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## 1

#### I: Affirmatives can only defend whether exclusive possession is unjust.

* The definition is from Black’s Law Dictionary

Su 17 [Jinyuan Su, Professor and Assistant Dean at Xi'an Jiaotong University School of Law, China, “Legality of unilateral exploitation of space resources under international law,” 2017, *International & Comparative Law Quarterly*, Vol. 66, Issue 4, pp. 991-1008, https://doi.org/10.1017/S0020589317000367, EA]

The Outer Space Treaty does not prohibit expressis verbis the extraction of space resources. However, there exists a possibility that the recognition of property rights by a State, which is a party to the Outer Space Treaty, over resources extracted in outer space may conflict with its international obligations under Article II of the treaty, which proscribes the national appropriation of outer space 'by claim of sovereignty, by means of use or occupation, or by any other means'.26 The term 'appropriation' means '[t]he exercise of control over property; a taking of possession'.27

#### V: They ban use which is distinct from appropriation.

Harris No Date [Philip R Harris, Ph.D.; Visiting Professor in the California School of International Management, “Space Law and Space Resources,” No Date, *National Space Society*, https://space.nss.org/settlement/nasa/spaceresvol4/spacelaw.html, Accessed: 01/20/22, EA]

According to the present space law, all mining in space-lunar, asteroidal, or planetary-is treated alike. The operative treaty provisions are (1) that space is reserved for the benefit and is the province of all mankind; (2) that every nation shall have equal access to outer space; (3) that nations cannot appropriate space under any claim of national sovereignty; (4) nevertheless, that nations are free to explore and "use" outer space. The official positiion of the United States. clearly enunciated in the debates of UNCOPUOS, interprets these provisions to permit any nation or corporation to mine (Artist Pat Rawlings rendering of lunar mining and processing) and otherwise use the resources of outer space.

#### Negate –

#### 1 – Extra T – going beyond the resolution makes it impossible to determine if the resolutional part of their action was justifiable – means they haven’t affirmed. Independently justifies adding planks to the aff to spike our best neg ground and solvency deficits.

#### 2 – Limits – opening the topic up to restricting any use of space lets them spec subsets of specific private sector activities like companies, satellites, and programs – moots the core question of whether private space property is just and spikes any possible generic deficits on the topic.

#### Drop the debater – abusive advocacies skew substance – 1AR restart doesn’t check 1NC construction.

#### Competing interps – offense proves they’re not reasonable and anything else encourages arbitrary judge intervention.

#### No RVIs – leads to baiting T and chilling checks on abusive AFFs – causes substance crowdout.

## 2

#### Interp: Debaters must disclose tournaments on the 2021-2022 NDCA LD wiki under the actual name of the tournament on tabroom for every round at said tournament. Violation: The names are “Peninsula” and “Apple Valley” on tab

#### See ss from shell below

#### The standard is inclusion - they make debate inaccessible to novices or small schools who compete on the circuit but don’t have access to resources or have knowledge of debate lingo to know the shorthand nicknames for tournaments. Two internal links to accessibility - 1) lets debaters see if you won or lost on tab going for specific strategies or hitting specific strategies, letting debaters adapt around that and b) lets debaters see what speaks judges gave to help them see how good you were at going for x argument. Independently links into reciprocity since if I disclosed one way and you didnt’ you had the advantage in this round. Outweighs - none of their standards matter if debaters can’t access them and means reasonability is uniquely wrong since even a 1 risk of exclusion is bad, you obviously don’t say some level of exclusion is justifie

#### DTD to deter abuse; no rvis – don’t win on being fair and leads to baiting theory

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## 3

#### I: Private entity means not government-affiliated.

UC No Date [UpCounsel, online marketplace for legal services, “Private Entity: Everything You Need to Know,” No Date, UpCounsel, https://www.upcounsel.com/private-entity, Accessed: 01/15/22, EA]

A private entity can be a partnership, corporation, individual, nonprofit organization, company, or any other organized group that is not government-affiliated

#### Violation – they ban government-affiliated businesses –1AC proves-- if the PRC is using the private entity then its government affiliated.

#### Vote neg:

#### 1 – Limits – they expand the topic to non-private entities – doubles the sectors we have to prep for

#### 2 – Ground – core of topic is private vs public space – they read out that discussion.

## 4

#### Interpretation: Affirmatives may not specify a subset of nations - the lack of country-based actor in the resolution means we should assume it applies at a global level.

Nebel 19. [Jake Nebel is an assistant professor of philosophy at the University of Southern California and executive director of Victory Briefs. He writes a lot of this stuff lol – duh.] “Genericity on the Standardized Tests Resolution.” Vbriefly. August 12, 2019. <https://www.vbriefly.com/2019/08/12/genericity-on-the-standardized-tests-resolution/?fbclid=IwAR0hUkKdDzHWrNeqEVI7m59pwsnmqLl490n4uRLQTe7bWmWDO_avWCNzi14> TG

Both distinctions are important. Generic resolutions can’t be affirmed by specifying particular instances. But, since generics tolerate exceptions, plan-inclusive counterplans (PICs) do not negate generic resolutions. Bare plurals are typically used to express generic generalizations. But there are two important things to keep in mind. First, generic generalizations are also often expressed via other means (e.g., definite singulars, indefinite singulars, and bare singulars). Second, and more importantly for present purposes, bare plurals can also be used to express existential generalizations. For example, “Birds are singing outside my window” is true just in case there are some birds singing outside my window; it doesn’t require birds in general to be singing outside my window. So, what about “colleges and universities,” “standardized tests,” and “undergraduate admissions decisions”? Are they generic or existential bare plurals? On other topics I have taken great pains to point out that their bare plurals are generic—because, well, they are. On this topic, though, I think the answer is a bit more nuanced. Let’s see why. “Colleges and universities” is a generic bare plural. I don’t think this claim should require any argument, when you think about it, but here are a few reasons. First, ask yourself, honestly, whether the following speech sounds good to you: “Eight colleges and universities—namely, those in the Ivy League—ought not consider standardized tests in undergraduate admissions decisions. Maybe other colleges and universities ought to consider them, but not the Ivies. Therefore, in the United States, colleges and universities ought not consider standardized tests in undergraduate admissions decisions.” That is obviously not a valid argument: the conclusion does not follow. Anyone who sincerely believes that it is valid argument is, to be charitable, deeply confused. But the inference above would be good if “colleges and universities” in the resolution were existential. By way of contrast: “Eight birds are singing outside my window. Maybe lots of birds aren’t singing outside my window, but eight birds are. Therefore, birds are singing outside my window.” Since the bare plural “birds” in the conclusion gets an existential reading, the conclusion follows from the premise that eight birds are singing outside my window: “eight” entails “some.” If the resolution were existential with respect to “colleges and universities,” then the Ivy League argument above would be a valid inference. Since it’s not a valid inference, “colleges and universities” must be a generic bare plural. Second, “colleges and universities” fails the [upward-entailment test](https://plato.stanford.edu/entries/generics/#IsolGeneInte) for existential uses of bare plurals. Consider the sentence, “Lima beans are on my plate.” This sentence expresses an existential statement that is true just in case there are some lima beans on my plate. One test of this is that it entails the more general sentence, “Beans are on my plate.” Now consider the sentence, “Colleges and universities ought not consider the SAT.” (To isolate “colleges and universities,” I’ve eliminated the other bare plurals in the resolution; it cannot plausibly be generic in the isolated case but existential in the resolution.) This sentence does not entail the more general statement that educational institutions ought not consider the SAT. This shows that “colleges and universities” is generic, because it fails the upward-entailment test for existential bare plurals. Third, “colleges and universities” fails the adverb of quantification test for existential bare plurals. Consider the sentence, “Dogs are barking outside my window.” This sentence expresses an existential statement that is true just in case there are some dogs barking outside my window. One test of this appeals to the drastic change of meaning caused by inserting any adverb of quantification (e.g., always, sometimes, generally, often, seldom, never, ever). You cannot add any such adverb into the sentence without drastically changing its meaning. To apply this test to the resolution, let’s again isolate the bare plural subject: “Colleges and universities ought not consider the SAT.” Adding generally (“Colleges and universitiesz generally ought not consider the SAT”) or ever (“Colleges and universities ought not ever consider the SAT”) result in comparatively minor changes of meaning. (Note that this test doesn’t require there to be no change of meaning and doesn’t have to work for every adverb of quantification.) This strongly suggests what we already know: that “colleges and universities” is generic rather than existential in the resolution.

#### Violation: They defend: X

#### Net Benefits

#### 1) Precision: the counter-interp justifies them doing away with random words in the rez which decks ground and prep -- Voter for jurisdiction – the judge doesn’t have the jurisdiction to vote aff if there wasn’t a legitimate aff.

#### 2) Limits and ground -- – their model allows affs to defend any country or subset of country, that is or isn’t involved with outer space currently, selected by region, climate, economic or any other random factor — that explodes prep and leads to country affs which makes neg prep impossible. It destroys all generics because there’s no predictable literature base which answers these affs

#### 3] TVA solves – you could’ve read your plan as an advantage under a whole res advocacy.

#### Education is a voter – it’s the terminal impact of debate. Fairness is a voter -- without it the judge can’t vote for the better debater just the one with the unfair advantage

#### Drop the debater to deter future abuse and set better norms for debate.

#### Competing interps – reasonability invites arbritary judge intervention based on preference not argumentation

#### No RVIs – a] illogical – can’t win for being fair b] incentivize baiting theory and prepping it out which leads to max abuse

## 5

#### Text: States ought to:

#### • amend the Outer Space Treaty to create a private property regime that grants exclusive rights to private entities to exploit resources within space facilities and a safety zone of 1000 meters if they inhabit, maintain and/or operate said facility for a period of at least one year conditional upon peaceful use of the property;

#### Solves and preserves legal certainty.

Brehm 15 [Andrew R. Brehm, attorney at the law firm Scopelitis Garvin, “Private Property in Outer Space: Establishing a Foundation for Future Exploration,” 2015, *Wisconsin International Law Journal*, Vol. 33, Issue 2, https://repository.law.wisc.edu/s/uwlaw/media/77012, EA]

International agreement is essential to establishing a system of private property rights in outer space for the simple reason that outer space does not belong to one single nation; it is not the prerogative of the US government, or any government, to implement unilateral legislation that would significantly alter outer space and the current space law framework. It would frustrate the common conception of outer space as a free and open place, as well as the current legal framework, to simply enact domestic legislation that allows for the acquisition of private property rights in outer space. A collaborative, international approach is necessary for legal and practical reasons, in order to successfully establish an effective and beneficial system of private property rights in outer space.

Wayne White’s treaty proposal creates a strong foundation for international discussion of the increasingly important issue of private property acquisition in outer space. White’s well-crafted treaty proposal seeks to advance private exploration of outer space within the regulatory framework of the Outer Space Treaty and existing international space law. By creating a system in which private entities can establish real property rights in their space objects and a surrounding safety zone, the proposal incentivizes private investment of large sums into space exploration programs. Provisions which authorize the right to exclude, the right to be free from interference, the exclusive right to appropriate resources within an established safety zone, and the right to sell real property further encourage private space exploration and create strong associated incentives. 107 Private space exploration and resource extraction entities allocate substantial investments in furtherance of their space programs. 108 Allowing such entities to mine valuable platinum group resources, as well as water and hydrogen in celestial bodies that can be used to propel deeper space exploration, not only provides a robust safety net for current space exploration entities, but also creates a system that encourages new entities to enter into the field of private space exploration. Increased space exploration across the board would have nearly unlimited benefits in terms of societal, economical, and technological advancement. 109

Additionally, an international agreement alleviates some of the general concerns associated with establishing private property rights in outer space. Outer space is generally viewed as a place that should be open to all for free and peaceful use. 110 Opponents of private property rights in outer space often cite concerns about over-allocation of property at the exclusion of non-spacefaring nations or entities, and associated concerns. " 1 White’s proposed international agreement alleviates these concerns by placing limitations on which real property rights can be acquired.

First, under the proposal for an international agreement, private entities are entitled to formal recognition of property rights if they “inhabit, maintain and/or operate a space facility for a period of at least one year.” 112 This overcomes the potential issue of modern-day private colonialism where private entities could simply stake their company flags and claim ultimate title to the property. Of course, the duration requirement could be extended and additional requirements for formal recognition of property rights could be attached. Additionally, the property rights under White’s system would only apply to space facilities and a safety zone of either 500 or 1,000 meters surrounding a space facility.113 This limitation avoids concerns of over-allocation of private property in space. Essentially, private entities would not be capable of acquiring private property rights to vast amounts of territory. Also, property rights of private entities would immediately terminate if the property is used for non-peaceful purposes, if it is abandoned for an extended period of time, or if it used to prevent free access to outer space or celestial bodies114 These provisions ensure that outer space will be used for peaceful purposes and will remain open for free exploration.

Ultimately, a well-crafted international agreement similar to White’s proposal creates a system of private property rights in outer space that remains true to the overarching goals of outer-space exploration. Such a system would incentivize private space exploration in a realistic and pragmatic fashion that benefits all mankind. If peaceful and free space exploration is a desirable goal, White’s treaty proposal lays a strong foundation. This foundation has the potential to lead to an effective international system that addresses modem space exploration concerns while facilitating future development in the arena of space exploration.

## Case

### Space Militarization

#### Limited Russia/China co-op is inevitable and won’t be stopped by U.S. engagement, but deep ties are impossible and have no impact.

Dr. James Jay Carafano 19, PhD from Georgetown University, Master of Arts Degree in Strategy from the U.S. Army War College, Adjunct Professor at Georgetown University, Former Director of Military Studies at the Army’s Center of Military History, Vice President of the Kathryn and Shelby Cullom Davis Institute for National Security at the Heritage Foundation, “Why the China-Russia Alliance Won't Last”, The National Interest, 8/5/2019, https://nationalinterest.org/feature/why-china-russia-alliance-wont-last-71556

So, now everybody wants to be Bismarck. They see themselves shaping history by artfully moving big pieces on the geostrategic chessboard. And one gambit they just can’t resist is moving to snip the growing bonds of Sino-Russian cooperation.

My advice to them: Just stop.

Fears of an allied China and Russia running amok around the world are overblown. Indeed, there is so much friction between these “friends,” any attempt to team up would likely give both countries heat rash.

Siren’s Cat Call

Here’s the lame narrative that’s animating the Bismarck wannabes: The United States is pushing back against Moscow and pressing Beijing. This is driving Moscow and Beijing closer together. Beijing and Moscow will then gang-up on the United States. To prevent this, the United States should make nice with Moscow (undermining the incipient Sino-Russian détente) and then focus on beating back against China.

Yes, China and Russia are going to work together to some degree. They have important things in common. For example, both are unaccountable authoritarian regimes that share the Eurasian continent. Other indicators of compatibility: they like doing business with each other, and both like to make up their own rules. Heck, they don’t even have to pretend the liberal world order is a speed-bump in their joint ventures. Both happily engage with the world’s most odious regimes, from Syria to Venezuela. And, of course, neither has any compunction about playing dirty when it serves their interests.

They already play off of each other to frustrate foreign-policy initiatives from Washington. For example, if the United States pressures Russia to vote a certain way on a measure before the UN Security Council, Russia will often don the white hat and vote as we desire, knowing that Beijing will veto the measure for them. Similarly, if the United States leans on Beijing stop giving North Korea some form of aid and comfort, Beijing can go along with the request, knowing that Moscow will pick up the baton for them.

What the neo-Bismarcks need to ask themselves is: Why would Russia or China ever consider giving up these practices? Why would they make the ongoing great power competition easier for the United States? That makes no sense. That is not in their self-interest.

Any notion that the United States could somehow seduce Russian president Vladimir Putin from playing house with Beijing is fanciful. Putin doesn’t do something for nothing; his price would be quite high. He could demand a free hand in Ukraine, or lifting sanctions, or squelching opposition to Nordstream II, or giving Russia free rein in the Middle East. Any of these “deals” would greatly compromise American interests. Why would we do that? And what, exactly, is Putin going to deliver in return? What leverage does Russia have on Beijing? The answer is not near enough to justify any of these concessions.

On the other hand, what leverage would a Russia-China alliance have on the United States? They wouldn’t jointly threaten Washington with military action. A central element of both their strategies is that they want to win against the United States “without fighting.”

Moscow might be happy if the United States got distracted in a military mix-up with China. Conversely, Beijing could okay with the Americans have an armed confrontation with the Russians. But, neither of them will be volunteering to go first anytime soon.

Even if they linked arms to threaten the United States in tandem, the pain would not be worth the gain. As long as America maintains a credible global and strategic deterrent, a Sino-Russian military one-two punch is pretty much checkmated. Peace through strength really works.

If direct military confrontation is out of bounds, then what can Beijing and Moscow do using economic, political, and diplomatic power or tools of hybrid warfare? The answer to that question is easy: exactly what they are already doing.

We have plenty of evidence of on-going political warfare aimed at the United States, its friends, allies, and interests. Some of these activities are conducted in tandem; some are instances of copy-catism; and some are independent and original.

The political warfare takes many forms—ranging from corrosive economic behavior to aggressive diplomacy to military expansionism and more.

All these malicious efforts are a problem. What they don’t add up to is an existential threat to vital U.S. interests. In other words, we can handle this without sucking up to Putin and undermining our own interests. In fact, we already have a national-security strategy that adequately addresses these concerns.

One more thing inhibiting a Sino-Russian hookup. Russian and Chinese power is largely asymmetrical. They have very different strengths and weaknesses. In coordinating their malicious activities against the United States, they don’t line out very well. China, for example, can’t really do anything substantive to help Russia in Syria. Putin doesn’t have much to offer in the South China Seas or in brokering a U.S.-China trade agreement.

There are also limits to the Sino-Russia era of good feelings. Other than trying to take America down a notch, their global goals are not well aligned. Indeed, the more they try to cooperate, the more their disparate interests will grate on the relationship.

For example, China is meddling more in Central Asia and the Arctic—spaces where Russia was dominant. Moscow has to ask itself: Why is Beijing elbowing in? There is an argument that rather than looking for a strategic partnership, China is just biding its time till Russia implodes, and Beijing steps in and sweeps up the choice pieces.

And, as much as Putin likes to tweak Trump about Moscow’s ties with Beijing, it is becoming more apparent to Washington that Russia is ever more the junior partner. Can Putin really continue to play Robin to a Chinese Batman? As for China, they have to ask: What does Robin really bring to the dynamic-duo?

#### No space escalation.

Bowen 18 [Bleddyn Bowen, Lecturer in International Relations at the University of Leicester. The Art of Space Deterrence. February 20, 2018. https://www.europeanleadershipnetwork.org/commentary/the-art-of-space-deterrence/]

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.

#### Tons of actual weapons thumps

Wolverton 19 [Mark Wolverton is a science journalist, author, and 2016-17 Knight-MIT Science Journalism Fellow. He writes for various national and international publications including WIRED, Nature, Undark, Scientific American, and Air & Space Smithsonian. He has also worked with the NASA Ames History Project, Argonne National Laboratory, the Franklin Institute, and the NASA ISS Science Office. 7/9. "The Race for Space Weapons Speeds Up." https://www.asme.org/topics-resources/content/the-race-for-space-weapons-speeds-up]

Both antiballistic missiles and co-orbiting antisatellite weapons use kinetic attacks that apply physical force to disable or destroy a satellite. They are far from the only options in the counter-space arsenal.

Nonkinetic approaches were studied intensively since the early 1960’s and then revived during President Ronald Reagan’s Strategic Defense Initiative in the 1980s. They seek to disable or destroy vital components or sensors with lasers, particle beams, or high-powered microwaves, either from space or ground stations. Such methods are difficult, expensive, and require great amounts of power, but the United States and other nations have tested them.

A more subtle—and perhaps more deniable—nonkinetic approach might involve electronic warfare. This might range from such time-honored techniques as jamming or spoofing an adversary’s satellite communications to cyberwarfare that targets computer systems that control satellites or process their data.

#### No space war – it’s hype and systems are redundant

Johnson-Freese and Hitchens 16 [Dr. Joan Johnson-Freese is a member of the Breaking Defense Board of Contributors, a Professor of National Security Affairs at the Naval War College and author of Space Warfare in the 21st Century: Arming the Heavens. Views expressed are those of the author alone. Theresa Hitchens is a Senior Research Scholar at the Center for International and Security Studies at Maryland (CISSM), and the former Director of the United Nations Institute for Disarmament Research (UNIDIR) in Geneva, Switzerland. Stop The Fearmongering Over War In Space: The Sky’s Not Falling, Part 1. December 27, 2016. https://breakingdefense.com/2016/12/stop-the-fearmongering-over-war-in-space-the-skys-not-falling-part-1/]

In the last two years, we’ve seen rising hysteria over a future war in space. Fanning the flames are not only dire assessments from the US military, but also breathless coverage from a cooperative and credulous press. This reporting doesn’t only muddy public debate over whether we really need expensive systems. It could also become a self-fulfilling prophecy. The irony is that nothing makes the currently slim possibility of war in space more likely than fearmongering over the threat of war in space.

Two television programs in the past two years show how egregious this fearmongering can get. In April 2015, the CBS show 60 Minutes ran a segment called “The Battle Above.” In an interview with General John Hyten, the then-chief of U.S. Air Force Space Command, it came across loud and clear that the United States was being forced to prepare for a battle in space — specifically against China — that it really didn’t want.

It was explained by Hyten and other guests that China is building a considerable amount of hardware and accumulating significant know-how regarding space, all threatening to space assets Americans depend on every day. If viewers weren’t frightened after watching the segment, it wasn’t for lack of trying on the part of CBS.

Using terms like “offensive counterspace” as a 1984 NewSpeak euphemism for “weapons,” it was made clear that the United States had no choice but to spend billions of dollars on offensive counterspace technology to not just thwart the Chinese threat, but control and dominate space. While it didn’t actually distort facts — just omit facts about current U.S. space capabilities — the segment was basically a cost-free commercial for the military-industrial complex.

In retrospect though, “The Battle Above” was pretty good compared to CNN’s recent special, War in Space: The Next Battlefield. The latter might as well have been called Sharknado in Space – because the only far-out weapons technology our potential adversaries don’t have, according to the broadcast, seems to be “sharks with frickin’ laser beams attached to their heads!”

First, CNN needs to hire some fact checkers. Saying “unlike its adversaries, the U.S. has not yet weaponized space” is deeply misleading, like saying “unlike his political opponents, President-Elect Donald Trump has not sprouted wings and flown away”: A few (admittedly alarming) weapons tests aside, no country in the world has yet weaponized space. Contrary to CNN, stock market transactions are not timed nor synchronized through GPS, but a closed system. Cruise missiles can find their targets even without GPS, because they have both GPS and precision inertial measurement units onboard, and IMUs don’t rely on satellite data. Oh, and the British rock group Pink Floyd holds the only claim to the Dark Side of the Moon: There is a “far side” of the Moon — the side always turned away from the Earth — but not a “dark side” — which would be a side always turned away from the Sun.

More nefariously, the segment sensationalized nuggets of truth within a barrage of half-truths, backed by a heavy bass, dramatic soundtrack (and gravelly-voiced reporter Jim Sciutto) and accompanied by sexy and scary visuals.

Make no mistake there are dangers in space, and the United States has the most to lose if space assets are lost. The question is how best to protect them. Here are a few facts CNN omitted.

The Reality

The U.S. has all of the technologies described on the CNN segment and deemed potentially offensive: maneuverable satellites, nano-satellites, lasers, jamming capabilities, robotic arms, ballistic missiles that can be used as anti-satellite weapons, etc. In fact, the United States is more technologically advanced than other countries in both military and commercial space.

That technological superiority scares other countries; just as the U.S. military space community is scared of other countries obtaining those technologies in the future. The U.S. military space budget is more than 10 times greater than that of all the countries in the world combined. That also causes other countries concern.

More unsettling still, the United States has long been leery of treaty-based efforts to constrain a potential arms race in outer space, as supported by nearly every other country in the world for decades. Indeed, under the administration of George W. Bush, the U.S. talking points centered on the mantra “there is no arms race in outer space,” so there is no need for diplomat instruments to constrain one. Now, a decade later, the U.S. military – backed by the Intelligence Community which operates the nation’s spy satellites – seems to be shouting to the rooftops that the United States is in danger of losing the space arms race already begun by its potential adversaries. The underlying assumption — a convenient one for advocates of more military spending — is that now there is nothing that diplomacy can do.

However, it must be remembered that most space-related technologies – with the exception of ballistic missiles and dedicated jammers – have both military and civil/commercial uses; both benign — indeed, helpful — and nefarious uses. For example, giving satellites the ability to maneuver on orbit can allow useful inspections of ailing satellites and possibly even repairs.

Further, the United States is not unable to protect its satellites, as repeated during the CNN broadcast by various interviewees and the host. Many U.S. government-owned satellites, including precious spy satellites, have capabilities to maneuver. Many are hardened against electro-magnetic pulse, sport “shutters” to protect optical “eyes” from solar flares and lasers, and use radio frequency hopping to resist jamming.

Offensive weapons, deployed on the ground to attack satellites, or in space, are not a silver bullet. To the contrary, U.S. deployment of such weapons may actually be detrimental to U.S. and international security in space (as we argued in a recent Atlantic Council publication, Towards a New National Security Space Strategy). Further, there are benefits to efforts started by the Obama Administration to find diplomatic tools to restrain and constrain dangerous military activities in space.

These diplomatic efforts, however, would be undercut by a full-out U.S. pursuit of “space dominance.” This includes dialogue with China, the lack of which Gen. William Shelton, retired commander of Air Force Space Command, lamented in the CNN report.

Given CNN’s “cast,” the spin was not surprising. Starting with Ghost Fleet author Peter Singer set the sensationalist tone, which never altered. The apocalyptic opening, inspired by Ghost Fleet, posited a scenario where all U.S. satellites are taken off-line in nearly one fell swoop. Unless we are talking about an alien invasion, that scenario is nigh on impossible. No potential adversary has such capabilities, nor will they ever likely do so. There is just too much redundancy in the system.

### Heg

#### No internal link for ASAT prolif – card doesn’t mention private space once – China would just develop asats in the public sector

#### Heg is bad –

#### 1 – Adversary prolif

Fettweis 18 Christopher J. Fettweis, an American political scientist and the Associate Professor of Political Science at Tulane University, “Chapter 2: Unipolarity and Nuclear Weapons,” *Psychology of a Superpower: Security and Dominance in U.S. Foreign Policy,* Columbia University Press, 2018, accessed through Georgetown Libraries

First and most obviously, the second nuclear age is likely to be marked by a great deal more proliferation than the first. According to Bracken, the “overarching theme” of the age will be the “breakdown of the major power monopoly over the bomb.”6 Unipolarity provides strong incentives for smaller states, who have no hope of balancing the United States, to pursue nuclear weapons. No matter how much effort the United States puts into non- and counterproliferation, “nuclear weapons will nevertheless spread, with a new member occasionally joining the club,” predicted Kenneth Waltz. 7 “The most likely scenario in the wake of the Cold War,” argued John Mearsheimer, “is further nuclear proliferation in Europe,” and “it is not likely the proliferation will be well managed.”8 Instability and insecurity would spread, as would nuclear weapons, throughout the global South.9 Since new nuclear states were almost inevitable, both Waltz and Mearsheimer felt that it was in the interest of the West to attempt to manage, and indeed even to encourage, gradual proliferation to help stabilize the system.

These chains of proliferation will lead to new, potentially unstable nuclear rivalries. Were North Korea to be accepted as the ninth nuclearweapons state, Graham Allison warned in 2004, South Korea and Japan would build their own arsenals “by the end of the decade.”10 The second nuclear age will be “much more decentralized,” with “many independent nuclear decision centers.”11 A “multipolar nuclear order” is on the horizon, if it has not already arrived.12

The new nuclear powers are not likely to resemble the old. The second major assumption of the SNA literature is that proliferation will reach less enlightened parts of the globe, those led by unpredictable, semirational tyrants. The old rules of deterrence may not apply, since the motivations of these actors are not only less knowable but often ruled by passions and nationalism. “The idea of budding defense intellectuals sitting around computer models and debating strategy in Iran or Pakistan defies credulity,” or at least Bracken’s estimation, since in these states “hysterical nationalism” overrules rationality.13 The “overdetermined” cascades of proliferation across Asia will bring a host of new, less trustworthy actors into the nuclear camp, from rogue states to nonstate actors, all of whom will be essentially undeterrable by traditional means.14 Their motivations will be less rational or simply less transparent to the outside world.

In the second nuclear age, not just an accidental but the intentional use of nuclear weapons by new nuclear actors cannot be ruled out.15 Rogue states do not seek nuclear weapons for the reasons that motivated earlier proliferants. While all U.S. observers believe that Washington’s arsenal exists for defensive purposes, to deter any attack that our enemies would otherwise contemplate, the primary use of new nuclear weapons will be offensive. The possibility for irrationality in new nuclear powers inspired the United States to scrap the Anti-Ballistic Missile Treaty and begin thinking about how to “tailor” deterrence to target smaller actors.16 A nuclear Iran will use its weapons to bully or even attack, not deter. In 2017, experts warned that North Korean intercontinental ballistic missiles would be coercive, to extract concessions from U.S. allies. “North Korea’s contempt for its neighbors suggests that it would hold them hostage with its nuclear weapons,” wrote the widely respected ambassador Chris Hill. “Would proliferation stop with South Korea and Japan? What about Taiwan?”17 As a result, the basic assumptions of deterrence need to be rethought.

#### 2 – Alliances create commitment traps and incentivize probing – that causes entanglement and war

O’Hanlon 19 Michael E. O’Hanlon, a senior fellow, and director of research, in Foreign Policy at the Brookings Institution, where he specializes in U.S. defense strategy, the use of military force, and American national security policy, “The Senkaku paradox: Preparing for conflict with the great powers,” Brookings Institute, May 2, 2019, <https://www.brookings.edu/blog/order-from-chaos/2019/05/02/the-senkaku-paradox-preparing-for-conflict-with-the-great-powers/>

However, what about smaller efforts to nibble away at the existing world order that Beijing and Moscow often find objectionable? What if China decided to land forces on one of the eight Senkaku/Diaoyu islands in the East China Sea?∂ These remote rocks are claimed by both Japan and China, uninhabited and effectively worthless except for surrounding fishing waters, but they are covered by the U.S.-Japan security treaty, as President Obama and Secretary Mattis have both publicly reaffirmed in recent years.∂ Or, what if Russia decided to fabricate a “threat” to native Russian speakers in a small town in eastern Estonia or Latvia to create a pretext for “little green men” to swoop in (perhaps bloodlessly) to save the day? Scenarios involving the Philippines or other countries can be imagined, too.∂ Why would Moscow or Beijing consider such actions? China or Russia might like the idea of sowing their hegemonic oats and getting back at neighbors they have not forgiven for past events.∂ But Moscow’s or Beijing’s real purpose might be to weaken American alliance systems, and with them the U.S.-led global order, so as to increase its own power and dominance, especially in regions near its borders.∂ For example, a Russian grab of just one small Baltic town could be expected to throw the North Atlantic Treaty Organization (NATO) alliance into existential crisis.∂ Some member nations would likely seek nonmilitary solutions to the threat, whereas others might favor a prompt military response—with the ensuing debate casting into doubt the whole purpose of the alliance. ∂ The state of military technology and expected trends in future innovation compound the problem. Deployment of large U.S.-led military force packages into the lion’s den near China’s coasts or into the Baltic regions of Europe near Russia is becoming a harder proposition to entertain.T∂ The spread of the type of precision technology that the United States once effectively monopolized accounts for much of the reason why. The problem is exacerbated by other new or imminent weapons:∂ miniaturized robotics that function as sensors or even weapons, individually or in swarms;∂ small satellites that could function as clandestine space mines against larger satellites;∂ homing anti-ship missiles and various types of superfast hypersonic missiles in general; and∂ threats to computer systems from both traditional human-generated hacking and artificial intelligence (AI)-generated algorithms.∂ No mid-sized U.S. defense buildup can likely reverse these dynamics.∂ A scenario of the type sketched above would create a huge dilemma for the United States and allies—a situation I call the “Senkaku Paradox.” Mutual-defense treaty commitments under Article V of both the NATO and U.S.-Japan treaties would appear to commit Washington to defend or liberate such allied territory.∂ Yet, that could lead to direct war with a nuclear-armed great power over rather insignificant stakes. A large-scale U.S. and allied response could seem massively disproportionate. But a non-response would be unacceptable and invite further aggression.

#### 3 – The only comprehensive study proves retrenchment is comparatively more peaceful

MacDonald & Parent 11—Professor of Political Science at Williams College & Professor of Political Science at University of Miami [Paul K. MacDonald & Joseph M. Parent, “Graceful Decline? The Surprising Success of Great Power Retrenchment,” International Security, Vol. 35, No. 4 (Spring 2011), pp. 7–44]

Our findings are directly relevant to what appears to be an impending great power transition between China and the United States. Estimates of economic performance vary, but most observers expect Chinese GDP to surpass U.S. GDP sometime in the next decade or two.91 This prospect has generated considerable concern. Many scholars foresee major conflict during a Sino-U.S. ordinal transition. Echoing Gilpin and Copeland, John Mearsheimer sees the crux of the issue as irreconcilable goals: China wants to be America's superior and the United States wants no peer competitors. In his words, "[N]o amount [End Page 40] of goodwill can ameliorate the intense security competition that sets in when an aspiring hegemon appears in Eurasia."92

Contrary to these predictions, our analysis suggests some grounds for optimism. Based on the historical track record of great powers facing acute relative decline, the United States should be able to retrench in the coming decades. In the next few years, the United States is ripe to overhaul its military, shift burdens to its allies, and work to decrease costly international commitments. It is likely to initiate and become embroiled in fewer militarized disputes than the average great power and to settle these disputes more amicably. Some might view this prospect with apprehension, fearing the steady erosion of U.S. credibility. Yet our analysis suggests that retrenchment need not signal weakness. Holding on to exposed and expensive commitments simply for the sake of one's reputation is a greater geopolitical gamble than withdrawing to cheaper, more defensible frontiers.

Some observers might dispute our conclusions, arguing that hegemonic transitions are more conflict prone than other moments of acute relative decline. We counter that there are deductive and empirical reasons to doubt this argument. Theoretically, hegemonic powers should actually find it easier to manage acute relative decline. Fallen hegemons still have formidable capability, which threatens grave harm to any state that tries to cross them. Further, they are no longer the top target for balancing coalitions, and recovering hegemons may be influential because they can play a pivotal role in alliance formation. In addition, hegemonic powers, almost by definition, possess more extensive overseas commitments; they should be able to more readily identify and eliminate extraneous burdens without exposing vulnerabilities or exciting domestic populations. We believe the empirical record supports these conclusions. In particular, periods of hegemonic transition do not appear more conflict prone than those of acute decline. The last reversal at the pinnacle of power was the Anglo-American transition, which took place around 1872 and was resolved without armed confrontation. The tenor of that transition may have been influenced by a number of factors: both states were democratic maritime empires, the United States was slowly emerging from the Civil War, and Great Britain could likely coast on a large lead in domestic capital stock. Although China and the United [End Page 41] States differ in regime type, similar factors may work to cushion the impending Sino-American transition. Both are large, relatively secure continental great powers, a fact that mitigates potential geopolitical competition.93 China faces a variety of domestic political challenges, including strains among rival regions, which may complicate its ability to sustain its economic performance or engage in foreign policy adventurism.94

Most important, the United States is not in free fall. Extrapolating the data into the future, we anticipate the United States will experience a "moderate" decline, losing from 2 to 4 percent of its share of great power GDP in the five years after being surpassed by China sometime in the next decade or two.95 Given the relatively gradual rate of U.S. decline relative to China, the incentives for either side to run risks by courting conflict are minimal. The United States would still possess upwards of a third of the share of great power GDP, and would have little to gain from provoking a crisis over a peripheral issue. Conversely, China has few incentives to exploit U.S. weakness.96 Given the importance of the U.S. market to the Chinese economy, in addition to the critical role played by the dollar as a global reserve currency, it is unclear how Beijing could hope to consolidate or expand its increasingly advantageous position through direct confrontation.

In short, the United States should be able to reduce its foreign policy commitments in East Asia in the coming decades without inviting Chinese expansionism. Indeed, there is evidence that a policy of retrenchment could reap potential benefits. The drawdown and repositioning of U.S. troops in South Korea, for example, rather than fostering instability, has resulted in an improvement in the occasionally strained relationship between Washington and Seoul. 97 U.S. moderation on Taiwan, rather than encouraging hard-liners in Beijing, resulted in an improvement in cross-strait relations and reassured U.S. allies that Washington would not inadvertently drag them into a Sino-U.S. conflict. 98 Moreover, Washington’s support for the development of multilateral security institutions, rather than harming bilateral alliances, could work to enhance U.S. prestige while embedding China within a more transparent regional order. 99

#### C**onflict of interest – Brands is funded by the military**

Johnson 19 ([Adam Johnson is a contributing analyst for FAIR.org.] “Bloomberg’s Armsmaker-Funded Columnist Wants You to Know: Military Spending Is Woke.” Mar. 19, 2019, <https://fair.org/home/bloombergs-armsmaker-funded-columnist-wants-you-to-know-military-spending-is-woke/>) LHSLA LH

Bloomberg identifies Brands as the “Henry Kissinger Distinguished Professor at Johns Hopkins University’s School of Advanced International Studies, and senior fellow at the Center for Strategic and Budgetary Assessments.” “Kissinger” is [ominous enough](https://fair.org/home/and-now-a-word-from-henry-kissinger/), but surely Center for Strategic and Budgetary Assessments is some innocuous, wonky academic institution, no?∂ In a piece explicitly defending bloated military budgets, however, perhaps it would be useful to know what exactly the “Center for Strategic and Budgetary Assessments” is. We can start by reading this [section](https://csbaonline.org/about/contributors) taken directly from their website (unabridged):∂ Below is a list of organizations that have contributed to our efforts over the past three years.∂ Aerojet Rocketdyne∂ Army Strategic Studies Group∂ Army War College∂ Austal USA∂ Australian Department of Defence∂ BAE Systems Inc.∂ Carnegie Corporation of New York∂ Chemring Group∂ Defense Advanced Research Projects Agency (DARPA)∂ Department of the Navy∂ Embassy of Japan∂ Fincantieri/Marinette∂ Free University Brussels∂ General Atomics∂ General Dynamics—National Steel and Shipbuilding Company (NASSCO)∂ Harris Corporation∂ Huntington Ingalls Industries∂ Johns Hopkins University School of Advanced International Studies∂ Japan Maritime Self-Defense Force∂ Kongsberg Defense Systems, Inc.∂ L3 Technologies, Inc.∂ Lockheed Martin Corporation∂ Maersk Line, Limited∂ Metron∂ National Defense University∂ Navy League of the United States∂ Northrop Grumman Corporation∂ Office of the Secretary of Defense/Office of Net Assessment (ONA)∂ Office of the Secretary of Defense/Office of Cost Assessment and Program Evaluation (CAPE)∂ Office of the Under Secretary of Defense for Acquisition and Sustainment (AT&L)∂ Polski Instytut Spraw Miedzynarodowych (PISM)∂ Raven Industries∂ Raytheon Company∂ Sasakawa Peace Foundation∂ Sarah Scaife Foundation∂ SEACOR Holdings∂ Secretary of Defense Corporate Fellows Program∂ Smith Richardson Foundation∂ Submarine Industrial Base Council∂ Taiwan Ministry of National Defense∂ Textron Systems∂ The Boeing Company∂ The Doris & Stanley Tananbaum Foundation∂ The Lynde & Harry Bradley Foundation∂ United Kingdom Royal Air Force∂ Brands is a senior fellow at an organization funded almost entirely by those with a clear interest in the upcoming $750 billion defense budget Brands is pushing for. While we don’t have a tax filings for CSBA since Brand was hired there, and thus we do not know his specific income, the average senior fellow at the organization, as of its last tax filing, makes just under $300,000 a year. They can call it whatever they wish—”think tank,” “nonprofit,” “Center”—but by any objective metric, this organization is just a lobbying entity for the weapons industry and Western militaries. A cursory glance at their policy briefs reveals they, unsurprisingly, always support more spending on weapons systems. Unlike other weapons-funded lobbying groups such as Center for Strategic and International Studies (FAIR.org, 8/12/16), they don’t even bother throwing some banks or soda companies in there to give the appearance of being anything other than a weapons industry trade group. (Don’t be fooled by the “Sasakawa Peace Foundation”—that’s an organization founded by far-right Japanese business executive Ryoichi Sasakawa, who was jailed as a war crimes suspect after World War II, and who once described himself as the “world’s richest fascist”—Time, 8/26/74.) Setting aside its disqualifying conflicts of interest, Brands’ piece is an assortment of sophistry about how weapons systems create middle-class jobs for Americans. Given that any meaningful definition of “progressive” must take into account the 95 percent of the world who are not Americans—e.g., those on the other end of these weapons systems and military occupations—the column rests its premise on a massive category error. One passage in particular displays a rather goofy notion of what “progressive” means (emphasis added):∂ The progressive critique misses the fact that military spending already serves progressive ends. Yes, defense spending benefits the executives who run major defense contractors, just as infrastructure spending benefits the executives of companies that build highways and airports and schools. But the Pentagon budget also serves as a huge jobs program and source of economic security for the middle class. This includes the roughly 2 million people who serve either on active duty or in the reserves and 730,000 civilian employees. The vast majority of them qualify as middle class and enjoy precisely the sort of healthcare and other benefits progressives seek to provide for the population as a whole.∂ See, if only all 330 million Americans could work in the military industry, building bombs and F-35s, no one would die due to preventable disease or an inability to afford chemotherapy. To Brands, the most “progressive” vision for society is the Klingon Empire—a perpetual war state where service to large-scale mechanized violence is the cost of survival. The idea that healthcare could, maybe, not be tethered to exporting weapons, occupation, hundreds of military bases, CIA dirty tricks and bombings is simply not an option. Progressives’ only hope: piggyback off US imperialism which evidently, to Brands, is simply a law of nature like ocean tides or entropy.∂ Brands also suggests that you can’t have trade except at gunpoint:∂ Defense spending produces massive positive spillovers in the form of national security and the ability to protect access to the global commons – critical to promoting U.S. trade and improving living standards at home.∂ And he says that what progressives should be worrying about as a “long-term threat to America’s ability to invest in infrastructure, education and other progressive priorities is not the Pentagon,” but “runaway entitlement spending.”∂ New York’s Eric Levitz ([3/18/19](http://nymag.com/intelligencer/2019/03/the-left-is-right-to-hate-the-military-industrial-complex.html)) does a good job debunking Brands’ argument, such as it is, and his piece is well worth reading. But it’s not totally clear how useful it is to assume good faith from someone with such deep, undisclosed conflicts. We learned years ago to dismiss out of hand experts funded by the tobacco industry commenting on the effects of smoking, or climate scientists funded by big oil; why, exactly, do we take at all seriously organizations like CSBA when they comment on military budgets, and broader questions of US militarism, while receiving the vast bulk of their funding from those with a vested interest in bloating the US military machine?∂ The reason is, compared to the fossil fuel industry and tobacco, the military-think tank complex’s mercenary experts are 100-fold more intertwined into the US bipartisan consensus. It’s a product of ubiquity and professional courtesy borne from having influence with both Democrats and Republicans, rather than just the increasingly fringe and anti-science GOP. From an ontological standpoint, there’s little difference between experts on the take pushing cigarettes and those on the take pushing weapons; it’s simply a matter of scope and sophistication.∂ In addition, Brands’ Bloomberg bio omits Brands is also a senior fellow at the Foreign Policy Research Institute, which also receives sizable funds from the weapons industry. While its funders are not posted on its website, Rightwing Web, a website that monitors the influence of right-wing funding, does [report](https://rightweb.irc-online.org/profile/foreign_policy_research_institute/) that major supporters listed in the group’s 2012 annual report include Boeing, Piasecki Aircraft… Historically, FPRI has also benefited from the largesse of conservative foundations. Between 1985 and 2005, FPRI received nearly $5 million from the Lynde and Harry Bradley, John M. Olin, Earhart, Smith Richardson and Sarah Scaife Foundations, among others.

#### Security guarantees don’t prevent prolif.

Philipp C. **Bleek &** Eric B. **Lorber 18**. Bleek is a Fellow at CNS and an Associate Professor in the Nonproliferation and Terrorism Studies Program at the Graduate School of International Policy and Management; Lorber is an adjunct Fellow at the Center for a New American Security, a Senior Associate at the Financial Integrity Network, and a senior adviser at the Center for Sanctions and Illicit Finance at the Foundation for Defense of Democracies. 02/22/2018. “Security Guarantees and Allied Nuclear Proliferation.” The Logic of American Nuclear Strategy: Why Strategic Superiority Matters, Oxford University Press.

Conventional wisdom among policymakers, less support from scholars The literature on extended nuclear guarantees broadly divides into policy-focused work—arguing that such guarantees, if properly calibrated, can prevent allied nuclear proliferation, and prescribing mechanisms for increasing their credibility (Congressional Commission 2008)—and academically-oriented research, examining whether guarantees can be credible in the first place. Although the policy literature considers which factors may affect credibility (Murdock 2009), its primary limitation is assuming guarantees can be effective in stemming allied proliferation. The literature presents a toolbox of options for how to increase credibility, but gives short shrift to the prior question of whether security guarantees can prevent allied proliferation. The academic literature on guarantees also has shortcomings. Some argue that guarantees do not stem allied proliferation because they are incredible (Goldstein 2000), but base the conclusion on analysis of a few cases in which allies chose to proliferate. Other scholars in the qualitative tradition dispute these results, noting that such guarantees can prevent allied proliferation activity (Knopf 2012). A modest but growing quantitative literature addresses the question of why states do and do not proliferate, but reaches contradictory conclusions on security guarantees (see Table 4.1). And none of these studies focused narrowly on guarantees—they were either “garbage can” approaches that sought to test a host of potentially relevant variables, or focused on other independent variables—and therefore did not subject their security guarantee findings to robustness checks. [[TABLE 4.1 OMITTED]] Two recent studies catalyzed a resurgence of interest in applying sophisticated quantitative tools to the proliferation puzzle. 5 Employing hazard analysis, Singh and Way (2004) found that states with nuclear-armed allies were neither less nor more likely to explore nuclear weapons options, launch weapons programs, or acquire weapons. Multinomial logit analysis, reported as a robustness check, similarly found no relationship between guarantees and states’ likelihood of launching weapons programs, but did find a robust negative relationship to both exploration and acquisition. Jo and Gartzke (2007) employed probit regression analysis, and concluded that states receiving security guarantees were no less likely to have active nuclear weapons programs, though they were less likely to possess nuclear weapons. Finally, two scholars tweaked Singh and Way’s earlier work. Kroenig (2009) reported that two out of three hazard models found a negative relationship between guarantees and acquisition, while one found no relationship. In a subsequent 2010 book that conducted analysis along similar lines yet came to the opposite conclusion, Kroenig (2010) reported that all four models that controlled for guarantees found no relationship to acquisition. Fuhrmann (2009)— employing probit regression analysis but, unusually, structured like Singh and Way’s hazard analysis to drop countries from the data set once they reach a given threshold—reported that all of his models found no relationship between guarantees and nuclear weapons program initiation or acquisition.