# 1ac r5

### 1

#### 1] Interp – Unjust refers to a negative action – it means contrary.

Black 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.

#### The Last line of 1AC Babcock definitively proves the violation – the aff creates things external to the resolution like limited use of private property, tradable property rights, and the creation of a management regime in outer space

Babcock 19 [Hope M. Babcock, 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, 2019, Syracuse Law Review, https://scholarship.law.georgetown.edu/facpub/2201] simha

The PTD offers both an approach for managing an open access commons and a gap-filling tool until a regulatory regime is adopted.507 The doctrine is based on the idea that the “sovereign holds certain common properties in trust in perpetuity for the free and unimpeded use of the general public.”508 The public’s right to access and use trust resources is never lost, and neither the government nor private individuals can alienate or otherwise adversely affect those resources unless for a comparable public purpose.509 The resources the doctrine protects “have long been part of a ‘taxonomy of property’ [that recognizes] the division of natural wealth into private and public property.”510 “The doctrine places on governments ‘an affirmative, ongoing duty to safeguard the long-term preservation of those resources for the benefit of the general public,’”511 thus limiting the sovereign’s power on behalf of both present and future individuals.512 It directs the government to manage trust resources for public benefit, not private gain.513 It applies to private as well as public resources and is used to preserve the public’s access to CPRs.514 Government agencies have the non-rescindable power to revoke uses of trust resources that are inconsistent with the doctrine.515 This effectively places a permanent easement over trust resources that burdens their ownership with an overriding public interest in the preservation of those resources.516 However, trust resources can be alienated in favor of private ownership, if the alienation will still serve the public’s interest in those resources and not interfere with trust uses of the remaining land.517 The PTD, therefore, protects the “people’s common heritage,”518 just as Article 11 of the Moon Treaty protects outer space as part of the common heritage of mankind.519 The doctrine also appears to be infinitely malleable. Original uses of the doctrine were restricted to only that “aspect of the public domain below the low-water mark on the margin of the sea and the great lakes, the waters over those lands, and the waters within rivers and streams of any consequence,”520 and covered only traditional uses of those lands, like fishing and navigation.521 Over time, the scope and application of the doctrine broadened to protect more public resources and different uses.522 Thus, the doctrine expanded to protect new trust resources, such as dry sand beaches, inland lakes, groundwater, dry riverbeds, and wildlife,523 and passive uses of those resources, like scientific study.524 The original link to navigable water and tidelands disappeared.525 Supporters of the doctrine successfully advocated that it be applied to “wildlife, parks, cemeteries, and even works of fine art,”526 while arguing more recently its application to the atmosphere.527 A doctrine that imposes a perpetual duty on the sovereign to preserve trust resources, prevents their alienation for private benefit, assures public access to them, and can be invoked by anyone seems particularly useful as a management tool in outer space.528 The fact that public access to trust resources is so central to the doctrine makes it reflective, not contradictory, of international space law’s bar against appropriation of outer space and of the principle of space being the “province of all mankind.”529 It avoids the problems of alienation and exclusion associated with any of the management approaches associated with some form of private property and requires neither the creation of a new administrative authority nor the presence of a close-knit group of like-minded people.530 Members of the public, both rich and poor, can invoke and enforce the doctrine as easily as the sovereign.531 It is cost effective to the extent that no separate apparatus is required to implement it, and the doctrine has shown itself to be highly adaptable and innovative as different needs arise.532 It could also fill the gap in international law with respect to managing celestial property. Therefore, of all the management approaches studied here, the PTD seems the most suited to keep order in space until a regulatory regime is imposed. However, the doctrine provides no incentives for development of trust resources; rather, it might be used to limit or curtail that development, making it an imperfect, perhaps even counter-productive solution by itself to the extent that such development might be beneficial.533 Modifying the doctrine to allow limited use of private property management approaches, like tradable development claims, might buffer that effect—a form of overlapping hybridity between one type of property, a commons, and a management regime from another, private property, enabled by application of the PTD.

#### Here's another recutting of babcock that proves they require a ton of steps external to the plan

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

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

#### 2] Violation – a] The Aff is a positive action – it creates a new concept for Space i.e. the treating of Space under the public trust doctrine b] the aff creates a new property rights regime to manage private property claims

#### 3] Standards –

#### a] 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.

#### b] 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.

#### Independently - the Plan is both Extra-T - since it establishes a new property rights regime AND Effects-T - since the creation of new property rights regimes ISNT INTRINSICALLY a reduction on Private Property in Space, it involves actions like creating a governance system AND redistribution/cooperation which is the I/L to their advantages - both of which are voters for Limits and Predictability – independently their plan text allows them to delink out of all core generics like space mining good or bad since you can just shift the way that private property rights works

Fairness is a voting issue because debates a game and needs fair rules to evaluate it and educations a voting issue because it’s the only reason for why this activity is useful in the first place

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

#### a] Topicality is Drop the Debater – it’s a fundamental baseline for debate-ability.

#### b] 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.

#### c] 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.

### 2

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

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

In China, however, growth has come in the context of stable communist rule, suggesting that democracy and growth are not inevitably mutually dependent. In fact, many Chinese believe that the country’s recent economic achievements—large-scale poverty reduction, huge infrastructure investment, and development as a world-class tech innovator—have come about because of, not despite, China’s authoritarian form of government. Its aggressive handling of Covid-19—in sharp contrast to that of many Western countries with higher death rates and later, less-stringent lockdowns—has, if anything, reinforced that view.

China has also defied predictions that its authoritarianism would inhibit its capacity to [innovate](https://hbr.org/2011/06/what-the-west-doesnt-get-about-china). It is a global leader in AI, biotech, and space exploration. Some of its technological successes have been driven by market forces: People wanted to buy goods or communicate more easily, and the likes of Alibaba and Tencent have helped them do just that. But much of the technological progress has come from a highly innovative and well-funded military that has invested heavily in China’s burgeoning new industries. This, of course, mirrors the role of U.S. defense and intelligence spending in the development of Silicon Valley. But in China the consumer applications have come faster, making more obvious the link between government investment and products and services that benefit individuals. That’s why ordinary Chinese people see Chinese companies such as Alibaba, Huawei, and TikTok as sources of national pride—international vanguards of Chinese success—rather than simply sources of jobs or GDP, as they might be viewed in the West.

Thus July 2020 polling data from the Ash Center at Harvard’s Kennedy School of Government revealed 95% satisfaction with the Beijing government among Chinese citizens. Our own experiences on the ground in China confirm this. Most ordinary people we meet don’t feel that the authoritarian state is solely oppressive, although it can be that; for them it also provides opportunity. A cleaner in Chongqing now owns several apartments because the CCP reformed property laws. A Shanghai journalist is paid by her state-controlled magazine to fly around the world for stories on global lifestyle trends. A young student in Nanjing can study propulsion physics at Beijing’s Tsinghua University thanks to social mobility and the party’s significant investment in scientific research.

#### Xi has committed to the commercial space industry as the linchpin of China’s rise – the plan is seen as a complete 180

**Patel 21** [Neel V. Patel, Neel is a space reporter for MIT Technology Review. 1-21-2021, "China’s surging private space industry is out to challenge the US," MIT Technology Review, <https://www.technologyreview.com/2021/01/21/1016513/china-private-commercial-space-industry-dominance/> accessed 12/14/21] Adam

Until recently, China’s space activity has been overwhelmingly dominated by two state-owned enterprises: the China Aerospace Science & Industry Corporation Limited (CASIC) and the China Aerospace Science and Technology Corporation (CASC). A few private space firms have been allowed to operate in the country for a while: for example, there’s the China Great Wall Industry Corporation Limited (in reality a subsidiary of CASC), which has provided commercial launches since it was established in 1980. But for the most part, China’s commercial space industry has been nonexistent. Satellites were expensive to build and launch, and they were too heavy and large for anything but the biggest rockets to actually deliver to orbit. The costs involved were too much for anything but national budgets to handle.

That all changed this past decade as the costs of making satellites and launching rockets plunged. In 2014, a year after Xi Jinping took over as the new leader of China, the Chinese government decided to treat civil space development as a key area of innovation, as it had already begun doing with AI and solar power. It issued a policy directive called [Document 60](https://archive.md/o/bc9l4/www.cpppc.org/en/zy/994006.jhtml) that year to enable large private investment in companies interested in participating in the space industry.

“Xi’s goal was that if China has to become a critical player in technology, including in civil space and aerospace, it was critical to develop a space ecosystem that includes the private sector,” says Namrata Goswami, a geopolitics expert based in Montgomery, Alabama, who’s been studying China’s space program for many years. “He was taking a cue from the American private sector to encourage innovation from a talent pool that extended beyond state-funded organizations.”

As a result, there are now 78 commercial space companies operating in China, according to a[2019 report by the Institute for Defense Analyses](https://archive.md/o/bc9l4/https:/www.ida.org/-/media/feature/publications/e/ev/evaluation-of-chinas-commercial-space-sector/d-10873.ashx). More than half have been founded since 2014, and the vast majority focus on satellite manufacturing and launch services.

For example, Galactic Energy, founded in February 2018, is building its Ceres rocket to offer rapid launch service for single payloads, while its Pallas rocket is being built to deploy entire constellations. Rival company i-Space, formed in 2016, became the first commercial Chinese company to make it to space with its Hyperbola-1 in July 2019. It wants to pursue reusable first-stage boosters that can land vertically, like those from SpaceX. So does LinkSpace (founded in 2014), although it also hopes to use rockets to deliver packages from one terrestrial location to another.

Spacety, founded in 2016, wants to turn around customer orders to build and launch its small satellites in just six months. In December it launched a miniaturized version of a satellite that uses 2D radar images to build 3D reconstructions of terrestrial landscapes. Weeks later, it [released the first images taken by the satellite](https://archive.md/o/bc9l4/https:/spacenews.com/spacety-releases-first-sar-images/), Hisea-1, featuring three-meter resolution. Spacety wants to launch a constellation of these satellites to offer high-quality imaging at low cost.

To a large extent, China is following the same blueprint drawn up by the US: using government contracts and subsidies to give these companies a foot up. US firms like SpaceX benefited greatly from NASA contracts that paid out millions to build and test rockets and space vehicles for delivering cargo to the International Space Station. With that experience under its belt, SpaceX was able to attract more customers with greater confidence.

Venture capital is another tried-and-true route. The IDA report estimates that VC funding for Chinese space companies was up to $516 million in 2018—far shy of the $2.2 billion American companies raised, but nothing to scoff at for an industry that really only began seven years ago. At least 42 companies had no known government funding.

And much of the government support these companies do receive doesn’t have a federal origin, but a provincial one. “[These companies] are drawing high-tech development to these local communities,” says Hines. “And in return, they’re given more autonomy by the local government.” While most have headquarters in Beijing, many keep facilities in Shenzhen, Chongqing, and other areas that might draw talent from local universities.

There’s also one advantage specific to China: manufacturing. “What is the best country to trust for manufacturing needs?” asks James Zheng, the CEO of Spacety’s Luxembourg headquarters. “It’s China. It’s the manufacturing center of the world.” Zheng believes the country is in a better position than any other to take advantage of the space industry’s new need for mass production of satellites and rockets alike.

Making friends

The most critical strategic reason to encourage a private space sector is to create opportunities for international collaboration—particularly to attract customers wary of being seen to mix with the Chinese government. (US agencies and government contractors, for example, are barred from working with any groups the regime funds.) Document 60 and others issued by China’s National Development and Reform Commission were aimed not just at promoting technological innovation, but also at drawing in foreign investment and maximizing a customer base beyond Chinese borders.

“China realizes there are certain things they cannot get on their own,” says Frans von der Dunk, a space policy expert at the University of Nebraska–Lincoln. Chinese companies like LandSpace and MinoSpace have worked to accrue funding through foreign investment, escaping dependence on state subsidies. And by avoiding state funding, a company can also avoid an array of restrictions on what it can and can’t do (such as constraints on talking with the media). Foreign investment also makes it easier to compete on a global scale: you’re taking on clients around the world, launching from other countries, and bringing talent from outside China.

Although China is taking inspiration from the US in building out its private industry, the nature of the Chinese state also means these new companies face obstacles that their rivals in the West don’t have to worry about. While Chinese companies may look private on paper, they must still submit to government guidance and control, and accept some level of interference. It may be difficult for them to make a case to potential overseas customers that they are independent. The distinction between companies that are truly private and those that are more or less state actors is still quite fuzzy, especially if the government is a frequent customer. “That could still lead to a lack of trust from other partners,” says Goswami. It doesn’t help that the government itself is often [very cagey about what its national program is even up to](https://archive.md/o/bc9l4/https:/www.bbc.com/news/science-environment-54076895).

And Hines adds that it’s not always clear exactly how separate these companies are from, say, the People’s Liberation Army, given the historical ties between the space and defense sectors. “Some of these things will pose significant hurdles for the commercial space sector as it tries to expand,” he says.

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

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

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

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

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

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

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

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

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

### 3

#### Internet is open to massive vulnerabilities now

Griffiths 19 James Griffiths 7-26-2019 "The global internet is powered by vast undersea cables. But they’re vulnerable." <https://www.cnn.com/2019/07/25/asia/internet-undersea-cables-intl-hnk/index.html> (CNN Analyst)//ELmer

Hong Kong (CNN) - On July 29, 1858, two steam-powered battleships met in the middle of the Atlantic Ocean. There, they connected two ends of a 4,000 kilometer (2,500 mile) long, 1.5 centimeter (0.6 inch) wide cable, linking for the first time the European and North American continents by telegraph. Just over two weeks later, the UK’s Queen Victoria sent a congratulatory message to then US President James Buchanan, which was followed by a parade through the streets of New York, featuring a replica of a ship which helped lay the cable and fireworks over City Hall. In their inaugural cables, Queen Victoria hailed the “great international work” by the two countries, the culmination of almost two decades of effort, while Buchanan lauded a “triumph more glorious, because far more useful to mankind, than was ever won by conqueror on the field of battle. The message took over 17 hours to deliver, at 2 minutes and 5 seconds per letter by Morse code, and the cable operated for less than a month due to a variety of technical failures, but a global communications revolution had begun. By 1866, new cables were transmitting 6 to 8 words a minute, which would rise to more than 40 words before the end of the century. In 1956, Transatlantic No. 1 (TAT-1), the first underwater telephone cable, was laid, and by 1988, TAT-8 was transmitting 280 megabytes per second – about 15 times the speed of an average US household internet connection – over fiber optics, which use light to transmit data at breakneck speeds. In 2018, the Marea cable began operating between Bilbao, Spain, and the US state of Virginia, with transmission speeds of up to 160 terabits per second – 16 million times faster than the average home internet connection. Today, there are around 380 underwater cables in operation around the world, spanning a length of over 1.2 million kilometers (745,645 miles). Underwater cables are the invisible force driving the modern internet, with many in recent years being funded by internet giants such as Facebook, Google, Microsoft and Amazon. They carry almost all our communications and yet – in a world of wireless networking and smartphones – we are barely aware that they exist. Yet as the internet has become more mobile and wireless, the amount of data traveling across undersea cables has increased exponentially. “Most people are absolutely amazed” by the degree to which the internet is still cable-based, said Byron Clatterbuck, chief executive of Seacom, a multinational telecommunications firm responsible for laying many of the undersea cables connecting Africa to the rest of the world. “People are so mobile and always looking for Wi-Fi,” he said. “They don’t think about it, they don’t understand the workings of this massive mesh of cables working together. “They only notice when it’s cut.” Network down In 2012, Hurricane Sandy slammed into the US East Coast, causing an estimated $71 billion in damage and knocking out several key exchanges where undersea cables linked North America and Europe. “It was a major disruption,” Frank Rey, director of global network strategy for Microsoft’s Cloud Infrastructure and Operations division, said in a statement. “The entire network between North America and Europe was isolated for a number of hours. For us, the storm brought to light a potential challenge in the consolidation of transatlantic cables that all landed in New York and New Jersey.” For its newest cable, Marea, Microsoft chose to base its US operation further down the coast in Virginia, away from the cluster of cables to minimize disruption should another massive storm hit New York. But most often when a cable goes down nature is not to blame. There are about 200 such failures each year and the vast majority are caused by humans. “Two-thirds of cable failures are caused by accidental human activities, fishing nets and trawling and also ships’ anchors,” said Tim Stronge, vice-president of research at TeleGeography, a telecoms market research firm. “The next largest category is natural disaster, mother nature – sometimes earthquakes but also underwater landslides.” A magnitude-7.0 earthquake off the southwest coast off Taiwan in 2006, along with aftershocks, cut eight submarine cables which caused internet outages and disruption in Taiwan, Hong Kong, China, Japan, Korea and the Philippines. Stronge said the reason most people are not aware of these failures is because the whole industry is designed with it in mind. Companies that rely heavily on undersea cables spread their data across multiple routes, so that if one goes down, customers are not cut off. How a cable gets laid Laying a cable is a years-long process which costs millions of dollars, said Seacom’s Clatterbuck. The process begins by looking at naval charts to plot the best route. Cables are safest in deep water where they can rest on a relatively flat seabed, and won’t rub against rocks or be at risk of other disturbances. “The deeper the better,” Clatterbuck said. “When you can lay the cable down in deep water you rarely have any problems. It goes down on the bottom of the seabed and just stays there.” Things become more difficult the closer you get to shore. A cable that is only a few centimeters thick on the bottom of the ocean must be armored from its environment as reaches the landing station that links it with the country’s internet backbone. “Imagine a long garden hose, inside of which are very small tubes that house a very, very thin fiber pair,” Clatterbuck said. That hose is wrapped in copper, which conducts the direct current that powers the cable and its repeaters, sometimes up to 10,000 volts. “The fibers are wrapped in urethane and wrapped in copper and wrapped again in urethane,” he said. “If we’re going to have to put that cable on a shoreline that is very shallow and has a lot of rocks, you’re now going to have to armor coat that cable so no one can hack through it.” Cables in less hospitable areas can be far thicker than garden hoses, wrapped in extra plastic, kevlar armor plating, and stainless steel to ensure they can’t be broken. Depending on the coast, cable companies might also have to build concrete trenches far out to sea, to tuck the cable in to protect it from being bashed against rocks. “Before the cable-laying vessels go out they send out another specialized ship that maps the sea floor in the area when they want to go,” said TeleGeography’s Stronge. “They want to avoid areas where there’s a lot of undersea currents, certainly want to avoid volcanic areas, and avoid a lot of elevation change on the sea floor.” Once the route is plotted and checked, and the shore connections are secure, huge cable laying ships begin passing out the equipment. “Imagine spools of spools of garden hose along with a lot of these repeaters the size of an old travel trunk,” Clatterbuck said. “Sometimes it can take a month to load the cable onto a ship.” The 6,600 kilometer (4,000 mile) Marea cable weighs over 4.6 million kilograms (10.2 million pounds), or the equivalent of 34 blue whales, according to Microsoft, which co-funded the project with Facebook. It took more than two years to lay the entire thing. Malicious cuts The blackout came without warning. In February 2008, a whole swath of North Africa and the Persian Gulf suddenly went offline, or saw internet speeds slow to a painful crawl. This disruption was eventually traced to damage to three undersea cables off the Egyptian coast. At least one – linking Dubai and Oman – was severed by an abandoned, 5,400 kilogram (6-ton) anchor, the cable’s owner said. But the cause of the other damage was never explained, with suggestions it could have been the work of saboteurs. That raises the issue of another threat to undersea cables: deliberate human attacks. In a 2017 paper for the right-wing think tank Policy Exchange, British lawmaker Rishi Sunak wrote that “security remains a challenge” for undersea cables. “Funneled through exposed choke points (often with minimal protection) and their isolated deep-sea locations entirely public, the arteries upon which the Internet and our modern world depends have been left highly vulnerable,” he said. “The threat of these vulnerabilities being exploited is growing. A successful attack would deal a crippling blow to Britain’s security and prosperity.” However, with more than 50 cables connected to the UK alone, Clatterbuck was skeptical about how useful a deliberate outage could be in a time of war, pointing to the level of coordination and resources required to cut multiple cables at once. “If you wanted to sabotage the global internet or cut off a particular place you’d have to do it simultaneously on multiple cables,” he said. “You’d be focusing on the hardest aspect of disrupting a network.”

#### SpaceX satellites are key to internet access

James Pethokoukis 11/30 [James Pethokoukis, a columnist and an economic policy analyst, is the Dewitt Wallace Fellow at the American Enterprise Institute, where he writes and edits the AEIdeas blog and hosts a weekly podcast, “Political Economy with James Pethokoukis.” He is also a columnist for The Week and an official contributor to CNBC. “Why a SpaceX bankruptcy would hurt the global poor” Faster, Please! November 30, 2021 <https://fasterplease.substack.com/p/-why-a-spacex-bankruptcy-would-hurt>

I don’t have enough deep knowledge about SpaceX’s business or financials to reliably gauge the actual bankruptcy risk here, and the piece’s reporter is skeptical. I will note, however, that although the company is currently valued at around $100 billion, the bank Morgan Stanley assigns it a valuation “of somewhere between $5bn and $200bn, with uncertainty about its success accounting for the wide range,” according to The Economist. Starship and Starlink are key to that upper bound. (Also: A Morgan Stanley survey of “institutional investors and industry experts” expect SpaceX to become more valuable than Tesla, currently a trillion-dollar company. We’ll see.) So it’s not surprising that Musk emphasizes the importance of the Starlink internet satellite venture here, especially its next incarnation. Now go and Twitter search on the terms “Musk,” “ruining,” and “sky,” and you’ll find plenty of complaints about the Starlink constellation — with currently more than 1,700 satellites in low-Earth orbit. For many of these keyboard critics, Starlink is nothing more than an uberbillionaire's reckless effort to become an even wealthier uberbillionaire. Or maybe it’s just another Muskian vanity project, like building rockets to Mars. Either way, these diehard anti-Muskers see a cluttered sky for visual astronomers, both amateur and professional, as a horrific tradeoff just so the entrepreneur can sell global internet access. Now, the extreme version of this critique is unserious, little more than anti-billionaire emoting. The profit potential of Starlink is unclear, though it seems to be Musk’s goal that the telecom business will one day help fund his Mars ambitions. But the venture isn’t there yet. Last summer, Musk estimated that Starlink would likely need between $20 billion and $30 billion in investment. "If we succeed in not going bankrupt, then that'll be great, and we can move on from there," Musk said. For now, Starlink aims to add another 1,000 satellites a year, even more when Starship is operational. That is, assuming Starship become operational. But the astronomy issue is a real one, as SpaceX has acknowledged. And after astronomer complaints about the brightness of the first group of 60 satellites launched in 2019, SpaceX developed a work-around to minimize the glare from solar reflection on subsequent launches. Of course, some scientists don’t want to rely on the goodwill of SpaceX and other satellite companies. They see an international regulatory agreement, perhaps a new protocol under the Outer Space Treaty, as a necessity. But as such an add-on is unlikely to happen anytime soon, notes The Economist, “not least because other issues raised by the mega constellations, such as risks from debris, will doubtless seem more pressing.” Here’s one of the many pictures floating around the Internet showing the impact of Starlink satellites — “the 333-second exposure shows at least 19 satellites passing overhead” — on astronomical observations, via the IFLScience website: Of course, framing the trade-off as the above picture vs. “better global internet” doesn’t quite capture the benefits of the latter. And they are considerable. There remains a stark digital divide in global internet access. As the World Economic Forum notes: “Globally, only just over half of households (55 percent) have an internet connection, according to UNESCO. In the developed world, 87 percent are connected compared with 47 percent in developing nations, and just 19 percent in the least developed countries.” It seems pretty clear that broadband internet access brings considerable economic gains, particularly to poorer countries. (Musk has specifically said this is a goal of Starlink.) Here are a few examples from the August 2021 analysis “The Economic Impact of Internet Connectivity in Developing Countries” by Jonas Hjort (Columbia University) and Lin Tian (INSEAD): Quite a few studies convincingly estimate the effect on consumption of specific internet-enabled technologies (rather than internet connectivity itself) through model-based approaches, and a few do so more directly. Jack & Suri (2014) show that access to mobile money decreased consumption poverty by two percentage points in Kenya. In contrast, Couture et al. (2021) finds that expansion of e-commerce in China has little effect on income to rural producers and workers. Different areas of Sub-Saharan Africa got access to basic internet at different times starting in the early 2000s. Exploiting variation arising from the gradual arrival of submarine cable connections and using nighttime satellite image luminosity as a proxy for economic activity, Goldbeck & Lindlacher (2021) estimate that basic internet availability leads to about a two percentage point increase in economic growth. As we briefly discussed in Sub-section 3.1.1, Bahia et al. (2020) show evidence that the gradual roll-out of mobile broadband in Nigeria between 2010 and 2016 increased labor force participation and employment. The paper also shows that household consumption simultaneously increased and poverty decreased. Households that had at least one year of mobile broadband coverage experienced an increase in total consumption of about 6 percent. Masaki et al. (2020) document a similarly striking result. Combining household expenditure surveys with data on the location of fiber-optic transmission nodes and coverage maps of 3G mobile technology, they show that 3G coverage is associated with a 14 percent increase in total consumption and a 10 percent decline in extreme poverty in Senegal. Finally, Bahia et al. (2021) use a similar empirical approach to study the effect of mobile broadband roll-out in Tanzania and find a comparable increase in household consumption and decline poverty in this setting. The eventual endgame here is that there are going to be many tens of thousands more satellites in orbit, enabling total global internet coverage. And they will be joined by all manner of human-occupied installations for tourist, commercial, and scientific endeavors. (You may have missed the late October announcement that Blue Origin, the space company owned by Jeff Bezos, is teaming up with other firms to build a space station in Earth orbit.) Stargazing from Earth will never be the way it used to be. Then again, people still complain about shadows from skyscrapers even as humanity continues to build them. But recall one of the running themes of this newsletter: Technology solves one problem, creates another, then solves that one — rinse and repeat — even as the overall direction is forward. More astronomy in the future will be space based. And if all those space objects and structures make even low-Earth orbit astronomy difficult, more of it will need to be performed further out, as with the James Webb Space Telescope. Or maybe via telescopes on the Moon, such as the proposed Lunar Crater Radio Telescope, which would deploy robots to transform a half-mile wide crater into an observatory by attaching a wire mesh along the crater walls. And once there are lots of satellites around a fully colonized Moon, off to Mars — which might be accessible thanks to Starlink funding Musk’s deep-space ambitions. Meanwhile, there will be a lot less global poverty here on Earth than otherwise.

#### Internet access checks multiple existential threats

Eagleman ’10 [Dr. David; 11/9/2010; PhD in Neuroscience @ Baylor University, Adjunct Professor of Neoroscience @ Stanford University, Former Guggenheim Fellow, Director of the Center for Science and Law, BA @ Rice University; “Six Ways The Internet Will Save Civilization”; https://www.wired.co.uk/article/apocalypse-no]

Many great civilisations have fallen, leaving nothing but cracked ruins and scattered genetics. Usually this results from: natural disasters, resource depletion, economic meltdown, disease, poor information flow and corruption. But we’re luckier than our predecessors because we command a technology that no one else possessed: a rapid communication network that finds its highest expression in the internet. I propose that there are six ways in which the net has vastly reduced the threat of societal collapse.

Epidemics can be deflected by telepresence

One of our more dire prospects for collapse is an infectious-disease epidemic. Viral and bacterial epidemics precipitated the fall of the Golden Age of Athens, the Roman Empire and most of the empires of the Native Americans. The internet can be our key to survival because the ability to work telepresently can inhibit microbial transmission by reducing human-to-human contact. In the face of an otherwise devastating epidemic, businesses can keep supply chains running with the maximum number of employees working from home. This can reduce host density below the tipping point required for an epidemic. If we are well prepared when an epidemic arrives, we can fluidly shift into a self-quarantined society in which microbes fail due to host scarcity. Whatever the social ills of isolation, they are worse for the microbes than for us.

The internet will predict natural disasters

We are witnessing the downfall of slow central control in the media: news stories are increasingly becoming user-generated nets of up-to-the-minute information. During the recent California wildfires, locals went to the TV stations to learn whether their neighbourhoods were in danger. But the news stations appeared most concerned with the fate of celebrity mansions, so Californians changed their tack: they uploaded geotagged mobile-phone pictures, updated Facebook statuses and tweeted. The balance tipped: the internet carried news about the fire more quickly and accurately than any news station could. In this grass-roots, decentralised scheme, there were embedded reporters on every block, and the news shockwave kept ahead of the fire. This head start could provide the extra hours that save us. If the Pompeiians had had the internet in 79AD, they could have easily marched 10km to safety, well ahead of the pyroclastic flow from Mount Vesuvius. If the Indian Ocean had the Pacific’s networked tsunami-warning system, South-East Asia would look quite different today.

Discoveries are retained and shared

Historically, critical information has required constant rediscovery. Collections of learning -- from the library at Alexandria to the entire Minoan civilisation -- have fallen to the bonfires of invaders or the wrecking ball of natural disaster. Knowledge is hard won but easily lost. And information that survives often does not spread. Consider smallpox inoculation: this was under way in India, China and Africa centuries before it made its way to Europe. By the time the idea reached North America, native civilisations who needed it had already collapsed. The net solved the problem. New discoveries catch on immediately; information spreads widely. In this way, societies can optimally ratchet up, using the latest bricks of knowledge in their fortification against risk.

Tyranny is mitigated

Censorship of ideas was a familiar spectre in the last century, with state-approved news outlets ruling the press, airwaves and copying machines in the USSR, Romania, Cuba, China, Iraq and elsewhere. In many cases, such as Lysenko’s agricultural despotism in the USSR, it directly contributed to the collapse of the nation. Historically, a more successful strategy has been to confront free speech with free speech -- and the internet allows this in a natural way. It democratises the flow of information by offering access to the newspapers of the world, the photographers of every nation, the bloggers of every political stripe. Some posts are full of doctoring and dishonesty whereas others strive for independence and impartiality -- but all are available to us to sift through. Given the attempts by some governments to build firewalls, it’s clear that this benefit of the net requires constant vigilance.

Human capital is vastly increased

Crowdsourcing brings people together to solve problems. Yet far fewer than one per cent of the world’s population is involved. We need expand human capital. Most of the world not have access to the education afforded a small minority. For every Albert Einstein, Yo-Yo Ma or Barack Obama who has educational opportunities, uncountable others do not. This squandering of talent translates into reduced economic output and a smaller pool of problem solvers. The net opens the gates education to anyone with a computer. A motivated teen anywhere on the planet can walk through the world’s knowledge -- from the webs of Wikipedia to the curriculum of MIT’s OpenCourseWare. The new human capital will serve us well when we confront existential threats we’ve never imagined before.

Energy expenditure is reduced

Societal collapse can often be understood in terms of an energy budget: when energy spend outweighs energy return, collapse ensues. This has taken the form of deforestation or soil erosion; currently, the worry involves fossil-fuel depletion. The internet addresses the energy problem with a natural ease. Consider the massive energy savings inherent in the shift from paper to electrons -- as seen in the transition from the post to email. Ecommerce reduces the need to drive long distances to purchase products. Delivery trucks are more eco-friendly than individuals driving around, not least because of tight packaging and optimisation algorithms for driving routes. Of course, there are energy costs to the banks of computers that underpin the internet -- but these costs are less than the wood, coal and oil that would be expended for the same quantity of information flow.

The tangle of events that triggers societal collapse can be complex, and there are several threats the net does not address. But vast, networked communication can be an antidote to several of the most deadly diseases threatening civilisation. The next time your coworker laments internet addiction, the banality of tweeting or the decline of face-to-face conversation, you may want to suggest that the net may just be the technology that saves us.

## Case

#### SSA solves – new investments

Jeffrey L. Caton 18. Strategic Studies Institute and U.S. Army War College Press, president of Kepler Strategies LLC. September 2018. “Impacts Of Anti-Access/Area Denial Measures On Space Systems: Issues And Implications For Army And Joint Forces” http://ssi.armywarcollege.edu/pdffiles/PUB1384.pdf

Space Situational Awareness During a January 2017 presentation at Stanford University, USSTRATCOM Commander General John Hyten discussed the formerly classified Geosynchronous Space Situational Awareness Program (GSSAP), calling the four-satellite constellation “basically a neighborhood watch program for everything that goes on in that high-value orbit.”135 The Air Force declared the initial operational capability of GSSAP in September 2015.136 To provide a more holistic approach to space situational awareness, USSTRATCOM established the Joint Interagency Combined Space Operations Center (JICSpOC) in October 2015 at Schriever Air Force Base, Colorado. JICSpOC’s mission was to facilitate the fusion of space data amongst USSTRATCOM, the National Reconnaissance Office, the Air Force Space Command, the Air Force Research Laboratory, as well as to members of the intelligence community and commercial data providers.137 In April 2017, the JICSpOC was renamed the National Space Defense Center to better match its mission as well as to avoid it from being confused with the Joint Space Operations Center (JSpOC) at Vandenberg Air Force Base, California.138 Several DoD programs seek to improve space object detection and data processing for space force C2. In February 2015, officials broke ground at Kwajalein Atoll for construction of the Space Fence, an improved replacement for the aged Air Force Space Surveillance System. The system provides unprompted detection data to the JSpOC for space objects as small as 10 centimeters.139 The Space Fence is on track for an initial operating capability by 2019, and its future capability may be expanded to a second site in Australia.140 Space 34 C2 is also being improved through the JSpOC Mission System modernization of hardware and software, to handle the increased volume of space situational awareness.141 The Defense Advanced Research Projects Agency (DARPA) is exploring future space situational awareness capabilities such as OrbitOutlook, a program to provide automated synthesis of diverse sets of orbital data that may “improve the capability of the U.S. military and the global space community to make decisions about potentially hazardous space objects in near real time.”

#### 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)

b. Application of the Principle: The Public Trust Doctrine

66. Public trust.

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 – independently your author concedes public space programs are not interested in a global common – we read blue

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

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

#### 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.

#### Interdependence checks space war.

**Hall 15** [Luke Penn-Hall 15, Analyst at The Cipher Brief, M.A. from the Johns Hopkins School for Advanced International Studies, B.A. in International Relations and Religious Studies from Claremont McKenna College, “5 Reasons “Space War” Isn’t As Scary As It Sounds”, The Cipher Brief, 8/18/2015, <https://www.thecipherbrief.com/article/5-reasons-%E2%80%9Cspace-war%E2%80%9D-isn%E2%80%99t-scary-it-sounds>] recut Adam

* If you are also reading the Pavur evidence then unhighlight the debris stuff

The U.S. depends heavily on military and commercial satellites. If a less satellite-dependent opponent launched an anti-satellite (ASAT) attack, it would have far greater impact on the U.S. than the attacker. However, it’s not as simple as that – for the following reasons:

1. An ASAT attack would likely be part of a larger, terrestrial attack. An attack on space assets would be no different than an attack on territory or other assets on earth. This means that no space war would stay limited to space. An ASAT campaign would be part of a larger conventional military conflict that would play out on earth.

2. Every country with ASAT capabilities also needs satellites. While the United States is the most dependent on military satellites, most other countries need satellites to participate in the global economy. All countries that have the technical ability to play in this space – the U.S., Russia, China and India - also have a vested interest in preventing the militarization of space and protecting their own satellites. If any of those countries were to attack U.S. satellites, it would likely hurt them far more than it would hurt the United States.

3. Destruction of satellites could create a damaging chain reaction. Scientists warn that the violent destruction of satellites could result in an effect called an ablation cascade. High-velocity debris from a destroyed satellite could crash into other satellites and create more high-velocity debris. If an ablation cascade were to occur, it could render certain orbital levels completely unusable for centuries.

4. Any country that threatened access to space would threaten the global economy. Even if a full-blown ablation cascade didn’t occur, an ASAT campaign would cause debris, making operating in space more hazardous. The global economy relies on satellites and any disruption of operations would be met with worldwide disapproval and severe economic ramifications.

5. International Prohibits the Use of ASAT Weapons. Several international treaties expressly prohibit signatory nations from attacking other countries’ space assets. It is generally accepted that space should be treated as a global common area, rather than a military domain.

While it remains necessary for military planners to create contingency plans for a, space war it is a highly unlikely scenario. All involved parties are incentivized against attacking. However, if a space war did occur, it would be part of a larger conflict on Earth. Those concerned about the potential for war in space should be more concerned about the potential for war, period.

#### Deterrence solves.

**Evanoff 19** [Kyle Evanoff, Kyle is a research associate in international economics and U.S. foreign policy at the Council on Foreign Relations “Big Bangs, Red Herrings, and the Dilemmas of Space Security”, Council on Foreign Relations, 6/27/2019, <https://www.cfr.org/blog/big-bangs-red-herrings-and-dilemmas-space-security> accessed 12/11/21] Adam

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.

#### No debris cascades, but even a worst case is confined to low LEO with no impact

Daniel Von Fange 17. Web Application Engineer, Founder and Owner of LeanCoder, Full Stack, Polyglot Web Developer, “Kessler Syndrome is Over Hyped”, 5/21/2017, http://braino.org/essays/kessler\_syndrome\_is\_over\_hyped/

Kessler Syndrome is overhyped. A chorus of online commenters great any news of upcoming low earth orbit satellites with worry that humanity will to lose access to space. I now think they are wrong. What is Kessler Syndrome? Here’s the popular view on Kessler Syndrome. Every once in a while, a piece of junk in space hits a satellite. This single impact destroys the satellite, and breaks off several thousand additional pieces. These new pieces now fly around space looking for other satellites to hit, and so exponentially multiply themselves over time, like a nuclear reaction, until a sphere of man-made debris surrounds the earth, and humanity no longer has access to space nor the benefits of satellites. It is a dark picture. Is Kessler Syndrome likely to happen? I had to stop everything and spend an afternoon doing back-of-the-napkin math to know how big the threat is. To estimate, we need to know where the stuff in space is, how much mass is there, and how long it would take to deorbit. The orbital area around earth can be broken down into four regions. Low LEO - Up to about 400km. Things that orbit here burn up in the earth’s atmosphere quickly - between a few months to two years. The space station operates at the high end of this range. It loses about a kilometer of altitude a month and if not pushed higher every few months, would soon burn up. For all practical purposes, Low LEO doesn’t matter for Kessler Syndrome. If Low LEO was ever full of space junk, we’d just wait a year and a half, and the problem would be over. High LEO - 400km to 2000km. This where most heavy satellites and most space junk orbits. The air is thin enough here that satellites only go down slowly, and they have a much farther distance to fall. It can take 50 years for stuff here to get down. This is where Kessler Syndrome could be an issue. Mid Orbit - GPS satellites and other navigation satellites travel here in lonely, long lives. The volume of space is so huge, and the number of satellites so few, that we don’t need to worry about Kessler here. GEO - If you put a satellite far enough out from earth, the speed that the satellite travels around the earth will match the speed of the surface of the earth rotating under it. From the ground, the satellite will appear to hang motionless. Usually the geostationary orbit is used by big weather satellites and big TV broadcasting satellites. (This apparent motionlessness is why satellite TV dishes can be mounted pointing in a fixed direction. You can find approximate south just by looking around at the dishes in your northern hemisphere neighborhood.) For Kessler purposes, GEO orbit is roughly a ring 384,400 km around. However, all the satellites here are moving the same direction at the same speed - debris doesn’t get free velocity from the speed of the satellites. Also, it’s quite expensive to get a satellite here, and so there aren’t many, only about one satellite per 1000km of the ring. Kessler is not a problem here. How bad could Kessler Syndrome in High LEO be? Let’s imagine a worst case scenario. An evil alien intelligence chops up everything in High LEO, turning it into 1cm cubes of death orbiting at 1000km, spread as evenly across the surface of this sphere as orbital mechanics would allow. Is humanity cut off from space? I’m guessing the world has launched about 10,000 tons of satellites total. For guessing purposes, I’ll assume 2,500 tons of satellites and junk currently in High LEO. If satellites are made of aluminum, with a density of 2.70 g/cm3, then that’s 839,985,870 1cm cubes. A sphere for an orbit of 1,000km has a surface area of 682,752,000 square KM. So there would be one cube of junk per .81 square KM. If a rocket traveled through that, its odds of hitting that cube are tiny - less than 1 in 10,000. So even in the worst case, we don’t lose access to space. Now though you can travel through the debris, you couldn’t keep a satellite alive for long in this orbit of death. Kessler Syndrome at its worst just prevents us from putting satellites in certain orbits. In real life, there’s a lot of factors that make Kessler syndrome even less of a problem than our worst case though experiment. Debris would be spread over a volume of space, not a single orbital surface, making collisions orders of magnitudes less likely. Most impact debris will have a slower orbital velocity than either of its original pieces - this makes it deorbit much sooner. Any collision will create large and small objects. Small objects are much more affected by atmospheric drag and deorbit faster, even in a few months from high LEO. Larger objects can be tracked by earth based radar and avoided. The planned big new constellations are not in High LEO, but in Low LEO for faster communications with the earth. They aren’t an issue for Kessler. Most importantly, all new satellite launches since the 1990’s are required to include a plan to get rid of the satellite at the end of its useful life (usually by deorbiting) So the realistic worst case is that insurance premiums on satellites go up a bit. Given the current trend toward much smaller, cheaper micro satellites, this wouldn’t even have a huge effect. I’m removing Kessler Syndrome from my list of things to worry about.

#### Space won’t be unusable---critical missions could continue even if it’s dangerous.

#### No miscalc or escalation

James Pavur 19, Professor of Computer Science Department of Computer Science at Oxford University and Ivan Martinovic, DPhil Researcher Cybersecurity Centre for Doctoral Training at Oxford University, “The Cyber-ASAT: On the Impact of Cyber Weapons in Outer Space”, 2019 11th International Conference on Cyber Conflict: Silent Battle T. Minárik, S. Alatalu, S. Biondi, M. Signoretti, I. Tolga, G. Visky (Eds.), <https://ccdcoe.org/uploads/2019/06/Art_12_The-Cyber-ASAT.pdf>

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.

#### \*No Kessler---takes centuries and mitigation checks.

Hugh Lewis 15. Senior Lecturer in Aerospace Engineering at the University of Southampton, “Space debris, Kessler Syndrome, and the unreasonable expectation of certainty.” Room, <https://room.eu.com/article/Space_debris_Kessler_Syndrome_and_the_unreasonable_expectation_of_certainty>

There is now widespread awareness of the space debris problem amongst policymakers, scientists, engineers and the public. Thanks to pivotal work by J.C. Liou and Nicholas Johnson in 2006 we now understand that the continued growth of the debris population is likely in the future even if all launch activity is halted. The reason for this sustained growth, and for the concern of many satellite operators who are forced to act to protect their assets, are collisions that are expected to occur between objects – satellites and rocket stages – already in orbit. In spite of several commentators warning that these collisions are just the start of a collision cascade that will render access to low Earth orbit all but impossible – a process commonly referred to as the ‘Kessler Syndrome’ after the debris scientist Donald Kessler – the reality is not likely to be on the scale of these predictions or the events depicted in the film Gravity. Indeed, results presented by the Inter-Agency Space Debris Coordination Committee (IADC) at the Sixth European Conference on Space Debris show an expected increase in the debris population of only 30% after 200 years with continued launch activity. Collisions are still predicted to occur, but this is far from the catastrophic scenario feared by some. Constraining the population increase to a modest level can be achieved, the IADC suggested, through widespread and good compliance with existing space debris mitigation guidelines, especially those relating to passivation (whereby all sources of stored energy on a satellite are depleted at the end of its mission) and post-mission disposal, such as de-orbiting the satellite or re-orbiting it to a graveyard orbit. Nevertheless, the anticipated growth of the debris population in spite of these robust efforts merits the investigation of additional measures to address the debris threat, according to the IADC.