## 1

#### Interpretation – Unjust refers to a negative action – it means contrary.

Black Laws ND "What is Unjust?" <https://thelawdictionary.org/unjust/> //Elmer

Contrary to right and justice, or to the enjoyment of his rights by another, or to the standards of conduct furnished by the laws.

#### Violation – The Aff is a positive action – \_\_\_\_\_\_

#### Standards –

#### 1 - Limits – making the topic bi-directional explodes predictability – it means that Aff’s can both increase non-exist property regimes in space AND decrease appropriation by private actors – makes the topic untenable.

#### 2 - Ground – wrecks Neg Generics – we can’t say appropriation good since the 1AC can create new views on Outer Space Property Rights that circumvent our Links since they can say “Global Commons” approach solves.

#### 3 - TVA – just defend that space appropriation is bad and spec.

#### Paradigm:

#### Fairness – Debate is a competitive activity governed by rules. You can’t evaluate who did better debating if the round is structurally skewed, so fairness is a gateway to substantive debate.

#### DTD – Time spent on theory cant be compensated for, the 1nc was already skewed, and its key to deterring abuse.

#### Prefer Competing interps -

#### 1. reasonability is arbitrary and invites judge intervention.

#### 2. it Causes a race to the bottom where debaters push the limit as to how reasonably abusive, they can be.

#### No RVI’s -

#### 1. Chills some debaters from reading theory against abusive postions.

#### 2. incentivizes theory baiting where you can just bait theory to win.

## 2

#### CP TEXT: States ought to apply the principles of the Public Trust Doctrine to outer space as well as the limited use of private property management claims except in instances of mining

#### Private companies are set to mine in space – new tech and profit motives make space lucrative.

Gilbert 21, (Alex Gilbert is a complex systems researcher and PhD student in Space Resources at the Colorado School of Mines, “Mining in Space is Coming”), 4-26-21, Milken Institute Review, https://www.milkenreview.org/articles/mining-in-space-is-coming // MNHS NL

Space exploration is back. after decades of disappointment, a combination of better technology, falling costs and a rush of competitive energy from the private sector has put space travel front and center. indeed, many analysts (even some with their feet on the ground) believe that commercial developments in the space industry may be on the cusp of starting the largest resource rush in history: mining on the Moon, Mars and asteroids. While this may sound fantastical, some baby steps toward the goal have already been taken. Last year, NASA awarded contracts to four companies to extract small amounts of lunar regolith by 2024, effectively beginning the [era of commercial space mining](https://payneinstitute.mines.edu/wp-content/uploads/sites/149/2020/09/Payne-Institute-Commentary-The-Era-of-Commercial-Space-Mining-Begins.pdf). Whether this proves to be the dawn of a gigantic adjunct to mining on earth — and more immediately, a key to unlocking cost-effective space travel — will turn on the answers to a host of questions ranging from what resources can be efficiently. As every fan of science fiction knows, the resources of the solar system appear virtually unlimited compared to those on Earth. There are whole other planets, dozens of moons, thousands of massive asteroids and millions of small ones that doubtless contain humungous quantities of materials that are scarce and very valuable (back on Earth). Visionaries including Jeff Bezos [imagine heavy industry moving to space](https://www.fastcompany.com/90347364/jeff-bezos-wants-to-save-earth-by-moving-industry-to-space) and Earth becoming a residential area. However, as entrepreneurs look to harness the riches beyond the atmosphere, access to space resources remains tangled in the realities of economics and governance. Start with the fact that space belongs to no country, complicating traditional methods of resource allocation, property rights and trade. With limited demand for materials in space itself and the need for huge amounts of energy to return materials to Earth, creating a viable industry will turn on major advances in technology, finance and business models. That said, there’s no grass growing under potential pioneers’ feet. Potential economic, scientific and even security benefits underlie an emerging geopolitical competition to pursue space mining. The United States is rapidly emerging as a front-runner, in part due to its ambitious Artemis Program to lead a multinational consortium back to the Moon. But it is also a leader in creating a legal infrastructure for mineral exploitation. The United States has adopted the world’s first spaceresources law, recognizing the property rights of private companies and individuals to materials gathered in space. However, the United States is hardly alone. Luxembourg and the United Arab Emirates (you read those right) are racing to codify space-resources laws of their own, hoping to attract investment to their entrepot nations with business-friendly legal frameworks. China reportedly views space-resource development as a national priority, part of a strategy to challenge U.S. economic and security primacy in space. Meanwhile, Russia, Japan, India and the European Space Agency all harbor space-mining ambitions of their own. Governing these emerging interests is an outdated treaty framework from the Cold War. Sooner rather than later, we’ll need [new agreements](https://issues.org/new-policies-needed-to-advance-space-mining/) to facilitate private investment and ensure international cooperation. Back up for a moment. For the record, space is already being heavily exploited, because space resources include non-material assets such as orbital locations and abundant sunlight that enable satellites to provide services to Earth. Indeed, satellite-based telecommunications and global positioning systems have become indispensable infrastructure underpinning the modern economy. Mining space for materials, of course, is another matter. In the past several decades, planetary science has confirmed what has long been suspected: celestial bodies are potential sources for dozens of natural materials that, in the right time and place, are incredibly valuabl**e**. Of these, water may be the most attractive in the near-term, because — with assistance from solar energy or nuclear fission — H2O can be split into hydrogen and oxygen to make rocket propellant, facilitating in-space refueling. So-called “rare earth” metals are also potential targets of asteroid miners intending to service Earth markets. Consisting of 17 elements, including lanthanum, neodymium, and yttrium, these critical materials (most of which are today mined in China at great environmental cost) are required for electronics. And they loom as bottlenecks in making the transition from fossil fuels to renewables backed up by battery storage. The Moon is a prime space mining target. Boosted by NASA’s mining solicitation, it is likely the first location for commercial mining. The Moon has several advantages. It is relatively close, requiring a journey of only several days by rocket and creating communication lags of only a couple seconds — a delay small enough to allow remote operation of robots from Earth. Its low gravity implies that relatively little energy expenditure will be needed to deliver mined resources to Earth orbit. The Moon may look parched — and by comparison to Earth, it is. But recent probes have confirmed substantial amounts of water ice lurking in [permanently shadowed craters](http://lroc.sese.asu.edu/posts/1105) at the lunar poles. Further, it seems that solar winds have implanted significant deposits of helium-3 (a light stable isotope of helium) across the equatorial regions of the Moon. Helium-3 is a potential fuel source for second and third-generation fusion reactors that one hopes will be in service later in the century. The isotope is packed with energy (admittedly hard to unleash in a controlled manner) that might augment sunlight as a source of clean, safe energy on Earth or to power fast spaceships in this century. Between its water and helium-3 deposits, the Moon could be the resource stepping-stone for further solar system exploration. Asteroids are another near-term [mining target](https://foreignpolicy.com/2016/04/28/the-asteroid-miners-guide-to-the-galaxy-space-race-mining-asteroids-planetary-research-deep-space-industries/). There are all sorts of space rocks hurtling through the solar system, with varying amounts of water, rare earth metals and other materials on board. The asteroid belt between the orbits of Mars and Jupiter contains most of them, many of which are greater than a kilometer in diameter. Although the potential water and mineral wealth of the asteroid belt is vast, the long distance from Earth and requisite travel times and energy consumption rule them out as targets in the near term. The prospects for space mining are being driven by technological advances across the space industry. The rise of reusable rocket components and the now-widespread use of off-the-shelf parts are lowering both launch and operations costs. Once limited to government contract missions and the delivery of telecom satellites to orbit, private firms are now emerging as leaders in developing “NewSpace” activities — a catch-all term for endeavors including orbital tourism, orbital manufacturing and mini-satellites providing specialized services. The space sector, with a market capitalization of $400 billion, could grow to as much as $1 trillion by 2040 as private investment soars.

#### Private entity appropriation is key to sustained space exploration – their ev is wrong

**Brehm 15**, Andrew. (Andrew R. Brehm is a litigator who focuses his practice on a broad range of legal issues for clients in the transportation and recreation industries. Mr. Brehm litigates a variety of disputes including those involving catastrophic injury, disfigurement and wrongful death, commercial contracts, and construction defects. Mr. Brehm also represents clients on labor employment related issues in class action and FLSA collective action cases. Mr. Brehm’s complex litigation work frequently involves litigation that addresses independent contractor issues and other labor and employment issues impacting the transportation industry. PROFILE Mr. Brehm is actively involved in the various local and regional bar associations. Prior to joining Scopelitis. Garvin, Light, Hanson & Feary, Mr. Brehm spent two years as a judicial clerk for The Honorable Rebecca F. Dallet and the Honorable Christopher R. Foley of the Milwaukee County Circuit Court. While in law school, Mr. Brehm’s note on private property rights in outer space was selected for publication by the Wisconsin International Law Journal. Mr. Brehm served as managing editor for the law journal.) "Private Property in Outer Space: Establishing a Foundation for Future Exploration." University of Wisconsin Law School Digital Repository, 2015, repository.law.wisc.edu/s/uwlaw/media/77012.//JQ

In modem times, space exploration has consistently been viewed as a vehicle for societal advancement in terms of technology, science, and knowledge of our universe. Until recently, however, we have been almost entirely unaware of the economically and commercially valuable resources in outer space. Now, through years of increasingly advanced space exploration and scientific research, we have begun to gain an understanding of the true value of these resources. For example, asteroids are rich in ruthenium, rhodium, osmium, iridium, and platinum.' These elements are extremely rare on Earth and are important materials in developing electronics? As such, each of these platinum group elements draws a high market price, creating incentives to explore space for entrepreneurs and investors alike.'

There is little doubt that the private space race is underway. Even with much uncertainty surrounding private property rights and international space law, the discovery of valuable resources in outer space has led to the emergence of various private companies seeking to capitalize in an untapped market. In 2012, a group of billionaire investors, including Google executives Larry Page and Eric Schmidt, Hollywood director James Cameron, and Ross Perot, Jr., announced the launch of Planetary Resources, a private company that intends to mine resource-rich asteroids.' In addition to the valuable platinum group elements contained in asteroids, Planetary Resources hopes to mine hydrogen fuels from the asteroids that can be used to launch deeper space expeditions.5 In January 2013, Deep Space Industries formed with a similar mission to extract and harvest materials from asteroids, and an end goal of using the materials to support outer space communities and fuel further exploration.6 In 2011, Microsoft billionaire Naveen Jain announced the creation of Moon Express, a private space exploration entity that plans to mine for platinum and titanium on the Moon.7

Additionally, in 2011, venture start-up Shackleton Energy Company launched fund-raising efforts, ultimately seeking to mine the Shackleton Crater in the Moon's south pole for fuels to propel deeper space expeditions.8 Other private space mining start-ups have followed suit.9

Each of these private entities has the potential to propel space exploration and technological advances in the pursuit of a deeper understanding of our cosmos. Further, the short-term benefit of private space expeditions is exponential in terms of lowering the cost of electronics, lessening the taxpayer burden of funding space activities, and incentivizing more advanced levels of space exploration.1° Without a clear system of private property acquisition in outer space, however, the private space race is not likely to get far off of the ground. The celestial resources that have incentivized numerous space-mining start-ups have little or no value to investors if mining companies cannot establish legal rights to the resources mined. Without the legal right to use water and hydrogen mined from celestial bodies, and to alienate platinum group elements, the potential profitability of private space expeditions collapses along with the goals of deeper space exploration and settlement. Now more than ever, the issue of private property rights in outer space has significant real-world implications.

#### Squo private companies are willing to invest, but the plan crosses a perception barrier which destroys investment.

Shaw 13 - Lauren E, J.D. from Chapman University School of Law, ”Asteroids, the New Western Frontier: Applying Principles of the General Mining Law of 1872 to Incentive Asteroid Mining”, JOURNAL OF AIR LAW AND COMMERCE, Volume 78, Issue 1, Article 2, <https://scholar.smu.edu/cgi/viewcontent.cgi?article=1307&context=jalc> // recut MNHS NL

To some, the mining of asteroids might sound like the premise of a science fiction novel' or the solution to the heartwrenching, fictional scenario depicted in the film Armageddon.2 To others, it evokes a fantastical idea that may come to fruition in a distant reality. However, impressively funded companies have plans to send spacecraft to begin prospecting on asteroids within the next two years.' The issues associated with the mining of asteroids should be addressed before these plans are set in motion. Much has been written about the issues that might arise from allowing nations to own these space bodies and the minerals they contain; one such issue is the impact on international treaties.4 However, little has been written about the applicability of preexisting mining laws-which provide a basic property right scheme for the private sector-such as the General Mining Law of 1872 (Mining Law) to the management of asteroid mining.' The literature to date on how to legally address asteroid mining is minimal.' The articles that do address it propose the creation of different systems, such as a "property rights-based system that relies on the doctrine of first possession"7 or an international authority that would regulate mining operations.' Implementing a scheme that offers ownership of extracted resources without bestowing complete sovereignty is necessary to avoid an impending legal limbo-that is, an outer space "Wild West" equivalent where there is neither certainty nor security in who owns what.9 If private sector miners of asteroids know this right already exists, they will have more incentive to extract resources.' 0 This, in turn, would increase the chances of successful missions, resulting in numerous scientific and explorative benefits, along with the potential replenishment of key elements that are becoming increasingly depleted on Earth yet are still needed for modern industry. Scientists speculate that key elements needed for modern industry, including platinum, zinc, copper, phosphorus, lead, gold, and indium, could become depleted on Earth within the next fifty to sixty years." Many of these metals, such as platinum, are chemical elements that, unlike oil or diamonds, have no synthetic alternative.12 Once the reserves on Earth are mined to complete depletion, industries will be forced to recycle the existing supply of minerals, which will result in increased costs due to increased scarcity.' 3 However, evidence is accumulating that asteroids only a few hundred thousand miles away from Earth may be composed of an abundance of natural resources-including many of the minerals being mined to depletion on Earth-that could lead to vast profits." Most of the minerals being mined on Earth, including gold, iron, platinum, and palladium, originally came from the many asteroids that hit the Earth after the crust cooled during the planet's formation.'

#### Commercial mining solves extinction from scarcity, climate, terror, war, and disease.

Pelton 17—(Director Emeritus of the Space and Advanced Communications Research Institute at George Washington University, PHD in IR from Georgetown).. Pelton, Joseph N. 2017. The New Gold Rush: The Riches of Space Beckon! Springer. Accessed 8/30/19.

Are We Humans Doomed to Extinction? What will we do when Earth’s resources are used up by humanity? The world is now hugely over populated, with billions and billions crammed into our overcrowded cities. By 2050, we may be 9 billion strong, and by 2100 well over 11 billion people on Planet Earth. Some at the United Nations say we might even be an amazing 12 billion crawling around this small globe. And over 80 % of us will be living in congested cities. These cities will be ever more vulnerable to terrorist attack, natural disaster, and other plights that come with overcrowding and a dearth of jobs that will be fueled by rapid automation and the rise of artifi cial intelligence across the global economy. We are already rapidly running out of water and minerals. Climate change is threatening our very existence. Political leaders and even the Pope have cautioned us against inaction. Perhaps the naysayers are right. All humanity is at tremendous risk. Is there no hope for the future? This book is about hope. We think that there is literally heavenly hope for humanity. But we are not talking here about divine intervention. We are envisioning a new space economy that recognizes that there is more water in the skies that all our oceans. Th ere is a new wealth of natural resources and clean energy in the reaches of outer space—more than most of us could ever dream possible. There are those that say why waste money on outer space when we have severe problems here at home? Going into space is not a waste of money. It is our future. It is our hope for new jobs and resources. The great challenge of our times is to reverse public thinking to see space not as a resource drain but as the doorway to opportunity. The new space frontier can literally open up a “gold rush in the skies.” In brief, we think there is new hope for humanity. We see a new a pathway to the future via new ventures in space. For too long, space programs have been seen as a money pit. In the process, we have overlooked the great abundance available to us in the skies above. It is important to recognize there is already the beginning of a new gold rush in space—a pathway to astral abundance. “New Space” is a term increasingly used to describe radical new commercial space initiatives—many of which have come from Silicon Valley and often with backing from the group of entrepreneurs known popularly as the “space billionaires.” New space is revolutionizing the space industry with lower cost space transportation and space systems that represent significant cost savings and new technological breakthroughs. “New Commercial Space” and the “New Space Economy” represent more than a new way of looking at outer space. These new pathways to the stars could prove vital to human survival. If one does not believe in spending money to probe the mysteries of the universe then perhaps we can try what might be called “calibrated greed” on for size. One only needs to go to a cubesat workshop, or to Silicon Valley or one of many conferences like the “Disrupt Space” event in Bremen, Germany, held in April 2016 to recognize that entrepreneurial New Space initiatives are changing everything [ 1 ]. In fact, the very nature and dimensions of what outer space activities are today have changed forever. It is no longer your grandfather’s concept of outer space that was once dominated by the big national space agencies. The entrepreneurs are taking over. The hopeful statements in this book and the hard economic and technical data that backs them up are more than a minority opinion. It is a topic of growing interest at the World Economic Forum, where business and political heavyweights meet in Davos, Switzerland, to discuss how to stimulate new patterns of global economic growth. It is even the growing view of a group that call themselves “space ethicists.” Here is how Christopher J. Newman, at the University of Sunderland in the United Kingdom has put it: Space ethicists have offered the view that space exploration is not only desirable; it is a duty that we, as a species, must undertake in order to secure the survival of humanity over the longer term. Expanding both the resource base and, eventually, the habitats available for humanity means that any expenditure on space exploration, far from being viewed as frivolous, can legitimately be rationalized as an ethical investment choice. (Newman) On the other hand there are space ethicists and space exobiologists who argue that humans have created ecological ruin on the planet—and now space debris is starting to pollute space. Th ese countervailing thoughts by the “no growth” camp of space ethicists say we have no right to colonize other planets or to mine the Moon and asteroids—or at least no right to do so until we can prove we can sustain life here on Earth for the longer term. However, for most who are planning for the new space economy the opinion of space philosophers doesn’t really fl oat their boat. Legislators, bankers, and aspiring space entrepreneurs are far more interested in the views of the super-rich capitalists called the space billionaires. A number of these billionaires and space executives have already put some very serious money into enterprises intent on creating a new pathway to the stars. No less than five billionaires with established space ventures—Elon Musk, Paul Allen, Jeff Bezos, Sir Richard Branson, and Robert Bigelow—have invested millions if not billions of dollars into commercializing space. They are developing new technologies and establishing space enterprises that can bring the wealth of outer space down to Earth. This is not a pipe dream, but will increasingly be the economic reality of the 2020s. These wealthy space entrepreneurs see major new economic opportunities. To them space represents the last great frontier for enterprising pioneers. Th us they see an ever-expanding space frontier that offers opportunities in low-cost space transportation, satellite solar power satellites to produce clean energy 24h a day, space mining, space manufacturing and production, and eventually space habitats and colonies as a trajectory to a better human future. Some even more visionary thinkers envision the possibility of terraforming Mars, or creating new structures in space to protect our planet from cosmic hazards and even raising Earth’s orbit to escape the rising heat levels of the Sun in millennia to come. Some, of course, will say this is sci-fi hogwash. It can’t be done. We say that this is what people would have said in 1900 about airplanes, rocket ships, cell phones and nuclear devices. The skeptics laughed at Columbus and his plan to sail across the oceans to discover new worlds. When Thomas Jefferson bought the Louisiana Purchase from France or Seward bought Alaska, there were plenty of naysayers that said such investment in the unknown was an extravagant waste of money. A healthy skepticism is useful and can play a role in economic and business success. Before one dismisses the idea of an impending major new space economy and a new gold rush, it might useful to see what has already transpired in space development in just the past five decades. The world’s first geosynchronous communications satellite had a throughput capability of about 500 kb / s. In contrast, today’s state of the art Viasat 2 —a half century later— has an impressive throughput of some 140 Gb/s. Th is means that the relative throughput is nearly 300,000 greater, while its lifetime is some ten times longer (Figs. 1.1 and 1.2 ). Each new generation of communications satellite has had more power, better antenna systems, improved pointing and stabilization, and an extended lifetime. And the capabilities represented by remote sensing satellites , meteorological satellites , and navigation and timing satellites have also expanded their capabilities and performance in an impressive manner. When satellite applications first started, the market was measured in millions of dollars. Today commercial satellite services exceed a quarter of a billion dollars. Vital services such as the Internet, aircraft traffi c control and management, international banking, search and rescue and much, much more depend on application satellites. Th ose that would doubt the importance of satellites to the global economy might wish to view on You Tube the video “If Th ere Were a Day Without Satellites?” [ 2 ]. Let’s check in on what some of those very rich and smart guys think about the new space economy and its potential. (We are sorry to say that so far there are no female space billionaires, but surely this, too, will come someday soon.) Of course this twenty-fi rst century breakthrough that we call the New Space economy will not come just from new space commerce. It will also come from the amazing new technologies here on Earth. Vital new terrestrial technologies will accompany this cosmic journey into tomorrow. Information technology, robotics, artificial intelligence and commercial space travel systems have now set us on a course to allow us humans to harvest the amazing riches in the skies—new natural resources, new energy, and even totally new ways of looking at the purpose of human existence. If we pursue this course steadfastly, it can be the beginning of a New Space renaissance. But if we don’t seek to realize our ultimate destiny in space, Homo sapiens can end up in the dustbin of history—just like literally millions of already failed species. In each and every one of the five mass extinction events that have occurred over the last 1.5 billion years on Earth, some 50–80 % of all species have gone the way of the T. Rex, the woolly mammoth, and the Dodo bird along with extinct ferns, grasses and cacti. On the other hand, the best days of the human race could be just beginning. If we are smart about how we go about discovering and using these riches in the skies and applying the best of our new technologies, it could be the start of a new beginning for humanity. Konstantin Tsiokovsky, the Russian astronautics pioneer, who fi rst conceived of practical designs for spaceships, famously said: “A planet is the cradle of mankind, but one cannot live in a cradle forever.” Well before Tsiokovsky another genius, Leonardo da Vinci, said, quite poetically: “Once you have tasted flight, you will forever walk the earth with your eyes turned skyward, for there you have been, and there you will always long to return.” The founder of the X-Prize and of Planetary Resources, Inc., Dr. Peter Diamandis, has much more brashly said much the same thing in quite diff erent words when he said: “The meek shall inherit the Earth. The rest of us will go to Mars.” The New Space Billionaires Peter Diamandis is not alone in his thinking. From the list of “visionaries” quoted earlier, Elon Musk, the founder of SpaceX; Sir Richard Branson, the founder of Virgin Galactic; and Paul Allen, the co-founder of Microsoft and the man who financed SpaceShipOne, the world’s first successful spaceplane have all said the future will include a vibrant new space economy. Th ey, and others, have said that we can, we should and we soon shall go into space and realize the bounty that it can offer to us. Th e New Space enterprise is today indeed being led by those so-called space billionaires , who have an exciting vision of the future. They and others in the commercial space economy believe that the exploitation of outer space may open up a new golden age of astral abundance. They see outer space as a new frontier that can be a great source of new materials, energy and various forms of new wealth that might even save us from excesses of the past. Th is gold rush in the skies represents a new beginning. We are not talking about expensive new space ventures funded by NASA or other space agencies in Europe, Japan, China or India. No, these eff orts which we and others call New Space are today being forged by imaginative and resourceful commercial entrepreneurs. Th ese twenty-fi rst century visionaries have the fortitude and zeal to look to the abundance above. New breakthroughs in technology and New Space enterprises may be able to create an “astral life raft” for humanity. Just as Columbus and the Vikings had the imaginative drive that led them to discover the riches of a new world, we now have a cadre of space billionaires that are now leading us into this New Space era of tomorrow. These bold leaders, such as Paul Allen and Sir Richard Branson, plus other space entrepreneurs including Jeff Bezos of Amazon and Blue Origin, and Robert Bigelow, Chairman of Budget Suites and Bigelow Aerospace, not only dream of their future in the space industry but also have billions of dollars in assets. These are the bright stars of an entirely new industry that are leading us into the age of New Space commerce. These space billionaires, each in their own way, are proponents of a new age of astral abundance. Each of them is launching new commercial space industries. They are literally transforming our vision of tomorrow. These new types of entrepreneurial aerospace companies—the New Space enterprises—give new hope and new promise of transforming our world as we know it today. The New Space Frontier What happens in space in the next few decades, plus corresponding new information technologies and advanced robotics, will change our world forever. These changes will redefi ne wealth, change our views of work and employment and upend almost everything we think we know about economics, wealth, jobs, and politics. Th ese changes are about truly disruptive technologies of the most fundamental kinds. If you thought the Internet, smart phones, and spandex were disruptive technologies, just hang on. You have not seen anything yet. In short, if you want to understand a transition more fundamental than the changes brought to the twentieth century world by computers, communications and the Internet, then read this book. There are truly riches in the skies. Near-Earth asteroids largely composed of platinum and rare earth metals have an incredible value. Helium-3 isotopes accessible in outer space could provide clean and abundant energy. There is far more water in outer space than is in our oceans. In the pages that follow we will explain the potential for a cosmic shift in our global economy, our ecology, and our commercial and legal systems. These can take place by the end of this century. And if these changes do not take place we will be in trouble. Our conventional petro-chemical energy systems will fail us economically and eventually blanket us with a hydrocarbon haze of smog that will threaten our health and our very survival. Our rare precious metals that we need for modern electronic appliances will skyrocket in price, and the struggle between “haves” and “have nots” will grow increasingly ugly. A lack of affordable and readily available water, natural resources, food, health care and medical supplies, plus systematic threats to urban security and systemic warfare are the alternatives to astral abundance. The choices between astral abundance and a downward spiral in global standards of living are stark. Within the next few decades these problems will be increasingly real. By then the world may almost be begging for new, out of- the-box thinking. International peace and security will be an indispensable prerequisite for exploitation of astral abundance, as will good government for all. No one nation can be rich and secure when everyone else is poor and insecure. In short, global space security and strategic space defense, mediated by global space agreements, are part of this new pathway to the future.

## 3

#### CP Text: States should adopt and abide by the 1AC AUTHOR’S FINAL RECOMMENDATION of a “hybrid property” regulatory regime.

Babcock 19 (, H., 2019. THE PUBLIC TRUST DOCTRINE, OUTER SPACE, AND THE GLOBAL COMMONS: TIME TO CALL HOME ET. [online] Lawreview.syr.edu. Available at: <https://lawreview.syr.edu/wp-content/uploads/2019/09/H-Babcock-Article-Final-Document-v2.pdf#page=67> [Accessed 15 December 2021] Professor Babcock served as general counsel to the National Audubon Society from 1987-91 and as deputy general counsel and Director of Audubon’s Public Lands and Water Program from 1981-87. Previously, she was a partner with Blum, Nash & Railsback, where she focused on energy and environmental issues, and an associate at LeBoeuf, Lamb, Leiby & MacRae where she represented utilities in the nuclear licensing process. From 1977-79, she served as a Deputy Assistant Secretary of Energy and Minerals in the U.S. Department of the Interior. Professor Babcock has taught environmental and natural resources law as a visiting professor at Pace University Law School and as an adjunct at the University of Pennsylvania, Yale, Catholic University, and Antioch law schools. Professor Babcock was a member of the Standing Committee on Environmental Law of the American Bar Association, and served on the Clinton-Gore Transition Team.) //JQ

IV. NEW TYPES OF PROPERTY REGIMES THAT MIGHT WORK IN OUTER SPACE

The rapidly closing gap in the technological ability of countries and private companies to develop resources in outer space makes it imperative to find a property regime that will allow management of those activities. Uncontrolled activities in outer space could lead to conflict among countries and commercial enterprises, as well as irreparable damage to and over-consumption of those resources.398 But the problems with both property regimes studied in Part III raise the question of whether a new form of property might allow for a more successful management approach.

Generally, the process of changing from one property regime to another requires that certain conditions occur, such as changes in technology, the means of economic production, or in social circumstances.399 However, property in outer space is more like null property to which no claim of ownership has yet been made.400 Hence, the situation here does not involve changing from one type of property to another. Rather, it calls for the creation of a new type of property, one that can function in an unfamiliar world and open that world to terrestrial activities in an unregulated environment. These factors might create the circumstances in which a new form of property emerge.

One new type is “hybrid property,” which combines different types of property.401 Hybrid property regimes sometimes emerge because they perform a particular political function.402 Here, the political function would be the enablement of an effective regulatory regime in outer space. Hybrid property can improve the efficiency and stability of traditional property regimes and can encourage the creation of important social goods.403 An example of a hybrid property regime is one that is sometimes private and sometimes common; for example, where private property may be open for collective uses.404 Public dedication “reflects a peculiar hybrid doctrine which grants private rights in public spaces based on the reliance interests of those who purchased land—typically at higher prices—on the understanding that adjacent land would remain subject to public use.”405 One might find a hybrid property regime in outer space where land that has been temporarily enclosed to allow some development activity to take place is also open to public use, like government-sponsored scientific research or privately sponsored tourism.

“Property hybridity can emerge and survive not only when it is economically optimal but also when it fulfills political imperatives.”406 If the political imperative in outer space is to develop some form of property regime that meets the needs of public and private investors in space while providing access for non-space faring nations and their citizens, then maybe some form of hybridity that allows for overlapping forms of property or governance should be used rather than exclusive zones where one form of property is allowed and another is not allowed.407 There may be political support for “such a spatial compromise” where the hybrid regime preserves and strengthens “existing informal governance mechanisms in open-access areas.”408 Further, these hybrid regimes, because of the role of local—even community-based—government, may avoid some of the back-channel dealings that disfavor entities, in this case disempowered countries and their citizens.409 But where there is “jurisdictional complexity”—i.e., the involvement of many jurisdictions in the affected area—it may be more difficult to work out the arrangements among those jurisdictions to achieve any form of hybridity, overlapping or spatial.410

## 4

#### Russia’s international ambitions are low now due to space sector failures.

AFP 19 5/28/19 (Agence France-Presse - international news agency headquartered in Paris, “Moscow, we have a problem: theft plagues Russia’s space sector,” https://www.scmp.com/news/world/russia-central-asia/article/3012088/moscow-we-have-problem-theft-plagues-russias-space)

With millions of dollars missing and officials in prison or fleeing the country, Russia’s space sector is at the heart of a staggering embezzlement scheme that has dampened ambitions of recovering its Soviet-era greatness. For years, Moscow has tried to fix the industry that was a source of immense pride in the USSR. While it has bounced back from its post-Soviet collapse and once again become a major world player, the Russian space sector has recently suffered a series of humiliating failures. And now, massive corruption scandals at state space agency Roscosmos have eclipsed its plans to launch new rockets and lunar stations. “Billions (of roubles) are being stolen there, billions,” Alexander Bastrykin, the powerful head of Russia’s Investigative Committee – Russia’s equivalent of the FBI – said in mid-May. Investigations into corruption at Roscosmos have been ongoing “for around five years and there is no end in sight,” he added. In the latest controversy, a senior space official appears to have fled Russia during an audit of the research centre he headed. Yury Yaskin, the director of the Research Institute of Space Instrumentation, left Russia for a European country in April where he announced his resignation, the Kommersant paper reported. He feared the discovery of malpractice during an inspection of the institute, according to the newspaper’s sources. Roscosmos confirmed that Yaskin had resigned but did not clarify why. His Moscow institute is involved in developing the Russian satellite navigation system GLONASS designed to compete with the American GPS system. Corruption has particularly affected Russia’s two most important space projects of the decade: GLONASS and the construction of the country’s showpiece cosmodrome Vostochny, built to relieve Moscow’s dependence on Baikonur in ex-Soviet Kazakhstan. Almost all major companies in the sector, including rocket builders Khrunichev and Progress, have been hit by financial scandals that have sometimes led to prison sentences for large-scale fraud. Russia’s Audit Chamber, a parliamentary body of financial control, estimated that 760 billion roubles (around US$11.7 million) was misappropriated from Roscosmos in 2017, or nearly 40 per cent of the total misappropriated from the entire economy that year. Roscosmos said that “eradicating corruption” is one of its “primary goals”, adding that it regularly cooperates with investigations by the authorities. In mid-April, President Vladimir Putin stressed the need to “progressively resolve the obvious problems that slow down the development of the rocket-space sector.” “The time and financial frameworks to realise space projects are often unjustified,” the Russian leader Rebooting the space sector is a matter of prestige for the Kremlin. It symbolises its renewed pride and ability to be a major global power, especially in the context of increased tensions with the United States.

#### We stopped appeasing Russia – they’ll pocket concessions from coop and increase aggression – tensions aren’t the result of understandings but hardened differences.

Haddad **and Polakova** 18 [Benjamin Haddad Director, Future Europe Initiative - Atlantic Council. Alina Polyakova Director, Project on Global Democracy and Emerging Technology Fellow - Foreign Policy, Center on the United States and Europe. Don’t rehabilitate Obama on Russia. March 5, 2018. https://www.brookings.edu/blog/order-from-chaos/2018/03/05/dont-rehabilitate-obama-on-russia/]

Obama’s much-ballyhooed “Reset” with Russia, launched in 2009, was in keeping with optimistic attempts by every post-Cold War American administration to improve relations with Moscow out of the gate. Seizing on the supposed change of leadership in Russia, with Dmitry Medvedev temporarily taking over the presidency from Vladimir Putin, Obama’s team quickly turned a blind eye to Russia’s 2008 war with Georgia, which in retrospect was Putin’s opening move in destabilizing the European order. Like George W. Bush before him, Obama vastly overestimated the extent to which a personal relationship with a Russian leader could affect the bilateral relationship. U.S.-Russia disagreements were not the result of misunderstandings, but rather the product of long-festering grievances. Russia saw itself as a great power that deserved equal standing with the U.S. What Obama saw as gestures of good will—such as the 2009 decision to scrap missile defense plans for Poland and the Czech Republic—Russia interpreted as a U.S. retreat from the European continent. Moscow pocketed the concessions and increasingly inserted itself in European affairs. The Kremlin was both exploiting an easy opportunity and reasserting what it thought was its historic prerogative. Though Russia’s invasion of Ukraine in 2014 was the final nail in the coffin of the Reset, President Obama remained reluctant to view Moscow as anything more than a local spoiler, and thought the whole mess was best handled by Europeans. France and Germany spearheaded the Minsk ceasefire process in 2014-2015, with U.S. support but without Washington at the table. The Obama administration did coordinate a far-ranging sanctions policy with the European Union—an important diplomatic achievement, to be sure. But to date, the sanctions have only had a middling effect on the Russian economy as a whole (oil and gas prices have hurt much more). And given that sanctions cut both ways—potential value is destroyed on both sides when economic activity is systematically prohibited—most of the sacrifice was (and continues to be) born by European economies, which have longstanding ties to Russia. In contrast, the costs of a robust sanctions policy have been comparatively minor in the United States; Obama spent little political capital to push them through at home. The Obama administration also sought to shore up NATO’s eastern flank through the European Reassurance Initiative (ERI), which stationed rotating troops in Poland and the Baltics while increasing the budget for U.S. support. Nevertheless, the president resisted calls from Congress, foreign policy experts, and his own cabinet to provide lethal weapons to Ukraine that would have raised the costs on Russia and helped Kyiv defend itself against Russian military incursion into the Donbas. As Obama told Jeffrey Goldberg, he viewed any deterrent moves by the United States as fundamentally not credible, because Russia’s interests clearly trumped our own; it was clear to him they would go to war much more readily that the United States ever would, and thus they had escalatory dominance. Doing more simply made no sense to Obama. This timid realpolitik was mixed up with a healthy dose of disdain. Obama dismissed Russia as a “regional power” that was acting out of weakness in Ukraine. “The fact that Russia felt it had to go in militarily and lay bare these violations of international law indicates less influence, not more,” Obama said at the G7 meeting in 2014. This line has not aged well. Obama’s attitudes on Russia reflected his administration’s broadly teleological, progressive outlook on history. Russia’s territorial conquest “belonged in the 19th century.” The advance of globalization, technological innovation, and trade rendered such aggression both self-defeating and anachronistic. The biggest mistake for America would be to overreact to such petty, parochial challenges. The 2015 National Security Strategy favored “strategic patience”. But was it patience… or passivity? As its actions in 2016 proved, Russia is very much a 21st century power that understands how to avail itself of the modern tools available to it, often much better than we do ourselves. The same intellectual tendencies that shaped Obama’s timid approach to Ukraine were reflected in his administration’s restrained response as evidence of Russian electoral interference began to emerge in the summer of 2016. Starting in June, intelligence agencies began reporting that Russian-linked groups hacked into DNC servers, gained access to emails from senior Clinton campaign operatives, and were working in coordination with WikiLeaks and a front site called DCLeaks to strategically release this information throughout the campaign cycle. By August, Obama had received a highly classified file from the CIA detailing Putin’s personal involvement in covert influence operations to discredit the Clinton campaign and disrupt the U.S. presidential elections in favor of her opponent, Donald Trump. That fall through to his departure from the White House, the president and his key advisers struggled to find an appropriate response to the crime of the century. But out of all the possible options, which included a cyber offensive on Russia and ratcheted up sanctions, the policy that was adopted in the final months of Obama’s term was, characteristically, cautious. Obama approved additional narrow sanctions against Russian targets, expelled 35 Russian diplomats, and shut down two Russian government compounds. It’s true that Obama faced a difficult political environment that constrained his ability to take tougher measures. Republican opponents would have surely decried any loud protests as a form of election meddling on Hillary Clinton’s behalf. Donald Trump was already flogging the narrative that the elections were rigged against him. And anyway, Clinton seemed destined to win; she would tend to the Russians in her own time, the thinking went. But just as with the decision to not provide weapons to Ukraine, the Obama administration also fretted about provoking Russia into taking even more drastic steps, such as hacking the voting systems or a cyber attack on critical infrastructure. In the end, the administration’s worries proved to be paralyzing. “I feel like we sort of choked,” one Obama administration official told the Washington Post. Much ink has been spilled over President Trump’s effusive praise for Putin and his brutal regime. “You think our country’s so innocent?” candidate Trump famously replied to an interviewer listing the many human rights abuses of Putin’s Russia, including the harassment and murder of journalists. Obama, on the other hand, never had any ideological or psychological sympathy for Putin or Putinism. By the end of his second term, the two men were barely on speaking terms, the iciness of their encounters in full public view. For most of Obama’s two terms, however, this personal animosity did not translate into tougher policies. Has the Trump administration been tougher on Russia than Obama, as the president claims? Trump’s own boasting feels like a stretch, especially given how he seems to have gone out of his way to both disparage NATO and praise Putin during the course of his first year in office. Still, many of his administration’s good policies have been obscured by the politics of the Mueller investigation and the incessant furor kicked up by the president’s tweets. As Tom Wright has noted, the Trump administration seems to pursue two policy tracks at the same time: the narrow nationalism of the president’s inflammatory rhetoric openly clashing with the seriousness of his administration’s official policy decisions. These tensions are real, but all too often they become the story. Glossed over is the fact that President Trump has appointed a string of competent and widely respected figures to manage Russia policy—from National Security Council Senior Director Fiona Hill to Assistant Secretary of State for European affairs Wess Mitchell to the Special Envoy for Ukraine Kurt Volker. The Trump administration is, in fact, pursuing concrete policies pushing back on Russian aggression that the Obama administration had fervently opposed. The National Security Strategy of 2017, bringing a much-needed dose of realism to a conversation too often dominated by abstractions like the “liberal world order”, singles out both China and Russia as key geopolitical rivals. During Trump’s first year, the administration approved the provision of lethal weapons to Ukraine, shut down Russia’s consulate in San Francisco as well as two additional diplomatic annexes, and rather than rolling back sanctions, Trump signed into law additional sanctions on Russia, expanded LNG sales to a Europe dependent in Russian gas imports, and increased the Pentagon’s European Reassurance Initiative budget by 40 percent. (A president who berated U.S. investments for European defense has actually dramatically increased American military presence on Europe’s threatened borders.) While many of these policies may have been implemented despite rather than because of the president—on the expansion of sanctions in particular, Trump faced a veto-proof majority in Congress—credit should be given where credit is due. The Trump administration’s sober policy decisions should not excuse the president’s praise for Vladimir Putin, nor his reckless undermining of America’s stated commitment to enforcing Article 5 during his first speech in front of NATO. But the fact remains that the U.S. is taking concrete steps to strengthen Europe against Russian aggression. And let’s not be coy about it: if the president’s strident complaining about unequal burden-sharing in NATO finally snaps European allies out of their complacency and helps spur military investment on the continent, this won’t be good news for Russia either. Indeed, he will have succeeded in moving the needle on an issue that has frustrated every one of his predecessors since 1989. Has Trump’s bluster, especially on Article 5, been cost-free? Hardly. Nevertheless, talking to diplomats around town suggests that after initial months of uneasiness, most Europeans have learned to deal with the Trump administration in a dispassionate and pragmatic manner that stands in stark relief with much of the hysteria that passes for commentary in the U.S. Each administration should be judged on what it has achieved. At the end of the Obama’s two terms, Putin had elevated Russia to a credible revisionist power on the international stage. Russia annexed Crimea and occupied much of Eastern Ukraine; by successfully propping up the degenerate Assad regime, the Kremlin gained a veto on any possible political solution to Syria, and got a meaningful foothold in the broader region for the first time since Sadat threw Soviet advisors out; and its populist allies and fellow-travelers were on the rise in Europe, fueling both anti-Americanism and illiberalism; and most damning of all, it managed to meddle, almost unopposed, in U.S. politics—all on Obama’s watch. There is plenty left to criticize in how the Trump administration has done things in its first year. The Trump administration’s apparent unwillingness to take steps to deter hostile foreign powers from meddling in American politics is inexcusably irresponsible. And in the Middle East, the Trump administration seems hell-bent on following Obama’s myopic policy of retreat and narrow preoccupation with fighting ISIS to the exclusion of all else. But despite the president’s campaign promises, his administration has been the first in the post-Cold War era to not try for a “Reset” with Moscow. If Vladimir Putin wanted to sow chaos and confusion in Washington, he has succeeded beyond his wildest dreams. If he wanted a pliant ally in America, he has abjectly failed.

#### Space cooperation massively boosts prestige for Russia.

Juul 19 - Senior policy analyst at the Center for American Progress Peter Juul, “Trump’s Space Force Gets the Final Frontier All Wrong,” Foreign Policy. March 20, 2019. <https://foreignpolicy.com/2019/03/20/trumps-space-force-gets-the-final-frontier-all-wrong/>

--Space is k2 national prestige – we control it now because people remember Apollo and ISS but that won’t last forever – strong NASA leadership is key

--Autocracy link – working with Russia and China gives them diplomatic leverage because it treats them as co-equal despite HR violations

--Competition is key – drives all countries to try to outperform the others

But funding isn’t everything, and in the new geopolitical context, democracy must be seen to work effectively. When it comes to space exploration, that means ratcheting back U.S. space cooperation with Russia as well as forgoing any equally intimate cooperation with China and its secretive space agency. The fact that the [head of Russia’s space agency remains under U.S. sanctions](https://spacenews.com/nasa-postpones-rogozin-visit/) for his role in Moscow’s military intervention in Ukraine illustrates the hazards involved in working with autocracies in space. Deep cooperation with autocratic powers in space gives autocracies a major point of diplomatic leverage over the United States, and more generally allows them to poach unearned international prestige by working on goals set and largely carried out by the United States. In today’s world, there’s no reason for the United States to give Russia or China this sort of standing by association.

Cooperation between the United States and Russia won’t grind to an immediate halt, though. With the International Space Station in orbit until at least 2024—if not longer—it will take time to disentangle the web of functional ties that have bound NASA and its Russian counterpart over the last quarter century. Significant cooperation with China should be avoided altogether, especially given its [notoriously opaque](https://www.merics.org/en/blog/chinas-space-program-about-more-soft-power) and [military-run](https://www.theatlantic.com/science/archive/2017/01/china-space/497846/) space program. The space programs and agencies of other nations—NASA, the European Space Agency and its member-nation agencies, the Japan Aerospace Exploration Agency, and even Russia’s Roscosmos—remain led and run by civilians.

#### The space sector’s importance for military strategy makes it prestige driver for Russia that allows them to mask domestic challenges.

Jackson 18 (Nicole J. Jackson is an international relations and security studies scholar specializing in Russia and the former Soviet Union. She is Associate Professor at the School for International Studies at Simon Fraser University. She has published on Russian foreign and security policy, regional security governance and trafficking in Central Asia. "Outer Space in Russia’s Security Strategy." https://pdfs.semanticscholar.org/40e4/d8ee5c172d547fdc4c047ff01b444b69136e.pdf)

Today, the Russian Federation is a major actor in space and outer space governance. Its presence in space is second only to that of the United States. Meanwhile, the challenges of keeping outer space ‘secure’ are growing in importance and complexity in the current context of globalisation, rapid technological change, and the increasing access to space for state and non-state actors. Russia considers outer space as a strategic region to enhance its military capabilities on earth, provide intelligence and communication functions, and achieve international status and prestige as a space power. It is sensitive to US strategy and actions and has developed counterspace technologies (e.g. electronic weapons that can jam satellites) to provide Russia with an asymmetrical edge to offset US military advantages. However, Russia’s outer space rhetoric and policy are also driven by domestic and identity issues. Outer space strategy is an instrument through which Russia pursues its goal to be a ‘great power’ and to shape the international system more closely to Russia’s vision of the new multipolar world. Space also may bring Russia economic benefits and mask internal challenges.

#### Specifically - conciliatory policies present an image of weakness and appeasement - Russia seizes on it.

Payne 17 – Served in the Department of Defense as the Deputy Assistant Secretary of Defense for Forces Policy Dr. Keith B. Payne, “Russian strategy Expansion, crisis and conflict,” Comparative Strategy, 2017. <https://www.tandfonline.com/doi/pdf/10.1080/01495933.2017.1277121?needAccess=true>

Unless a fundamental change occurs in Russian leadership and strategy, conciliatory actions by the West to avoid confrontation seem likely to present an image of weakness and irresolution, and thereby invite further Russian expansionist policies and belligerence. How then should the West begin to formulate its response to this potential threat? In particular, how should the West neutralize the Russian threat of nuclear first use to “de-escalate” a conflict? Recent reports analyzing Russian incursions have not dealt in a comprehensive manner with this issue. Commentators typically propose either to proceed cautiously and avoid confrontation because of Russian nuclear threats or match Russian threats and actions.40 Developing a comprehensive strategy to combat Russia’s nuclear first-use strategy is a critical, albeit complex undertaking. A first step is to outline the myriad objectives of an effective strategy to be employed by the United States and allies to confront and negate this threat. The discussion below offers an initial broad outline of suggested objectives for this important first step.

#### Putin soft power is low now, and that prevents Baltic adventurism that goes nuclear - legitimizing him gives him an opening to make information warfare succeed.

Kagan 19 - American resident scholar at the American Enterprise Institute, and a former professor of military history at the U.S. Military Academy at West Point, less famous brother of our favorite neighborhood neocon Robert Kagan Frederick W. Kagan, “CONFRONTING THE RUSSIAN CHALLENGE: A NEW APPROACH FOR THE U.S.,” Institute for the Study of War. June 2019. <https://www.politico.com/f/?id=0000016b-6eef-dc80-a3ff-ffff778c0000> \*\*\*Apologies for it being super condensed - it’s a 90 pg article

Impact: --Russia needs to use nuclear threats in adventurism bc of conventional inferioty --Wld detonate tac nukes to dare us to go to strategic nukes – either we give up and lose NATO or retaliate --Causes countervalue strikes that kill everyone IL: --Russia adventurism relies on hybrid/info warfare – need to be able to sell a narrative to succeed --Legitimacy is key – putin’s opportunistic and strikes if he thinks people will buy his narratives --He’ll view the plan as an opportunity – views multipolarity as legitimating and will see it as recognition of his right to seize soviet states --Nostalgia link – his sopo strat is based on reminiscence about the old USSR days – space achieves that UQ: 1] now key – Putin in frozen conflicts and not condoned or condemned – plan is viewed sa ex post facto condoning Ukraine which justifies future incursions – it says putin is fine to seize territory bc we’re willing to work with him anyway! 2] His foreign policy strat is failing now – states are’t aligned with him 3] SoPo low bc he’s been called out – he paid a high price for incursions and the US has shunned him – that means his actions are delegitimized and called out so he won’t try it, but the plan flips it

The Russian threat’s effectiveness results mainly from the West’s weaknesses. NATO’s European members are not meeting their full commitments to the alliance to maintain the fighting power needed to deter and defeat the emerging challenge from Moscow. Increasing political polarization and the erosion of trust by Western peoples in their governments creates vulnerabilities that the Kremlin has adroitly exploited. Moscow’s success in manipulating Western perceptions of and reactions to its activities has fueled the development of an approach to warfare that the West finds difficult to understand, let alone counter. Shaping the information space is the primary effort to which Russian military operations, even conventional military operations, are frequently subordinated in this way of war. Russia obfuscates its activities and confuses the discussion so that many people throw up their hands and say simply, “Who knows if the Russians really did that? Who knows if it was legal?”—thus paralyzing the West’s responses. Putin’s Program Putin is not simply an opportunistic predator. Putin and the major institutions of the Russian Federation have a program as coherent as that of any Western leader. Putin enunciates his objectives in major speeches, and his ministers generate detailed formal expositions of Russia’s military and diplomatic aims and its efforts and the methods and resources it uses to pursue them. These statements cohere with the actions of Russian officials and military units on the ground. The common perception that he is opportunistic arises from the way that the Kremlin sets conditions to achieve these objectives in advance. Putin closely monitors the domestic and international situation and decides to execute plans when and if conditions require and favor the Kremlin. The aims of Russian policy can be distilled into the following: Domestic Objectives Putin is an autocrat who seeks to retain control of his state and the succession. He seeks to keep his power circle content, maintain his own popularity, suppress domestic political opposition in the name of blocking a “color revolution” he falsely accuses the West of preparing, and expand the Russian economy. Putin has not fixed the economy, which remains corrupt, inefficient, and dependent on petrochemical and mineral exports. He has focused instead on ending the international sanctions regime to obtain the cash, expertise, and technology he needs. Information operations and hybrid warfare undertakings in Europe are heavily aimed at this objective. External Objectives Putin’s foreign policy aims are clear: end American dominance and the “unipolar” world order, restore “multipolarity,” and reestablish Russia as a global power and broker. He identifies NATO as an adversary and a threat and seeks to negate it. He aims to break Western unity, establish Russian suzerainty over the former Soviet States, and regain a global footprint. Putin works to break Western unity by invalidating the collective defense provision of the North Atlantic Treaty (Article 5), weakening the European Union, and destroying the faith of Western societies in their governments. He is reestablishing a global military footprint similar in extent the Soviet Union’s, but with different aims. He is neither advancing an ideology, nor establishing bases from which to project conventional military power on a large scale. He aims rather to constrain and shape America’s actions using small numbers of troops and agents along with advanced anti-air and anti-shipping systems. Recommendations A sound U.S. grand strategic approach to Russia: • Aims to achieve core American national security objectives positively rather than to react defensively to Russian actions; • Holistically addresses all U.S. interests globally as they relate to Russia rather than considering them theater-by-theater; • Does not trade core American national security interests in one theater for those in another, or sacrifice one vital interest for another; • Achieves American objectives by means short of war if at all possible; • Deters nuclear war, the use of any nuclear weapons, and other Weapons of Mass Destruction (WMD); • Accepts the risk of conventional conflict with Russia while seeking to avoid it and to control escalation, while also ensuring that American forces will prevail at any escalation level; • Contests Russian information operations and hybrid warfare undertakings; and • Extends American protection and deterrence to U.S. allies in NATO and outside of NATO. Such an approach involves four principal lines of effort. Constrain Putin’s Resources. Russia uses hybrid warfare approaches because of its relative poverty and inability to field large and modern military systems that could challenge the U.S. and NATO symmetrically. Lifting or reducing the current sanctions regime or otherwise facilitating Russia’s access to wealth and technology could give Putin the resources he needs to mount a much more significant conventional threat—an aim he had been pursuing in the early 2000s when high oil prices and no sanctions made it seem possible. Disrupt Hybrid Operations. Identifying, exposing, and disrupting hybrid operations is a feasible, if difficult, undertaking. New structures in the U.S. military, State Department, and possibly National Security Council Staff are likely needed to: 1. Coordinate efforts to identify and understand hybrid operations in preparation and underway; 2. Develop recommendations for action against hybrid operations that the U.S. government has identified but are not yet publicly known; 3. Respond to the unexpected third-party exposure of hybrid operations whether the U.S. government knew about the operations or not; 4. Identify in advance the specific campaign and strategic objectives that should be pursued when the U.S. government deliberately exposes a particular hybrid operation or when third parties expose hybrid operations of a certain type in a certain area; 5. Shape the U.S. government response, particularly in the information space, to drive the blowback effects of the exposure of a particular hybrid operation toward achieving those identified objectives; and 6. Learn lessons from past and current counter-hybrid operations undertakings, improve techniques, and prepare for future evolutions of Russian approaches in coordination with allies and partners. The U.S. should also develop a counter-information operations approach that uses only truth against Russian narratives aimed at sowing discord within the West and at undermining the legitimacy of Western governments. Delegitimize Putin as a Mediator and Convener. Recognition as one of the poles of a multipolar world order is vital to Putin. It is part of the greatness he promises the Russian people in return for taking their liberty. Getting a “seat at the table” of Western-led endeavors is insufficient for him because he seeks to transform the international system fundamentally. He finds the very language of being offered a seat at the West’s table patronizing. He has gained much more legitimacy as an international partner in Syria and Ukraine than his behavior warrants. He benefits from the continuous desire of Western leaders to believe that Moscow will help them out of their own problems if only it is approached in the right way. The U.S. and its allies must instead recognize that Putin is a self-declared adversary who seeks to weaken, divide, and harm them—never to strengthen or help them. He has made clear in word and deed that his interests are antithetical to the West’s. The West should therefore stop treating him as a potential partner, but instead require him to demonstrate that he can and will act to advance rather than damage the West’s interests before engaging with him at high levels. The West must not trade interests in one region for Putin’s help in another, even if there is reason to believe that he would actually be helpful. Those working on American policy in Syria and the Levant must recognize that the U.S. cannot afford to subordinate its global Russia policy to pursue limited interests, however important, within the Middle East. Recognizing Putin as a mediator or convener in Syria—to constrain Iran’s activities in the south of that country, for example—is too high a price tag to pay for undermining a coherent global approach to the Russian threat. Granting him credibility in that role there enhances his credibility in his self-proclaimed role as a mediator rather than belligerent in Ukraine. The tradeoff of interests is unacceptable. Nor should the U.S. engage with Putin about Ukraine until he has committed publicly in word and deed to what should be the minimum non-negotiable Western demand—the recognition of the full sovereignty of all the former Soviet states, specifically including Ukraine, in their borders as of the dates of their admission as independent countries to the United Nations, and the formal renunciation (including the repealing of relevant Russian legislation) of any right to interfere in the internal affairs of those states Defend NATO. The increased Russian threat requires increased efforts to defend NATO against both conventional and hybrid threats. All NATO members must meet their commitments to defense spending targets—and should be prepared to go beyond those commitments to field the forces necessary to defend themselves and other alliance members. The Russian base in Syria poses a threat to Western operations in the Middle East that are essential to protecting our own citizens and security against terrorist threats and Iran. Neither the U.S. nor NATO is postured to protect the Mediterranean or fight for access to the Middle East through the eastern Mediterranean. NATO must now prepare to field and deploy additional forces to ensure that it can win that fight. The West should also remove as much ambiguity as possible from the NATO commitment to defend member states threatened by hybrid warfare. The 2018 Brussels Declaration affirming the alliance’s intention to defend member states attacked by hybrid warfare was a good start. The U.S. and other NATO states with stronger militaries should go further by declaring that they will come to the aid of a member state attacked by conventional or hybrid means regardless of whether Article 5 is formally activated, creating a pre-emptive coalition of the willing to deter Russian aggression. Bilateral Negotiations. Recognizing that Russia is a self-defined adversary and threat does not preclude direct negotiations. The U.S. negotiated several arms control treaties with the Soviet Union and has negotiated with other self-defined enemies as well. It should retain open channels of communication and a willingness to work together with Russia on bilateral areas in which real and verifiable agreement is possible, even while refusing to grant legitimacy to Russian intervention in conflicts beyond its borders. Such areas could include strategic nuclear weapons, cyber operations, interference in elections, the Intermediate Nuclear Forces treaty, and other matters related to direct Russo-American tensions and concerns. There is little likelihood of any negotiation yielding fruit at this point, but there is no need to refuse to talk with Russia on these and similar issues in hopes of laying the groundwork for more successful discussions in the future. INTRODUCTION The Russian challenge is a paradox. Russia’s nuclear arsenal poses the only truly existential threat to the United States and its allies, but Russia’s conventional military forces have never recovered anything like the power of the Soviet military. Those forces pose a limited and uneven threat to America’s European allies and to U.S. armed forces, partially because many U.S. allies are not meeting their NATO defense spending commitments. Russia is willing and able to act more rapidly and accept greater risk than Western countries because of its autocratic nature. Its cyber capabilities are among the best in the world, and it is developing an information-based way of war that the West has not collectively properly understood, let alone begun developing a response to. That information-based warfare has included attempts to affect and disrupt elections in the U.S. and allied states. The complexity and paradoxical nature of the Russian threat is perhaps its greatest strength. It is one of the key reasons for the failure of successive American administrations and U.S. partners around the world to develop a coherent strategy for securing themselves and their people and advancing their interests in the face of Russian efforts against them. The West’s lack of continuous focus on the Russian challenge has created major gaps in our collective understanding of the problem—another key reason for our failure to develop a sound counter-strategy. American concerns about Russia are bifurcated, moreover. Many Americans see the Russian threat primarily as a domestic problem: Moscow’s interference in the 2016 presidential election, attempts to interfere in the 2018 midterm election, and efforts to shape the 2020 elections. The U.S. national security establishment acknowledges the domestic problem but is generally more concerned with the military challenges a seemingly reviving Russia poses to U.S. NATO allies and other partners in the Euro-Atlantic region; with Russia’s activities in places like Syria and Venezuela; and with Russia’s outreach to rogue states such as North Korea and Iran. Even that overseas security concern, however, is pervaded by complexity and some confusion. The recommendations of the current U.S. National Security Strategy (NSS) and National Defense Strategy (NDS) are dominated by responses to much-trumpeted Russian investments in the modernization of conventional and nuclear forces. At the same time, those documents acknowledge the importance of Russian capabilities at the lower end of the military spectrum and in the non-military realms of information, cyber, space, information, and economic efforts. Americans thus generally agree that Russia is a threat to which the U.S. must respond in some way, but the varying definitions of that threat hinder discussion of the appropriate response. Russia has entangled itself sufficiently in American partisan politics that conversation about the national security threat it poses is increasingly polarized. We must find a way to transcend this polarization to develop a strategy to secure the U.S. and its allies and advance U.S. interests, despite Russian efforts to undermine America’s domestic politics. AMERICAN INTERESTS—WHAT IS AT STAKE The Ideals of the American Republic The stakes in the Russo-American conflict are high. Russian leader Vladimir Putin seeks to undermine confidence in democratically elected institutions and the institution of democracy itself in the United States and the West.1 He is trying to interfere with the ability of American and European peoples to choose their leaders freely2 and is undermining the rules-based international order on which American prosperity and security rest. His actions in Ukraine and Syria have driven the world toward greater violence and disorder. The normalization of Putin’s illegal actions over time will likely prompt other states to emulate his behavior and cause further deterioration of the international system. Moscow’s war on the very idea of truth has been perhaps the most damaging Russian undertaking in recent years. The most basic element of the Russian information strategy, which we will consider in more detail presently, is the creation of a sense of uncertainty around any important issue. Russia’s strategy does not require persuading Western audiences that its actions in Ukraine’s Crimean Peninsula or the Kerch Strait, which connects the Black Sea and the Sea of Azov, for example, were legal or justified.3 It is enough to create an environment in which many people say simply, “who knows?” The “who knows?” principle feeds powerfully into the phenomena of viral “fake news,” as well as other falsehoods and accusations of falsehoods which, if left unchecked, will ultimately make civil discourse impossible. The Kremlin’s propaganda does not necessarily need its target audiences to believe in lies; its primary goal is to make sure they do not believe in the truth. This aspect of Putin’s approach is one of the greatest obstacles to forming an accurate assessment and making recommendations. It is also one of the most insidious threats the current Russian strategy poses to the survival of the American republic. The good news is that the war on the idea of truth does not involve military operations or violence, though it can lead to both. The bad news is that it is extraordinarily difficult to identify, let alone to counter. Yet we must counter it if we are to survive as a functioning polity. American Prosperity The debate about the trade deficit and tariffs only underscores the scale and importance of the role Europe plays in the American economy. Europe is the largest single market for American exports and the second-largest source of American imports, with trade totaling nearly $1.1 trillion.4 American exports to Europe are estimated to support 2.6 million jobs in the U.S.5 Significant damage to the European economy, let alone the collapse of major European states or Europe itself, would devastate the U.S. economy as well. American prosperity is tightly interwoven with Europe’s. American prosperity also depends on Europe remaining largely democratic, with market-based economies, and subscribing to the idea of a rulesbased international order. The re-emergence of authoritarian regimes in major European states, which would most likely be fueled by a resurgence of extremist nationalism, would lead to the collapse of the entire European system, including its economic foundations. European economic cooperation rests on European peace, which in turn rests on the continued submergence of extremist nationalism and adherence to a common set of values. Russian actions against Western democracies and support for extremist groups, often with nationalist agendas, reinforce negative trends emerging within Europe itself. These actions therefore constitute a threat to American prosperity and security over the long term. The American economy also depends on the free flow of goods across the world’s oceans and through critical maritime chokepoints. Russia posed no threat to those chokepoints after the Soviet Union fell, but that situation is changing. The establishment of what appears to be a permanent Russian air, land, and naval base on the Syrian coast gives Russia a foothold in the Mediterranean for the first time since 1991. Russian efforts to negotiate bases in Egypt and Libya and around the Horn of Africa would allow Moscow to threaten maritime and air traffic through the Suez Canal and the Red Sea.6 Since roughly 3.9 million barrels of oil per day transited the Suez in 2016, to say nothing of the food and other cargo moving through the canal, Russian interference would have significant impacts on the global economy—and therefore on America’s economy.7 Russia’s efforts to establish control over the maritime routes opening in the Arctic also threaten the free movement of goods through an emerging set of maritime chokepoints.8 Those efforts are even more relevant to the U.S. because the Arctic routes ultimately pass through the Bering Strait, the one (maritime) border America shares with Russia. Russian actions can hinder or prevent the U.S. and its allies from benefiting from the opening of the Arctic. Russia is already bringing China into the Arctic region through energy investment projects and negotiations about the use of the Northern Sea Route, despite the fact that China is a state with no Arctic territory or claims.9 NATO The collective defense provision of the NATO treaty (known as Article 5) has been invoked only once in the 70-year history of the alliance: on September 12, 2001, on behalf of the United States. NATO military forces provided limited but important assistance to the U.S. in the immediate wake of the 9/11 attacks, including air surveillance patrols over the United States, and have continued supporting the U.S. in the long wars that followed. NATO established military missions in both Iraq and Afghanistan in the next two decades, deploying tens of thousands of soldiers to fight and to train America’s Iraqi and Afghan partners. American allies, primarily NATO members, have suffered more than 1,100 deaths in the Afghan war, slightly under half the number of U.S. deaths.10 The non-U.S. NATO member states collectively spent roughly $313 billion on defense in 2018—about half the American defense budget.11 The failure of most NATO members to meet their commitment to spend 2 percent of their GDP on defense is lamentable and must be addressed. But the fact remains that the alliance and its members have spent large amounts of blood and treasure fighting alongside American forces against the enemies that attacked the U.S. homeland two decades ago, and that they provide strength and depth to the defense of Europe, which remains of vital strategic importance to the United States. The U.S. could not come close to replacing them without significantly increasing its own defense spending and the size of the U.S. military—to say nothing of American casualties. NATO is also the most effective alliance in world history by the standard that counts most: it has achieved its founding objective for 70 years. The alliance was formed in 1949 to defend Western Europe from the threat of Soviet aggression, ideally by deterring Soviet attack, and has never needed to fight to defend itself. The United States always provided the preponderance of military force for the alliance, but the European military contribution has always been critical as well. American conventional forces throughout the Cold War depended on the facilities and the combat power of European militaries, and the independent nuclear deterrents of France and Great Britain were likely as important to deterring overt Soviet aggression as America’s nuclear arsenal. The Soviets might have come to doubt that the U.S. would risk nuclear annihilation to defend Europe, but they never doubted that France and Britain would resort to nuclear arms in the face of a Soviet invasion. Has NATO become irrelevant with the passing of the Cold War and the drawdown of U.S. forces from Iraq and Afghanistan? Only if the threat of war has passed and Europe itself has become irrelevant to the United States. Neither is the case. Europe’s survival, prosperity, and democratic values remain central to America’s well-being, as noted above, and today’s global environment makes war more likely than it has been since the collapse of the Soviet Union. It is not a given that Europe will remain democratic and a part of the international rules-based order if NATO crumbles. The U.S. can and should continue to work with its European partners to increase their defense expenditures and, more to the point, military capabilities (for which the percent of GDP spent on defense is not a sufficient proxy). The U.S. must also recognize the centrality of the alliance to America’s own security, as both the National Security Strategy and the National Defense Strategy do.12 The maintenance and defense of NATO itself is a core national security interest of the United States. Cyber Russia is one of the world’s leading cyber powers, competing with the U.S. and China for the top spot, at least in offensive cyber capabilities. Russian hacking has become legendary in the U.S. thanks to Russia’s efforts to influence the 2016 presidential campaign, but Russia has turned its cyber capabilities against its neighbors in other damaging ways. Russia attacked Estonia in 2007 with a massive distributed denial-of-service attack. It attacked Ukrainian computers with the NotPetya malware in 2017, which eventually caused billions of dollars in damage, including in the Americas.13 It also employed cyberattacks in coordination with its ground invasions of Georgia in 2008 and Ukraine in 2014. Fears of Russian cyber capabilities are warranted. This report does not consider the Russian cyber challenge in detail because others with far more technical expertise and support are actively engaged in combating it, defending against it, and deterring it. Our sole contribution in this area will be to consider it in the specific context of information operations support for hybrid operations in the recommendations section below. This approach stems from the recognition that the Kremlin’s cyber operations largely serve as enablers for its larger campaigns, rather than as a main effort. One must note, however, that while deterrence with conventional and nuclear forces prevents attacks, the United States is subject to cyberattack every day and has not established an effective means of retaliation, and thus deterrence. Weapons of Mass Destruction Russia’s nuclear arsenal is large enough to destroy the United States completely. The U.S. currently has no fielded ability to defend against a full-scale Russian nuclear attack—nor can Russia defend against a U.S. nuclear attack. American missile defense systems, by design, do not have the characteristics or scale necessary to shoot down any important fraction of the number of warheads the Russians have aimed at the U.S. from land- and sea-based launch platforms. America’s security against Russian nuclear attack today rests on the same principle as it has since the Russians first acquired nuclear weapons: deterrence. Russia also lacks the ability to shoot down American land- or sea-launched missiles and may not even be able reliably to shoot down U.S. nuclear-armed fifth-generation bombers. Deterrence is extremely likely to continue to work against Putin, who is a rational actor without the kinds of apocalyptic visions that might lead another leader to opt for annihilation in pursuit of some delusional greater good.14 The U.S. must pursue necessary modernization of its nuclear arsenal to sustain the credibility of its nuclear deterrent forces, but there is no reason to fear that deterrence will fail against Putin if it does so.15 It is less clear that Russia will continue to abide by its commitments to abjure chemical weapons, however. Russian agents have already conducted several chemical attacks, bizarrely using distinctive, military-grade chemical agents in attempted assassinations in the United Kingdom.16 Putin has also given top cover to Syrian President Bashar al-Assad’s use of chemical weapons against his own people, despite Russia’s formal role in guaranteeing Assad’s adherence to his 2013 promise to destroy his chemical weapons stockpile and refrain from any such use.17 Periodic Russian-inspired “rumors” that Western military personnel and Ukraine—which has no chemical weapons program—were planning to use chemical weapons on Ukrainian territory raise the concern that Russian agents provocateurs might conduct false flag operations of their own.18 Russia has the capability to produce chemical weapons at will—as does any industrialized state—but it is now showing that it may be willing to do so and to use them. The Soviet Union also maintained a vibrant biological weapons program. Russia has not thus far shown any signs of having restarted it or of having any intent to do so. The completely false claims that the U.S. has built biological weapons facilities in Russia’s neighboring states raise some concern on this front, since they could theoretically provide cover for the use of Russia’s own biological weapons, but they are more likely intended to influence the information space and justify other Russian actions.19 Terrorism Russia poses several challenges to any sound American approach to counter-terrorism. In addition to Iran, the world’s most prolific state sponsor of terrorism, Moscow’s preferred partners in the Middle East are those whose actions most directly fuel the spread of Salafi-jihadi groups. Russia encouraged and supported systematic efforts to eliminate moderate, secular opposition groups in Syria to the benefit of the Salafi-jihadi groups. Putin aims to expel or constrain the U.S. in the Middle East and establish his own forces in key locations that would allow him to disrupt American efforts to re-engage.20 Russia is the co-leader of a political and military coalition that includes Iran, Lebanese Hezbollah, the Assad regime, and Iranian-controlled Iraqi Shi’a militias.21 Russia provides most of the air support to that coalition in Syria, as well as special forces troops (SPETSNAZ), intelligence capabilities, air defense, and long-range missile strikes.22 That coalition’s campaign of sectarian cleansing has driven millions of people from their homes, fueling the refugee crisis that has damaged Europe.23 The coalition seeks to reimpose a minoritarian ‘Alawite dictatorship in Syria and a militantly anti-American and anti–Sunni Arab government in Iraq.24 The atrocities Russian forces themselves have committed, including deliberate and precise airstrikes against hospitals, have increased the sense of desperation within the Sunni Arab community in Syria, which Salafi-jihadi groups such as ISIS and al Qaeda have exploited.25 Russia supported Assad’s campaign to destroy the non-Salafi-jihadi opposition groups opposing him—particularly those backed by the U.S.—to aid the narrative that the only choices in Syria were Assad’s government or the Salafi-jihadis.26 That narrative was false in 2015 when Russian forces entered the fight but has become much truer following their efforts.27 Russia backed this undertaking with military force, but even more powerfully with information operations that continually hammered on the theme that the U.S. itself was backing terrorists in Syria and Russia was fighting ISIS.28 The insidiousness of the Russian demands that the U.S. remove its forces from Syria is masked by the current U.S. administration’s desire to do exactly that.29 One can argue the merits of keeping American troops in Syria or pulling them out— and this is not the place for that discussion—but the choice should be America’s. At the moment it still is. The consolidation of Russian anti-access/ area-denial (A2/AD) systems in Syria, however, together with the prospect of the withdrawal (or expulsion) of American forces from Iraq (or the closure of Iraqi airspace to support U.S. operations in Syria), could severely complicate American efforts to strike against terrorist threats that will likely re-emerge in Syria over time.30 The more the U.S. relies on an over-the-horizon strategy of precision strikes against terrorists actively planning attacks on the American homeland, the more vulnerable it becomes to the potential disruption of those strikes by Russian air defense systems, whether operated openly by Russians or nominally by their local partners. RUSSIA’S OBJECTIVES Mention of Putin’s objectives or of any systematic effort to achieve them almost always elicits as a response the assertion that Putin has no plan: Putin has no strategy; there is no Russian grand strategy, and so on. The other extreme of the debate considers Putin a calculated strategist with a grand master plan. The question of whether Putin has a plan, however that word is meant by those who assert that he does not, has important consequences for any American strategy to advance U.S. interests with regard to Russia. The trouble is that it is not clear what it would mean for Putin to have a plan or to lack one. We must first consider that more abstract question before addressing whether he has one. To have a plan usually means to have articulated goals, specific methods by which one will seek to achieve those goals, and identified means required for those methods to succeed. Goals, methods, and means can range from very specific to extremely vague and can be more flexible or more rigid. Specificity and flexibility can vary among the elements of this triad, moreover—goals may be very specific and rigid, methods general and flexible, means specific and flexible, or any other logical combination. When considering the question of Putin’s plan, therefore, we must break the discussion down into these four components: Does he have goals? Has he determined methods of achieving his goals? Has he specified resources required for those methods? How specific and how flexible are his goals, his methods, and the resources he allocates? Putting this discussion in context is helpful. Does a U.S. president have “a plan”? Not in any technical or literal sense. Every U.S. administration produces not a plan, but a National Security Strategy that is generally long on objectives—often reasonably specific—and very short on details of implementation (methods). Different national security advisers oversee processes within the White House to build out implementation details to greater or lesser degrees, but the actual implementation plans (methods) are developed by the relevant Cabinet departments. Those departments are also generally responsible for determining the resources that will be needed to implement their plans. The White House must then approve both the plans themselves and the allocation of the requested resources—and then must persuade Congress actually to appropriate the resources in the way the White House wishes to allocate them. This entire process takes more than a year from the start of a new administration and is never complete—the world changes, personnel turn over, and annual budget cycles and mid-term elections cause significant flutter. The one thing that does not happen is that a president receives and signs a “plan” with clear goals, detailed and specified methods, and the specific resources required, which is then executed.31 Putin does not have more of a plan than the U.S. does. It is virtually certain that he also lacks any such clear single document laying out the goals, methods, and means that he and his ministers are executing. But does he have as much of a plan as Presidents George W. Bush, Barack Obama, and Donald Trump have had? By all external signs, he does. Putin has clearly articulated a series of overarching objectives and goals for Russia’s foreign policy and national security. Putin has been continuously communicating them through various media, including Russia’s doctrinal documents, regular speeches, his senior subordinates, and the Kremlin’s vast propaganda machine for the past two decades. Russia has a foreign policy concept similar in scope and framing to the U.S. National Security Strategy, a military doctrine similar to the U.S. National Defense Strategy, and a series of other strategies (such as maritime, information security, and energy security) relating to the other components of national power and interest.32 These documents remain very much living concepts and have gone through multiple revisions in the decades since the fall of the Soviet Union. Through regular speeches, Putin consistently communicates his goals and the key narratives that underpin Russian foreign policy. He makes an annual speech to the Russian Federal Assembly that is similar in some respects to the U.S. president’s State of the Union address. Putin’s addresses tend to be even more specific (and much more boring) in presenting the previous year’s accomplishments and an outline of goals and intentions for the next year.33 Russia’s doctrines and concepts match Putin’s speeches closely enough to suggest that there is some connection between them. Putin also makes other regular speeches, including at the UN General Assembly, the Valdai Discussion Club, the Munich Security Conference at times, and during lengthy press conferences with the Russian media. These remarks are usually rather specific in their presentation of his objectives and sometimes, some of the means by which he intends to pursue them. Such speeches are neither less frequent nor less specific than the major policy speeches of American presidents. The widespread belief that Putin is simply or even primarily an opportunist who reacts to American or European mistakes is thus erroneous. Nor is Putin’s most common rhetorical trope—that he is the innocent victim forced to defend Russia against unjustified Western aggression—tethered to reality.34 Putin’s statements, key Russian national security documents, and the actions of Putin’s senior subordinates over the two decades of his reign cannot be distilled into a “plan,” but rather represent a set of grand strategic aims and strategic and operational campaigns underway to achieve them. Putin has remained open and consistent about his core objectives since his rise to power in 1999: the preservation of his regime, the end of American “global hegemony,” and the restoration of Russia as a mighty force to be reckoned with on the international stage. Some of his foreign policy pursuits are purely pragmatic and aimed at gaining resources; others are intended for domestic purposes and have nothing to do with the West. Putin has articulated a vision of how he wants the world to be and what role he wishes Russia to play in it. He seeks a world without NATO, where the U.S. is confined to the Western Hemisphere, where Russia is dominant over the former Soviet countries and can do what it likes to its own people without condemnation or oversight, and where the Kremlin enjoys a veto through the UN Security Council over actions that any other state wishes to take beyond its borders.35 He is working to bring that vision to reality through a set of coherent, mutually supporting, and indeed, overlapping lines of effort. He likely allows his subordinates a great deal of latitude in choosing the specific means and times to advance those lines of effort—a fact that makes it seem as if Russian policy is simply opportunistic and reactive. But we must not allow ourselves to be deluded by this impression any more than by other Russian efforts to shape our understanding of reality. Putin’s Domestic Objectives Maintaining relative contentment within his power circle is a key part of regime preservation. Putin has a close, trusted circle of senior subordinates, including several military and intelligence officials who have been with him for the past 20 years.36 His power circle has several outer layers, which include—but are not limited to—major Russian businessmen, often referred to as “oligarchs.” The use of the term “oligarch” to describe those who run major portions of the economy is inaccurate, however. Those individuals have power because Putin gives it to them, not because they have any inherent ability to seize or hold it independently. He shuffles them around—and sometimes retires them completely—at his will, rather than in response to their demands.37 They do not check or control Putin either individually or collectively, and they rarely, if ever, attempt to act collectively in any event. Putin controls Russia and its policies as completely as he chooses. This situation is different from the way in which the Soviet Union was ruled after Joseph Stalin’s death in 1953. The post-Stalin USSR really was an oligarchy. Politburo members had their own power bases and fiefdoms. They made decisions—including selecting new members, choosing new leaders, and even firing one leader (Stalin’s successor, Nikita Khrushchev)—by majority vote. There is no equivalent of the Politburo in today’s Russia, no one to balance Putin, and certainly no one to remove him. Putin seeks to keep the closest circle of subordinates and the broader Russian national security establishment content, as they form one of the core pillars of his power. He thus seeks to maintain a relative degree of contentment within various layers of his power structures, including among the “oligarchs.” For example, the Kremlin offered to help mitigate sanctions-related consequences for Russian businessmen.38 Kremlin-linked actors, in another example, reportedly embezzled billions of dollars in the preparations for the 2014 Winter Olympics in Sochi, Russia—the $50 billion price tag of which was the highest for any Olympic games.39 Putin can still retire any of the “oligarchs” at will without fear of meaningful consequences—yet his regime is much more stable if they collectively remain reasonably satisfied. This reality will drive Putin to continue to seek access to resources, legal and illegal, with which to maintain that satisfaction. Maintaining popular support is a core objective of Putin’s policies. Putin is an autocrat with democratic rhetoric and trappings. Putin’s Russia has no free elections, no free media, and no alternative political platforms. He insists, however, on maintaining the “democratic” façade. He holds elections at the times designated by law (even if he periodically causes the law to be amended) and is genuinely (if decreasingly) popular. Nor is his feint at democratism necessarily a pose. The transformation of the Soviet Union into a democracy was the signal achievement of the 1990s.40 Putin played a role in that achievement, supporting St. Petersburg mayor Anatoliy Sobchak, then Boris Yeltsin, in their battles against attempts by communists to regain control and destroy the democracy, and then by an extreme right-wing nationalist party to gain power.41 Putin has called out many weaknesses of the Yeltsin era—but never the creation of a democratic Russia. Putin has not yet shown any sign of formally turning away from democracy as the ostensible basis of his power, although he has constrained the political space within Russia to the point that the elections are a sham. However, were he to abandon the democratic principles to which he still superficially subscribes, he would need fundamentally to redesign the justification of his rule and the nature of his regime. Nevertheless, he can only maintain even the fiction of democratic legitimacy if he remains popular enough to win elections that are not outrageously stolen. He has not been able to fix the Russian economy, despite early efforts to do so. The fall of global oil prices from their highs in the 2000s, as well as the Western sanctions imposed for his actions in Ukraine, among other things, are causing increasing hardship for the Russian people.42 Putin has adopted an information operations approach to this problem by pushing a number of core narratives, evolving over time, to justify his continued rule and explain away the failures of his policies. He has also grown the police state within Russia for situations in which the information operations do not work to his satisfaction. Putin’s justification of his rule has evolved over time. He first positioned himself as the man who will bring order. The 1990s was a decade of economic catastrophe for Russia. Inflation ran wild, unemployment skyrocketed, crime became not only pervasive but also highly organized and predatory, and civil order eroded. Putin succeeded Yeltsin with a promise to change all that. His “open letter to voters” in 2000 contained a phrase fascinating to students of Russian history: “Our land is rich, but there is no order.” That phrase is similar to one supposedly sent by the predecessors of the Russians at the dawn of Russian history to a Viking prince who would come to conquer them: “Our land is rich, but there is no order. Come to rule and reign over us.” By using the first part of that line, Putin, like Riurik, the founder of Russia’s first dynasty, cast himself as the founder of a new Russia in which order would replace chaos.43 Putin’s initial value proposition to his population was thus order and stability. He did, indeed, attempt to bring order to Russia’s domestic scene. Putin strengthened government institutions and curbed certain kinds of crime. He restored control over the region of Chechnya through a brutal military campaign. He tried to work with economic technocrats to bring the economy into some kind of order. The task was immense, however—Soviet leaders had built the entire Russian industrial and agricultural system and economic base in a centralized fashion. Undoing that centralization and creating an economy in which the market really could work was beyond Putin’s skill and patience. He largely abandoned the effort within a few years, both because it was too hard and because it seemed unnecessary.44 The rising price of oil in the early 2000s fueled the Russian economy and filled the government’s coffers on the one hand.45 The genuine structural reforms and innovation that were needed, on the other, also became antithetical to Putin’s ability to maintain control, as government corruption is a powerful tool of influence in Russia. Putin began to erode civil liberties in that period offering the unspoken but clear exchange: Give me your liberties and I will give you prosperity and stability. The 2008 global financial crisis collapsed oil prices, and the post-2014 sanctions regime removed the patches and workarounds Putin had used to offset his failure to transform Russia’s economy. Continuing low oil prices (and sanctions) have prevented it from recovering with much of the rest of the global economy, even as Putin has continued to eschew any real effort to address the systemic failings holding Russia’s economy back. Putin has therefore refocused on a different value proposition: Give me your liberties and I will give you greatness. He is increasingly linking the legitimacy of his own autocracy with Russia’s position on the world stage and with Russia’s ability to stand up to American “global hegemony.”46 Putin has simultaneously erected a narrative to deflect criticism for Russia’s problems onto the West. The West, supposedly fearful of Russia rising and determined to keep Russia down, has thwarted its rightful efforts to regain its proper place in the world at every turn. Putin claims the Russian economy is in shambles because of unjust and illegal sanctions that have nothing to do with Russia’s actions and are simply meant to keep “the Russian bear in chains.”47 Putin has also consistently fostered a complex narrative that combines diverse and—from the Western perspective—often conflicting elements, including Soviet nostalgia, Eastern Orthodoxy, Russian nationalism, and the simultaneous emphasis on Russia’s multiethnic and multireligious character. The importance Putin gives this narrative is visible in things large and small. He has named Russia’s ballistic missile submarines after Romanov tsars and Muscovite princes.48 He issued a decree in 2009 mandating the introduction of religious education in Russian schools, which began in 2012.49 He continues to place a major emphasis on Soviet-era achievements. Putin and his information machine take these various elements, refine and tailor them, and produce a mix of ideas to cater to various parts of the Russian population. We can expect Putin’s narratives to continue to shift to accommodate changing realities, but the current rhetorical linkage between Russia’s position on the world stage and the legitimacy of Putin’s domestic power is concerning. It suggests that Putin may be more stubborn about making and retaining gains in the international arena than he was in the first 15 years of his rule, as he seeks ways to bolster his popularity, which is flagging, and on which his mythos relies. Blocking a “color revolution” in Russia is the overarching justification Putin gives for the erosion of political freedom and the expansion of Russia’s police state. Revolutions overturned post-Soviet governments in Georgia (the Rose Revolution in 2003), Ukraine (the Orange Revolution in 2004), and Kyrgyzstan (the Tulip Revolution in 2005). Putin blamed all of them on efforts by the West, primarily the U.S., to undermine pro-Russian governments, even though all three emerged indigenously and spontaneously without external assistance. He regarded the Ukrainian EuroMaidan Revolution of 2014 as an extension of this phenomenon.50 The rhetoric Putin and other Russian officials and writers use about “color revolutions” is extreme. It paints them as part of a coherent Western effort aimed ultimately at overthrowing the Russian government itself. It is quite possible that Putin believes that there is such an effort underway and that the events that rocked the post-Soviet states were a part of it. Even if he did not believe this when he started to talk about it, he may well have convinced himself of it after 15 years of vituperation on the subject. The notion of a “color revolution” conspiracy against Russia is also a convenient way for Putin to discredit any opposition, an easy way to tar political opponents as foreign agents and traitors, to control and expel foreign non-governmental organizations, and generally to justify the erosion of civil liberties, human rights, and free expression in Russia. It externalizes resistance to Putin’s increasing autocracy while simultaneously providing scapegoats to blame for Russia’s problems. It also creates the narrative basis for casting any Western efforts to constrain Russian actions anywhere as part of a larger effort to set preconditions for a “color revolution” in Moscow. It fuels a narrative to which Russians are historically amenable: that Russia is surrounded and under siege by hostile powers trying to contain or destroy it. Putin can cast almost any action foreign states take of which he does not approve as part of this effort.51 The net effects of this narrative are threefold. First, it tends to consolidate support behind Putin as he presents himself as the defender of Russia against a hostile world—and his near-total control of the information most of his people receive makes it difficult for many to hear and believe any other side. Second, it constantly confronts the West with the suspicion that someone really is trying to orchestrate a conspiracy to cause “regime change” in Russia. Although no state or alliance has had any such objective since the fall of the Soviet Union in 1991, the negative connotations of even the idea of attempting regime change create opposition to policies labeled in this way. Third, it also creates opposition to a potential peaceful change in the nature of the Russian regime from within, as Putin has associated the idea of political change with the “color revolution” prism of chaos, destruction, and an inevitably worsening economy. Putin presents his people a simple (but false) choice between the prospect of going back to something like the chaos and poverty of the 1990s ... or Vladimir Putin. Using the bogey of the “color revolution” conspiracy theory and other narratives, Putin is expanding the already-significant state control over his people’s communications and moving to a more rigid authoritarian model. He has prevented the emergence of any significant political opposition party or leader. Key opposition figures have been murdered, imprisoned, poisoned, and otherwise attacked.52 Putin’s regime suppresses—sometimes brutally— political dissent in the form of peaceful street protests or demonstrations, despite their small sizes.53 The political environment in Russia today is not markedly different from that of the Soviet Union in its last decade. Putin has brought the overwhelming majority of significant Russian media outlets into line with his own desired narratives, presenting the Russian people with a coherent stream of propaganda virtually without deviation. He appears to have decided that even this level of information control is insufficient, however, and has recently begun to assert even greater technical and policy control over Russians’ access to the internet.54 He has not yet matched these activities with recreation of an internal security apparatus on the scale needed to control the population through coercion, intimidation, and force, but he has been steadily expanding the internal security services during his two decades of rule. He has centralized some elements of the internal security apparatus under the control of a loyal lieutenant, but he would need to expand it considerably to be able to rely on it to maintain order by force beyond Moscow and St. Petersburg.55 In assessing whether Putin aims to shift the basis of his rule to more overt dictatorship, one of the key indicators to watch for is further expansion of that apparatus. It is also an indicator of the degree to which he sincerely believes that any sort of “color revolution” is in the offing. Expansion of the Russian economy remains an important component of Putin’s ability to sustain and grow his assertive foreign policy, popular support, and the resources subsidizing his close circle. Putin seems largely to have given up the idea of reforming the economy and has thus set about at least two major undertakings to improve it without reform. Undermining the Western sanctions regime. The imposition of major sanctions on Russia following the invasion of Ukraine and the annexation of Crimea in 2014 has inflicted great damage on the Russian economy. Putin has launched a number of efforts to erode and break those sanctions, both in Europe and in the U.S. Despite repeated declarations about the ineffectiveness of sanctions, Putin clearly believes that nothing would improve the economy more dramatically and rapidly than their elimination. The Mueller Report amply documents Putin’s fear of new sanctions after the 2016 elections and his efforts to deflect them or have them nullified.56 He even went so far as to promise not to retaliate against the sanctions the Obama administration imposed, in hopes of persuading the incoming Trump administration to reverse or block them. His efforts failed, however, as Congress insisted on new sanctions and President Trump did not stop them. Russian activities in Europe have aimed in part to suborn one or more members of the European Union (EU) to refuse to renew the sanctions imposed following Russia’s 2014 invasion of Ukraine. Openly pro-Russian governments in Budapest and now Rome, along with other states that have indicated greater reluctance to continue the sanctions regime, have not yet cast the vote to stop the renewal of sanctions. Putin has not given up, however, and continues to work to shape the political, informational, and economic environment in Europe to make it safe for one country to vote against sanctions renewal—and one vote is all he needs in the consensus-based EU model. The collapse of the sanctions regime and a flood of foreign direct investment into Russia could dramatically increase the resources available to support Putin’s foreign and defense efforts, even without fundamentally addressing the problems of the Russian economy. Putin would likely use those resources to return to the aggressive conventional military buildup he was pursuing before the imposition of sanctions in 2014 and to supercharge his economic efforts to establish Russian influence around the world. Developing new revenue streams is another obvious approach to bringing cash into the Russian economy and government. Russia is at a disadvantage in this regard because of the structural weaknesses of its economy. Its principal exports are almost entirely in the form of mineral wealth—oil, coal, and natural gas, as well as other raw materials. Weapons and military training services are the major industrial export. The use of private military companies (PMCs) such as the Wagner Group is a foreign policy tool for the Kremlin, but also one of the main exportable “services.” Civilian nuclear technology is a niche expertise that Putin is willing to sell as well. Putin has worked hard to expand Russia’s economic portfolios in all these areas. He has pushed both the Nord Stream II and the Turk Stream natural gas pipelines to make Europe ever more heavily dependent on Russian natural gas and to eliminate Russia’s dependency on the Ukrainian gas transit system. His lieutenants are actively negotiating deals throughout the Middle East and Africa to sell civilian nuclear technology. This generates continuous revenue because the states that commit to using Russian nuclear reactor technology will likely become dependent on Russian equipment and expertise to keep it running.57 Russia’s military activities in Syria can be described as a massive outdoor weapons exposition.58 The Russian armed forces have ostentatiously used several advanced weapons systems that were not required for the specific tactical tasks at hand.59 The Russian military staged these displays with the informational and geopolitical aim of demonstrating Russia’s renewed and advanced conventional capabilities. They also showed the effectiveness of weapons and platforms whose export versions are for sale. Russian military hardware salesmen are active throughout the Middle East and are having success. Turkish President Recep Tayyip Erdogan seems committed to purchasing the S-400 air defense system, despite vigorous American and NATO opposition and the threat that the U.S. will refuse to complete planned sales of the F-35 stealth aircraft to Turkey.60 The U.S. should certainly not deliver the F-35 to Turkey if Erdogan proceeds with purchase of the S-400. A Turkish trade of the F-35 for the S-400 would nevertheless be a significant victory for Putin in both economic and political terms. Putin’s efforts to steal arms business from the U.S. would also be assisted by legislation or executive decisions blocking the export of weapons systems to Saudi Arabia over the conduct of the war in Yemen. Income from such sales is a trivial percentage of American net exports, to say nothing of U.S. GDP, but would be much larger in the Russian ledgers, where totals are more than an order of magnitude smaller. The proliferation of Russian PMCs is another potential source of revenue—in addition to being a Kremlin foreign policy tool—although it is hard to assess its significance because of the secrecy surrounding the entire PMC enterprise. The reported numbers of mercenaries deployed by various Russian PMCs are generally in the low hundreds here and there—not large enough, in principle, to suggest that the income from them would be very great. There is no knowing the terms of their contracts, however, or what other activities they might engage in while stationed in poorly governed states rife with corruption and organized crime. None of these activities is likely to generate floods of money into Russia’s coffers in the near term, which is likely why Putin remains so heavily focused on sanctions relief. Putin has no other viable options for obtaining resources on a large scale. A significant increase in the price of hydrocarbons—either oil or natural gas—would once again flood Russia with cash. But Putin has no obvious way of directly causing such an increase in the price of oil, since Russia’s share of the oil market is not large enough to allow him to force price increases on OPEC. His ability to manipulate the price he charges Europeans for natural gas is also constrained. If he raises it too high, he could drive the Europeans to search harder for alternative sources of fuel or, given the Trump Administration’s willingness to export American liquefied natural gas (LNG), to rely on the U.S. instead of Russia. Such a European turn away from Russian gas would be a disaster for Russia. Without the ability to export LNG on a large scale, Russia can only sell gas where the pipelines go—and right now, they go to Europe. Russia could expand cooperation with China to create another major source of cash. Putin is very likely aware of the long-term risks of growing Chinese influence over Russia and its neighbors, yet he still may pursue greater economic ties with Xi Jinping’s China, given the likely calculation that he can control this relationship in the near term. Even so, Chinese cash usually comes with a heavy non-cash price, and Putin is savvy enough to be wary of becoming too dependent on Beijing’s largesse. Russia’s economy is therefore likely critical but stable. None of the economic efforts Putin has put into effect will fix the Russian economy’s fundamental structural flaws. All are palliatives with half-lives. Putin lacks a meaningful plan in this sense—nothing he is saying or doing will create a stable economic basis for Russia’s future. Neither, on the other hand, is Russia heading for a crash. The current level of economic stagnation is likely stable and sustainable—a constraint on Putin’s ability to expand his conventional capabilities and use economic instruments of power abroad, but not a threat to his rule. Russia has been a relatively poor country for much of its history. Yet it has proved capable of asserting itself on the European or global stage for most of that time. Russians are used to being a “poor power”; this is a normal state. These realities do not undercut the value of Western economic pressure on Russia; they should, rather, help set the proper objectives and expectations in applying such pressure. Retaining power constitutionally and managing a succession are the last major domestic campaigns in which Putin is engaged. Putin faces a significant watershed when his current presidential term ends in 2024, as he is constitutionally prohibited from running for re-election again in that cycle. He faced this dilemma in 2008 and chose then to allow Dmitrii Medvedev to become president while he retained effective control of Russian policy from the post of prime minister. He could pursue a similar model in 2024, but it is unlikely that he will do so. Among other things, Medvedev appears to have made at least one decision of which Putin violently disapproved—the failure to veto the UN resolution authorizing intervention in Libya against Moammar Ghaddafi—but he chose not to stop or reverse it. His ability to continue to control Russian policy and, even more, manage his succession from a position nominally subordinate to even a puppetlike president could also become more problematic as he ages. Putin could always cause the Duma to adjust the constitution again to let him run for another term, but he has not been laying the groundwork for such an approach (although it is admittedly early days yet for such an action). He might be pursuing an effort that offers a more interesting potential resolution to the dilemma in the form of further implementation of the Union Treaty with Belarus. He has been actively “negotiating” with Belarusian President Alexander Lukashenko to create a full integration of the Russian and Belarusian armed forces and security services, bringing Belarus nearly completely back under de facto Russian control.61 Belarus would nevertheless remain a nominally independent sovereign state. The integrated forces would function under the rubric of a union of the two states, which would naturally have a president. Putin might shift to that role, retaining full control over the security apparatuses of both states, as well as the dominance he holds by virtue of his control of Russia’s economy and kleptocracy. He could then allow a puppet to take over as Russia’s president but now in a role subordinated to him rather than nominally superior to him. External Objectives Putin has been as explicit as it is possible to be in his overarching foreign policy aims: he seeks to end American dominance and the “unipolar” world order, restore “multipolarity,” and reestablish Russia as a global force to be reckoned with. He identifies NATO as an adversary and a threat and clearly seeks to weaken it and break the bonds between the U.S. and NATO’s European members. Breaking Western unity is thus one of Putin’s core foreign policy objectives. Three major lines of effort support this undertaking: invalidating the collective defense provision of the North Atlantic Treaty (Article 5), weakening or breaking the European Union, and destroying the faith of Western societies in their governments and institutions. Article 5 of the North Atlantic Treaty states that an attack on one member of the alliance is an attack on all, with the requisite defense commitments. The provision’s activation is far from automatic, however. A member state under attack must request support from the alliance whose political body, the North Atlantic Council (NAC), must then vote unanimously to provide it. The alliance has activated Article 5 only once, as noted above, and on behalf of the United States. Putin is working to ensure that it is never activated again. Putin can achieve this by creating a situation in which one or more member states votes against a request to activate Article 5, or in which a member state under attack does not request such a vote for fear that it will fail. If a state under Russian attack does not seek or fails to secure the alliance’s support, then the collective defense provision that is the bedrock of the alliance will have been weakened badly if it has not collapsed entirely. Putin’s efforts to secure Hungarian and also Italian support to end the renewals of EU sanctions help him in this undertaking as well, since both Hungary and Italy are NATO members. Hungary’s Viktor Orban in particular is so overtly pro-Russian that he could well seize on any doubt about the reality of a Russian hybrid intervention to refuse to vote for an Article 5 activation. Putin has acquired a potentially more interesting route to Article 5 nullification, moreover, in his entente with Turkey, also a NATO member, over Syria. His noteworthy failure to respond to the downing by the Turkish Air Force of a Russian fighter that crossed the Turkish border in 2015 has paid dividends. His efforts to sell the Turks the S-400 system are also advancing the aim of driving a deep wedge between Ankara and Washington. Erdogan’s suspicions that the U.S. backed the failed 2016 coup against him make very real the possibility that he would come before even Orban in refusing to vote for an Article 5 action in the case of a hybrid campaign in Latvia, for instance. The question of how much Putin seeks to destroy the collective defense provisions of the NATO treaty rather than simply to regain formerly Soviet territories should loom large in considerations of possible military scenarios. The direct deployment of regular, uniformed Russian armed forces personnel in one of the Baltic states would make it very difficult for any NATO member state to refuse to honor a request to invoke Article 5. Erdogan, Orban, or some other leader might still find a way, but the pressure to show alliance solidarity in such a situation would be intense. A Crimea-type scenario, then, in which the hybrid war starts with “little green men” (Russian soldiers out of uniform) but then escalates quickly to the use of conventional Russian military personnel, with their equipment and insignia, is much less likely if Article 5 is the target. A better Russian approach in that case would be the model Putin used in eastern Ukraine: Russian soldiers out of uniform work with local proxies, some already existing, others created as they go along, and try hard never to show themselves overtly.62 Russian information operations work around the clock to obfuscate emerging evidence of any Russian military presence, while the Kremlin praises the brave warriors of the Russianspeaking patriots within the target state, who are surprisingly well armed and well led. In such a case, Putin is more likely to attempt to leverage an insurgency (which he probably created) to break the government and create chaos of some sort than to move to overt deployment of conventional forces—at least until he is as sure as he can be that even such a deployment would not rouse the alliance to invoke Article 5 at the last moment. He might well accept or even prefer an ostensible “failure” to gain control of the target country (at that time) in return for making obvious to all that NATO is dead. After all, once the collective defense provisions of the alliance and the Western will to defend the Baltics are destroyed, Putin can pick them off at his leisure. Weaken or break the European Union. Putin has been energetically supporting Euroskeptic parties for many years—his financial aid to Marine Le Pen in France is the most ostentatious example, but there are numerous others.63 He stands to benefit from weakening or breaking the European Union in several ways. First, the EU is an exclusive economic club that Russia will be unable to join in Putin’s lifetime. The corruption and opacity of the Russian economy are too deeply established for Putin to imagine a time when Russia might meet the standards for EU membership—and Putin relies on this corruption and opacity, as we have noted, for continued control over the major economic actors in Russia. Nor is he likely to desire such membership. Sitting around a table on an equal basis with Luxembourg and Belgium is not appealing to a man who aspires to be one of the poles in a multipolar world. But the EU collectively wields great economic power through its ability to control trade with the bloc and impose sanctions. Putin would do much better in a Europe where he could negotiate and pressure individual states on a bilateral basis—and a Europe that was unable to impose multilateral sanctions on him and require all member states to abide by them—and he appears to understand that. Second, the Euroskeptic parties are generally extremely nationalistic. The reemergence of nationalism within Europe poses an enormous challenge to the stability of intra-European relations and could even undermine the long peace that has held in Western Europe since 1945.64 It would likely translate into conflict at the North Atlantic Council and could well drive increased tensions between individual European countries and the United States. Putin appears to be untroubled by the prospect of a reemergence of German nationalism, even though that ideology historically has targeted Russia. He may believe that the benefit of shattering the Western bloc outweighs risks that he likely expects to be able to handle in other ways. Weakening Western will and trust in democratic institutions is another line of effort Putin is pursuing to break the Western bloc. His interference in the Western political systems and information space is intended to destroy Westerners’ trust in their governments and in the idea of democracy, as much as to bring about the election or defeat of particular candidates—if not more so.65 He is explicit in his attacks on the Western political system: “Even in the so-called developed democracies, the majority of citizens have no real influence on the political process and no direct and real influence on power,” he said in 2016, adding that “it is not about populists … ordinary people, ordinary citizens are losing trust in the ruling class.”66 This effort benefits from trends in Western societies that were already undermining popular faith in institutions. Americans’ confidence in institutions generally has dropped by about 10 percent from its post–Cold War high in 2004.67 The Iraq War, the 2008 financial crisis, and revelations of classified U.S. surveillance programs, among other things, have eroded Americans’ trust in institutions almost across the board. The military is a remarkable exception to this trend. The massive, unauthorized release of classified materials by Edward Snowden was particularly important in this regard, as it has cemented the erroneous impression that the U.S. government was listening to the phone calls and reading the e-mails of all its citizens and those of many other countries. That impression has widened the wedge between some major technology companies and the government, hindering the development of a national cyber-defense capability and even the government’s ability to contract for advanced software.68 It is not surprising that Snowden ended up in Moscow or that Putin has granted him asylum. Snowden advanced a major Russian line of effort, apparently without any orders from Putin. These negative trends in the West have created openings that Putin is working to exploit by compromising elections, supporting extremist candidates, and pursuing aggressive information operations that stoke divisions and mistrust within Western societies. Establishing Russian suzerainty over the states of the former Soviet Union is a second major foreign policy objective. Suzerainty is “a dominant state controlling the foreign relations of a vassal state but allowing it sovereign authority in its internal affairs.”69 It is the most precise way of capturing Putin’s aims vis-à-vis the former Soviet states and the limitations of those aims. He is not attempting to reconquer the lost territory nor to govern it directly from Moscow. He has asserted, rather, that the world must recognize that post-Soviet states have only a truncated sovereignty over their own affairs. They may not freely join alliances such as NATO or economic blocs such as the EU without Moscow’s permission, for example. Putin further claims that Russia has the right to protect Russian speakers in those states against oppression or discrimination (as defined and determined by Putin), and that it may use military force to do so. Assertion of the right to defend Russian speakers abroad is not Putin’s innovation. Boris Yeltsin’s government articulated it in the early 1990s, but Yeltsin never acted on it.70 Opposition to NATO’s expansion also originated in the Yeltsin era, and the 1997 National Security Concept identified such expansion as a “national security threat.”71 But whereas Yeltsin nevertheless continued to try to work with NATO and establish a relationship with it, Putin has been frankly antagonistic toward the alliance. The actual expansion of NATO to include the three Baltic states as well as Romania, Bulgaria, Slovakia, and Slovenia in 2004 was likely a tipping point in Putin’s attitudes. The critical nuance to consider is that Putin has always been more concerned about the loss of control over Russia’s perceived sphere of influence than an actual NATO threat to Russia.72 NATO expansion coincided with the first of the “color revolutions” in Ukraine, which clearly fueled Putin’s fears that the former Soviet states were at risk of slipping entirely out of Moscow’s orbit. Putin initiated active efforts to regain control over the former Soviet states shortly after he took office in 1999-2000, but it took several years before he adopted a more combative tone and aggressive policies. Putin’s speech before the Munich Security Conference in 2007 and then his invasion of Georgia in 2008 underscored this overt turn.73 He has clearly made it a priority to ensure that no more former Soviet states join NATO or the EU, while working to undermine the bonds linking the Baltic states to the alliance. Putin’s claims to suzerainty over the former Soviet states have been met with ambivalence in the West. Russia experts and others often defend the assertion of a unique Russian sphere of influence over those states on historical or geopolitical bases.74 Even the seizure and annexation of Crimea has been presented as somehow ambiguous. Putin’s argument—that Soviet Communist Party secretary general Nikita Khrushchev’s transfer of the region from Russia to Ukraine was an internal matter that should not have led to the peninsula’s inclusion in an independent Ukraine—has gotten a surprising amount of traction in the expert community.75 Examined closely, however, Putin’s claims over the former Soviet states are completely indefensible. All 15 of the Soviet Socialist Republics, including Russia, were recognized as sovereign states after the USSR collapsed, and they were admitted to the UN on an equal basis with all other UN member states. The Russian Federation recognized them all and their UN accessions without reservations. The subsequent complaints by Yeltsin’s foreign minister, Yevgenii Primakov, and then Putin, about the folly of Yeltsin’s decisions to do so does not change or invalidate those decisions.76 The 15 former Soviet states thus have all the same rights as every other member of the UN—including the right to make such alliances and join such blocs as they choose without needing the permission of another power, and the right to govern their own people, including minorities, as they wish. It is ironic, to say the least, that Putin vigorously defends Assad’s right to conduct horrifying atrocities against his own people on the grounds of sovereignty, while claiming that alleged discrimination against the use of Russian language in post-Soviet states justifies his own military intervention in those states. Russia can certainly decide that the shift of post-Soviet states into the NATO or EU orbit poses such a significant threat to its security and interests that it must use force to stop or reverse it, just as any sovereign state can see threats in the actions of its neighbors and decide that it must respond with force. But the resort to force in such circumstances is aggression, not a defensive move, and must be regarded and treated as such by the international community. Accepting the Russian argument that Moscow has an inherent right to intervene, including militarily, in its neighbors based on their treatment of their Russian minorities or their intentions to join alliances is a truncation of their sovereignty that undermines the entire basis of international law and the UN Charter. Putin is actively working to establish precisely that principle as a matter of international norm and is making a distressing amount of progress. Both Yeltsin and Putin have retained Russian suzerainty over some post-Soviet states in legal and legitimate ways as well. Russian ground and air forces have remained in Armenia, Tajikistan, and Kyrgyzstan almost continuously since the fall of the Soviet Union at the invitation of the governments of those states. A small Russian military contingent also remains in Moldova in more ambivalent circumstances. The government in Chisinau does not welcome its presence and the parliament has called on it to depart, but the Moldovan government has not formally ordered the Russians to leave.77 These deployments give Russia significant influence in the Caucasus, eastern Central Asia, and Moldova. The deployment in Tajikistan also creates a platform for Russian engagement and interference in Afghanistan. The situation in Belarus is the most worrisome of the legal reconsolidation efforts because of the strategic impacts it could have on NATO’s ability to defend the Baltic states (see Appendix I for a more detailed consideration of this problem). Negotiations currently underway could lead to the merging of the Russian and Belarusian armed forces and the technical subordination of the governments of Russia and Belarus to some new Union State. It is tempting, as we have noted, to imagine Putin taking control of this new combined polity after the end of his current presidential term, thereby finding an elegant solution to the constitutional problems of extending his reign. Returning Russia to the status of a global power shaping the international system is the last major external objective Putin is pursuing. Several lines of effort support this objective: Regain a global military footprint. Putin has been working to regain parts of the Soviet global military position lost in the late 1980s. A principal aim of this undertaking is to impose increasing costs on America’s efforts to continue operating around the world as it chooses and to offset part of the huge financial deficit holding Putin back from pursuing his larger aims. It is not meant to create platforms for global or even major regional wars, still less to advance an ideology (one of the Soviet objectives in creating the footprint in the first place). Putin’s establishment of a long-term air and naval base in Syria was the first significant step in this effort.78 He has also been cultivating the leaders of other states that were formerly Soviet clients and partners, including Egypt, Libya, Iraq, Sudan, and Cuba.79 In addition, he has recently added to the list by deploying Russian mercenaries (at least) in Venezuela and solidifying an entente with Iran that the Soviet Union never had.80 The Russian armed forces and/or mercenaries are now openly operating out of bases in Syria, Ukraine, and Venezuela. Russian PMCs have also reportedly been operating in Sudan, Central African Republic, and Libya.81 Russian forces have episodically used bases in Iran as well.82 This footprint is far smaller than the Soviets’, but is a dramatic change from Russian policies and capabilities between 1991 and 2013. Indications are that Putin intends to expand further using the sale of advanced weapons systems as the entry wedge. One major reason the U.S. is unwilling to give Turkey the F-35 if Ankara proceeds with the Russian S-400 air defense system purchase is that Russian technical specialists would be stationed in Turkey with its deployment. For the U.S., the military implications of these efforts are complex. The Russian military does not now have the capability to deploy large enough numbers of advanced offensive conventional weapons systems to bases beyond its borders to challenge a major American military effort to destroy them. The defensive systems, especially advanced A2/AD systems like the S-300, S-400, and Bastion anti-ship cruise missile system pose much greater challenges.83 But the U.S. military could defeat the limited numbers of such systems the Russians have emplaced in Syria and might emplace elsewhere if it chose to allocate the necessary resources. The most immediate consequence of the expanded Russian global conventional footprint, then, is the requirement that the U.S. and its allies ensure the availability of the forces that might be needed to handle the Russian systems. That resource requirement is significant. Neither the U.S. nor NATO has anticipated having to fight in the Mediterranean since the end of the Cold War, and the alliance does not have the necessary assets permanently allocated to respond to such a threat. It has instead generally used the resources that would be needed to counter Russian positions to conduct counter-terrorism operations throughout the Middle East and North Africa (MENA) region. The Russian deployments thus force on the alliance, in the event of an escalation with Moscow, the choice of reducing counter-terrorism operations, reallocating forces from the Indo-Pacific theater (not really an option in the current geostrategic environment), or creating and deploying new forces to deal with the emerging threat. In this context, the loss of Turkey as a reliable U.S. partner is very damaging. The Turkish air force is significant in its own right, although it is still recovering from Erdogan’s post–coup attempt purge, and the ability to use Turkish bases for operations against Russian positions in Syria would be strategically very significant.84 But the burgeoning Russo-Turkish entente means that the U.S. and NATO cannot count on Ankara in a showdown, further raising the requirement to develop and deploy new resources. The Russian deployments in Syria, Venezuela, and elsewhere are, in fact, part of a hybrid operation aimed not at preparing to fight a conventional war, but rather, at persuading the U.S. and its allies to withdraw from the threatened regions or limit their operations. Putin likely aims to increase both the risk and the cost of continuing to conduct military operations in the MENA area to a level at which the U.S. yields to its ever-growing impulse to pull back from the region entirely. This operation is surely also aimed at securing economic resources. Recent Russian deployments to Venezuela have gone to key oil-producing areas, and Putin’s financial interactions with Nicolas Maduro are well reported.85 Russian forces in Syria are also supporting Putin’s efforts to gain at least partial control over the reconstruction resources expected to flow into that country if ever he can persuade the international community to send them.86 Putin’s Syria campaign has already helped leach resources for his inner circle. For example, a Russian company run by Yevgeniy Prigozhin, a close Putin associate central to Russia’s attack on the U.S. political system, secured a stake in Syrian oil and gas fields via the Assad regime.87 It is vital in assessing Russia’s apparent reconstruction of the Soviet global military posture to recognize the essential differences in aims driving Putin from those motivating the Soviets. Putin intends to raise the cost to the U.S. of being a global power to levels higher than he thinks Americans will wish to pay. The U.S. must recognize the limitations of his ambitions in this regard as it develops intelligent responses at reasonable cost, even while being clear-eyed about the real threats Russia’s expanding global footprint present. Normalize Russia’s violations of international law. The Russian cyberattack against Estonia in 2007; invasion of Georgia in 2008, with the subsequent annexation of the Georgian territories of Abkhazia and South Ossetia; invasion of Ukraine in 2014; deliberate attacks against civilians in Syria; defense of Assad’s use of chemical weapons and other crimes against humanity; chemical-weapons attacks on Russian expatriates in the UK; and seizure of Ukrainian naval vessels and personnel attempting to transit the Kerch Strait are all violations of international law. Russia has paid virtually no price for any of them except the invasion of Ukraine. On the contrary, Putin has positioned himself as a mediator in Syria (although not a successful one) by convening a pseudo–peace process in Astana that competes with the internationally recognized Geneva Process (which has also been unsuccessful, to be sure). Putin continues to portray Russia as a mediator even in the Ukraine conflict where he is a belligerent. He successfully obfuscated the illegality of his actions in and beyond the Kerch Strait, and has deflected some of the opprobrium his activities in Syria deserve by accusing the U.S. of supporting terrorists and the Syrian opposition of conducting the chemical weapons attacks.88 The expulsion of Russian officials—including intelligence officers— by the U.S., UK, and other states in response to the chemical weapons attacks in Britain was hardly a crippling response.89 The net result of these repeated violations of international law that do not result in meaningful consequences is their normalization. Each one establishes a precedent that Putin can and will then use to defend similar or even more aggressive activities. If the West accepted the clearly illegal seizure of Ukrainian ships in international waters near the Kerch Strait, how will it react if Russian forces seize some other ship on a trumped-up pretext while it attempts to transit the opening Arctic shipping route? Having taken no action against Russia for its defense of Assad’s use of chemical weapons, how would the West respond to a covert Russian operation to use chemical warfare in Ukraine while attributing the incident to the Ukrainian or a Western government? The principled answer is that, of course, failure to act in one case does not preclude action in subsequent cases. If the West has not responded adequately to most of these Russian transgressions, neither has it explicitly condoned them—yet. That is a line that we must be very wary of inadvertently crossing. Imagine an unlikely but not an impossible situation in which Ukraine’s President Volodymir Zelensky, elected in April 2019, asks the U.S. and the EU to waive Russian sanctions for Ukraine—or lift them altogether—as part of a deal he is negotiating to “end the conflict” in his country. It would be difficult to resist such a request since ending wars is desirable, especially if it can be done with the apparent acceptance of both sides. The net effect of endorsing such a deal, however, which would surely leave Crimea in Russia’s hands and eastern Ukraine in a changed political relationship to Kyiv, would be to endorse retroactively the violations of international law Putin committed in 2014. Doing so would indeed establish a precedent that Putin can impose his will on other states as long as he subsequently succeeds well enough to convince or coerce those states into recognizing his actions. There is, of course, no new principle at work here. It has always been true in the modern states system that a successful aggressor can have his aggression legitimized by a subsequent peace agreement, even one forcefully imposed on the defeated state. The novelty in this situation is twofold. First, Russia has not been universally identified as the aggressor— Putin’s efforts in Ukraine are not generally accepted as the offensive land-grab they actually were—and Putin’s role in any deal would be as mediator rather than belligerent. It is one thing to accept that Putin launched, waged, and won a war of aggression, the outcome of which the defeated state chose to accept; it is another to say that he facilitated and mediated a peace agreement in a conflict to which he was not actually party, when, in fact, he initiated it and directly benefited from it. Second, the principle at issue goes beyond the straightforward one of legitimizing a forcible conquest—it also touches on the nature of the post-Soviet states’ sovereignty. Putin has asserted, as we have argued, that Russia has the right to intervene by force in any of the post-Soviet states and the international community has no right to interfere (including even by offering an opinion). Recognizing his activities in Ukraine ex post facto recognizes this principle as well. It establishes as a firm precedent, reinforcing the precedent already established by the invasion of Georgia, that there are degrees of sovereignty in the international community and that some states are more sovereign than others. Putin is clearly attempting to establish precisely that principle. The West must resist the temptations he may offer to allow him to do so. Create a constellation of alliances and friendly states that gravitate toward Russia. Putin has been working hard to create multiple blocs and groupings of which Russia is either the sole center or one of a small number of core states, as an alternative to the U.S.-dominated international order he so opposes.90 Few of these individual efforts have been particularly effective, nor is it clear that the sum of them will result in a truly Russia-centric constellation of states. But the tenacity with which he has pursued this objective and the sheer number of attempts to reach it demonstrate, if nothing else, the importance he seems to attach to it. Some of these groupings offer Russia little inherent influence. BRICS (Brazil, Russia, India, China, South Africa) began simply as an acronym to describe major emerging markets, for example. It has no formal decision-making process, nor are its members aligned with one another on political or economic policies. It has no military component at all. Some, such as the Shanghai Cooperation Organization (SCO) require Russia to compete with China for predominant influence.91 That competition is not going well for Moscow, at least in the case of the SCO, leading Putin to de-emphasize this forum for the moment. Some, like the Eurasian Economic Union, remain largely aspirational. They have not yet established themselves as meaningful associations through which Russia could hope to exert influence now, nor is it clear that they will gain more significance over time—although Putin continues to work at it.92 Others are operational and meaningful. The Astana Process tripartite has not brought peace to Syria, but it has helped establish Putin at the heart of a triad with Iran and Turkey that is shaping Ankara’s drift away from NATO and toward Moscow. The Quartet Intelligence Center has not yet integrated the Iraqi military or government into the Russian orbit as fully as Putin might like, but it gives form to the very real military coalition of Russia, Iran, and Syria that is fighting in Syria.93 Still others, such as the Collective Security Treaty Organization (CSTO) and the Commonwealth of Independent States (CIS) are largely moribund at the moment, but the Union Treaty with Belarus had also been dormant almost since its creation in the 1990s, and Putin is attempting to reify it.94 We cannot discount the possibility that he may do so with one of the other agreements that are legacies of the 1990s. The purpose of laying out these various efforts is not to suggest that they are likely to succeed, or that their success would have dire consequences for American national security—it might or might not, depending on the circumstances. The purpose is, rather, to demonstrate again the coherence between Putin’s stated grand strategic vision and the undertakings the Russian state is pursuing to achieve it. Putin’s goals are antithetical to the security and national interests of the United States and its allies. We must prevent him from achieving them, without resorting to major war if at all possible. We turn next, therefore, to the means by which Putin and his subordinates pursue his aims—an examination that will show the tremendous challenges his methods pose, on the one hand, and the opportunities to respond with means well short of war, on the other. THE RUSSIAN WAY OF WAR The Russian way of war today is based on recognition of Russia’s fundamental weaknesses and the fact that Russia is not a near-peer of the U.S. and will not become one any time soon. It is designed to achieve Moscow’s objectives without fighting a major war against the West that Russia would likely lose if it did not escalate to using nuclear weapons.95 Its technological emphases have therefore been on less-expensive and asymmetric capabilities such as information operations, cyber operations, A2/ AD systems, and nuclear systems. Its intellectual development has focused on the category of political-informational-military activities encapsulated in the terms “hybrid war” or “gray zone” conflict.96 Russia is optimizing itself to fight a poor man’s war because it is poor and will remain so. Putin is sufficiently in contact with reality to know that he will fail if he attempts to regain anything approaching conventional military parity with the West. Assessing the novelty of this Russian approach is difficult. None of the concepts or technologies on which it relies is new or unique to it. Most of the key intellectual framework goes back to the early days of Soviet military thinking. Some can be traced back centuries to Sun Tsu. Nor has Russia abandoned traditional military approaches and conventional capabilities. It would be both wrong and dangerous to ascribe to Russia the invention of an entirely new way of war that is the only way in which it will fight now, or in the future. There are nevertheless important differences between the current Russian approach and the approach that characterized Russian military and national security strategy and doctrine in the 2000s and the 1990s, to say nothing of the Soviet period. The differences lie partly in emphasis and partly in the degree of intellectual development of certain concepts at the expense of others. It would be equally wrong and dangerous, therefore, to see the current Russian approach to war as the same as, or even congruent with, all of the post-Soviet period. The Russian military in the 1990s and 2000s focused largely on acquiring the capabilities it most envied in the stunning conventional American military victories against Iraq in 1991 and 2003. It sought to acquire long-range precision-strike capabilities that the Soviet military never had, stealth technology, and tanks and aircraft roughly equivalent with the mainstay technologies of NATO countries.97 It also sought to transform itself from a mass cadre-andreserve conscript force into a volunteer professional military, recognizing the tremendous value the U.S. transition to the all-volunteer force had brought on the battlefield.98 It has managed to achieve only partial success in most of these measures after nearly three decades. It has re-equipped many, but by no means all, of its combat units with weapons systems roughly equivalent to American fourth-generation aircraft (such as the F-15E Strike Eagle), M1 tanks, etc. It has struggled to field a force of fifth-generation aircraft and is unlikely to build a large enough arsenal of such aircraft to pose a serious challenge to American capabilities in any short period of time.99 It has acquired and demonstrated the ability to employ precision weapons, including long-range precision missile systems. Its mix of those systems and “dumb bombs” in Syria, however, was more similar to the mix the U.S. used in 1991 than to the mix American forces use today—the large majority of Russian munitions dropped in Syria were not precision-guided munitions because the Russian stockpiles are not large enough to support their widespread employment.100 The Russian military has notably failed to transition fully to an all-volunteer force, moreover, and has given up the effort. It has become, therefore, a segmented force with a volunteer element (so-called contract soldiers) and a large body of conscripts serving one-year terms (half the two-year service requirement for conscripts in the Red Army). This partial professionalization will continue to exercise a drag on its ability to complete its modernization programs; one-year conscripts simply cannot learn both how to be soldiers and how to use very advanced modern weapons systems. Russia’s modernization efforts lurched dramatically in 2008 with the appointment of Anatolii Serdyukov as defense minister.101 Serdyukov’s mandate was to reduce the cost of the Russian military significantly in response to the collapse in global oil prices resulting from the global financial crisis. He sought to make major personnel cuts, to restructure weapons system acquisition, and to reorganize the military, especially the ground forces, in a way that would have severely degraded its ability to conduct large-scale conventional warfare without optimizing it for any other sort of warfare. Serdyukov’s successor, Sergei Shoigu, along with Chief of the General Staff Valeriy Gerasimov, have reversed many, but not all, of those reforms. It is important to note, therefore, that some of the changes being made to the Russian military that enhance its ability to fight maneuver war are reversals of changes made in 2008 for cost-cutting purposes, rather than new improvements on an already-sound structure. The emphasis in Russian military development has changed significantly since the start of Russian involvement in Ukraine in 2014 and Syria in 2015. Gerasimov published a noteworthy article in 2013, discussion of which in the Western press gave rise to the phrase “Gerasimov doctrine.”102 The author of that phrase subsequently not only retracted it, but also aggressively attacked the idea of its existence.103 As with “hybrid war” and “gray zone,” this paper will not attempt to defend or attack the validity of the term, but will explore the collection of concepts and actions to which it could meaningfully be said to apply and that do actually comprise the current Russian approach to war.104 The heart of this approach is the conclusion that wars are won and lost in the information space rather than on the battlefield. Russian military thinkers have gone so far as to argue that every strategic, operational, and even tactical undertaking should be aimed first at achieving an effect in the information space, and that it is the information campaign that is decisive.105 Formal Russian doctrine has not gone this far, nor has Russian military activity on the ground, but the extreme statement is a measure of how important the concept is.106 The importance of information operations is old hat for any Sovietologist. The Soviets were renowned for the “active measures” of the KGB, for “disinformation” and various efforts to suborn groups in the West, sometimes unwittingly, to advance their ideological and concrete agendas. The Soviet military evolved an elaborate theory of deception, bringing the term “maskirovka” into common parlance among those who studied it. The Soviets also built out a concept called “reflexive control” that is the most noteworthy element of Putin’s ability to play a poor hand well.107 Reflexive control is a fancy way of saying “gaslighting.” It is the effort to shape the information space in which an adversary makes decisions so that he voluntarily chooses to act contrary to his own interests and his own benefit—all the while believing that he is actually advancing his own cause. Reflexive control is a form of intellectual jiu-jitsu, which may be one reason it appeals to Putin, who is a long-time and high-level practitioner of the Russian form of judo known as sambo.108 It uses the enemy’s strength against him in the best case, but at least causes him to avoid bringing his strength to bear against you. None of this, again, is new. Even the additions of cyber operations and cyber-enabled information operations such as bots and troll farms are not new or unique to the Russian approach to war. The novelty comes in part from the relative emphasis in Russian operations on efforts to shape the information space and the frequent subordination of conventional military operations and the threat of such operations to those efforts. Another novel aspect is the vulnerability of Western societies to these kinds of efforts, resulting in part from the effects of changes in the technological shape of the information space and the way in which it interacts with the psychology and sociology of Western individuals and societies. The current information environment favors the attacker over the defender for several reasons. The extremely widespread penetration of the internet in Western societies gives an attacker almost universal access to the population, unfiltered by government agency or corporate leadership. The anonymity made possible by the internet makes it difficult or impossible for individuals to know who is speaking to them. The decentralization of sources of information magnifies the effect of that anonymity by allowing it to seem that multiple independent sources verify and validate each other even when a single individual or group controls all of them. And the psychological asymmetry of outrage and retraction means that corrections and fact-checking almost never fully undo the damage done by a false accusation and often have little effect. These characteristics of the modern information space have created the ideal environment in which ideas first developed and attempted by the Soviets can flourish in ways the Soviets could never have imagined. We must be careful to avoid attributing too much brilliance to Putin and Gerasimov. It is not necessarily the case, or even likely, that they perceived the opportunities these phenomena would present and skillfully designed a “doctrine” to take advantage of them. On the contrary, they and their Russian and Soviet predecessors have been trying to make these approaches work all along. The increased intellectual, doctrinal, and organizational emphasis on them, starting overtly in 2015, likely results instead from the realization that they were suddenly working very well. As with all important military innovations, therefore, the emergence of the current Russian approach to war was almost certainly the result of theory, action, experience, and reflections on interactions with the adversary rather than a sudden explosion of insight. Whatever its origins and novelty or lack thereof, this Russian approach has allowed Putin to make gains he could never have hoped to make with conventional military forces alone.109 Syria is a case in point. Russia could never have established a lodgment on the Syrian coast and then expanded it to encompass a naval facility, a permanent and expanded military airbase, and a ground forces garrison—all protected by advanced air defense systems—through conventional military operations, against the wishes of the U.S. and its allies. Russian aircraft flying to Syria must transit either NATO airspace (through Turkey or Romania or Bulgaria and then Greece) or Iraqi airspace (via Iran) that the U.S. dominates. Had the U.S. been determined to prevent Russian planes from getting to Syria, the Russian Air Force could not have penetrated the defenses the U.S. and its allies could have put up. But the U.S. and its allies made no such decision. They have, on the contrary, worked hard to avoid any risk of military confrontation with Russian aircraft—a project made challenging, not unironically, by the periodic aggressiveness of Russian pilots. The prospect of a Russian naval expedition forcing its way into the Tartus naval facility in the face of efforts by the U.S. Sixth Fleet to stop it is even more fanciful. The key to Putin’s success in this gambit lay in his ability to persuade American and NATO leaders that Russia’s military presence in Syria was not a threat and might even be helpful—while simultaneously stoking the belief that any U.S. effort to oppose or control the Russian deployment would lead to major, possibly nuclear, war. The key to that success, in turn, lay in the fact that neither the Obama nor the Trump administration wanted to be in Syria or wished to fight any kind of conflict with Russia. President Obama, on the contrary, invited Putin into Syria in 2013 to help him out of the trap he had created by announcing that any further use of chemical weapons by Assad was a “red line”—without actually being willing to enforce that red line when Assad crossed it. Obama’s decision to reach out to Moscow likely resulted in part from the long bipartisan trend of seeking to “reset” relations with Russia, bring Russia back into the fold of responsible international stakeholders, and generally return to what Americans saw as the golden age of U.S.-Russian cooperation in the 1990s. This trend began in the first years of the George W. Bush administration, shortly after Putin’s accession to power. It continued with Hillary Clinton’s vaunted push of the “reset” button and Donald Trump’s praise for Putin and continued attempts to find ways to cooperate with him toward supposedly common objectives.110 The conviction that a Russian reset and a return to the golden years of the 1990s is just one phone call or summit away has become one of the few truly bipartisan foreign policy assumptions in this increasingly polarized era. Putin has used it skillfully to advance his own projects while offering few or no concessions in return. Conventional military forces play a critical role in the Russian approach to war nevertheless. Russian airpower and long-range precision-strike capability were critical to preserving, stabilizing, and then expanding the Assad regime and the territory it controlled in Syria. Iran, Lebanese Hezbollah, and the other components of the pro-regime coalition all lack similar capabilities. The hardening of opposition defenses in various parts of Syria before the Russian intervention raised the requirement for continued regime offensive operations beyond what the pro-regime coalition could provide.111 The Russian intervention was therefore essential to the survival of the regime and remains essential to its precarious stability and to any hope it has of regaining control of the rest of Syria. The very limited deployment of a few dozen aircraft and salvoes of long-range missiles made Russia indispensable to the pro-regime coalition and gave Putin enormous leverage in Syria at relatively low risk and low cost. The deployment of Russian S-300 and S-400 anti-aircraft systems to Syria dramatically increased that leverage, again at very low risk and cost. The American military could destroy those systems and operate freely over Syrian airspace even against Moscow’s wishes, but the cost in U.S. aircraft and missiles devoted to the operation, in time, and possibly in casualties and aircraft losses would be significant. The range of the S-300 and the reported locations at which launchers were deployed, moreover, means that most Israeli Air Force and some Turkish Air Force aircraft are within range of those systems the moment they take off from airbases in Israel and Turkey. That fact has not been lost on Israeli or Turkish leaders. Putin has also used conventional military forces on a limited scale in Ukraine. He relied on the naval infantry forces already deployed in Crimea, reinforced by small numbers of special forces and other units, to seize control of that peninsula in 2014. Small numbers of conventional forces battalion tactical groups and similar-sized formations helped local proxies seize and hold ground in eastern Ukraine, while highly skilled special forces elements supported them in the battle area and in the rear of the Ukrainian forces.112 Russia has provided air defense capabilities and significant electronic warfare support to its Ukrainian proxies and also to its fighters and allies in Syria. The highly targeted assistance of Russia’s conventional military is probably even more essential to Putin’s proxies in Ukraine than in Syria. The Ukrainian Armed Forces are likely to regain control over the Russian-occupied territories in Ukraine if the Russian military stops supporting its proxies on the battlefield. The current Russian way of war, therefore, truly is hybrid. It requires the use of limited numbers of highly capable conventional forces able to conduct expeditionary operations beyond Russia’s borders. However, it also relies on the creation and maintenance of a political and information environment that facilitates the presence and activities of those forces without serious opposition from any state or actor that could meaningfully challenge them. The conventional forces themselves are enablers to a larger political-informational campaign rather than being the main effort. Evidence for that assessment lies in Putin’s response to the several occasions on which his conventional forces suffered losses— specifically, the Turkish downing of a Russian aircraft in 2015; the accidental downing of another Russian plane by Syrian forces during an Israeli airstrike in 2018; and the killing of several hundred members of the Wagner PMC during an attack by that group on an outpost in eastern Syria held by the opposition, where American advisers were also present.113 Washington and the world held their breath in each case, worrying about Putin’s possible response. The U.S. Chairman of the Joint Chiefs of Staff, General Joseph Dunford, reached out immediately to Gerasimov to send messages of both deterrence and de-escalation each time.114 Putin did not retaliate militarily on any of these occasions. He responded to the Turkish shoot-down by deploying Russian S-300 systems operated by Russian troops, and to the Syrian shoot-down by completing a contract with the Assad regime for S-300 systems of its own, which had long been held up. He made no meaningful response to the Wagner incident and did not even use his air defense systems to disrupt the massive U.S. air operations against the attacking Wagner forces as they were destroyed. Putin has similarly refrained from using his own S-300 and S-400 systems to shoot at Israeli aircraft during any of Israel’s repeated airstrikes against regime targets within Syria and has, reportedly, prevented the Syrians from using their S-300 system.115 Nor has Putin retaliated against Israel for those strikes or against the U.S. for the 2017 missile strikes Washington launched against the Shayrat airbase in response to Assad’s renewed use of chemical weapons. The aircraft and missile systems Putin has deployed to Syria, therefore, are clearly not meant to give him control over Syria’s skies. They are also obviously not meant to challenge the ability of the U.S., Turkey, or Israel to conduct anti-regime operations, at least within the current limits of such operations. Lastly, they are not meant to enable Putin to retaliate in any symmetrical tit-for-tat manner for Russian losses suffered directly or indirectly at the hands of the U.S., Turkey, or Israel. The relative inaction of Russia’s aircraft against those states could be at least partially explained by Moscow’s focus on fighting the opposition. But the air defense systems can only be intended to defend against the U.S., Turkey, and Israel, since the opposition has never had aircraft against which those systems are effective.116 The Kremlin has, in other words, deployed systems to defend against attacks that have, in fact, come—and yet not used those systems to defend against those attacks. This conundrum can only be resolved by recognizing that the purpose of those systems is to shape the behavior of the U.S., Turkey, and Israel rather than to fight openly against them. The deployments of advanced air defense weapons, and also of some of the air-to-air-optimized aircraft Russia has periodically sent to Syria, support a political-informational campaign rather than a conventional military operation (even if we regard counter-insurgency and counter-terrorism as being in that category). Circumstances might, of course, arise in which Putin would authorize his troops to use some or all of their capabilities conventionally against the U.S. and its partners and allies. That fact drives the fear of escalation that leads the U.S. Joint Chiefs chairman to jump on the phone to Moscow every time a major incident occurs. It also shapes American, Turkish, and Israeli calculations about military options they might choose. This is exactly the point from Moscow’s perspective. Putin’s S-300 and S-400 systems in Syria work best if they are never used. Problems of Escalation—for Russia The U.S. military and those who study it are preoccupied, understandably, by its shortcomings and inadequacies. The shortcomings are real, and the military is, indeed, inadequate for the global requirements it must meet. The preoccupation with our own failings has tended to obscure an objective assessment of the relative risks to the U.S. and Russia of a conventional military confrontation in Syria, however. The U.S. has therefore tended to overestimate the likelihood that a crisis with Russia in Syria will escalate to the point of such a major confrontation and, as a result, has allowed Putin’s very limited deployment of combat power and good use of the information space to drive a high degree of American self-deterrence. Russia has rarely had more than a couple of dozen combat aircraft at its airfields in Syria at any given time.117 Most of them are usually ground-attack planes (principally Su-25 Frogfoots, which are roughly similar to the U.S. Air Force A-10), and they have limited ability to conduct air-to-air combat against U.S. fighter bombers. The rest are generally variants of the Su-30 fighter bomber, sometimes with a few more-advanced airframes optimized for air-to-air combat, including, occasionally, the Su-57 stealth fighter bomber. A single U.S. carrier strike group has around 48 strike fighters, all with air-to-air and air-to-ground capabilities. The U.S. Navy alone has more than 775 strike aircraft (including all variants of the F/A-18 and the F-35).118 The U.S. Air Force has more than 1,240 fighters and fighter bombers, as well as around 140 strategic bombers.119 The single carrier strike group—almost invariably in the Mediterranean or in or near the Persian Gulf—thus outguns the Russian aircraft in Syria by a significant margin, and the U.S. Air Force and Navy could rapidly begin to flow crushing numbers of reinforcements to the theater. The Russian Air Force, by contrast, has a total of roughly 745 fighter bombers in its entire inventory, according to the most recently published Defense Intelligence Agency estimates.120 It has an additional 215 attack aircraft (mostly Su-25s) and another 141 strategic bombers. It is thus somewhat larger than the U.S. Navy, considerably smaller than the U.S. Air Force, and about one-third the size of both together. These numbers exclude the roughly 240 F-16s in the Turkish Air Force—which have demonstrated their ability to shoot down Russian fighters in limited engagements, and so should not be dismissed—as well as those of America’s other NATO allies, not to mention the Israeli Air Force, one of the best in the world. The U.S. thus has absolute escalation dominance in an air-to-air fight over the skies of Syria, unless one imagines that Russian aircraft and pilots are an order-of-magnitude more lethal than their American counterparts—a notion there is no evidence for, and considerable evidence against.121 Critics of this argument need not challenge this assertion, but could argue instead that it is beside the point. The U.S. military cannot focus solely on fighting the Russians in Syria. It must support American ground forces deployed in Iraq and Afghanistan; conduct counter-terrorism operations throughout Africa; and deter and be ready to respond to aggressions by China, North Korea, and Iran, at least. The concentration of aircraft, ships, and pilots needed to fight a significant air war against Russia in Syria would severely degrade the U.S. military’s ability to meet these other requirements. This fact more than any fear of confronting the Russian military in the Middle East explains the self-paralysis of the U.S. military. Putin, by contrast, has projected a willingness to mix it up in Syria. His pilots ostentatiously fly close to American aircraft, engage in risky maneuvers near them, lock targeting radars on them, and in other ways portray almost an eagerness to engage in a fight.122 The Turkish downing of a Russian aircraft in 2015 resulted from repeated violations of Turkish airspace by Russian pilots in another set of deliberate provocations.123 Putin’s message through these actions has consistently been: You will not fight me here, but I am willing to fight you. Yet on each occasion when blows have been traded, Putin has backed down. One reason is that his escalation calculus is far worse than America’s. The Russian Air Force also has essential tasks outside Syria that would prevent it from concentrating all, or even most of its available assets there. It must cover Russia’s enormous periphery, the largest land border of any country in the world, including a long border with China. Putin would be foolish to strip aircraft from St. Petersburg, a short flight from NATO airfields, while fighting the U.S. in Syria. Nor could he denude his forces in Crimea, linked to the Russian mainland by a single bridge, or his forces in and near eastern Ukraine. He could not even prudently strip his far east of all advanced aircraft. He might— or might not—decide that China would not take advantage of any weakening of his defenses, but the U.S. can threaten him from carriers in the Pacific even if Japan opts to deny the use of its bases in a conflict with Russia to which it is not party. Would the U.S. bomb St. Petersburg or Vladivostok while fighting Russia in Syria? Of course not. But strategic calculus does not work that way. It is a fact that the U.S. could conduct such attacks, and any professional military staff forced to confront the prospect of an escalation to major conventional war in one theater would have to consider the possibility that such a war might spread to other theaters. Best professional military advice in such a situation would be to maintain sufficient combat power in any other vulnerable theater to deter and, if necessary, defeat enemy attempts to transfer the conflict there. It is equally true, after all, that a rapid U.S.-Russia dustup in Syria would be very unlikely to trigger a Chinese military adventure or a North Korean invasion of South Korea. Yet the U.S. military allows the fears of just such scenarios to undermine its willingness to contemplate fighting Russia in Syria— and the Russian military will behave no differently. Even that calculation is not Russia’s most serious problem with the idea of escalation to conventional conflict in the skies over Syria. The biggest problem is actually financial. Russia could not afford to replace the losses it would inevitably take in such a fight, whereas the U.S. could. Bad as the differential in aircraft looks for the Russians, we must recall that the differential in overall economic power and in defense budgets looks much worse. The Russian economy and defense budgets are less than one-tenth the size of America’s. Its military is struggling to “modernize” to a level of technology similar to what the U.S. has had for decades. The cost of having to replace many lost modern aircraft would disrupt Russian defense programs for years. The U.S. could make good such losses in short order if it chose. Nuclear Escalation The prospect of the world’s two largest nuclear powers going to war, even in a limited conventional way, is of course terrifying. The U.S. certainly should do everything in its power to achieve its objectives without resorting to major combat operations against Russia—that is the guiding principle of current national security documents and of this report. The straightforward equation sometimes made between any such local conflict and global nuclear war, however, is entirely unjustified. It simply is not the case that any major conventional war will lead inevitably, or even probably, to nuclear war. One can trace escalation paths from a conventional war Putin is losing in Syria to his use of a theater nuclear weapon, either to change the odds or to try to force the U.S. to back down. He could use such a weapon to destroy a U.S. airfield in one of the regional states (Turkey, perhaps, or Kuwait) or a U.S. aircraft carrier strike group. The destruction of any single airbase or carrier would not prevent the U.S. from carrying forward an air war to successful conclusion. There are simply too many bases and carriers the U.S. could use for the elimination of a single one to terminate a campaign. Unless Putin were willing to destroy many airbases in many different countries (most of them NATO members) and sink every carrier moving into the theater, he could not prevent the U.S. from destroying his assets in the Middle East. It is impossible to predict the American response to such a use of nuclear weapons—regardless of the occupant of the White House. The U.S. could respond by using theater nuclear weapons of its own against Russian forces in the Middle East (which this report emphatically does not support or recommend)—and here, a single nuclear device dropped on the airfield near Latakia would pretty much destroy Russian capabilities to continue the air war in the region. Alternatively, Washington could engage in either conventional or nuclear retaliation against Russian forces beyond the region, including in Russia proper (and, again, this report does not support or recommend using nuclear weapons under any circumstances, except possibly in extremis situations far more dire than those under consideration here). Putin would then be forced to decide whether to escalate further. He could conduct a larger nuclear strike against NATO (since any effort seriously to disrupt U.S. military capabilities in and around Europe would require breaking or badly damaging the alliance). He could also go directly for a strike on the U.S. homeland. If he chose the latter and launched an all-out strike, the U.S. president would likely respond in kind, leading to the destruction of both Russia and the U.S.—and possibly life on Earth. One could endlessly consider lesser variants, but they all lead to dramatically increased risk of Armageddon.

## CASE

### t/l

#### No space PTD – no sovereignty.

Jonckheere 18 – Master’s Dissertation on Public and International Law, Evarist Ghent University. (Evarist Jonckheere, reviewed by Maes Frank and René Oosterlinck, professors at Evarist Ghent University, “The Privatization of Outer Space and the Consequences for Space Law”, May 2018)

121 The common heritage of mankind principle has been applied throughout history in the form of the ‘public trust’ doctrine.122 However, this application is problematic in outer space. The doctrine proposes that states possess all the property rights of the common areas. While these states remain the owners, they can subsequently convey usage rights of the property to its residents – possibly private enterprises. This results in a division between the rights of the state and the rights conveyed to its residents. Both parties have their own interests in owning the area and using its resources, but the state’s interest is the primary concern. Article I of the Outer Space Treaty seemingly creates such a public trust situation. However, states do not have the purposed sovereignty over outer space that is necessary in the public trust doctrine. Sovereign control over real property by a state is needed before any rights can be conferred to private actors. States do not have this control in outer space and as a result, states would not be able to recognize private ownership there.

#### Court-empowered public trust lacks legitimacy and has no legal teeth to compel corporations.

Byrne 12 (J. Peter, Professor of Law, Georgetown University Law Center, “The Public Trust Doctrine, Legislation, and Green Property: A Future Convergence?”, University of California, Davis Law Review, Vol. 45:915, pp. 915-930)

Professor Mary Wood has articulated a theory of a planetary public trust in the atmosphere.46 Concerned that climate change will bring catastrophe and that environmental law will not adequately address it, she has urged a global effort to secure judicial enforcement of a public trust ordering carbon accountings and “enforceable carbon budgets.”47 Professor Wood admirably explains the doctrinal foundation by asserting that “it is no great leap to recognize the atmosphere as one of the crucial assets of the public trust.”48 One must respect the boldness of such an effort to counter looming disaster, based upon a plausible chain of legal reasoning. Yet, the initiative also exposes the public trust doctrine’s greatest weakness: it simply claims too much. The purpose of declaring the atmosphere a public trust is to empower judges to employ traditional legal tools, such as nuisance law, to order private entities to reduce harmful emissions and governments to introduce other mitigation measures. Thus, courts around the world would truly become the “Platonic guardians”49 of society, establishing basic environmental norms on the basis of a valuable yet unfamiliar legal doctrine. Such authority would lack political legitimacy. To respond to climate change, political majorities need to acknowledge the problem and authorize their institutions to take the difficult painful measures necessary to address it. Pressing for judicial recognition of a public trust in the atmosphere seems impractical in the short run and may be counterproductive in the long run. The Supreme Court’s recent decision in American Electric Power Co. v. Connecticut50 demonstrated that courts are unlikely to accept authority to order reductions in emissions without legislative direction and administrative support. The Court unanimously held that because Congress addressed carbon pollution through the Clean Air Act, it had displaced the federal common law of nuisance. As a result, courts were without authority to entertain federal nuisance actions against major emitters of greenhouse gases. Underlying the decision and mirrored in other climate nuisance decisions, Justice Ginsburg’s opinion for the unanimous Court expressed strong judgment that tackling climate change requires complex and coordinated judgments about science and economics beyond the judicial capacity: It is altogether fitting that Congress designated an expert agency, here, EPA, as best suited to serve as primary regulator of greenhouse gas emissions. The expert agency is surely better equipped to do the job than individual district judges issuing ad hoc, case-by-case injunctions. Federal judges lack the scientific, economic, and technological resources an agency can utilize in coping with issues of this order. Judges may not commission scientific studies or convene groups of experts for advice, or issue rules under notice-and-comment procedures inviting input by any interested person, or seek the counsel of regulators in the States where the defendants are located. Rather, judges are confined by a record comprising the evidence the parties present. Moreover, federal district judges, sitting as sole adjudicators, lack authority to render precedential decisions binding other judges, even members of the same court.51 Although the case dealt with displacement of federal common law, American Electric Power stands as a strong admonishment against employing judicial power to comprehensively address climate change. Even if judges felt confident enough to order emission reductions based upon a public trust in the atmosphere, such orders might undercut long-term efforts to reach environmental sustainability. There is no substitute for persuading U.S. citizens to support protection of the atmosphere through the democratic political process. Because implementation will require widespread and willing compliance, such measures require political legitimacy, which the courts lack. Reducing emissions substantially and adapting to inevitable climate change will require people to change their preferences and behavior. Political debate and messy compromises will more likely mobilize such change than the judicial extensions of legal principles, notwithstanding the current stalled state of national discussions of climate change. My disagreement with Professor Wood about which institutions should address climate change does not mean that I think the public trust doctrine cannot play a constructive role in the legal struggle. Legal recognition of public property rights in the atmosphere may improve political discourse and should reduce the threat that courts will find reasonable regulations — reducing emissions or lessening harms from climate change — to constitute regulatory takings. Reasonable legislative adjustment of competing property rights should be judged more generously than regulations that diminish property. In my approach, courts are asked to permit rather than command legislative action.

#### 1AC Babcock is entirely out of context – it is not saying that expanding the PTD on its own is sufficient to create sustainable space – it requires the creation of new international frameworks, guidelines, and debris mitigation efforts which is external to an expansion of the PTD – only the counterplan sets the ground floor for sustainable space development.

### ADV 1

#### No extinction – it takes 12 degrees without adaptation

Farquhar et al. 17 [Sebastian Farquhar (PhD Candidate in Philosophy at Oxford and Project Manager at Future of Humanity Institute), John Halstead (climate activist and one of the co-founders of 350 Indiana-Calumet), Owen Cotton-Barratt (PhD in pure mathematics at Oxford. Previously worked as an academic mathematician and as Director of Research at the Centre for Effective Altruism), Stefan Schubert (Researcher at Department of Experimental Psychology at University of Oxford), Haydn Belfield (Associate Fellow at the Leverhulme Centre for the Future of Intelligence. He has a background in policy and politics, including as a Senior Parliamentary Researcher to a British Shadow Cabinet Minister, as a Policy Associate to the University of Oxford’s Global Priorities Project, and a degree in Philosophy, Politics and Economics from Oriel College, University of Oxford), Andrew Snyder-Beattie (Director of Research at the Future of Humanity Institute at Oxford, Holds degrees in biomathematics and economics and is currently pursuing a PhD in Zoology at Oxford), Existential Risk: Diplomacy and Governance, Global Priorities Project (Bostrom’s Institute), 2017-01-23, https://www.fhi.ox.ac.uk/wp-content/uploads/Existential-Risks-2017-01-23.pdf] TDI

The most likely levels of global warming are very unlikely to cause human extinction.15 The existential risks of climate change instead stem from tail risk climate change – the low probability of extreme levels of warming – and interaction with other sources of risk. It is impossible to say with confidence at what point global warming would become severe enough to pose an existential threat. Research has suggested that warming of 11-12°C would render most of the planet uninhabitable,16 and would completely devastate agriculture.17 This would pose an extreme threat to human civilisation as we know it.18 Warming of around 7°C or more could potentially produce conflict and instability on such a scale that the indirect effects could be an existential risk, although it is extremely uncertain how likely such scenarios are.19 Moreover, the timescales over which such changes might happen could mean that humanity is able to adapt enough to avoid extinction in even very extreme scenarios. The probability of these levels of warming depends on eventual greenhouse gas concentrations. According to some experts, unless strong action is taken soon by major emitters, it is likely that we will pursue a medium-high emissions pathway.20 If we do, the chance of extreme warming is highly uncertain but appears non-negligible. Current concentrations of greenhouse gases are higher than they have been for hundreds of thousands of years,21 which means that there are significant unknown unknowns about how the climate system will respond. Particularly concerning is the risk of positive feedback loops, such as the release of vast amounts of methane from melting of the arctic permafrost, which would cause rapid and disastrous warming.22 The economists Gernot Wagner and Martin Weitzman have used IPCC figures (which do not include modelling of feedback loops such as those from melting permafrost) to estimate that if we continue to pursue a medium-high emissions pathway, the probability of eventual warming of 6°C is around 10%,23 and of 10°C is around 3%.24 These estimates are of course highly uncertain. It is likely that the world will take action against climate change once it begins to impose large costs on human society, long before there is warming of 10°C. Unfortunately, there is significant inertia in the climate system: there is a 25 to 50 year lag between CO2 emissions and eventual warming,25 and it is expected that 40% of the peak concentration of CO2 will remain in the atmosphere 1,000 years after the peak is reached.26 Consequently, it is impossible to reduce temperatures quickly by reducing CO2 emissions. If the world does start to face costly warming, the international community will therefore face strong incentives to find other ways to reduce global temperatures.

#### No extinction – assumes 45 degrees celcius.

Alexey Turchin 19, Researcher at the Foundation Science for Life Extension in Moscow, Brian P. Green, director of technology ethics at the Markkula Center for Applied Ethics at Santa Clara University, 3/11/19, “Islands as refuges for surviving global catastrophes,” https://www.emerald.com/insight/content/doi/10.1108/FS-04-2018-0031/full/html

Different types of possible catastrophes suggest different scenarios for how survival could happen on an island. What is important is that the island should have properties which protect against the specific dangers of particular global catastrophic risks. Specifically different islands will provide protection against different risks, and their natural diversity will contribute to a higher total level of protection: - Quarantined island survives pandemic. An island could impose effective quarantine if it is sufficiently remote and simultaneously able to protect itself, possibly using military ships and air defense. - Far northern aboriginal people survive an ice age. Many far northern people have adapted to survive in extremely cold and dangerous environments, and under the right circumstances could potentially survive the return of an ice age. However, their cultures are endangered by globalization. If these people become dependent on the products of modern civilization, such as rifles and motor boats, and lose their native survival skills, then their likelihood of surviving the collapse of the outside world would decrease. Therefore, preservation of their survival skills may be important as a defense against the risks connected with extreme cooling. - Remote polar island with high mountains survives brief global warming of median surface temperatures, up to 50˚C. There is a theory that the climates of planets similar to the Earth could have several semi-stable temperature levels (Popp et al., 2016). If so, because of climate change, the Earth could transition to a second semi-stable state with a median global temperature of around 330 K, about 60˚C, or about 45˚C above current global mean temperatures. But even in this climate, some regions of Earth could still be survivable for humans, such as the Himalayan plateau at elevations above 4,000 m, but below 6,000 (where oxygen deficiency becomes a problem), or on polar islands with mountains (however, global warming affects polar regions more than equatorial regions, and northern island will experience more effects of climate change, including thawing permafrost and possible landslides because of wetter weather). In the tropics, the combination of increased humidity and temperature may increase the wet bulb temperature above 36˚C, especially on islands, where sea moisture is readily available. In such conditions, proper human perspiration becomes impossible (Sherwood and Huber, 2010), and there will likely be increased mortality and morbidity because of tropical diseases. If temperatures later returned to normal – either naturally or through climate engineering – the rest of the Earth could be repopulated.

#### Best science proves no warming impact.

Idso et al.18 (Craig, Geography@ArizonaState, David Legates, Climatology@Delaware, ProfClimatology@Deleware, Fred Singer, Physics@Princeton, ProfEnviroScience@Virginia, Climate Change Reconsidered II: Fossil Fuels, NIPCC, Ch.2, p. 108-109, Chapter Contributors: Joseph Bast, FormerPresident@HeartlandInstitute, Patrick Frank, PhD Chemistry@Stanford, Kenneth Haapala, MS Econ, President@Science+EnvironmentalPolicyProject, Jay Lehr, PhD Hyrdrology@Arizona, Patrick Moore, Co-Founder@Greenpeace, PhD Ecology@UniversityBrittishColumbia, Willie Soon, PhD AerospaceEngineering@USC, Chapter Reviewers: Charles Anderson, PhD Biology@Stanford, AssocProfBiolofy@PennState, Dennis Avery, DirectorFoodSecurity@Hudson, FormerUSDeptAg, Timothy Ball, PhD Climatology@QueenMary, FormerProfGeography@Winnipeg, David Bowen, PhD Geology@UCBoulder, ProfGeology@MontanaState, David Burton, MA CompSci@UTAustin, Mark Campbell, PhD Chemistry@JohnsHopkins, ProfChemistry@USNavalAcademy, David Deming, PhD PublicPolicy@Harvard, ProfPublicPolicy@Harvard, Rex Fleming, PhD AtmosphericScience@Michigan, Lee Gerhard, PhD Geology@Kansas, François Gervais, PhD Physics@UniversityNewOreleans, ProfPhysics@FrançoisRabelaisUniversity, Laurence Gould, ProfPhysics@UniversityHatford, PhD Physics@Temple, Kesten Green, PhD Managment@VictoriaManagmentSchool, Hermann Harde, PhD Engineering@UniversityOfKaiserslautern, Howard Hayden, PhD Physics@DenverUniversity, Ole Humlum, PhD GlacialGeomorphology@UniversityCopenhagen, ProfGeography@Oslo, Richard Keen, PhD Climatology@Colorado, ProfAtmosphericScience@Colorado, William Kininmonth, MSc@Colorado, FormerHead@AustralianBureauOfMeteorologyNationalClimateCenter, Anthony Lupo, PhD AtmosphericScience@Purdue, ProfAtmosphericScience@Missouri, Robert Murphy, PhD Chemistry@MIT, ProfPharmacology@Colorado, David Nebert, MD@UniversityOregon, ProfEnvironmentalHealth@Cincinati, Norman Page, PhD Geology@Illinois, Frederick Palmer, JD@Arizona, Gath Paltridge, PhD AtmosphericPhysics@UniversityMelbourne, ChiefResearchScientist@CSIRODivisionAtmosphericResearch, Jim Petch, PhD Geography@KingsCollegeLondon, Jan-Erik Solheim, MA PoliSci@Oslo, FormerExecDirectorUNEnvironmentProgram, Peter Stilbs, PhD Chemistry@RoyalInstituteTechnology, Roger Tattersol, BA History+PhilosophyOfScience@Leeds, Frank Tipler, PhD Physics@Maryland, ProfPhysics@Tulane, Ftitz Vahrenholt, PhD Chemistry@Munster, Art Viterito, PhD Climatology@Denver, ProfGeography@Maryland, Lance Wallace, PhD Physics@CUNY)

Methodology The Scientific Method is a series of requirements imposed on scientists to ensure the integrity of their work. The IPCC has not followed established rules that guide scientific research. Appealing to consensus may have a place in science, but not as a means of shutting down debate. Uncertainty in science is unavoidable but must be acknowledged. Many declaratory and predictive statements about the global climate are not warranted by science. Observations Surface air temperature is governed by energy flow from the Sun to Earth and from Earth back into space. Whatever diminishes or intensifies this energy flow can change air temperature. Levels of carbon dioxide and methane in the atmosphere are governed by processes of the carbon cycle. Exchange rates and other climatological processes are poorly understood. The geological record shows temperatures and CO2 levels in the atmosphere have not been stable, making untenable the IPCC’s assumption that they would be stable in the future in the absence of human emissions. Water vapor is the dominant greenhouse gas owing to its abundance in the atmosphere and the wide range of spectra in which it absorbs radiation. Carbon dioxide (CO2) absorbs energy only in a very narrow range of the longwave infrared spectrum. Controversies Reconstructions of average global surface temperature differ depending on the methodology used. The warming of the twentieth and early twenty-first centuries has not been shown to be beyond the bounds of natural variability. General circulation models (GCMs) are unable to accurately depict complex climate processes. They do not accurately hindcast or forecast the climate effects of human-related greenhouse gas emissions. Estimates of equilibrium climate sensitivity (the amount of warming that would occur following a doubling of atmospheric CO2 level) range widely. The IPCC’s estimate is higher than many recent estimates. Solar irradiance, magnetic fields, UV fluxes, and cosmic rays are poorly understood and may have greater influence on climate than general circulation models currently assume. Climate Impacts There is little evidence that the warming of the twentieth and early twenty-first centuries has caused a general increase in severe weather events. Meteorological science suggests a warmer world will see milder weather patterns. Arctic ice is losing mass, but melting commenced before there was a human impact on climate and is not unprecedented. Antarctica is either gaining ice mass or is unchanged. Best available data show sea-level rise is not accelerating. Local and regional sea levels continue to exhibit typical natural variability. The link between warming and drought is weak, and by some measures drought decreased over the twentieth century. Changes in the hydrosphere of this type are regionally highly variable and show a closer correlation with multidecadal climate rhythmicity than they do with global temperature. Plants have responded positively to rising temperatures and carbon dioxide levels in the atmosphere, a trend that is likely to continue beyond the twenty-first century. Why Scientists Disagree Climate is an interdisciplinary subject requiring insights from many fields of study. Very few scholars have mastery of more than one or two of these disciplines. Fundamental uncertainties arise from insufficient observational evidence and disagreements over how to interpret data and how to set the parameters of models. Many scientists trust the Intergovernmental Panel on Climate Change (IPCC) to objectively report the latest scientific findings on climate change, but it has failed to produce balanced reports and has allowed its findings to be misrepresented to the public. Climate scientists, like all humans, can have tunnel vision. Bias, even or especially if unconscious, can be especially pernicious when data are equivocal and allow multiple interpretations, as in climatology. Appeals to Consensus Surveys and abstract-counting exercises that are said to show a “scientific consensus” on the causes and consequences of climate change invariably ask the wrong questions or the wrong people. No survey data exist that support claims of consensus on important scientific questions. Some survey data, petitions, and peer-reviewed research show deep disagreement among scientists on issues that must be resolved before the man-made global warming hypothesis can be accepted. Some 31,000 scientists have signed a petition saying “there is no convincing scientific evidence that human release of carbon dioxide, methane, or other greenhouse gases is causing or will, in the foreseeable future, cause catastrophic heating of the Earth’s atmosphere and disruption of the Earth’s climate.” Prominent climate scientists have said repeatedly that there is no consensus on the most important issues in climate science.

#### No impact – adaptation solves.

Shani 15 (Amir Shani – PhD @ the University of Central Florida, researches ecotourism and ethics at the University of the Negev, Eilat Campus. Boaz Arad – spokesman in the Public Policy Center at the Jerusalem Institute for Market Studies, “There is always time for rational skepticism: Reply to Hall et al,” April 2015, ScienceDirect)

The uncertainty that encompasses current climate change assessments is strengthened in light of the studies indicating that over earth's history there have been **distinct warm periods** with temperatures **exceeding the current ones** (Esper et al., 2012, McIntyre and McKittrick, 2003 and Soon and Baliunas, 2003). Reviewing the relevant scientific literature, Khandekar, Murty, and Chittibabu (2005) concluded that “in the context of the earth's climate through the last 500 million years, the recent (1975–2000) increase in the earth's mean temperature does not appear to be **unusual** or **unprecedented** as claimed by IPCC and many supporters of the global warming hypothesis” (p. 1568). Other studies challenged the mainstream climate change narrative, according to which CO2 levels in the earth's atmosphere play a prominent role in rising temperatures. One notable example is the research by Shaviv and Veizer (2003), which demonstrates that the earth's temperature correlates well with variations in cosmic ray flux, rather than changes in atmospheric CO2. These findings and others stir contentious debates within the climate scientific community, but are nevertheless largely overlooked by the IPCC, which ignores alternative explanations for climate change. Regrettably, Hall et al. scornfully dismiss this evidence, presented in our research note, based on cherry-picking of a few “non-peer-reviewed” references that were cited, some vague claims about “misreading” and “selective citing,” as well as other semantic nitpicking. 4. Impacts of climate change The IPCC warns that climate change is likely to have severe consequences, particularly for poor countries, such as increased hunger, water shortages, vulnerability to extreme weather events and debilitating diseases. **However**, these estimations have been **heavily criticized** for failing to properly account for **substantial improvements in adaptive capacity** (i.e., the capability of coping with the impact of global warming) that are likely to occur due to advances in **economic development**, **technological change** and **human capital** over the next century (Goklany, 2007). Fostering economic growth and technological development, largely achievable through the use of fossil fuels, will strengthen both industrialized and developing countries' **adaptive capacity** to deal not just with possible future climate change consequences, but also with other environmental and public health problems. Such policy will **provide greater benefits** at lower costs than drastic climate change mitigation efforts involving substantially cutting greenhouse gas emissions (Goklany, 2004 and Goklany, 2012). Furthermore, the analyses of Galiana and Green (2009) exemplify that in the current state of energy technologies, the suggested plans for ambitious emission reductions will likely severely clobber the global economy, especially in view of present economic conditions. In order to stabilize atmospheric CO2 at accepted levels, there is a need for enormous advances in efficient energy technology, which is currently missing (Pielke, Wigley & Green, 2008). In any case, **even if** every industrialized nation meets the most ambitious emissions targets set by the Kyoto Protocol, such efforts are likely to have **little effect**, particularly in the light of the considerable increases in greenhouse gas emissions by rising economic superpowers as **China** and **India**, as well as the **remaining developing world** (Wigley, 1998). Hall et al. criticized us for choosing “selective citations…that discuss natural processes potentially affect climate in specific locations and times.” Yet the purpose of referring to such studies was to refute the claims made by the IPCC and other climate change alarmists to the effect that recent extreme weather events (e.g., floods, droughts and storms) are the consequences of anthropogenic emissions of greenhouse gases. Moreover, data shows that despite claims that the number and intensity of extreme weather has increased, between 1900 and 2010 the average annual death and death rates from extreme weather events has declined by 93% and 98%, respectively (Goklany, 2009). This is mostly due to economic and technological factors, such as improved global food production, increase globalized food trade and better disaster preparedness. IPCC's exaggerated estimations of climate change impacts were also noted in an op-ed in Financial Times written by climate economist Richard Tol (2014), a week following his demand that his name as one of the leading authors be removed from the IPCC's AR5 due to its over alarmist assessments of the impacts of AGW and underestimation of humanity's adaptive capacity. As concluded by Tol, “Humans are a **tough** and **adaptable** species. People live on the equator and in the Arctic, in the desert and in the rainforest. **We survived ice ages** with **primitive technologies**. The idea that climate change poses an existential threat to humankind is **laughable**” (2014, para 1).

#### NO climate wars.

Erik Gartzke 11, Associate Professor of Political Science at UC-San Diego, March 16, 2011, “Could Climate Change Precipitate Peace?,” online: <http://dss.ucsd.edu/~egartzke/papers/climate_for_conflict_03052011.pdf>

An evolving consensus that the earth is becoming warmer has led to increased interest in the social consequences of climate change. Along with rising sea levels, varying patterns of precipitation, vegetation, and possible resource scarcity, perhaps the most incendiary claims have to do with conflict and political violence. A second consensus has begun to emerge among policy makers and opinion leaders that global warming may well result in increased civil and even interstate warfare, as groups and nations compete for water, soil, or oil. Authoritative bodies, leading government officials, and even the Nobel Peace prize committee have highlighted the prospect that climate change will give rise to more heated confrontations as communities compete in a warmer world.Where the basic science of climate change preceded policy, this second consensus among politicians and pundits about climate and conflict formed in the absence of substantial scientific evidence. While anecdote and some focused statistical research suggests that civil conflict may have worsened in response to recent climate change in developing regions (c.f., Homer-Dixon 1991, 1994; Burke et al. 2009). these claims have been severely criticized by other studies (Nordas&Gleditsch 2007; Buhaug et al. 2010: Buhaug 2010).1 In contrast, long-term macro statistical studies find that conflict increases in periods of climatic chill (Zhang et al. 2006, 2007; Tol& Wagner 2010).2 Research on the more recent past reveals that interstate conflict has declined in the second half of the twentieth century, the very period during which global warming has begun to make itself felt (Goldstein 2002; Levy et al. 2001; Luard 1986, 1988; Hensel 2002; Sarkees, et al. 2003; Mueller 2009).3 While talk of a ''climatic peace” is premature, broader claims that global warming causes conflict must be evaluated in light of countervailing evidence and a contrasting set of causal theoretical claims.4

### ADV 2

#### Circumvention – there’s 0 enforcement mechanisms – treaty rulings aren’t binding, lack of uniformity, UNCOPUOS inefficiency.

Christina **Isnardi 20**, Articles Editor for the Columbia Journal of Transnational Law and a founding member of the Columbia Air & Space Law Association, 4/2/**20**, "Problems with Enforcing International Space Law on Private Actors — Columbia Journal of Transnational Law," Columbia Journal of Transnational Law, <https://www.jtl.columbia.edu/journal-articles/problems-with-enforcing-international-space-law-on-private-actors>

Even if private actors did fall under the purview of international space law, international space law has inadequate enforcement mechanisms to actually implement these laws. Much like how the treaties generally were intended to outline a framework for the rights and obligations of States Parties specifically, the enforcement mechanisms of these treaties also intend that states be the only entities allowed to submit or defend claims. The five international space treaties for the most part lack any sort of dispute resolution organ at all. The two treaties that do have these organs are riddled with inadequacies that allow private actors to avoid being subject to these dispute resolution frameworks. Part B.1 discusses the dispute resolution framework within the international space law treaties themselves. Part B.2 analyzes the regulatory enforcement mechanisms established outside the treaties, with a focus on UNCOPUOS and other key intergovernmental organizations. Part B.3 evaluates the adjudicative and arbitral enforcement mechanisms that exist outside of the treaties, with a particular focus on the Permanent Court of Arbitration and the adjudicative capabilities of key intergovernmental organizations. Finally, Part B.4 focuses on domestic space law and its enforcement capabilities upon private actors. 1. Enforcement Infrastructure within the Space Treaties Only two of the five treaties explicitly list enforcement authorities provided for by the treaty: the Liability Convention and the Registration Convention. The remaining three treaties (the Outer Space Treaty, the Rescue Convention, and the Moon Agreement) provide that states retain legal authority over persons and objects launched into space from their territory and provide jurisdiction to the respective states.135 It is the responsibility of the states to provide courts or tribunals to adjudicate any matters that arise from violations of these treaties. The Liability Convention and the Registration Convention’s enforcement capabilities, or their lack thereof, are described in turn below. a. The Liability Convention’s Claims Commission The Liability Convention’s Claims Commission provides for the only outer-space specific means of alternative dispute resolution.136 Articles IX through XX establish the dispute settlement system. The system mandates a diplomatic stage before providing for an arbitration stage before the Claims Commission, which is the body that makes decisions regarding the merits of the claim and the compensation awarded.137 Since the Convention entered into force in 1972, this conflict resolution procedure has only been invoked once (in the Soviet Cosmos 954 crash, explained supra). This case was resolved in the mandatory diplomatic phase, so the Claims Commission has yet to preside over any conflicts.138 However, even if the Claims Commission does have the opportunity to hear claims, the conflict resolution system is inhibited by major shortcomings. First, the Convention does not provide the Claims Commission with the same authority of a judicial court.139 One effect of this quasi-judicial structure is that the Commission’s decisions are not binding unless both parties have agreed otherwise.140 Without such an agreement, the decision is only advisory.141 This allows the launching state that is hostile to the victim state a simple way to avoid repercussions for injuries caused by its space object.142 Second, the dispute resolution system provided in the Convention only allows for the participation of states.143 Consequently, the dispute resolution framework has been “highly criticized and rendered useless”144 as it provides no direct enforcement authority over private actors. b. The Registration Convention’s International Registry The Registration Convention does provide some international involvement in enforcement, but it is not nearly as robust as in the Liability Convention. The Registration Convention requires that “[t]he Secretary-General of the United Nations . . . maintain[s] a Register in which the information furnished [by the launching States] shall be recorded.”145 However, this register is compiled based on records provided by states, so state involvement in enforcement is crucial to this international registry. The ability to enforce the provisions of the Registration Convention on a private actor is therefore only as strong as the enforcement efforts of the state that holds jurisdiction over that private actor. Even if these state enforcement efforts were strong, only sixty-four states have ratified the Registration Convention (as of December 2017), making it the second least ratified treaty of the space treaties.146 Because this Convention has not solidified its regulations into customary international law, its lack of widespread ratification undoubtedly reduces the ability to enforce its provisions even if it had the requisite enforcement mechanisms. Looking at all of the international space treaties collectively, there is a notable absence of regulatory and licensing provisions that states must follow to enforce law domestically. As the Outer Space Treaty requires that states retain responsibility over all activity launched from their state, it is peculiar that the treaty does not explicitly designate how states should authorize and supervise these activities.147 Allowing states to take complete control over the manner in which they authorize and supervise the launch of space activities has allowed a wide range of enforcement levels between states. For instance, some states issue a single license for all space activities while other states issue a single license for only specific space activities.148 National laws regarding the scope of jurisdiction have also varied across states. Some states assert jurisdiction over where an object is launched, while other states assert jurisdiction over the nationality of the private actor that launched the space object.149 This lack of uniformity in national space law may incentivize private actors to choose a state to launch their space objects from based on the enforcement policies that are most beneficial to it. 2. Regulatory Enforcement Capabilities of UNCOPUOS and Other Intergovernmental Bodies Outside of the flawed enforcement mechanisms drafted in the Liability Convention and the Registration Convention, the U.N. intergovernmental body that oversees them, UNCOPUOS, may be seen to bring private actors in conformity with international space law. However, UNCOPUOS lacks true enforcement abilities, described in Part II.B.2.a below. Also, other international organizations that are involved in the regulation of space activities, namely the World Trade Organization (“WTO”), the International Telecommunication Union (“ITU”), the World Intellectual Property Organization (“WIPO”), the U.N. Educational, Scientific and Cultural Organization (“UNESCO”), and the International Institute for the Unification of Private Law (“UNIDROIT”), provide only marginally stronger enforcement over specific space activity matters and provide little assistance in regulating private actors specifically.150 a. UNCOPUOS Since its establishment in 1959, UNCOPUOS remains the only committee of the General Assembly that deals exclusively with “international cooperation in the peaceful uses of outer space” and with “monitor[ing] . . . developments related to the exploration of outer space.”151 The Committee has ninety-two members, making it one of the largest Committees in the United Nations.152 It consists of two subcommittees: the Scientific and Technical Subcommittee (“STSC”) and the Legal Subcommittee.153 The STSC meets every year for two weeks to discuss issues concerning the scientific and technical aspects of space activities.154 The Legal Subcommittee also meets every year for two weeks, but to discuss legal issues concerning the same topic.155 UNCOPUOS is overseen by a bureau that consists of five offices: Chair, Vice-Chair, Rapporteur, Chair of the STSC, and Chair of the Legal Subcommittee.156 While this infrastructure may be seen as robust, it has little legal effect. UNCOPUOS works to (1) encourage more countries to accede to the five space treaties and (2) encourage more members of the five treaties to implement the treaties’ obligations through national space law. As such, the only way in which UNCOPUOS can enforce the provisions of space treaties that do not possess internal enforcement authorities is to conduct “diplomatic maneuvering.”157 To encourage more countries to accede to the treaties, UNCOPUOS formed a working group in 2012 that established a report to strengthen international mechanisms for cooperation with international space law.158 To encourage national legislation that complies with the international space treaties, UNCOPUOS consulted with UNGA for it to adopt a resolution concerning recommendations on national legislation.159 However, it is the prerogative of the states to follow through with these recommendations to actually create enforceable law. Even UNCOPUOS’s strongest enforcement capability, diplomatic maneuvering, is inhibited by a number of factors. First, UNCOPUOS is governed by strict procedural rules that stunt its ability to produce resolutions.160 Resolutions require unanimous approving or abstaining votes from all voting members in order to pass.161 In some instances, this vote by consensus has taken UNCOPUOS almost a decade to pass resolutions on crucial issues.162 For instance, UNCOPUOS took nearly ten years to settle principles concerning direct broadcasting and remote sensing163—an obstructive delay for the rapidly developing industry. Second, UNCOPUOS is further constrained by the political motives of its voting members, who have voted against credible proposals simply because they were introduced by a political rival.164 These factors serve as impediments for the only committee on international cooperation relating to outer space to implement real legal change.

**Violations are inevitable globally, but there’s no impact because i-law’s toothless.**

**Hiken 12** (Luke - JD, Attorney Who Has Engaged in the Practice of Criminal, Military, Immigration, and Appellate Law, and Marti Hiken, Former Associate Director of the Institute for Public Accuracy and Former Chair of the National Lawyers Guild Military Law Task Force, “The Impotence of International Law”, Foreign Policy in Focus, 7/17/2012, <https://fpif.org/the_impotence_of_international_law/>)

Whenever a lawyer or historian describes how a particular action “violates international law” many people stop listening or reading further. It is a bit alienating to hear the words “this action constitutes a violation of international law” time and time again – and especially at the end of a debate when a speaker has no other arguments available. The statement is inevitably followed by: “…and it is a war crime and it denies people their human rights.” A **plethora** of international law violations are perpetrated by **every major power** in the world **each day**, and thus, the **empty invocation** of **i**nternational law **does nothing** but reinforce our own sense of impotence and helplessness in the face of international lawlessness. The **U**nited **S**tates, alone, and on a **daily basis** violates **every principle of international law ever envisioned**: unprovoked **wars of aggression**; unmanned **drone attacks**; **tortures** and **renditions**; **assassinations** of our alleged “enemies”; **sales of nuclear weapons**; **destabilization of unfriendly governments**; creating the **largest prison population** in the world – the list is **virtually endless**. Obviously one would wish that there existed a body of international law that could put an end to these abuses, but such laws exist in **theory**, not in **practice**. Each time a legal scholar points out the particular treaties being **ignored by the superpowers (and everyone else)** the only appropriate response is **“so what!”** or “they always say that.” If there is **no enforcement mechanism** to prevent the violations, and **no military force** with the power to intervene on behalf of those victimized by the violations, **what possible good does it do** to invoke principles of “truth and justice” that **border on fantasy**? The assumption is that by invoking human rights principles, legal scholars hope to reinforce the importance of and need for such a body of law. Yet, in reality, the invocation means nothing at the present time, and **goes nowhere**. In the real world, it would be nice to focus on suggestions that are enforceable, and have some potential to prevent the atrocities taking place around the globe. Scholars who invoke international law principles would do well to add to their analysis, some form of action or conduct at the present time that might prevent such violations from happening. Alternatively, **praying for rain** sounds as effective and rational as citing international legal principles to a **lawless president**, and his **ruthless military**.

**Space norms fail and the plan doesn’t establish consensus, it just adds a conflicting interpretation to an already fractured set of ideas about space**

**Lambakis 18** (Dr. Steven - Director of Space Studies and Senior Defense Analyst at the National Institute for Public Policy, Ph.D. at Catholic University, and Managing Editor of Comparative Strategy, “Foreign Space Capabilities: Implications for U.S. National Security”, Comparative Strategy, Volume 37, Issue 2, p. 135)

A recent unclassified national security space strategy report provides no indication that the Obama Administration was preparing to actively counter the space capabilities of adversaries; rather, the Obama Administration apparently was attempting to balance its highly idealistic language with the potential realities of conflict. Yet it must be pointed out that U.S. leadership in the world today is predicated heavily on its **military might**. Leading by **example without strength** to bear against those who would transgress U.S. interests would most likely lead the nation to **retreat** from the defense of its interests. Moreover, such a **display of weakness** could **lead to attacks** on the **U**nited **S**tates. **History** does **not** tell us that merely leading by example through living responsibly and peacefully is the best way to defend the nation. Why would we expect this tactic to work in space? Today, counter-space operations against U.S. assets are getting attention, but there seems to be no attention given to providing the United States with capabilities to counter the hostile space activities of other nations. There is significant discussion in official circles today about bolstering behavioral norms in space. But to **whose “norms”** will nations adhere? As the U.S. Deputy Assistant Secretary of Defense for Space, Doug Loverro put it, “we don’t want people shooting at satellites, we don’t believe that’s a good thing for mankind.”280 It has also been said that the establishment of norms “serves as a reminder that any battle for control over the use of space to support military operations begins well before forces begin to mobilize on Earth.”281 We **cannot assume**, however, that the norms which other states adopt will be **those norms we deem appropriate** to ensure peaceful actions and safe behavior in space. The last decade is **replete** with examples of other countries, some of which are potential adversaries of the United States, practicing direct ascent ASAT maneuvers; one of these was destructive, demonstrating co-orbital ASAT operations, and practicing reversible interference through jamming of radio signals or dazzling infrared sensors. The norm of **self-serving behavior** that **advances national goals** is **the norm** that has been **most obvious** in international relations for centuries. And, this norm has been **reflected in space** over the past 10 years. Are efforts to create benign “rules of the road” likely to **replace** this norm? While possible in principle, it seems **extremely unlikely**, and would be highly imprudent to assume as a basis for defense planning. Another norm that characterizes the current age and should inform our thinking about space is invasion of sovereign nations. In February 2014, Russia’s president Vladimir Putin invaded Ukraine, starting with the annexation of Crimea (part of Ukraine). Since the invasion, more than 10,000 Ukrainians have been killed. This has happened **despite** international norms, treaties, and agreements that condemn such aggressive behavior and consider it to be politically shameful; indeed, international agreements and shaming speeches have been **entirely ineffectual**. The Ukrainians either did not consider that such a transgression could occur, or believed that the world would rally to their side to push back the invasion. Neither belief, of course, was based in reality. All that matters today are the facts on the ground—i.e., the nature of the regimes confronting us and the strategies they are pursuing. There are broad national security implications of not having access to space. On land, at sea, and in the air, the United States customarily strives for peaceful, safe, and responsible behavior to avoid accidents, ensure international tensions do not flare up, and essentially collaborate with other states to ensure a stable, predictable environment—but it does so armed all the same, prepared to defend interests in each of those environments. Why? Because **history is replete** with **violations** of **broken** conventions and international **agreements**, and because **peace does not last**.

#### Space commercialization is a strong constraint on conflict – solves your satellite scenario.

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By the end of the twentieth century, scholars zeroed in on the democratic peace theory which attempts to explain why democracies do not go to war with other democracies and why, in some analyses, they seem to be more prone to peace in general than non-democracies. Similar to the golden arches, what is it about democracy that seems to induce such peacefulness? Academics have proposed everything from the nature of mediating institutions to the restraint of public opinion, to trade relations. While these variations will be explored further in Chapter 3, of interest here are the versions that focus explicitly on trade, commercial ties, and capitalism. Along these lines, Erik Gartzke argues, "peace ensues when states lack differences worthy of costly conflict."31 If the costs of conflict are too high, then states should be more unlikely to engage in it. To this end, economic globalization can provide the means through which costs are raised. “The integration of world markets not only facilitates commerce, but also creates new interests inimical to war. Financial interdependence ensures that damage inflicted on one economy travels through the global system, afflicting even aggressors."32 Focusing his analysis primarily on the influence of capitalism, Gartzke's findings suggest that states with markets more closely tied to the global economy are far less likely to experience a militarized dispute. In thinking about the space environment today, there are obvious principles of capitalism at work. However, China, a major spacefaring state that has been making capitalist reforms, arguably remains far from a true capitalist country. This is especially true in their space industry which is heavily subsidized by the state and almost wholly integrated with China's military.34 Many other states continue to subsidize space activities heavily as well. A better approach through which to examine conflict in space is presented by an offshoot of the capitalist peace which is termed the commercial peace. The commercial peace thesis emphasizes the role of trade and the connections made through it to explain a lack of conflict. Han Dorussen and Hugh Ward write: Trade is important not only because it creates an economic interest in peace but also because trade generates 'connections' between people that promote communication and understanding.... Based on these ideas, the flow of goods between countries creates a network of ties and communication links. If two countries are more embedded in this network, their relations should be more peaceful 35 Given the interconnectedness of the global economy to space-based assets, a version of the commercial peace thesis can be used to argue that the chance of conflict in space is less than is commonly understood or recognized precisely because of the extent to which the global economy has become dependent on space-based assets. To understand this argument, consider a scenario in which Russia, in preparation for a new assault on Eastern Europe, attacks a key US military satellite with the purpose of disrupting and disabling military communications in Europe. This action would conceivably enable the Russians to undertake their attack under more favorable conditions and prevent a quicker response from America and its allies. However, if the satellite was attacked via an ASAT that kinetically destroyed the US satellite, the debris cloud created from the attack could have disastrous consequences beyond military communications Much like the movie Gravity, the debris cloud could cause a chain reaction, hitting and ~~disabling~~ dismantling other satellites that would in turn disrupt civilian communications, business transactions, and perhaps even Russian military satellites. The economic effects of lost satellites would not be restricted to one country alone; the global economic consequences in terms of lost property (satellites), lost transactions, and financial havoc would echo throughout the world, including in Russia itself. Finally, the attack on one satellite could even ultimately endanger the ISS and its inhabitants, several of which are Russians. Destruction of the ISS would negate billions of dollars in investment from not just Russia, but other countries that have participated in it including Japan, Italy, and Canada. Therefore, an attack on a US military satellite would not just be an attack on one but an attack on all. While the previous scenario highlights several reasons why it would not be in Russia's best interest to attack a US satellite, this book argues that the economic argument is both the strongest and the most restraining especially as space becomes more congested, competitive, contested, and commercialized. The emergence of private space companies enhances this argument. "In the commercial sector, companies need reliability and legal enforcement mechanisms if they are going to operate profitably in a shared environment."36 In order to foster the growing area of space commercialization, companies must be assured that the activities they undertake in space will be protected in some way or, at a minimum, allowed to proceed to the extent where they can reap the profit. This could be done through international organizations that would provide some sort of space traffic control, but the likelihood of a major international breakthrough on rules regarding space is unlikely in the near term. Therefore, actors must rely on the protections afforded them by an increasingly globalized economy that is ever more dependent on space-based assets.

THERE IS NO ESCALATION SCENARIO – THAT’S ONE LINE

### Obj – Deterrence Solves

#### Deterrence solves.

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More important, U.S. policymakers should avoid making decisions on the basis of a possible, though highly improbable, space Pearl Harbor. They should recognize that latent counterspace capabilities—as exemplified in 2008’s Operation Burnt Frost, which saw the United States repurpose a ballistic missile interceptor to destroy a satellite—are more than sufficient to deter adversaries from launching a major surprise attack in almost all scenarios, especially in light of the aforementioned deep interdependence in the space domain. Adding to the deterrence effect are uncertain offensive cyber capabilities. The United States continues to launch incursions into geopolitical competitors’ critical systems, such as the Russian power grid, and has demonstrated a willingness to employ cyberattacks in the wake of offline incidents, as it did after Iran shot down a U.S. drone last week. Unlike in the nuclear arena, where anything short of the prospect of nuclear retaliation holds limited dissuasive power, space deterrence can stem from military capabilities in various domains. For this reason, an attack on a U.S. satellite could elicit any number of responses. The potential for cross-domain retaliation, combined with the high strategic value of space assets, means that any adversary risks extreme escalation in launching a major assault on American space architectures. Again, well-conceived diplomatic efforts are useful in averting such scenarios altogether.

### Obj - Hysteria

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

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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.

### Obj - Barriers

**No space wars. Insurmountable barriers overwhelm.**

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Despite the theorized potential for the achievement of the terrestrial dominance throughout the utilization of the ultimate high ground and the ease of destruction of space-based assets by the potential space weaponry, the utilization of space weapons is with current technology and no effective means to protect them far from fulfilling this potential (Steinberg 2012, p. 255). **In current global international political and technological setting, the utility of space weapons is very limited**, even if we accept that the ultimate high ground presents the potential to get a decisive tangible military advantage (which is unclear). This stands among the reasons for the lack of their utilization so far. Last but not the least, it must be pointed out that the states also develop passive defense systems designed to protect the satellites on orbit or critical capabilities they provide. These **further decrease the utility of space weapons**. These systems include larger maneuvering capacities, launching of decoys, preparation of spare satellites that are ready for launch in case of ASAT attack on its twin on orbit, or attempts to decrease the visibility of satellites using paint or materials less visible from radars (Moltz 2014, p. 31). Finally, we must look at the main obstacles of connection of the outer space and warfare. The first set of barriers is comprised of **physical obstructions**. As has been presented in the previous chapter, the outer space is very challenging domain to operate in. Environmental factors still present the largest threat to any space military capabilities if compared to any man-made threats (Rendleman 2013, p. 79). A following issue that hinders military operations in the outer space is the predictability of orbital movement. If the reconnaissance satellite's orbit is known, the terrestrial actor might attempt to hide some critical capabilities-an option that is countered by new surveillance techniques (spectrometers, etc.) (Norris 2010, p. 196)-but the hide-and-seek game is on. This same principle is, however, in place for any other space asset-any nation with basic tracking capabilities may quickly detect whether the military asset or weapon is located above its territory or on the other side of the planet and thus mitigate the possible strategic impact of space weapons not aiming at mass destruction. Another possibility is to attempt to destroy the weapon in orbit. Given the level of development for the ASAT technology, it seems that they will prevail over any possible weapon system for the time to come. Next issue, directly connected to the first one, is the utilization of weak physical protection of space objects that need to be as light as possible to reach the orbit and to be able to withstand harsh conditions of the domain. This means that their protection against ASAT weapons is very limited, and, whereas some avoidance techniques are being discussed, they are of limited use in case of ASAT attack. We can thus add to the issue of predictability also the issue of easy destructibility of space weapons and other military hardware (Dolman 2005, p. 40; Anantatmula 2013, p. 137; Steinberg 2012, p. 255). Even if the high ground was effectively achieved and other nations could not attack the space assets directly, there is still a need for communication with those assets from Earth. There are also ground facilities that support and control such weapons located on the surface. Electromagnetic communication with satellites might be jammed or hacked and the ground facilities infiltrated or destroyed thus rendering the possible space weapons useless (Klein 2006, p. 105; Rendleman 2013, p. 81). This issue might be overcome by the establishment of a base controlling these assets outside the Earth-on Moon or lunar orbit, at lunar L-points, etc.-but this perspective remains, for now, unrealistic. Furthermore, **no contemporary actor will risk full space weaponization in the face of possible competition and the possibility of rendering the outer space useless.** No actor is dominant enough to prevent others to challenge any possible attempts to dominate the domain by military means. To quote 2016 Stratfor analysis, "(a) war in space would be devastating to all, and preventing it, rather than finding ways to fight it, will likely remain the goal" (Larnrani 20 16). This stands true unless some space actor finds a utility in disrupting the arena for others.