secular spirit and a speedily developing marketplace that grew to become the 5th most booming economy in 2019, overtaking the United Kingdom and France. India, to boost its communication, tourism, culture and soft power, on the whole, will have to forge multilateral and bilateral collaborations with different nations by enhancing its foreign policy and diplomacy. Due to the attractiveness of India’s culture, social values, and foreign policies in addition to the nation’s economic and military might, India will be better placed to join the rank of Asia’s great powers. India, which is expected to become a superpower by 2025, also possesses soft power advantage having a democratic system compared to China’s communist belligerent system. Since the last ten years, India has likewise elevated its indispensable resources in public diplomacy, by applying traditional and innovative channels to create and anchorage its soft power.

#### Private sector key to Indian space efforts.

**Krishnan 20** (Raghu Krishnan, Raghu Krishnan is the technology editor for the Economic Times. In the over two decades of reporting and managing teams, he has seen the Indian IT industry grow from $ 1 billion to nearly $ 191 billion. He has a deep understanding of the shifts the Indian IT industry has undergone over the years. He has also covered science and India's aerospace R&D industry., 12-7-2020, "New space policy may take local companies global: Sivan," Economic Times, https://economictimes.indiatimes.com/news/science/new-space-policy-may-take-local-companies-global-sivan/articleshow/79599874.cms?from=mdr TDI)

Bengaluru: India will draft a new space policy aimed at increasing private investments in the country’s space sector to build companies that are global in scale, Indian Space Research Organisation (Isro) chairman K Sivan told ET. The proposed regulations will be in addition to specific policies planned for launch vehicles, satellite navigation, human space mission and deep space exploration. “We want to create competition and get multiple companies in the space sector that can grow as global leaders,” Sivan said. Over 23 Indian and overseas companies have approached Isro since August seeking to harness assets built over six decades including rockets, satellites, ground stations and satellite imagery. The nodal agency is looking to transfer critical technologies through its commercial arm — New Space India Ltd (NSIL NSE -0.45 %) — to these companies at lower costs. “Space technology is costly. We want to make it viable for Indian industries and help them commercialise these technologies,” said Sivan. “We want to make the technology transfer a very simple and low-cost affair.” Last week, NSIL signed a pact to share technology as well as to allow testing facilities with Chennai-based startup Agnikul Cosmos to build a small rocket that can hurl 100 kg satellites to low-earth orbit. Bengaluru-based Pixxel, which is building India’s first private fleet of earth observation satellites, will launch its first satellite atop the homegrown polar satellite launch vehicle (PSLV) in 2021. So far, the department of space has released drafts of technology transfer policy, remote sensing and satellite communication policy for public comments. These draft policies state that Indian companies can now own and operate satellites, build rockets and launch them from Indian soil and offer satellite-based applications to consumers. The policies also define how sensitive dual-use technologies are to be utilised and stresses on the need for adherence to national and international laws. “The industry players are able to see the sea change (in our policies). They are asking for clarifications on some of them,” said Sivan. He added the policies will be notified after consultations. India is adopting the model of the US space agency National Aeronautics and Space Administration (NASA), which allowed private firms such as SpaceX to get access to its technology and facilities to build reusable rockets that have carried humans to space this year. NASA also allows startups to compete and build vehicles and solutions for its programmes, including deep space missions. The policies are also designed to make India a global hub for satellite manufacturing and launches and providing satellite-based services for global customers. Hyderabad-based Aerospace firm Ananth Technologies is setting up a joint venture with US satellite operator Saturn Satellites, through which it will first build two communication satellites and launch them locally on an Indian rocket. Ananth is the first Indian private company to tap the global market after India opened up its space sector, which allows private firms to build satellites and rockets and offer space services from the country. “Earlier, when IITs produced aero-space engineers, there was not a strong domestic industrial ecosystem to employ them. Today, with our historic reforms in the space sector, the last frontier before humanity has opened up to Indian talent,” Prime Minister Narendra Modi told a Pan IIT conference on Friday. India has nearly 50 space startups in the sector and over 1,000 companies — both small and medium enterprises (SMEs) and large enterprises such as Larsen & Toubro, Godrej Aerospace, Tata Advanced Systems and Hindustan Aeronautics, which have been vendors to Isro, building systems and subsystems for the space programme. After opening the space sector to private firms in August, the department of space formed Indian National Space Promotion and Authorisation Centre (IN-SPACe), a new body that will act as a regulator whose rulings would apply to the space agency as well as private firms in the country. Sivan said an independent board is being set up and an approval is expected from the government by the end of December.

#### Space amplifies other aspects of India’s Soft Power Projection.

Kathayat 20 Sarthak Kathayat 11-1-2020 "Soft Power and India’s Space Diplomacy" <https://niice.org.np/archives/6420> (Media graduate from Guru Gobind Singh Indraprastha University)//Elmer

In international relations, soft power is the ability of any country to persuade other countries to do what it wants without the use of force. According to Joseph Nye Jr., soft power is – getting others to want the outcomes that you want – co-opts people rather than coerces them. As compared to hard power, soft power takes relatively longer to built as its intangible resources develop over a long time. Soft power tends to change other party’s attitude to the end where she acts voluntarily in a way which is different to her usual behaviour. Several characteristics of the current world order like globalisation driven economic interdependence, rise of transnational actors, resurgence of nationalism in weak states, the spread of military technology and the changed nature of international political problems have significantly reduced the effectiveness of hard power strategies. The most noteworthy example of a foreign policy misadventure based solely on hard power strategies is the 2003 US invasion of Iraq. Soft power also has its own weakness. However, the ineffectiveness of soft power strategies is an exception. In longer-term, soft power strategies appear to be more effective in the contemporary world order than the hard power. One such tool of soft power is the space technology and space diplomacy. Space technology are increasingly viewed as a crucial instrument of soft power as states have now understood the direct relation between the technological feats and global prestige that follows. Expertise in rocket science puts a state on a higher pedestal than the countries who are still struggling in the domain. Moreover, expertise in rocket science ensues significant strategic implications. The output delivered has noteworthy social and economic relevance with a massive growth potential. In a broadening concept of security that encompasses other dimensions such as economic, environmental and political, Indian space programme has been distinctive and lucid in the way it simultaneously addresses the requirements of the Indian citizenry and the state collectively in all the dimensions. Despite being challenged by numerous embargoes and technology denial regimes during Cold War, Indian space programme has emerged as the most cost-effective and successful space programme in the world. India’s space programme has been a tremendous achievement for a developing country which despite being faced with many challenges used space as a crucial mechanism to lift its people out of poverty through education, social and economic programmes. With the course of time, India’s space policy has become an intrinsic part of India’s foreign policy to strengthen India’s position as a dominant power in South Asia. Indian Space Programme India’s space programme has been seen making efforts in projecting soft power which is especially evident through its new commitment to planetary exploration and human spaceflight. The Chandrayaan-1 and Mangalyaan-1 mission cleared the fact that India now looks at space as a standard of global standing. India’s soft power has witnessed a progression with an increasingly successful participation in global space economy through ISRO’s commercial arm, Antrix Corporation. India’s growing influence on the global space economy has been an indication of its changing stature in international arena. India has also been involved in capacity building initiatives. It has successfully established itself as a leader in terms of healthcare provisions through satellite-based telemedicine. India hosts the largest telemedicine network in South Asia which has also expanded to the African continent. A non-profit Indian organisation named Apollo Telemedicine Networking Foundation has been involved in telemedicine services with dedicated centres in Iraq, Yemen, Kazakhstan and Myanmar. India’s Space Diplomacy Further using space for diplomacy in order to project its soft power across the globe, India has assisted countries like Colombia in launching its satellite which boosted India-Colombia relations. Many Latin American countries are often dependent on the US for space and military matters. However, after the launch, many countries like Argentina, Bolivia, Brazil, Chile, Ecuador, Mexico, Nicaragua and Venezuela have reached out to ISRO for launching or developing satellites. Similarly, India’s PSLV also launched Israel’s TecSar satellite in 2008 for remote sensing purposes. The launch boosted the political and strategic relations with Israel. Once a recipient of space technology from developed countries, India has demonstrated the robustness of its own space programmes by setting up joint projects and even providing assistance at the time of disaster to a number of countries. ISRO’s Oceansat-2 satellite played a pertinent role in monitoring Hurricane Sandy and helping the authorities to implement timely disaster mitigation and rescue strategies. Adding more feathers to its hat, ISRO has also launched dozens of satellites for US, Europe and Britain based companies. The recent launches of British reconnaissance satellites, NovaSAR and S1-4 are a sign of what could come next. Britain is one of the EU’s biggest spender in space sector. After Brexit, the dispute over Britain’s continued access to the European Union’s Galileo satellite navigation project will inevitably lead Britain look for alternatives and India’s space ambitions could offer a tempting proposition within the ambit of wider bilateral cooperation. As a part of India’s efforts in space diplomacy, ISRO undertook another capacity building initiative ‘Unispace Nanosatellite Assembly and Training (UNNATI)’. Under UNNATI, ISRO planned to train 45 countries in making Nano-satellites. Closer to home, India proposed a SAARC satellite in 2014 for the overall development of the region. The proposal was welcomed by SAARC nations but unfortunately the proposal couldn’t materialise as envisioned initially due to Pakistan’s backing out from the project. However, three years later, in 2017, ISRO launched the South Asia satellite or GSAT-9 to help India’s neighbouring countries in space communication. The idea of South Asia satellite ensured no political impediment as with the case of SAARC satellite. The positive spill over effect of the satellite’s launch on India’s “neighbourhood first” diplomacy was well demonstrated by the warm responses given by the leaders of South Asian countries. India’s space diplomacy with neighbours also extends on a bilateral basis. For instance, in Afghanistan, India included remote sensing satellite transmitters for acquiring space-based data in a USD 1.2 billion aid package. It is evident that soft power strategies are more relevant than the hard power strategies, especially in the contemporary world order. The rise of China as an emerging superpower is backed with its economic and military might leave less avenues for other developing nations such as India to contest China. However, soft power strategies open up another dimension for the interaction of the nations. India has utilised space as a tool of its soft power effectively in order to expand its clout. That space being an intrinsic part of India’s foreign policy has brought numerous achievements to the country, and is expected to remain an essential element for future course of India’s foreign policy.

#### Indian leadership is key to stability in the South China Sea.

**Bhalla 21** [Abhishek Bhalla, Abhishek Bhalla is an Editor with India Today TV chasing news stories on defence, strategic affairs, security and conflict. His work takes him to military zones to report accurately on the ground realities. Working as a journalist since 2005, his experience spans working across platforms -- newspaper, magazine, broadcast and now trying new things on the digital space. In the past has extensively covered crime, investigationg agencies and courts. 6-16-2021, accessed on 11-2-2021, India Today, "India supports freedom of navigation in int’l waterways like South China Sea: Defence Minister Rajnath Singh ", <https://www.indiatoday.in/india/story/india-navigation-south-china-sea-defence-minister-rajnath-singh-china-1815476-2021-06-16>] Adam

India supports freedom of navigation, over flight, and unimpeded commerce in these international waterways, Defence Minister Rajnath Singh said on Wednesday as he spoke about maritime security challenges and made a reference to developments in the South China Sea hinting at China’s expansionist policy. “The sea lanes of communication are critical for peace, stability, prosperity and development of the Indo-Pacific region. In this regard, developments in the South China Sea have attracted attention in the region and beyond,” Rajnath Singh said in his address at the eighth meeting of defence ministers from the Association of Southeast Asian Nations (Asean). Rajnath Singh was referring to the escalating territorial conflict in the South China Sea. China lays claim to nearly all of South China leading to tensions over territorial rights in the waters with Brunei, Indonesia, Malaysia, Philippines, Taiwan, and Vietnam. Earlier this month, Malaysia scrambled jets to intercept Chinese aircraft it accused of breaching its airspace. “India hopes that the Code of Conduct negotiations will lead to outcomes that are in keeping with international law, including the United Nations Convention on the Law of the Sea (UNCLOS) and do not prejudice the legitimate rights and interests of nations that are not a party to these discussions,” he said. India calls for a free, open and inclusive order in the Indo-Pacific, based upon respect for sovereignty and territorial integrity of nations, peaceful resolution of disputes through dialogue and adherence to international rules and laws, Rajnath Singh said. The ministers gathered online for a meeting hosted by Brunei, this year's Asean chair. “India has strengthened its cooperative engagements in the Indo-Pacific based on converging visions and values for promotion of peace, stability, and prosperity in the region,” the minister said. The minister added that India supports the utilisation of Asean-led mechanisms as important platforms for the implementation of our shared vision for the Indo-Pacific. India’s engagement with the South East Asian region, of which ASEAN has been a primary component, is based on its ‘Act East Policy’ announced by PM Narendra Modi in November, 2014. Key elements of this policy are to promote economic cooperation, cultural ties and develop strategic relationships with countries in the Indo-Pacific region through continuous engagement at bilateral, regional and multilateral levels. Talking about terrorism, Singh said terrorism and radicalization are the gravest threats to peace and security that the world is facing today. He said India shares global concerns about terrorism and believes that in an era when networking amongst terrorists is reaching alarming proportions, only through collective cooperation can the terror organizations and their networks be fully disrupted, the perpetrators identified and held accountable, and strong measures are undertaken against those who encourage, support and finance terrorism and provide sanctuary to terrorists. “As a member of the Financial Action Task Force (FATF), India remains committed to combat financing of terrorism,” the minister said. He also asserted that cyber threats loom large, as demonstrated by incidents of ransomware, Wannacry attacks and cryptocurrency thefts and are a cause of concern. A multi-stakeholder approach, guided by democratic values, with a governance structure that is open and inclusive and a secure, open and stable internet with due respect to the sovereignty of countries, would drive the future of cyberspace, Singh said. He also said that India shares a deep connect with Asean and has continued its active engagement in many areas contributing to regional peace and stability, particularly through Asean-led mechanisms.

## 4

### 1NC—OFF

#### Their understanding of “space” replicates a Western theorization of place as neutral space that relegates indigenous peoples to colonial authority by creating “cultural blanks” to be filled in by peaceful settlement

Barker and Pickerill 12 (Adam J Barker, and Jenny Pickerill, Department of Geography @ Univ of Leicester. “Radicalizing Relationships To and Through Shared Geographies: Why Anarchists Need to Understand Indigenous Connections to Lands and Place” Antipode.

Colonial Impacts on Perceptions of Place Indigenous understandings of place have generated criticism of many aspects of society in the northern bloc: Christian theology’s influence on political and economic colonial practice (Deloria 2003); the concept of “sovereignty” and the state system (Alfred 2006); constitutionalism as a method of governmental organization (Tully 1995; 2000); capitalism and relationships under a capitalist system (Adams 1989:17); language and culture (Basso 1996) and many other understandings of place, space, nature, and human relationships. Indigenous relationships to place fundamentally challenge colonial spatial concepts, from the ways that we move from place to place and through spaces (Pandya 1990) to how we move through time (Jojola 2004). Indeed Coulthard (2010:79) asserts that for Indigenous people place is central to understandings of life, whereas “most Western societies . . . derive meaning from the world in historical/developmental terms, thereby placing time as the narrative of central importance”. Historically, EuroAmerican cultures conceived of human relations to the environment in one of two ways, which John Rennie Short labels the “classical and romantic” (Short 1991:6): either “natural” places are improved through development and human spatial creation and use (with “wilderness” as a frightening, exterior “ other”), or despoiled through human contact and change (with the natural environment as a pristine and perfect spatial concept, and the suggestion that human identity must be bounded within it). Both conceptually marginalize or fully erase Indigenous presence in place. Contra this erasure, Indigenous peoples’ understandings of place have become important to the understanding of colonial geographies and the efforts of anti-colonial activists.2 Indigenous peoples have traditionally related to place through spatially stretched and dynamic networks of relationships (Cajete 2004; Johnson and Murton 2007). These networks bear some resemblance to Sarah Whatmore’s concept of hybrid geography, “which recognizes agency as a relational achievement, involving the creative presence of organic beings, technological devices and discursive codes, as well as people, in the fabrics of everyday living” (Whatmore 1999:26). Through these, Indigenous peoples have challenged the classical/romantic dichotomy that continues to haunt some aspects of anarchist spatial perceptions. For Indigenous peoples, place holistically encapsulates networks of relations between humans, features of the land, non-human animals, and living beings perceived as spirits or non-physical entities. All of these—humans included— are understood to have autonomy and will, but also obligation and responsibility to all of the other elements to which they are related and among whom they are situated. As such, we acknowledge that land and place are different to each other but seek to use the way they are interrelated throughout this article. Although land can be considered as material, its meaning is constantly interwoven into the relationality of place so that land is often taken to have multiple meanings beyond its simple materiality—as a resource, as identity and as relationship (Coulthard 2010). Indigenous peoples assaulted by settler colonization have and continue to face concerted attempts to break Indigenous connections to place. Religious conversion, for example, has had a massive impact on the ways that Indigenous peoples perceive the spaces occupied by spirit and otherwise metaphysical beings. Though no longer considered “tantamount to a complete transformation of cultural identity” (Axtell 1981:42), conversion to and participation in hierarchical-organized, spatially dislocated, and temporally defined Judeo-Christian religions (Deloria 2003:62–77) encouraged Indigenous peoples to see the spiritual as something above (literally) and beyond the direct contact of the human world. The general result is displacement and dislocation.

#### Thus, the only alternative is decolonization. Prioritize impacts that center indigenous scholarship and resistance – any ethical commitment requires that the aff places itself in the center of native scholarship and demands; independently, the judge must surrender to indigenous resistance because an ethic of incommensurability necessitates

Tuck and Yang 12

(Eve Tuck, Unangax, State University of New York at New Paltz K. Wayne Yang University of California, San Diego, Decolonization is not a metaphor, Decolonization: Indigeneity, Education & Society Vol. 1, No. 1, 2012, pp. 1-40, JKS)

An ethic of incommensurability, which guides moves that unsettle innocence, stands in contrast to aims of reconciliation, which motivate settler moves to innocence. Reconciliation is about rescuing settler normalcy, about rescuing a settler future. Reconciliation is concerned with questions of what will decolonization look like? What will happen after abolition? What will be the consequences of decolonization for the settler? Incommensurability acknowledges that these questions need not, and perhaps cannot, be answered in order for decolonization to exist as a framework. We want to say, first, that decolonization is not obliged to answer those questions - decolonization is not accountable to settlers, or settler futurity. Decolonization is accountable to Indigenous sovereignty and futurity. Still, we acknowledge the questions of those wary participants in Occupy Oakland and other settlers who want to know what decolonization will require of them. The answers are not fully in view and can’t be as long as decolonization remains punctuated by metaphor. The answers will not emerge from friendly understanding, and indeed require a dangerous understanding of uncommonality that un-coalesces coalition politics - moves that may feel very unfriendly. But we will find out the answers as we get there, “in the exact measure that we can discern the movements which give [decolonization] historical form and content” (Fanon, 1963, p. 36). To fully enact an ethic of incommensurability means relinquishing settler futurity, abandoning the hope that settlers may one day be commensurable to Native peoples. It means removing the asterisks, periods, commas, apostrophes, the whereas’s, buts, and conditional clauses that punctuate decolonization and underwrite settler innocence. The Native futures, the lives to be lived once the settler nation is gone - these are the unwritten possibilities made possible by an ethic of incommensurability.*when you take away the punctuation he says of lines lifted from the documents about military-occupied land its acreage and location you take away its finality opening the possibility of other futures* -Craig Santos Perez, Chamoru scholar and poet (as quoted by Voeltz, 2012)

Decolonization offers a different perspective to human and civil rights based approaches to justice, an unsettling one, rather than a complementary one. Decolonization is not an “and”. It is an elsewhere.

#### Our interpretation is that the judge ought to evaluate the aff as a research project – they don’t get to weigh the material implementation of the case absent winning their epistemology is good. Hold the line—the 1AC had 2 util justifications which means you should make the 1AR stringently explain their model.

#### 1. Plan focus restricts the debate to a ten second statement and leaves the rest of the aff unquestioned. They should be responsible for the way their knowledge is constructed and used because that produces the best model for activism and ethics in the context of their aff, and justifications and representations influence our political advocacy.

#### 2. The K is a prior question – it informs the value of the game – if we win debate trains students to be violent outside of their rounds, that should come first.

#### I’ll preempt extinction first – we agree materiality is good which means the 1AR can’t make a perfcon argument, but it’s a question of impact calc – Pummer doesn’t apply. Independently, value to life outweighs – we can’t experience ethical value if we are ontologically excluded by securitization

## Case

#### Top level—the plan does not solve anything—they’ve read evidence which says regulations like the aff are ineffective and that mining is inevitable

#### Tracking debris exists now and solves collisions, which 1AC **Dello-Iacovo says is key**

**Mosher** **’19** [Dave; September 3rd; Journalist with more than a decade of experience reporting and writing stories about space, science, and technology; Business Insider, “Satellite collisions may trigger a space-junk disaster that could end human access to orbit. Here’s How,” <https://www.usafa.edu/app/uploads/Space_and_Defense_2_3.pdf>; GR]

The Kessler syndrome plays center-stage in the movie "Gravity," in which an accidental space collision endangers a crew aboard a large space station. But Gossner said that type of a runaway space-junk catastrophe is unlikely. "Right now I don't think we're close to that," he said. "I'm not saying we couldn't get there, and I'm not saying we don't need to be smart and manage the problem. But I don't see it ever becoming, anytime soon, an unmanageable problem." There is no current system to remove old satellites or sweep up bits of debris in order to prevent a Kessler event. Instead, space debris is monitored from Earth, and new rules require satellites in low-Earth orbit be deorbited after 25 years so they don't wind up adding more space junk. "Our current plan is to manage the problem and not let it get that far," Gossner said. "I don't think that we're even close to needing to actively remove stuff. There's lots of research being done on that, and maybe some day that will happen, but I think that — at this point, and in my humble opinion — an unnecessary expense." A major part of the effort to prevent a Kessler event is the Space Surveillance Network (SSN). The project, led by the US military, uses 30 different systems around the world to identify, track, and share information about objects in space. Many objects are tracked day and night via a networkof radar observatories around the globe. Optical telescopes on the ground also keep an eye out, but they aren't always run by the government. "The commercial sector is actually putting up lots and lots of telescopes," Gossner said. The government pays for their debris-tracking services. Gossner said one major debris-tracking company is called Exoanalytic. It uses about 150 small telescopes set up around the globe to detect, track, and report space debris to the SSN. Telescopes in space track debris, too. Far less is known about them because they're likely top-secret military satellites. Objects detected by the government and companies get added to a catalog of space debris and checked against the orbits of other known bits of space junk. New orbits are calculated with supercomputers to see if there's a chance of any collisions. Diana McKissock, a flight lead with the US Air Force's 18th Space Control Squadron, helps track space debris for the SSN. She said the surveillance network issues warnings to NASA, satellite companies, and other groups with spacecraft, based on two levels of emergency: basic and advanced. The SSN issues a basic emergency report to the public three days ahead of a 1-in-10,000 chance of a collision. It then provides multiple updates per day until the risk of a collision passes. To qualify for such reporting, a rogue object must come within a certain distance of another object. In low-Earth orbit, that distance must be less than 1 kilometer (0.62 mile); farther out in deep space, where the precision of orbits is less reliable, the distance is less than 5 kilometers (3.1 miles). Advanced emergency reports help satellite providers see possible collisions much more than three days ahead. "In 2017, we provided data for 308,984 events, of which only 655 were emergency-reportable," McKissock told Business Insider in an email. Of those, 579 events were in low-Earth orbit (where it's relatively crowded with satellites).

#### The debris propagation model is a process not an event---timeframe is decades and intervening actors check. Err neg -- this is Kessler, the guy who made that model.

Burns Interviewing Kessler **’**13 Corrinne Burns, interviewing Donald Kessler, who made up the concept. [Space junk apocalypse: just like Gravity? 11-15-2013, https://www.theguardian.com/science/blog/2013/nov/15/space-junk-apocalypse-gravity]//BPS

Now? Are we in trouble? Not yet. Kessler syndrome isn't an acute phenomenon, as depicted in the movie – it's a slow, decades-long process. "It'll happen throughout the next 100 years – we have time to deal with it," Kessler says. "The time between collisions will become shorter – it's around 10 years at the moment. In 20 years' time, the time between collisions could be reduced to five years." Fortunately, communications satellites are, in the main, situated high up in geosynchronous orbit (GEO), whereas the risk of collisions lies mainly in the much lower, and more crowded, low Earth orbit (LEO). But that doesn't mean we can relax. "We've got to get a handle on it – we need to prevent the cascade process from speeding up." And the only way to do that is, he says, to begin actively removing junk from space. Charlotte Bewick agrees. She's a mission concepts engineer with the German space technology company OHB System, with special expertise in space junk – specifically, how we can capture it and bring it back to Earth. While agreeing with Kessler that the movie scenario is exaggerated, she remains concerned. "Fragments of junk can naturally re-enter the atmosphere [and so be removed from orbit]. But we're at the stage where the rate of creation of new debris fragments is higher than the rate of natural removal. The orbits most at risk harbour important space assets – satellites for weather forecasting, oil spill and bush fire detection, and polar ice monitoring." Bewick highlights the case of Envisat, a defunct 8,000kg spacecraft circling Earth in an orbit that is very popular with space agencies and, hence, pretty crowded. "If Envisat collides with a piece of debris or a micrometeorite, the fragments could render the whole orbital region unusable." So can we get the junk down, I asked Massimiliano Vasile, part of the Mechanical & Aerospace Department at the University of Strathclyde and co-ordinator of the Stardust network. He told me defunct satellites in the high GEO region have, for some time, been shifted to higher "graveyard orbits" to keep them out of the way. But that's not an option for items in low Earth orbit. For this, he tells me, researchers are looking seriously into active debris removal – in-orbit capture techniques like harpooning, netting and tethering, the use of contactless systems like ion-beams or lasers, and even onboard robotics to position the junk away from high-risk orbital regions. As for middle Earth orbit – well, ideas are welcome, he says. We're in no immediate danger from Kessler syndrome – but it's not a problem that's going away. Despite Gravity's artistic license, Donald Kessler is pleased to see the phenomenon represented on the big screen. "It is very improbable that events would play out as they did in the film," he says. "But if it raises awareness, then that's great."

#### Congestion induces restraint, not aggression.

Bowen 18 [Bleddyn, Lecturer in International Relations at the University of Leicester; ELN; 20 Februrary 2018; “The Art of Space Deterrence,” <https://www.europeanleadershipnetwork.org/commentary/the-art-of-space-deterrence/>] brett

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

#### Their ev overhypes escalation---be suspect.

Bowen 18 [Bleddyn, Lecturer in International Relations at the University of Leicester; ELN; 20 Februrary 2018; “The Art of Space Deterrence,” <https://www.europeanleadershipnetwork.org/commentary/the-art-of-space-deterrence/>] brett

Space is often an afterthought or a miscellaneous ancillary in the grand strategic views of top-level decision-makers. A president may not care that one satellite may be lost or go dark; it may cause panic and Twitter-based hysteria for the space community, of course. But the terrestrial context and consequences, as well as the political stakes and symbolism of any exchange of hostilities in space matters more. The political and media dimension can magnify or minimise the perceived consequences of losing specific satellites out of all proportion to their actual strategic effect.

#### Space cooperation does not spillover to other areas

**Pollpeter et al 15** (Kevin Pollpeter – research scientist @ CNA China Studies Division, internationally recognized expert on China's space program, M.A. in international policy studies from the Monterey Institute of International Studies. Eric Anderson – one of the leading entrepreneurs in the space industry, co-founder of Space Adventures and current Chairperson, NASA consultant/researcher, B.S. in aerospace engineering from the University of Virginia. Jordan Wilson – MA in International Affairs from the UC San Diego School of Global Policy and Strategy. Policy Analyst @ the U.S.-China Economic and Security Review Commission. Fan Yang – M.Sc. in Space Studies from International Space University, M.Sc. in Mechanical & Aerospace Engineering from the Illinois Institute of Technology, Aerospace Engineer @ NASA. <KEN> “China Dream, Space Dream China’s Progress in Space Technologies and Implications for the United States,” U.S.-China Economic and Security Review Commission. March 2, 2015. DOA: 7/21/19. <https://www.uscc.gov/sites/default/files/Research/China%20Dream%20Space%20Dream_Report.pdf>)

The importance of China’s space diplomacy should not be overstated, however. Relations in space do not drive relations on Earth. International cooperatio)n on space activities usually follows progress in the overall relationship and is more of an indicator of the state of a relationship than a critical component. Although China’s increasing space power does play a role in advancing its diplomatic interests, there is no evidence that it has directly produced tangible political benefits in other areas besides space.632 As its space power increases this may change. China, for example, could have more of a say in international technical organizations such as the International Telecommunications Union over rules governing satellites and satellite frequency issues, but as yet this is unrealized.

#### The plan must occur through ratifying a binding treaty, otherwise governments can re-interpret the public trust doctrine in domestic courts to get out of any obligation not to appropriate space.

#### SPACE Act proves states will reinterpret the law however they want if they’re left to implement domestically.

Durrani 19 [Haris A. \*J.D. candidate, Columbia Law School; Ph.D. candidate, Princeton University, Department of History (Program in History of Science). “Interpreting Space Resources Obtained: Historical and Postcolonial Interventions in the Law of Commercial Space Mining” <https://www.jtl.columbia.edu/volume57-3/interpreting-space-resources-obtained-historical-and-postcolonial-interventions-in-the-law-of-commercial-space-mining>] brett

This Note addresses a fundamental ambiguity in the U.S. Commercial Space Launch Competitiveness Act of 2015 (“CSLCA”). It is unclear whether the statute authorizes U.S. citizens to extract natural resources from asteroids and other celestial bodies, as is commonly assumed. Alternatively, the statute can be read to merely entitle citizens to resources that have already been obtained, where the regime for actually obtaining such resources remains undetermined. The Note resolves this issue in favor of the interpretation that best aligns with international law and policy. It first shows that the relevant elements of international law—the Outer Space Treaty of 1967 (“OST”) and customary international law (“CIL”)—do not resolve the issue. The Note then adopts a broader approach by considering the OST’s anti-imperial policy. By engaging scholarship on law, colonialism, and empire, this approach centers Global South States in space law discourse. This approach reveals two ways in which the more commonly accepted interpretation of the CSLCA cuts against the anti-imperial policy of the OST, related to the distinction between private and State extraction and to State conferral of property rights. To avoid contradicting these policy concerns, the CSLCA should be read narrowly, such that it leaves open future determination of the space resources regime. Finally, the Note offers guidance for such a regime. It argues that CIL development based on subsequent legislation or mining would let Global North States asymmetrically shape international law, which would contradict the OST’s anti-imperial policy. Instead, the Note recommends multilateral agreements that employ organizationally diverse models, which mix collective and private ownership. The Note ends by reflecting on lingering questions in the context of development and the Global South.

Pavur and Martinovic 19 [James Pavur, DPhil Researcher Cybersecurity Centre for Doctoral Training Oxford University, Ivan Martinovic, Professor of Computer Science Department of Computer Science Oxford University, “The Cyber-ASAT: On the Impact of Cyber Weapons in Outer Space,” 2019 11th International Conference on Cyber Conflict: Silent Battle, <https://ccdcoe.org/uploads/2019/06/Art_12_The-Cyber-ASAT.pdf>] brett

3. STABILITY IN SPACE Given the uncomfortable combination of high dependency and low survivability, one might expect to observe frequent attacks against critical military assets in orbit. However, despite decades of recurring prophesies of impending space war, no such conflict has broken out [14]–[18]. It is true that a handful of space security crises have occurred; most notably, the 2007 Chinese anti-satellite weapon (ASAT) test and the 2008 US ASAT demonstration in response [19]. Moreover, a recent Centre for Strategic and International Studies report suggests increasing interest in attacking US space assets, particularly among the Chinese, Russian, North Korean and Iranian militaries [20]. Overall, however, the space domain has remained puzzlingly peaceful. In this section, we outline three major contributors to this enduring stability: limited accessibility, attributable norms, and environmental interdependence. A. Limited Accessibility Space is difficult. Over 60 years have passed since the first Sputnik launch and only nine countries (ten including the EU) have orbital launch capabilities. Moreover, a launch programme alone does not guarantee the resources and precision required to operate a meaningful ASAT capability. Given this, one possible reason why space wars have not broken out is simply because only the US has ever had the ability to fight one [21, p. 402], [22, pp. 419–420]. Although launch technology may become cheaper and easier, it is unclear to what extent these advances will be distributed among presently non-spacefaring nations. Limited access to orbit necessarily reduces the scenarios which could plausibly escalate to ASAT usage. Only major conflicts between the handful of states with ‘space club’ membership could be considered possible flashpoints. Even then, the fragility of an attacker’s own space assets creates de-escalatory pressures due to the deterrent effect of retaliation. Since the earliest days of the space race, dominant powers have recognized this dynamic and demonstrated an inclination towards de-escalatory space strategies [23]. B. Attributable Norms There also exists a long-standing normative framework favouring the peaceful use of space. The effectiveness of this regime, centred around the Outer Space Treaty (OST), is highly contentious and many have pointed out its serious legal and political shortcomings [24]–[26]. Nevertheless, this status quo framework has somehow supported over six decades of relative peace in orbit. Over these six decades, norms have become deeply ingrained into the way states describe and perceive space weaponization. This de facto codification was dramatically demonstrated in 2005 when the US found itself on the short end of a 160-1 UN vote after opposing a non-binding resolution on space weaponization. Although states have occasionally pushed the boundaries of these norms, this has typically occurred through incremental legal re-interpretation rather than outright opposition [27]. Even the most notable incidents, such as the 2007-2008 US and Chinese ASAT demonstrations, were couched in rhetoric from both the norm violators and defenders, depicting space as a peaceful global commons [27, p. 56]. Altogether, this suggests that states perceive real costs to breaking this normative tradition and may even moderate their behaviours accordingly. One further factor supporting this norms regime is the high degree of attributability surrounding ASAT weapons. For kinetic ASAT technology, plausible deniability and stealth are essentially impossible. The literally explosive act of launching a rocket cannot evade detection and, if used offensively, retaliation. This imposes high diplomatic costs on ASAT usage and testing, particularly during peacetime. C. Environmental Interdependence A third stabilizing force relates to the orbital debris consequences of ASATs. China’s 2007 ASAT demonstration was the largest debris-generating event in history, as the targeted satellite dissipated into thousands of dangerous debris particles [28, p. 4]. Since debris particles are indiscriminate and unpredictable, they often threaten the attacker’s own space assets [22, p. 420]. This is compounded by Kessler syndrome, a phenomenon whereby orbital debris ‘breeds’ as large pieces of debris collide and disintegrate. As space debris remains in orbit for hundreds of years, the cascade effect of an ASAT attack can constrain the attacker’s long-term use of space [29, pp. 295– 296]. Any state with kinetic ASAT capabilities will likely also operate satellites of its own, and they are necessarily exposed to this collateral damage threat. Space debris thus acts as a strong strategic deterrent to ASAT usage.