## 1NC – Offs

### T – Neg Action

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

Black’s Laws No Date "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 – it creates a new concept for Space i.e. the treating of Space under the public trust doctrine

#### Vote neg --

#### 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 “Public Trust” approach solves.

#### 3] TVA – just defend that space appropriation is bad.

#### Use Competing Interps – 1] Topicality is a yes/no question, you can’t be reasonably topical and 2] Reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation.

#### No RVI’s - 1] Forces the 1NC to go all-in on Theory which kills substance education, 2] Encourages Baiting since the 1AC will purposely be abusive, and 3] Illogical – you shouldn’t win for not being abusive.

### DA – China Mod

#### China’s space strategies strengthen deterrence now. PLA deterrence is key to joint operations, which ensure Chinese modernization beyond space.

* AT: Old – Doesn’t matter its about space deterrence strategies leading to joint operations, they need ev that those strategies don’t exist or are unsuccessful
* Deterrence kickstarts joint operations which encourage synergies among services and highlights strengths and weaknesses

Cheng 11 Dean Cheng is a Research Fellow in Chinese Political and Security Affairs in the Asian Studies Center at The Heritage Foundation. August 16, 2011. “China’s Space Program: A Growing Factor in U.S. Security Planning” [China’s Space Program: A Growing Factor in U.S. Security Planning (indianstrategicknowledgeonline.com)](https://indianstrategicknowledgeonline.com/web/bg2594.pdf) Accessed 12-17 // gord0

China’s space efforts are not simply the actions of the People’s Liberation Army (PLA) or efforts at political signaling to obtain a space arms control treaty, as some have posited. Rather, these actions occur within a particular strategic and military context. The first contextual element is the broadening view of the PLA’s responsibilities. One of the PLA’s foremost tasks is to preserve the rule of the Chinese Communist Party (CCP). As the PRC’s economic and national interests have expanded beyond its borders, what is deemed essential for preserving the party’s power has also expanded. To this end, Hu Jintao and his predecessor, Jiang Zemin, set forth the new “historic missions” of the PLA. Not only do these new historic missions sustain the longstanding duty of providing support to the CCP, but now the PLA is responsible for helping to safeguard China’s national development, its expanding national interests, and furthering the objective of maintaining global stability and peace. Hence, the PLA is expanding China’s space capabilities in this strategic, national light, especially given the PLA’s roles in safeguarding national development and interests. To fulfill these historic missions, the PLA must be able to exploit space at times and places of its own choosing and, equally important, be able to deny an opponent the same freedom of action. PLA writings increasingly mention the need for a deterrence capacity in space and elsewhere. To these historic missions must be added the additional task of constraining conflicts, both by preventing their outbreak and by limiting their extent if they occur nonetheless. Both of these tasks fall under the rubric of deterrence. As the PRC’s economic and national interests have expanded beyond its borders, what is deemed essential for preserving the party’s power has also expanded. What is striking, however, is that, while Western writings on deterrence generally focus on dissuading an opponent from performing actions that the deterring power would prefer it not undertake, Chinese writings also talk about compellence. That is, to deter an opponent successfully, the PLA must not only dissuade, but also be able to coerce an opponent into undertaking actions that the deterred power would prefer not to do. In this regard, Chinese discussions about deterrence not only note roles for conventional and nuclear forces, but also highlight the importance of space deterrence. Finally, by way of context, the PLA continues to improve its ability to undertake joint operations. This interest in joint operations was already evident a decade ago, when the PLA promulgated a variety of gangyao that would help to guide future military planning, training, and operations.3 The capstone of these gangyao was devoted to joint military operations. The ability to conduct joint operations is portrayed as a hallmark of Local Wars Under High-Tech tions, because such operations allow synergies among services, pit one’s strengths against its opponent’s strengths, and shield one’s weaknesses. As the 2010 edition of China’s National Defense, China’s biennial defense white paper, notes, “The PLA takes the building of joint operation systems as the focal point of its modernization and preparations for military struggle.”4 According to various PLA analyses, the key to successful joint operations is the ability to gather, transmit, and exploit information. Indeed, the very description of future wars has shifted from Local Wars Under High-Tech Conditions to Local Wars Under Informationalized Conditions—the most important high technologies are those related to information technology. Similarly, the 2010 Chinese defense white paper notes that the PLA “strives to enhance its fighting capabilities based on information systems.”5 Only the high ground of space can provide the opportunity to gather information; transmit it rapidly, securely, and reliably; and exploit it promptly. To create synergistic effects, widely dispersed units must be able to establish a common situational awareness framework and to coordinate their activities, timing their operations to maximize mutual support. If future wars will be marked by the “three nons” of non-contact, nonlinear, and nonsymmetrical operations, then information will be the keystone of success in future wars. In order to effect joint operations, according to PLA analyses, a military must be able to exploit space. Only the high ground of space can provide the opportunity to gather information; transmit it rapidly, securely, and reliably; and exploit it promptly. PLA writings describe space as essential for reconnaissance and surveillance, communications, navigation, weather forecasting, and battle damage assessment. A military that is capable of effective joint operations can also deter an opponent. Thus, space capabilities strengthen conventional deterrence as well as deterring in their own right. The PLA has an interest in achieving space dominance to fulfill its historic tasks, to deter future conflicts if possible, and to fight and win Local Wars Under Informationalized Conditions if necessary. This context suggests that China is following a particular method in developing an expanding array of space capabilities, including a growing range of satellites, a new heavy-lift space launcher, and a fourth launch site on Hainan Island, which is much nearer the equator. This underlying interest is reflected in certain space missions, which PLA writings suggest are particularly important. Most obviously, the PLA expects improved space information support. With each passing year, China’s satellite constellations will provide better information to military users. Today, Chinese systems provide not only basic earth observation capabilities, but also: • An autonomous navigation system, which is already operational, unlike the European Galileo system; • Data relay capacity; • Weather forecasting; and • Earth observation, including growing maritime surveillance capability. In addition, China’s improving space capabilities, coupled with its steadily advancing conventional capabilities, will provide the increased ability to seek space superiority or space dominance (zhitian quan) through a combination of space offensive and defensive operations.

#### Chinese military modernization functions as a deterrent for nuclear war with the US

* AT: Not About Space – the internal link argument is in Cheng. “space capabilities strengthen conventional deterrence”. It also says space is the only way to “establish a common situational awareness framework”
* First, JL-2 Subs enable SSBN’s to attack the US, and A2/AD strategy further deters US interventions.
* Second, joint operation modernization allows for China to join Russia-US nuclear arms control talks. That changes distribution power and deterrence but only with hard military power strengthened by modernization.

Cimbala 15 Stephen J Cimbala, Professor of Political Science at PSU Brandywine. Summer 2015. “Chinese Military Modernization” [Chinese Military modernization: Implications for Strategic Nuclear Arms Control (af.edu)](https://www.airuniversity.af.edu/Portals/10/SSQ/documents/Volume-09_Issue-2/cimbala.pdf#:~:text=China%E2%80%99s%20political%20and%20military%20objectives%20in%20Asia%20and,two%20follow-on%20challenges%3A%20escala-tion%20control%20and%20nuclear%20signaling.) Accessed 12-18 // gord0

China’s political and military objectives in Asia and worldwide differ from those of the United States and Russia, reflecting a perception of that nation’s own interests and of its anticipated role in the emerging world order.1 Its growing portfolio of smart capabilities and modernized platforms includes stealth aircraft, antisatellite warfare systems, quiet submarines, “brilliant” torpedo mines, improved cruise missiles, and the potential for disrupting financial markets. Among other indicators, China’s already deployed and future Type 094 Jin-class nuclear ballistic missile submarines (SSBN), once they are equipped as planned with JL-2 submarine launched ballistic missiles, will for the first time enable Chinese SSBNs to target parts of the United States from locations near the Chinese coast. Along with this, China’s fleet of nuclear-powered attack submarines supports an ambitious anti-access/area denial (A2/AD) strategy to deter US military intervention to support allied interests in Asia against Chinese wishes.2 China’s diplomacy creates additional space for maneuver between Russian and American perceptions. While China may lack the commitment to arms control transparency, the nation’s current and future military modernization entitles Beijing to participate in future Russian-American strategic nuclear arms control talks. Entering China into the US-Russian nuclear-deterrence equation creates considerable analytical challenges, for a number of reasons. To understand these challenges one must consider the impact of China’s military modernization, which creates two follow-on challenges: escalation control and nuclear signaling. Military Modernization China’s military modernization is going to change the distribution of power in Asia, including the distribution of nuclear and missile forces. This modernization draws not only on indigenous military culture but also on careful analysis of Western and other experiences. As David Lai has noted, “The Chinese way of war places a strong emphasis on the use of strategy, stratagems, and deception. However, the Chinese understand that their approach will not be effective without the backing of hard military power. China’s grand strategy is to take the next 30 years to complete China’s modernization mission, which is expected to turn China into a true great power by that time.”3 Chinese military modernization and defense guidance for the use of nuclear and other missile forces hold some important implications for US policy. First, Chinese thinking is apparently quite nuanced about the deterrent and defense uses for nuclear weapons. Despite the accomplishments of modernization thus far, Chinese leaders are aware that their forces are far from nuclear-strategic parity with the United States or Russia. Conversely, China may not aspire to this model of nuclear strategic parity, such as between major nuclear powers, as the key to war avoidance by deterrence or other means. China may prefer to see nuclear weapons as one option among a spectrum of choices available in deterring or fighting wars under exigent conditions and as a means of supporting assertive diplomacy and conventional operations when necessary. Nuclear-strategic parity, as measured by quantitative indicators of relative strength, may be less important to China than the qualitative use of nuclear and other means as part of broader diplomatic-military strategies.4 Second, China is expanding its portfolio of military preparedness not only in platforms and weapons but also in the realms of command, control, communications, computers, intelligence, surveillance, and reconnaissance (C4ISR) and information technology. Having observed the US success in Operation Desert Storm against Iraq in 1991, Chinese military strategists concluded that the informatization of warfare under all conditions would be a predicate to future deterrence and defense operations.5 As Paul Bracken has noted, the composite effect of China’s developments is to make its military more agile—meaning, more rapidly adaptive and flexible.6 The emphasis on agility instead of brute force reinforces traditional Chinese military thinking. Since Sun Tzu, the acme of skill has been winning without fighting, but if war is unavoidable, delivering the first and decisive blows is essential. This thinking also stipulates that one should attack the enemy’s strategy and his alliances, making maximum use of deception and basing such attacks on superior intelligence and estimation. The combination of improved platforms and command-control and information warfare should provide options for the selective use of precision fire strikes and cyberattacks against priority targets while avoiding mass killing and fruitless attacks on enemy strongholds.7

#### US–China war goes nuclear – crisis mismanagement ensures conventional escalation - extinction

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

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

### CP – Consult NATO

#### Counterplan: States should enter into a prior and binding consultation with the North Atlantic Treaty Organization over a proposal to expand the Public Trust Doctrine to reduce private appropriation of Outer Space. States will support the proposal and adopt the results of consultation.

#### NATO explicitly says yes – appropriation is bad, and NATO is uniquely defensive and cooperative with I-Law.

Peace In Space 21 Peace In Space. March 25, 2021. “NATO Secretary General Stoltenberg: no weapons In space” [NATO Secretary General Stoltenberg: no weapons In space – Peace In Space](https://peaceinspace.com/2019/12/nato-secretary-general-stoltenberg-no-weapons-in-space/) Accessed 12-9 // gord0

In a November 20 speech to [NATO ministers in Brussels](https://peaceinspace.com/2019/12/10/nato-foreign-ministers-officially-recognise-space-as-an-operational-domain/), NATO Secretary General Jens Stoltenberg stated that while the organization’s security presence in space is vital, “NATO has no intention to put weapons in space — we are a defensive alliance.”

NATO members will continue to use space for observation and surveillance purposes, but will remain fully in line with international law, he said. “This approach can allow NATO planners to make requests for allies to provide capabilities and services, such as hours of satellite communications.”

“We are proud of NATO’s historic decision to recognise space as an operational domain, alongside air, land, sea and cyber. Space is part of our daily lives. It is also essential to the Alliance’s deterrence and defence, from navigation to intelligence to missile detection.” — [NATO Secretary General Jens Stoltenberg](https://www.nato.int/cps/en/natohq/who_is_who_49999.htm)

Observation and surveillance purposes

Stoltenberg further explained that NATO’s coordinated approach involves three strategic issues: relations with Russia, the rise of China, and arms control. “Making space an operational domain will help us ensure that all aspects are taken into account to ensure the success of our missions.”

NATO members will continue to use space for observation and surveillance purposes, but will remain “fully in line with international law,” he added. This approach “can allow NATO planners to make requests for allies to provide capabilities and services, such as hours of satellite communications.”

Stoltenberg noted that NATO keeps at the leading edge of technology with a “one billion dollar investment in eyes in the sky, AWACS surveillance aircraft. This modernization will ensure the fleet’s service to 2035 and provide the best possible intelligence, surveillance and reconnaissance.”

#### Consultation over space strengthens NATO legitimacy and operations – communication, positioning, missile warning and counter space ops

Louisa Remuss 10 Nina-Louisa Remuss holds a M. Litt, in International Security Studies from the University of St. Andrews and a B.A. in European Studies from the University of Maastricht. October, 2010. “NATO and Space: Why is Space Relevant for NATO?” [NATO and Space: Why is Space Relevant for NATO? (ethz.ch)](https://www.files.ethz.ch/isn/124749/ESPI_Perspectives_40.pdf) Page 2-3 Accessed 12-9 // gord0

The increasing reliance on space applications and the emerging global challenges and threats, place new demands on space capabilities.5 Given today’s multi-polar world, security providers face a very different security and threat environment than during the Cold War. At the same time, during the Cold War, the U.S. and the Soviet Union had agreed not to attack each other’s space assets, which provided for a certain degree of transparency given that both were the sole actors in space. Characterizing conflicts as fundamentally unpredictable, NATO’s Allied Joint Doctrine stresses the added value of using technology. Accordingly, NATO’s operations are already dependent on space applications as NATO comes to rely on it for global situational awareness, decision superiority and precision engagement. In spite of NATO’s dependence on space operations, the Alliance is still missing a holistic approach to the subject. Space applications can be understood as force multipliers or enablers. The following section will rely on the EU’s experiences and will give four examples of areas where this is the case: in external security missions, in damage and impact assessment during post-crisis management, in the fight against piracy and in providing internal security, i.e. against nontraditional threats such as terrorism, natural disasters etc. In External Security Missions European Union external security missions, such as the EU Military Crisis Management Operations EUFOR Chad / RCA (from French: Central African Republic) rely on satellites for secure communications between the Operations Headquarters (OHQ) and units deployed on the field, as well as on satellite imagery for mapping in support of their mission, especially considering the local absence of terrestrial communications infrastructure and the large dimensions of the theatre of operations. NATO is relying on space applications to support its ISAF operations in Afghanistan. These range from communications, position, navigation and timing, environmental sensing, missile warning, personnel recover and infrared remote sensing, to counter space operations. Space capabilities are however not fully integrated and utilised as a result of, first the lack of NATO strategy to space applications, second the resulting limited exposure of space capabilities prior to the deployment and third the limited number of personnel among the ISAF staff with space expertise.

#### NATO is a force multiplier – solves a slew of existential threats

Burns 18 Nicholas Burns 7-11-2018 “What America Gets Out of NATO” <https://www.nytimes.com/2018/07/11/opinion/what-america-gets-out-of-nato.html> (former under-secretary of state and ambassador to NATO and teaches diplomacy and international relations at Harvard)//Elmer

None of this, of course, is likely to disturb Mr. Trump, who remains steadfast in his belief that whatever benefits the United States gained from the trans-Atlantic alliance in the past, the country no longer profits. But he’s wrong — there are compelling reasons that NATO in particular will be a distinct advantage for America’s security far into the future. First, NATO’s formidable conventional and nuclear forces are the most effective way to **protect North America and Europe** — the **heart of the democratic world** — from attack. Threats to our collective security have not vanished in the 21st century. Mr. Putin remains a determined adversary preying on Eastern Europe and American elections. **NATO is a force multiplier**: The United States has allies who will stand by us, while Russia has none. And while it’s true that most of America’s NATO allies need to increase their defense spending under the treaty, they’re not freeloaders: The United States has **relied on NATO allies to strike back against Al Qaeda in Afghanistan and the Islamic State in the Middle East**. European troops have replaced American soldiers in peacekeeping missions in Bosnia and contribute the large majority in Kosovo. Our NATO allies are also getting better about contributing their fair share. They have increased their defense spending by a total of more than $87 billion since Mr. Putin annexed Crimea in 2014. Fourteen more allies will reach NATO’s military spending target — 2 percent of gross domestic product — by 2024. Mr. Trump would be smart to claim credit for this at this week’s summit. A second reason for maintaining the trans-Atlantic alliance is America’s economic future. The European Union is our country’s largest trade partner, and its largest investor. The United States and the European Union are the world’s two largest economies, and can steer global trade to their advantage if they stick together. More than four million Americans work for European companies in the United States. Forty-five of the 50 states export more to Europe than to China. Mr. Trump is right that the two sides are also economic competitors, and trade disputes are inevitable. His predecessors kept this tension in balance lest there be damaging consequences for American businesses, workers and farmers — a good reminder for Mr. Trump, whose ill-conceived trade war with Canada and Europe risks harming the American economy. Third, future American leaders will find Europe is our most capable and willing partner in tackling the biggest threats to global security: **climate change; drug and cybercrime cartels; terrorism; pandemics and mass migration from Africa and the Middle East**. And America’s **NATO allies will continue to be indispensable in safeguarding democracy** and freedom, under assault by Russia and China.

#### We compete:

#### 1] Resolved

Guam 21 [Government of Guam; Guam v US Petition for Certiorari; Courthouse News; January 2021; Accessible Online at https://www.courthousenews.com/wp-content/uploads/2021/01/Guam-v.-U.S.-.pdf] DL 4-4-2021

1. The term “resolved,” which is not defined in CERCLA, means “decided, determined, or settled— finished, with no need to revisit.” Bernstein, 733 F.3d at 211. Thus, in plain English, for a settlement to resolve liability, the settlement must reach a “‘firm decision about’ liability,” such that “the question of liability is not susceptible to further dispute or negotiation.” Asarco, 866 F.3d at 1122. And to determine whether a settlement satisfies that test, “the [settlement] must be construed as it is written,” “not by reference to what might satisfy the purposes of one of the parties to it,” and “not as it might have been written had the plaintiff established his factual claims and legal theories in litigation.” United States v. Armour & Co., 402 U.S. 673, 682 (1971).

#### 2] Ought means Should

Merriam Webster, No Date – Merriam Webster’s Learner’s Dictionary, “ought”, <http://www.learnersdictionary.com/definition/ought>  
ought /ˈɑːt/ verb  
Learner's definition of OUGHT [modal verb] 1 ◊ Ought is almost always followed by to and the infinitive form of a verb. The phrase ought to has the same meaning as should and is used in the same ways, but it is less common and somewhat more formal. The negative forms ought not and oughtn't are often used without a following to. — used to indicate what is expected They ought to be here by now. You ought to be able to read this book. There ought to be a gas station on the way. 2 — used to say or suggest what should be done You ought to get some rest. That leak ought to be fixed. You ought to do your homework.

#### Should = Certainty and Immediacy

Summers 94 (Justice – Oklahoma Supreme Court, “Kelsey v. Dollarsaver Food Warehouse of Durant”, 1994 OK 123, 11-8, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13)

¶4 The legal question to be resolved by the court is whether the word "should"[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13) in the May 18 order connotes futurity or may be deemed a ruling in praesenti.[14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn14) The answer to this query is not to be divined from rules of grammar;[15](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn15) it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.[16](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn16) [CONTINUES – TO FOOTNOTE] [13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn13) "*Should*" not only is used as a "present indicative" synonymous with *ought* but also is the past tense of "shall" with various shades of meaning not always easy to analyze. See 57 C.J. Shall § 9, Judgments § 121 (1932). O. JESPERSEN, GROWTH AND STRUCTURE OF THE ENGLISH LANGUAGE (1984); St. Louis & S.F.R. Co. v. Brown, 45 Okl. 143, 144 P. 1075, 1080-81 (1914). For a more detailed explanation, see the Partridge quotation infra note 15. Certain contexts mandate a construction of the term "should" as more than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an *obligation* *and to be more than advisory*); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, [802 P.2d 813](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=802&box2=P.2D&box3=813) (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an *obligation* to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or "must" when used in an instruction to the jury which tells the triers they "should disregard false testimony"). [14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn14) In praesenti means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is presently or immediately effective, as opposed to something that will or would become effective in the future *[in futurol*]. See Van Wyck v. Knevals, [106 U.S. 360](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=106&box2=U.S.&box3=360), 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

#### Consult counterplans are good for Neg Ground – Consult CPs are key to Neg ground where Space generics don’t spill-downward to specific countries or type of appropriation activity since there’s no scope of link. Consult CPs are the only way to generate stable generic contestation on an unlimited Aff topic. Neg Ground outweighs Aff Ground – key to Clash since Aff has infinite prep time to choose but we’re bound by the Aff’s choices – Clash makes every impact valuable since it’s distinct to debate.

### Case

#### None of your ev assumes private appropriation – it says PTD can keep order in space, but is assuming the PTD as-is, not the plan’s expansion.

#### Your evidence is out of context – its about private property management tools and tradable development rights. Peninsula Blue.

1AC 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.)-rahulpenu

CONCLUSION “Only a legal system that accommodates both the human need for resources and the necessary preservation of mankind’s common heritage can fulfill these criteria.”534 The future is now with regard to the development of outer space and its resources—it is no longer a question of whether humans will engage in these activities, but how soon they will. Technically advanced countries and private commercial enterprises are probing outer space and preparing for landing on an asteroid or the moon to extract their resources.535 Speculators are selling deeds to the moon’s surface and preparing to exploit the tourism potential that space offers.536 But, the legal framework for managing these initiatives is almost nonexistent.537 International treaties came into being before all this activity began in earnest and national laws that might apply are stunted by jurisdictional quandaries like the absence of national boundaries in outer space.538 Thus, there is an urgency to figure out how to control what happens in outer space before its resources are irreparably damaged or permanently monopolized by powerful countries and individuals. In the absence of regulation, much of the current debate centers on what property regime should be applied in outer space.539 The assumption is that by only allowing private property rights in space, countries and commercial enterprises will undertake the risks and costs of space development.540 However, unless international space law changes, it may prevent this from happening. If it changes, strong management controls will be necessary to prevent destruction or over-consumption of celestial resources, as well as monopolization and competitive behavior by participants, which could lead to hostilities and inequities. This Article examines various private property regimes, including those of less than full fee ownership, to see if any would avoid the conflict with the international prohibition on appropriation of outer space and its resources. It concludes that none will because each retains the right to exclude and each is insensitive to the treaties’ equity concerns. In contrast, considering outer space to be common is consistent with international space law in both respects. Hypothesizing that private property in outer space may yet prevail, this Article investigates different private property management approaches, such as the right of first possession, lotteries, and tradable development rights, to see if any would be cost effective, easy to implement and equitable, and would also prevent over-consumption, monopolization or the slide into rivalrous behavior. The Article concludes that each comes up short in some respect. Social norms as a management tool for property held in common, although compliant with international law, are also not up to the task. Instead, although ancient, the PTD, with its malleability, easy and cost-effective implementation and enforcement, non-consumption principle, and consistency with the goals that animate international space treaties, seems best suited to the task of protecting the public’s interests in the global commons that is outer space as it has done for centuries in Earth-bound commons. But, as its principal terrestrial use has been to protect trust resources from development, the doctrine needs some modification to encourage development of celestial resources. Hence, this Article suggests that modifying the PTD to allow the application of private property management tools, like tradable development rights, will not only allow development, but also will assure that when it happens, it will not be just profitable for a few, but will also be sustainable and equitable.

### Aganaba-Jeanty [Sustainability Development !]

#### Agreement impossible which proves circumvention. Dialogue and information sharing are key to resolve space sustainability which the plan doesn’t do. New legal Regimes bad. Peninsula Blue.

Aganaba-Jeanty 16 (, T., 2016. Space Sustainability and the Freedom of Outer Space. [online] Taylor & Francis. Available at: <https://www.tandfonline.com/doi/full/10.1080/14777622.2016.1148463> [Accessed 15 December 2021] Timiebi is an assistant professor of Space and Society, in the School for the Future of Innovation in Society, an affiliate faculty with the Interplanetary Initiative, a senior global futures scientist with the Global Futures Lab, and holds a courtesy appointment at the Sandra Day O’Connor College of Law, all at Arizona State University. Timiebi was a post-doctoral fellow and is a senior fellow at the Centre for International Governance Innovation (CIGI) based in Waterloo, Ontario Canada where she focused on environmental and space governance. Timiebi was Executive Director of the World Space Week Association coordinating the global response to the UN 1999 declaration that World Space Week should be celebrated Oct 4-10 annually. She is currently on the Advisory Board for the Space Generation Advisory Council supporting the UN Programme on Space Applications. She is also on the Science Advisory Board of World View Enterprises and the SETI Institute. - pp. 10-13.)-rahulpenu

Definitions of space sustainability The Secure World Foundation defines space sustainability as “ensuring that all humanity can continue to use outer space for peaceful purposes and socioeconomic benefit.”39 It is also described as “the ability of all humanity to continue to use outer space for peaceful purposes and socioeconomic benefit over the long term.” It is proposed that, read together, these broad definitions take as their premise that: (1) all humanity thus far is using space for peaceful purposes and for socioeconomic benefit; (2) this use is threatened; (3) measures must be taken to protect it; and (4) all humanity currently possesses the ability, in the sense of having a skill or the capacity, to ensure space sustainability for peaceful purposes. Under this conceptualization, the negative effect of not using space sustainably is primarily economic.40 Bearing in mind the governmental origins of space exploitation, where market economics did not play a primary role in decision making, the growing focus on the economic perspective in space affairs acknowledges Carolyn Deere’s opinion that problems emerge in the international domain from an absence of powerful economic interests.41 Of course, as more space applications are developed, economic interests become more prevalent in that market protectionism then underlies the rationales for many positions taken. Space sustainability is also conceptualized as defining good behavior, its boundaries, and disincentives for negative behavior in space.42 Space sustainability then becomes a much more limited political concept calling for specific measures to strengthen norms.43 Some notable examples follow: An International Code of Conduct—the European Union proposed a non-binding voluntary code whose purpose is “security, safety, sustainability” for all space activities providing for general measures on space operations and space debris.44 The Scientific and Technical Subcommittee of UNCOPUOS working group objective of establishing guidelines for the long-term sustainability of outer space activities. Proposed International Civil Aviation Organization for Space—the establishment of an international organization focused on space safety and the establishment of binding safety standards similar to the International Civil Aviation Organization.45 Industry efforts for a global space situational awareness database Group of Governmental Experts (GGE) on Transparency and Confidence Building Measures. Depending on the forum for discussion and in line with the previously mentioned initiatives, the concept of space sustainability is also used interchangeably with the following: (1) space security, which entails access to space and freedom from threats;46 (2) space stability addressing space situational awareness;47 (3) space safety, which is protection from all unreasonable levels of risk (primarily protection of humans or human activities);48 and (4) responsible uses of space.49 These all reflect the two components of space sustainability as described by the founder of Secure World Foundation: “the first is the physical environment, which includes management of space debris, electromagnetic and physical crowding and congestion, and space weather.... The second component is the political environment, and includes promoting stability and preventing conflict between nations.”50 Bearing this in mind and notwithstanding the potential confusion caused by the interchangeability of terms used, at the core of all proposals conceptualizing space sustainability or related concepts are the notions that: (1) space assets are kept safe and secure, and that the assets are not harmed or interfered with; (2) peaceful space activities continue as free from purposeful/intentional or unintentional harmful interference; (3) the space environment is preserved for peaceful uses; and (4) international cooperative efforts are required. These four points are understood to be the current core conditions for and of space sustainability. It must be acknowledged that space sustainability, in this context, is severed from the ecological roots of sustainable development. Rationale for space sustainability The proposed baseline conditions for the current conception for space sustainability coincide with Gallagher’s analysis of the logic for space cooperation as “Space Governance for Global Security” where all space actors seek “to secure the space domain for peaceful use; to protect space assets from all hazards; and to derive maximum value from space for security, economic, civil, and environmental ends.”51 Based on this understanding, the current conception of and rationale for space sustainability ties more clearly to global security than to sustainable development. This logic emphasizes that “the more different countries, companies, and individuals depend on space for a growing array of purposes, the more they need equitable rules, shared decision-making procedures, and effective compliance mechanisms to maximize the benefits that they all can gain from space, while minimizing risks from irresponsible space behaviors or deliberate interference with legitimate space activities.”52 While it is acknowledged that such a need exists, the difficulty in reaching agreement on how to bring it about is one reason why some states are more focused on producing a dialogue on long-term sustainability. This is seen in the proliferation of reports outlining best practices and options that enhance sustainability through increased information sharing, as well as a focus on technical issues rather than on the creation of any new legal regimes. To minimize some of the risks of non-sustainable space use, Weeden53 proposes a three-pillar technical approach to space sustainability: (1) debris mitigation; (2) debris removal; and (3) space traffic management. This is conjoined with an immediate need for data in support of conjunction assessment and collision avoidance. This emphasis on data sharing/collection includes enabling research into potential solutions to the problem of space debris, and enhancing transparency and cooperation among states. Weeden also suggests that this narrow approach to space sustainability serves both to educate space actors about the severity of the space debris problem and to provide stability to reduce the likelihood of conflict. A common approach to data also serves as verification for a potential code of conduct in space, setting the stage for future space governance models. These proposals follow the logic of sustainability for global security. While this logic is in line with the dominant conceptualization of benefit sharing and freedom of outer space, the position taken in this article is that it does not adequately speak to sustainability from the perspective of aspirant space states. To do so requires a significantly broader discussion and solutions aimed towards aligning space law and policy with the sustainable development paradigm, if understood as being an inclusive paradigm and not focused on the individualistic/self-interested nature of the current conception of sustainable development. A systemic, sustainable development law approach calls for a conscious engagement with the web of overlapping social, environmental, cultural, and legal frameworks, as well as cultural considerations, economic policies, expectations, players, and interests.54 Bearing in mind current U.S. space policy,55 such a broad overarching objective may not be achievable as part of the dialogue on the “Long Term Sustainability of Outer Space Activities,” but U.S. policy regarding preservation of the space environment nevertheless offers insights because international initiatives congruent with it are likely to garner the most support. Schrogl56 proposed that sustainability is rendered to threats and risks to satellite operations. This approach acknowledges the intersection of multiple issue areas: environment, security, mobility, knowledge, resources, and energy. This intersection of issue areas is more akin to the wider discourse of sustainability development of and on the Earth, and prompts a discussion of value to emerging and aspirant space actors. Otherwise, the dominant conceptualization of space sustainability removes any focus upon providing for the needs of those not among the most advanced space nations. This problem is highlighted in Peter and Rathgeber’s definition of space sustainability: Sustainable space activities can be seen as activities (in space, from space, through space and towards space) that meet the needs of the present space actors without comprising the ability of future generations to meet their own needs of performing space related operations safely.57 Peter and Rathgeber claim that the emergence of new institutional space actors, particularly from the south, is putting a greater pressure on the space environment and that the participation of the south in space sustainability efforts is unsatisfactory.58 Yet, the role of less-advanced nations in sustainability initiatives is more so on the receiving end in that advanced nations seek to engage newcomers to space during the early phase of the development of future directives and codes of conduct for sustainable space activities; that is,not really to seek their input, but to ensure compliance by the less-advanced nations.59 Their space activities are judged as either threats to or consistent with space sustainability, rather than as part of articulating the content of space sustainability.60 This indicates that, for national space programs of established space nations, a truly international focus on space sustainability is not a priority**.** It is interesting to note, at this juncture in the discussion, a fundamental provision proposed by a group of developing states during the development of the U.N. Space Benefits Declaration.61 (1) All States should pursue their activities in Outer Space with due regard to the need to preserve Outer Space, in such a way as not to hinder its continued utilization and exploration. (2) States should pay attention to all aspects related to the protection and preservation of the Outer Space environment, especially those potentially affecting the Earth’s environment. (3) States with relevant space capabilities and with programs for the utilization and exploration of outer space should share with developing countries on an equitable basis the scientific and technological knowledge necessary for the proper development of programs oriented to the more rational utilization and exploration of Outer Space.62 Paragraph 3 is fundamental and truly revealing when read in the light of the analysis of Schrogl.63 Schrogl claims that the declaration takes up the problem of space debris, which might endanger future space utilization to a significant extent. However, he also states that “the wish [of the Developing countries] to be informed about debris prevention measures voiced. . . is reasonable but actually needs no mentioning since these technological developments are discussions and documented publicly to the greatest extent.”64

### Satellites – Missile Radars

#### Russia and China can demolishes satellites without causing harm – our evidence is specific to early-warning missile strikes which is what 1AC Rogaway is about.

The Week 12-12 The Week Magazine. December 12, 2021. “The war in orbit” [The war in orbit | The Week](https://theweek.com/space/1007921/the-war-in-orbit#:~:text=What%20was%20Russia%27s%20test%3F%20To%20assess%20and%20demonstrate,a%202-ton%2C%20Soviet-era%20surveillance%20satellite%20in%20low-Earth%20orbit.) Accessed 12-19 // gord0

To assess and demonstrate its ability to blow up U.S. satellites, Russia launched a missile from the ground that flew 310 miles up into space and blew up a 2-ton, Soviet-era surveillance satellite in low-Earth orbit. The explosion created a cloud of shrapnel that will threaten satellites and humans in space for decades to come. American, German, and Russian astronauts on the International Space Station, at an orbit 60 miles below the satellite, had to shelter in transport capsules for hours, ready to evacuate in case of collision. The explosion doubled the number of objects in the most highly traveled region of near-Earth orbit, sending 1,500 pieces of debris larger than 2 inches and hundreds of thousands of smaller fragments hurtling around the planet at 17,000 mph—much faster than a bullet. A single paint fleck moving at that speed can severely damage a commercial or government satellite, while a pebble-size chunk could destroy one, or instantly kill an astronaut on a space walk. NASA administrator Bill Nelson said he was "outraged by this irresponsible and destabilizing action."

Why did Russia do this?

Russia is not the first state actor to test anti-satellite technology: The U.S., China, and India have all done so in years past. But it is the first to generate so much debris in this highly used level of orbit. As a direct result, every maneuverable object currently in low-Earth orbit will have to perform avoidance maneuvers whenever debris comes close, which takes them offline and wastes their fuel. The dollar cost to all actors in space will be immense. Analysts said it's no accident that President Vladimir Putin chose this moment, when Russian troops are massing off the Ukrainian border and NATO is threatening sanctions, to demonstrate Russia's ability to destroy the satellites the U.S. military relies on to communicate among troops and guide its own bombs to their targets. The test comes against a background of a lot of lower-level Russian aggression in space.

What kind of aggression?

Gen. David Thompson, second-in-command of the Space Force, said last week that both Russia and China have been repeatedly launching "reversible attacks" that temporarily disable but do not destroy U.S. satellites. Many are cyberattacks, while others include jamming satellite signals with competing radio frequency signals and temporarily blinding satellite optics with lasers. Last year, Russia tested a "nesting doll" satellite that opened up and released a smaller craft capable of shooting a projectile — proof that it is seeking the ability to destroy enemy satellites from space. China, meanwhile, is developing Shijian-17, a satellite with a robotic arm designed to grab and disable enemy satellites without blowing them up. "The threats are really growing and expanding every single day," Thompson told *The Washington Post*. "We're really at a point now where there's a whole host of ways that our space systems can be threatened."

What is vulnerable?

There are nearly 3,400 active satellites in orbit. Any one of them is theoretically at risk. These include the military satellites that the U.S. uses for crucial intelligence gathering, such as early warning of nuclear missile launches. Other satellites in low-Earth orbit, where the Russian test occurred, include the Hubble Space Telescope, mapping satellites, and a proliferating number of commercial satellites. Medium-Earth orbit contains many navigation satellites, while most of the world's telecommunication and GPS satellites tend to be further up, at 22,000 miles, in geostationary orbit. Russia warned last week that it could destroy 32 GPS satellites, which would cause chaos in the U.S.

### ASATs

#### Zero risk of escalation from ASATs

**Pavur and Martinovic 19** [James Pavur and Ivan Martinovic, May 2019, "The Cyber-ASAT: On the Impact of Cyber Weapons in Outer Space," ResearchGate, 11th International Conference on Cyber Conflict: Silent Battle [https://www.researchgate.net/publication/334422193\_The\_Cyber-ASAT\_On\_the\_Impact\_of\_Cyber\_Weapons\_in\_Outer\_Space accessed 12/10/21](https://www.researchgate.net/publication/334422193_The_Cyber-ASAT_On_the_Impact_of_Cyber_Weapons_in_Outer_Space%20accessed%2012/10/21)]Adam

A. Limited Accessibility

Space is difficult. Over 60 years have passed since the first Sputnik launch and only nine countries (ten including the EU) have orbital launch capabilities. Moreover, a launch programme alone does not guarantee the resources and precision required to operate a meaningful ASAT capability. Given this, one possible reason why space wars have not broken out is simply because only the US has ever had the ability to fight one [21, p. 402], [22, pp. 419–420].

Although launch technology may become cheaper and easier, it is unclear to what extent these advances will be distributed among presently non-spacefaring nations. Limited access to orbit necessarily reduces the scenarios which could plausibly escalate to ASAT usage. Only major conflicts between the handful of states with ‘space club’ membership could be considered possible flashpoints. Even then, the fragility of an attacker’s own space assets creates de-escalatory pressures due to the deterrent effect of retaliation. Since the earliest days of the space race, dominant powers have recognized this dynamic and demonstrated an inclination towards de-escalatory space strategies [23].

B. Attributable Norms

There also exists a long-standing normative framework favouring the peaceful use of space. The effectiveness of this regime, centred around the Outer Space Treaty (OST), is highly contentious and many have pointed out its serious legal and political shortcomings [24]–[26]. Nevertheless, this status quo framework has somehow supported over six decades of relative peace in orbit.

Over these six decades, norms have become deeply ingrained into the way states describe and perceive space weaponization. This de facto codification was dramatically demonstrated in 2005 when the US found itself on the short end of a 160-1 UN vote after opposing a non-binding resolution on space weaponization. Although states have occasionally pushed the boundaries of these norms, this has typically occurred through incremental legal re-interpretation rather than outright opposition [27]. Even the most notable incidents, such as the 2007-2008 US and Chinese ASAT demonstrations, were couched in rhetoric from both the norm violators and defenders, depicting space as a peaceful global commons [27, p. 56]. Altogether, this suggests that states perceive real costs to breaking this normative tradition and may even moderate their behaviours accordingly.

One further factor supporting this norms regime is the high degree of attributability surrounding ASAT weapons. For kinetic ASAT technology, plausible deniability and stealth are essentially impossible. The literally explosive act of launching a rocket cannot evade detection and, if used offensively, retaliation. This imposes high diplomatic costs on ASAT usage and testing, particularly during peacetime.

C. Environmental Interdependence

A third stabilizing force relates to the orbital debris consequences of ASATs. China’s 2007 ASAT demonstration was the largest debris-generating event in history, as the targeted satellite dissipated into thousands of dangerous debris particles [28, p. 4]. Since debris particles are indiscriminate and unpredictable, they often threaten the attacker’s own space assets [22, p. 420]. This is compounded by Kessler syndrome, a phenomenon whereby orbital debris ‘breeds’ as large pieces of debris collide and disintegrate. As space debris remains in orbit for hundreds of years, the cascade effect of an ASAT attack can constrain the attacker’s long-term use of space [29, pp. 295– 296]. Any state with kinetic ASAT capabilities will likely also operate satellites of its own, and they are necessarily exposed to this collateral damage threat. Space debris thus acts as a strong strategic deterrent to ASAT usage.

### Russia War

#### Didn’t read a terminal to Russia war – no new ones in the 1ar, late breaking. We’ll impact turn Russia War --

#### US-Russia war is inevitable---delaying causes significantly worse wars

Eugene Romer and Richard Sokolsky 20 {Rumer, a former national intelligence officer for Russia and Eurasia at the U.S. National Intelligence Council, is a senior fellow and the director of Carnegie’s Russia and Eurasia Program. Richard Sokolsky is a nonresident senior fellow in Carnegie’s Russia and Eurasia Program. 9-8-2020. “Etched in Stone: Russian Strategic Culture and the Future of Transatlantic Security.” https://carnegieendowment.org/2020/09/08/etched-in-stone-russian-strategic-culture-and-future-of-transatlantic-security-pub-82657}//JM

New U.S. and Russian conventional weapons could have a profound impact on strategic stability, crisis stability, and arms race stability because they are unconstrained by existing arms control treaties and not subject to any rules or limitations. Absent mutual restraint, the integration of new technologies into the military doctrines and force postures of both countries is likely to have a profoundly destabilizing impact across the board.

THREATS TO STRATEGIC STABILITY

The integration of new conventional weapons technologies into the arsenals and war-fighting plans of the United States and Russia is bound to affect their threat perceptions. The following scenario could be highly destabilizing: a decapitating first strike against strategic command-and-control and early-warning surveillance systems, followed by strikes on offensive systems to blunt a retaliatory strike. The addition of missile defenses to this mix would add to concerns about ensuring survivable second-strike capabilities and strategic stability.

THREATS TO CRISIS STABILITY

Crisis stability—the ability to keep a crisis or confrontation from escalating into a nuclear war—will be threatened if and when the deployment of new weapons systems creates greater incentives to use nuclear or conventional weapons first in a crisis and, particularly, to attack quickly before there is time to collect reliable information and carefully weigh all available options and their consequences.61 As previously noted, some of the new conventional weapons can be delivered from the same platforms as nuclear warheads, making it nearly impossible to determine whether they are carrying either type. This “warhead ambiguity” will be more prevalent and worrisome in the future as the United States and Russia field large numbers of hypersonic boost-glide ballistic and cruise missiles, which travel at tremendous speeds and fly trajectories that make defense against them exceedingly difficult.62 These emerging threats to crisis stability put a much greater premium on preventing and managing crises that could escalate to conventional or nuclear war and mitigating the risk that such a crisis could lead to an inadvertent conflict through misunderstanding or miscommunication.63

These technical and doctrinal innovations pose new threats to European security. They could compromise crisis stability in the conventional military balance in Europe. The United States and Russia will likely seek to deploy these capabilities to offset what they perceive to be their vulnerabilities in a conflict: the United States to compensate for its relative weakness in a short war limited to NATO’s eastern flank and Russia to mitigate the risks it sees in a protracted conflict with NATO. Both countries will put a premium on cyber, artificial intelligence, and hypersonic weapons because of their potential of these to knock out the command, control, communications, computers, intelligence, surveillance, and reconnaissance capabilities of the other side and to disrupt the mobilization of forces—and thus to prevail in a conventional conflict.

The potential for losing a conventional war in Europe, from either side’s perspective, is dangerous because it increases the possibility that the United States or Russia or both might be tempted to believe that limited tactical nuclear weapon strikes could stave off conventional defeat, raising in turn the risk of strategic nuclear escalation. Hence Russia’s flirtation with the “escalate to de-escalate” notion, which has been echoed in its recently released official paper on nuclear deterrence.64

THREATS TO ARMS RACE STABILITY

Arms race stability is typically defined as the absence of incentives to build up nuclear forces, qualitatively or quantitatively.65 Three developments could create such incentives. First, the demise of New START and the inability of the United States and Russia to agree on a follow-on treaty will eliminate many of the treaty-based transparency and verification measures that made their bilateral strategic relationship more predictable. Second, the end of Russian and U.S. overflights of each other’s territory as part of the Open Skies Treaty will also reduce transparency of conventional forces. And, third, the deployment of new conventional technologies as discussed above, if unaccompanied by mutual restraint measures.

The end of the INF Treaty is likely to stimulate a competition to deploy new INF-range systems in Europe and/or air and naval forces on and around the continent with deep-strike capabilities. Overlaying these two challenges on arms race stability is a third: an arms race that will be stimulated as each side introduces new weapons technologies into their force structure, many of which will be able to put second-strike capabilities at risk and defend national territory against retaliatory strikes.

CONCLUSIONS AND IMPLICATIONS

Looking ahead, it is tempting to hope that changes in Russia’s domestic politics or its economic difficulties will trigger shifts in its foreign policy similar to those of the Gorbachev era, and consequently that East-West relations will improve dramatically. However, the framework of Russian strategic culture suggests that such a turn of events is highly unlikely for three reasons.

First, the Gorbachev period in Russian foreign policy was brief—a decade, arguably even less, after which the antagonistic relationship between Russia and the West gradually resumed.

Second, strategic culture is a product of a nation’s domestic political traditions, history, and geography and, by definition, provides an enduring framework for its foreign and security policy. This is not to say that it is permanent and cannot change, but it is unlikely to change as a result of domestic political shifts, which in Russia’s case have proved to be less dramatic than initially anticipated and assessed.

Third, major shifts and retreats in Russia’s foreign and security policy have occurred during periods of domestic weakness, as happened in 1918 after the Bolshevik Revolution and in 1991 after the collapse of the Soviet Union. In both instances, however, attempts to return to the status quo ante began as soon as the country regained even a fraction of its domestic stability and capabilities to project power beyond its borders.

As evident from the above discussion of Russia’s strategic culture, the country’s national security policy has long emphasized control over the periphery and preventing other powers from establishing their foothold there. The invasion of Ukraine is but the latest example of overreaction by Russia’s leaders to the threat, as they see it, of foreign encroachment upon their desired buffer zone and sphere of influence. The experience of U.S. and European efforts in the aftermath of the Cold War to establish a mutually acceptable security regime with Russia for all of Europe demonstrates that the gap is unlikely to be bridged in the foreseeable future, if ever.

The development of new, highly destabilizing conventional and nuclear technologies holds the promise of revolutionary changes in transatlantic security. These changes will likely make obsolete most, if not all, existing approaches to strategic stability and arms control as well as the very idea of treaty-based security arrangements between the United States and its European allies and Russia. To manage this new security environment, which will continue to suffer from deep-seated antagonisms and fundamentally different worldviews, a new approach to conventional and nuclear arms control, strategic stability, and theater-wide European security is needed.

The technical approach to arms control, which prevailed throughout the Cold War and the post–Cold War years, and which presumes that there is an elegant technical solution for challenges to mutual deterrence and stability, is far too apolitical. It is inadequate to ensuring strategic stability for a new era of unregulated competition in conventional weapons technologies. This model for arms control tends to focus on the hardware aspects of the competition and more often than not fails to take into account the less intangible drivers of that competition, such as a nation’s strategic culture and threat perceptions.

#### We’d respond to an attack on the homeland or allies with a devastating counterforce attack that would crush Russia

David J. Lonsdale 19 {David Lonsdale is the Director of the Centre for Security Studies at the University of Hull, UK. 5/17/2019. “The 2018 Nuclear Posture Review: A return to nuclear warfighting?” https://www-tandfonline-com.proxy.lib.umich.edu/doi/full/10.1080/01495933.2019.1573074}//JM

The important question is: what objectives would the U.S. pursue within a nuclear conflict, and how would they be achieved? It appears that the primary objectives sought would be damage limitation (an important component of warfighting) and the reestablishment of deterrence. This fits with the preliminary qualifying statement to this section of the review, in which it is stated that the U.S. would use nuclear weapons in compliance with the law of armed conflict.86 Indeed, the NPR is at pains to note that nuclear forces would only be used for defensive purposes. One assumes that this rules out counter-value targeting (deliberate attacks against enemy population centers). This leaves counterforce operations as the only option. Strikes against enemy nuclear forces and their command and control, in conjunction with active ballistic missile defenses (BMD), would help ensure damage limitation for the U.S. and its allies.87 A focus on counterforce options is reminiscent of later Cold War strategy, when the U.S. increasingly procured weapon systems with increased accuracy and penetrative capability designed for warfighting. Indeed, Lieber and Press argue that increases in accuracy and remote sensing have enhanced the potency of counterforce options, to the point that low-casualty counterforce options are possible for the first time.88 One can reasonably assume, although it is not explicitly noted in the review, that the restoration of deterrence would be achieved through a combination of intra-war deterrence by denial (as noted above in relation to counter-escalation strategies) and punishment for coercive purposes. Inclusion of the latter is premised on references to “unacceptable consequences” resulting from nuclear attack elsewhere in the NPR. 89 However, in the face of no counter-value targeting, it is reasonable to question how these costs would be inflicted. There are three possible answers, although none of them is discussed in the NPR. First, it may be that the enemy values highly their nuclear forces; so that the loss of them would inflict unacceptable costs. Alternatively, there may be an unwritten assumption that counterforce strikes would inevitably produce “bonus” counter-value damage. Much of the nuclear force infrastructure (including command and control, airbases, etc.) is within or near population centers. Thus, even a limited counterforce strike is likely to have a significant detrimental effect on counter-value targets. This assumption, however, is somewhat thrown into question by the stated desire to procure accurate limited-yield weapons and to operate within the norms of the war convention. Low-yield accurate weapons would be ideal for counterforce missions and would minimize damage to counter-value target sets. Thus, bonus damage is likely to be limited. Finally, although again not explicitly noted in the NPR, perhaps there is a return to the notion of attacking targets associated with political control. Yet again, though, concerns over collateral damage would likely restrict a campaign aimed at the means of political control. We are, thus, left with many questions concerning how the coercive effects of nuclear weapons would be administered. This is problematic, for as Thomas C. Schelling eloquently noted, “The power to hurt can be counted among the most impressive attributes of military force.” 90 It has to be concluded that the uncertainties in this area of strategy reflect either a paradox or incomplete strategic thinking in the NPR. Clarity on these matters would be welcome, especially as it would enhance deterrence credibility still further. Although countervailing is back on the agenda in the 2018 NPR, there is no mention of prevailing in a nuclear conflict. Indeed, the review quotes Defense Secretary Mattis, echoing the early thoughts of Brodie, that nuclear war can never be won, and thus must never be fought.91 This is both curious and disappointing from a warfighting perspective, and speaks to the need for the further development of strategic thinking in U.S. nuclear strategy under Trump. Damage limitation and the reestablishment of deterrence are perfectly admirable goals within the context of nuclear conflict. However, if the U.S. is to achieve its objectives in a post-deterrence environment, it must have a comprehensive theory of victory. Damage limitation and the reestablishment of deterrence are limited negative objectives. They do not provide a positive driving force for the use of nuclear weapons. To reiterate, victory refers to a policy objective that must be achieved in the face of the enemy. And, as Clausewitz reminds us, the will of the enemy must be broken by destroying his ability to resist, or putting him in such a position as his defeat is inevitable.92 If we consider the conditions under which U.S. nuclear weapons could be used, as stipulated by the 2018 NPR, then we can assume that an enemy power (likely Russia, China, North Korea, or a state-sponsored terror group) has launched a substantial attack on either the U.S. or one of its allies. We can think in terms of a Russian assault on the Baltic States, a North Korean attack on South Korea, or perhaps a Chinese invasion of Taiwan. Alternatively, the U.S. may have been subjected to a substantial strategic attack, involving either weapons of mass destruction (including biological or chemical) or a crippling cyberattack. In any of these scenarios, more expansive objectives would be required. As Lieber and Press note, “In some cases, wars may be triggered by events that compel U.S. leaders to pursue decisive victory, conquest, and/or regime change.” 93 Thus, in order to achieve its objectives, the U.S. would variously need to: punish an aggressor to reinstate deterrence; defeat enemy forces for damage limitation or to reclaim lost territory; and, in the North Korean case, presumably overthrow a communist regime. In some of these cases, damage limitation and the reestablishment of deterrence would not be enough. Enemy forces would have to be defeated, removed, destroyed, or coerced (to withdraw from allied territory). Any operations in pursuit of these goals would need a theory of victory built on a detailed understanding of the use of nuclear weapons in the service of military objectives; i.e., nuclear warfighting. This could include defeating enemy nuclear forces for force protection of U.S. and allied conventional forces. Alternatively, U.S. nuclear forces may be required to defeat regionally superior enemy conventional forces. And yet, as previously noted, the NPR rules out a return to nuclear warfighting. This is a significant disjuncture in U.S. nuclear strategy. It is even more curious when one considers the range of modern forces the Trump administration seeks to acquire under the 2018 NPR.

#### Absent U.S. action, Russia follows through with advanced AI which is an existential threat.

Rogers ‘17 (Mike Rogers is a former US Representative from Michigan, chairman of the House Permanent Select Committee on Intelligence, “Artificial intelligence — the arms race we may not be able to control," TheHill, 9-21-2017, https://thehill.com/opinion/technology/351725-artificial-intelligence-is-the-new-arms-race-we-may-not-be-able-to-control)(Shiv)

“Whoever becomes the leader in this sphere will become ruler of the world,” [said](https://www.theverge.com/2017/9/4/16251226/russia-ai-putin-rule-the-world) Vladimir Putin. The sphere the President of Russia is referring to is artificial intelligence (AI) and his comments should give you a moment of pause. Addressing students at the beginning of our Labor Day weekend, Putin remarked “Artificial intelligence is the future, not only for Russia, but for all humankind,” adding, “It comes with colossal opportunities, but also threats that are difficult to predict.” For once, I find myself in agreement with the President of Russia, but just this once. Artificial Intelligence offers incredible promise and peril. Nowhere is this clearer than in the realm of national security. Today un-crewed systems are a fact of modern warfare. Nearly every country is adopting systems where personnel are far removed from the conflict and wage war by remote control. AI [stands](https://www.nytimes.com/2016/10/26/us/pentagon-artificial-intelligence-terminator.html) to sever that ground connection. Imagine a fully autonomous Predator or Reaper drone. Managed by an AI system, the drone could identify targets, determine their legitimacy, and conduct a strike all without human intervention. Indeed, the Ministry of Defence of the United Kingdom issued a press [statement](https://www.theverge.com/2017/9/12/16286580/uk-government-killer-robots-drones-weapons) in September that the country “does not possess fully autonomous weapon systems and has no intention of developing them,” and that its weapons systems “will always be under control as an absolute guarantee of human oversight and authority and accountability.” Let’s think smaller. Imagine a tiny insect-sized drone loaded with explosive. Guided by a [pre-programmed AI](https://www.amazon.com/Life-3-0-Being-Artificial-Intelligence/dp/1101946598), it could hunt down a specific target — a politician, a general, or an opposition figure — determine when to strike, how to strike, and if to strike based on its own learning. Howard Hughes Medical Center [recently](https://qz.com/1000011/scientists-attached-an-electronic-backpack-to-a-genetically-modified-dragonfly-and-turned-it-into-a-drone/) attached a backpack to a genetically modified dragonfly and flew it remotely. These examples are, however, where humans are involved and largely control the left and right limits of AI. Yet, there are examples of AI purposely and independently going beyond programed parameters. Rogue algorithms led to a [flash crash](http://gizmodo.com/rogue-algorithm-blamed-for-historic-crash-of-the-britis-1787523587) of the British Pound. In 2016, in-game AIs created super AIs weapons and [hunted down](http://www.kotaku.co.uk/2016/06/03/elites-ai-created-super-weapons-and-started-hunting-players-skynet-is-here) human players, and AIs have [created](https://www.forbes.com/sites/tonybradley/2017/07/31/facebook-ai-creates-its-own-language-in-creepy-preview-of-our-potential-future/#1cf69787292c) their own languages that were indecipherable to humans. AIs proved more effective than their human counterparts in producing and catching users in spear phishing programs. Not only did the AIs create more content, they successfully [captured](https://www.blackhat.com/docs/us-16/materials/us-16-Seymour-Tully-Weaponizing-Data-Science-For-Social-Engineering-Automated-E2E-Spear-Phishing-On-Twitter.pdf) more users with their deception. While seemingly simple and low stakes in nature, extrapolate these scenarios into more significant and risky areas and the consequences become much greater. Cybersecurity is no different. Today we are focused on the hackers, trolls, and cyber criminals (officially sanctioned and otherwise) who seek to penetrate our networks, steal our intellectual property, and leave behind malicious code for activation in the event of a conflict. Replace the individual with an AI and imagine how fast hacking takes place; networks against networks, at machine speed all without a human in the loop. Sound far-fetched? It’s not. In 2016, the Defense Advanced Research Projects Agency held an AI on AI capture the flag contest called the [Cyber Grand Challenge](https://www.youtube.com/watch?v=qSgYu3w3DMM) at the DEF CON event. AI networks against AI networks. In August of this year the founders of 116 AI and robotics companies signed a letter petitioning the United Nations [to ban](https://www.theverge.com/2017/8/21/16177828/killer-robots-ban-elon-musk-un-petition) lethal autonomous systems. Signatories to this letter included Google DeepMind’s co-founder Mustafa Suleyman and Elon Musk who, in response to Putin’s quote [tweeted](https://twitter.com/elonmusk/status/904638455761612800), “Competition for AI superiority at national level most likely cause of WW3 imo (sic)”. AI is not some far off future challenge. It is a challenge today and one with which we must grapple. I am in favor of fielding any system that enhances our national security, but we must have an open and honest conversation about the implications of AI, the consequences of which we do not, and may not, fully understand. This is not a new type of bullet or missile. This is a potentially fully autonomous system that even with human oversight and guidance will make its own decisions on the battlefield and in cyberspace. How can we ensure that the system does not escape our control? How can we prevent such systems from falling into the hands of terrorists or insurgents? Who controls the source code? How and can we build in so-called impenetrable kill switches? AI and AI-like systems are slowly being introduced into our arsenal. Our adversaries, China, Russia, and others are also introducing AI systems into their arsenals as well. Implementation is happening faster than our ability to fully comprehend the consequences. Putin’s new call spells out a new arms race. Rushing to AI weapon systems without guiding principles is a dangerous. It risks an escalation that we do not fully understand and may not be able to control. The cost of limiting AI intelligence being weaponized [could vastly exceed](https://www.belfercenter.org/sites/default/files/files/publication/AI%20NatSec%20-%20final.pdf) all of our nuclear proliferation efforts to date. More troubling, the consequences of failure are equally existential.

### Space Conflict

#### Perez says that states could potentially resort to military force – that doesn’t mean that space war happens – missing an internal.

### Satellite collapse

#### Johnson – They have not highlighted a warrant for why nuclear war would become more likely.

#### Your evidence establishes the internal link to nuke war as econ decline but they don’t have a warrant for that nor why it causes war.

### Internet

#### 1] Eagleman does not say internet solves extinction – it says it has a role in preventing future risks - the line before your “extinction warrant” is about teenagers having access to Wikipedia…

#### 2] You don’t get there. The only thing there Dvorsky ev says is Hundreds of millions of Internet connections would vanish that wouldn’t suddenly cause global internet collapse

### Space Weather

#### Loper doesn’t say extinction, nor mass death, nor collapse of society – they just listed a bunch of bad things without explaining how they each escalate or cause humanity to go extinct.

#### You don’t get there – the one possible argument in Dvorsky says “dependent on satellites for monitor space weather, such as incoming space storms”. Its not even a complete sentence, and surely doesn’t say that severe space weather is guaranteed, nor likely.