## 1

#### Interp: The affirmative must define “outer space” in a delimited text in the 1AC.

#### “Outer Space” is flexible and has too many interps – normal means shows no consensus

Leepuengtham 17 [Tosaporn Leepuengtham (Research Judge, Intellectual Property and International Trade Division, Supreme Court of Thailand). "International space law and its implications for outer space activities." 01-27-2017, Accessed 12-9-2021. https://www.elgaronline.com/view/9781785369612/06\_chapter1.xhtml //

Those states which favor the precise demarcation of outer space support the spatial approach, whereas those who oppose to such demarcation prefer the functional approach, as the latter allows more flexibility in terms of the development of space technology.34 This lack of a definition and delimitation of outer space is problematic, since certain particular areas are neither explicitly defined as ‘air space’ or ‘outer space’. For example, it is vague whether an area located between 80 km and 120 km above sea level would be classified as either air space or outer space in the absence of demarcation, since 80 km is the maximum attitude for convention aircraft, and 120 km is the lowest attitude in which space activities could be carried out.35 Satellites which are stationed in a geostationary orbit are a good example of this ambiguity. Owing to this lack of any internationally recognized delimitation, equatorial states claim sovereignty over that part of the geostationary orbit which is located over their respective territories;36 whereas technologically developed countries believe that the geostationary orbit is an integral part of outer space.37 This uncertain status of areas leads to legal jurisdictional problems. According to international law, a state has sovereignty over the airspace above its territory.38 However, national sovereignty does not extend into outer space.39 Thus, it is necessary to determine where a state’s airspace ends to ensure that the appropriate legal regime is applied. One possible scenario which might occur and which is relevant to the subject of this book is the creation or infringement of an intellectual work is in just such an ambiguous location. This would cast doubt on the ‘legal’ location of creation or infringement, and the question of which applicable legal regime arises. Should we apply the law of the underlying state or is there no law to apply? For example, would satellite signals transmitted from a satellite stationed in a geostationary orbit located over equatorial countries be considered as works created or, if intercepted, be infringed, in outer space or in the sovereign air space of those respective countries? These hypothetical examples highlight why a boundary is necessary if unpredictability arising from different legal application is to be avoided. While it might be argued that this issue is being overemphasized at this stage, given increasing use of space technology, this problem is worth considering now rather than later.

#### Violation – you don’t.

#### Prefer –

#### 1] Stable Advocacy – they can redefine in the 1AR to wriggle out of DA’s which kills high-quality engagement and becomes two ships passing in the night –We lose access to Tech Race DA’s, Asteroid DA’s, basic case turns, and core process counter plans that have different definitions and 1NC pre-round prep.

#### 2] Real World – Policy makers will always define the entity that they are recognizing. It also means zero solvency, absent spec, private entities can circumvent since there is no delineated way to enforce the aff and means their solvency can’t actualize.

#### Fairness is a voter debate is a competitive activity that requires objective evaluation

#### Topicality is a voting issue that should be evaluated through competing interpretations a] it tells the negative what they do and do not have to prepare for b] reasonability is arbitrary and incentivizes judge intervention

#### No RVIs—a] it’s your burden to be topical. Anything else chills real abuse b] forces theory debaters to bait theory and win on it every time

## 2

#### Xi is tightening control over the PLA but completing goals are critical.

Krishnan 21 – Ananth, 11/18/21, [‘Xi tightened control over the PLA’, TheHindu, <https://www.thehindu.com/news/international/xi-tightened-control-over-the-pla/article37549460.ece>] Justin

The new resolution on history passed last week by China’s ruling Communist Party has said that President Xi Jinping had tightened control over the military to address the party’s “obviously lacking” leadership of the armed forces under his predecessors.

The full text of the resolution, released on Tuesday evening, listed some of the actions taken by the People’s Liberation Army (PLA) under Mr. Xi, who is also the chairman of the Central Military Commission. These included what the document described as “major operations related to border defence”.

No specifics

It did not specify what those major operations were. China has unresolved land borders with India and Bhutan. In April 2020, the PLA mobilised two divisions and carried out multiple transgressions across the Line of Actual Control (LAC) in Eastern Ladakh, sparking the worst crisis along the border in many years. Talks to resolve the tensions are still on-going.

“The armed forces have remained committed to carrying out military struggles in a flexible manner to counter military provocations by external forces, and they have created a strong deterrent against separatist activities seeking ‘Taiwan independence,’” the resolution said.

“They have conducted major operations related to border defence, protecting China’s maritime rights, countering terrorism and maintaining stability, disaster rescue and relief, fighting COVID-19, peacekeeping and escort services, humanitarian assistance, and international military cooperation.”

Last week’s resolution on history was only third such document putting forth the official view on party history, following resolutions passed by Mao Zedong in 1945 and Deng Xiaoping in 1981.

The new resolution dealt more with the future than the past. It essentially reaffirmed the official view on history, saying that the “basic points and conclusions” of past resolutions “remain valid to this day.”

It repeated the conclusion reached in 1981 on Mao’s errors noting that “mistakes were made” and that “Mao Zedong’s theoretical and practical errors concerning class struggle in a socialist society became increasingly serious” leading to the disasters of the Cultural Revolution.

Criticism of predecessors

Much of the new resolution focuses on emphasising Mr. Xi’s leadership and calling for the party to support his “core” status. It only briefly mentioned Mr. Xi’s predecessors Jiang Zemin and Hu Jintao, and implicitly critcised some aspects of their leadership including on military matters.

“For a period of time, the party’s leadership over the military was obviously lacking,” it noted. “If this problem had not been completely solved, it would not only have diminished the military’s combat capacity, but also undermined the key political principle that the party commands the gun.”

The document said Mr. Xi’s leadership had tightened supervision on the military including boosting “troop training and battle preparedness”, and it repeated China’s stated goals of completing the modernisation of its armed forces by 2035 and building a “world class” military by 2050, which observers see as meaning on par with the U.S.

‘Working vigorously’

“To build strong people’s armed forces, it is of paramount importance to uphold the fundamental principle and system of absolute party leadership over the military, to ensure that supreme leadership and command authority rest with the party Central Committee and the Central Military Commission (CMC), and to fully enforce the system of the CMC chairman assuming overall responsibility,” the resolution said, adding that “setting their sights on this problem, the Central Committee and the CMC have worked vigorously to govern the military with strict discipline in every respect.”

#### The commercial space sector is one of the PLAs central goals – the plan is a 180.

Bartholomew & Cleveland 19 – Carolyn and Robin, 4/25/19, Chairmen and Vice Chairmen. Section is written from Michael A. McDevitt, US Congressperson, [“HEARING ON CHINA IN SPACE: A STRATEGIC COMPETITION?,” <https://www.uscc.gov/sites/default/files/transcripts/April%2025%2C%202019%20Hearing%20Transcript%20%282%29.pdf>] Justin

As the Chairman said, China is determined to become a leading space power, which requires continuing to boost its innovation capabilities, both in its civilian and military sectors. The People’s Liberation Army is closely involved in most if not every aspect of China’s space program, from helping formulate and execute national space goals to overseeing China’s human spaceflight program. Coverage of China’s space program must treat seriously the implications of the reality that in many cases the boundaries between the military and civil silos of China’s program are thin, if they exist at all.

Our second panel today will address the application of what China calls its “military-civil fusion” strategy to its space sector. Military-civil fusion, a strategic concept designed to harness civilian sector innovation to power China’s military and technological modernization with the goal of leapfrogging the United States and becoming a technological powerhouse. Space has been designated as an especially important sector for military-civil fusion, and the impacts of this campaign on China’s burgeoning commercial space sector—itself a recipient of generous government support and protection—will be crucial as Chinese companies increasingly seek to compete in the international marketplace. Military-civil fusion is especially worthy of attention due to its continued reliance on technology transfer, by hook or by crook, to fuel China’s industrial and military growth.

Our third and final panel today will examine China’s military space and counterspace activities. Since its direct-ascent kinetic antisatellite test in 2007, which was responsible for a large amount of all space debris currently in Earth’s orbit, China has continued to invest in a variety of offensive antisatellite capabilities. Indeed, China’s counterspace arsenal contains many options: earlier this month, Acting Secretary of Defense Patrick Shanahan said China “has exercised and continues to develop” jamming capabilities; is deploying directed-energy counterspace weapons; has deployed an operational ground-based antisatellite missile system; and is prepared to use cyberattacks against U.S. space systems.

#### That triggers backlash – they don’t support restrictions on the space sector and will do everything to convince leaders not to do the plan.-even if they don’t directly restrict china space access the aff is a reposturing that spooks the CCP

Cheng 14 [Dean Cheng, Senior Research Fellow in the Asia Studies Center at the Heritage Foundation, Former Senior Analyst at the China Studies Division of the Center for Naval Analyses, Former Senior Analyst with Science Applications International Corporation, “Prospects for U.S.-China Space Cooperation”, Testimony before the Committee on Commerce, Science, and Transportation, United States Senate, 4/9/2014, https://www.heritage.org/testimony/prospects-us-china-space-cooperation]

At the same time, space is now a sector that enjoys significant political support within the Chinese political system. Based on their writings, the PLA is clearly intent upon developing the ability to establish “space dominance,” in order to fight and win “local wars under informationized conditions.”[8] The two SOEs are seen as key parts of the larger military-industrial complex, providing the opportunities to expose a large workforce to such areas as systems engineering and systems integration. It is no accident that China’s commercial airliner development effort tapped the top leadership of China’s aerospace corporations for managerial and design talent.[9] From a bureaucratic perspective, this is a powerful lobby, intent on preserving its interests. China’s space efforts should therefore be seen as political, as much as military or economic, statements, directed at both domestic and foreign audiences. Insofar as the PRC has scored major achievements in space, these reflect positively on both China’s growing power and respect (internationally) and the CCP’s legitimacy (internally). Efforts at inducing Chinese cooperation in space, then, are likely to be viewed in terms of whether they promote one or both objectives. As China has progressed to the point of being the world’s second-largest economy (in gross domestic product terms), it becomes less clear as to why China would necessarily want to cooperate with other countries on anything other than its own terms. Prospects for Cooperation Within this context, then, the prospects for meaningful cooperation with the PRC in the area of space would seem to be extremely limited. China’s past experience of major high-technology cooperative ventures (Sino–Soviet cooperation in the 1950s, U.S.–China cooperation in the 1980s until Tiananmen, and Sino–European space cooperation on the Galileo satellite program) is an unhappy one, at best. The failure of the joint Russian–Chinese Phobos–Grunt mission is likely seen in Beijing as further evidence that a “go-it-alone” approach is preferable. Nor is it clear that, bureaucratically, there is significant interest from key players such as the PLA or the military industrial complex in expanding cooperation.[10] Moreover, as long as China’s economy continues to expand, and the top political leadership values space efforts, there is little prospect of a reduction in space expenditures—making international cooperation far less urgent for the PRC than most other spacefaring states. [FOOTNOTE] [10]It is worth noting here that the Chinese Ministry of Foreign Affairs is not a part of the CCP Politburo, a key power center in China. Thus, the voice of the Ministry of Foreign Affairs is muted, at best, in any internal debate on policy. [END FOOTNOTE] If there is likely to be limited enthusiasm for cooperation in Chinese circles, there should also be skepticism in American ones. China’s space program is arguably one of the most opaque in the world. Even such basic data as China’s annual space expenditures is lacking—with little prospect of Beijing being forthcoming. As important, China’s decision-making processes are little understood, especially in the context of space. Seven years after the Chinese anti-satellite (ASAT) test, exactly which organizations were party to that decision, and why it was undertaken, remains unclear. Consequently, any effort at cooperation would raise questions about the identity of the partners and ultimate beneficiaries—with a real likelihood that the PLA would be one of them.

#### An unhinged PLA triggers Himalayan war – goes global

Chellaney 17 [Dr. Brahma Chellaney, Professor of Strategic Studies at the Center for Policy Research and Fellow at the Robert Bosch Academy, PhD in International Studies from Jawaharlal Nehru University, “Why the Chinese Military’s Rising Clout Troubles Xi Jinping”, The National, 9/9/2017, https://www.thenational.ae/opinion/why-the-chinese-military-s-rising-clout-troubles-xi-jinping-1.626815?videoId=5754807360001]

China’s president Xi Jinping has stepped up his domestic political moves in the run-up to the critical 19th national congress of the Chinese Communist Party next month, but he is still struggling to keep the People’s Liberation Army (PLA) in line. China’s political system makes it hard to get a clear picture, yet Mr Xi’s actions underscore the troublesome civil-military relations in the country. Take the recent standoff with India that raised the spectre of a Himalayan war, with China threatening reprisals if New Delhi did not unconditionally withdraw its forces from a small Bhutanese plateau, which Beijing claims is Chinese territory. After 10 weeks, the face-off on the Doklam Plateau ended with both sides pulling back troops and equipment from the site on the same day, signalling that Beijing, not New Delhi, had blinked. The mutual-withdrawal deal was struck just after Mr Xi replaced the chief of the PLA’s joint staff department. This key position, equivalent to the chairman of the US joint chiefs of staff, was created only last year as part of Mr Xi’s military reforms to turn the PLA into a force “able to fight and win wars”. The Doklam pullback suggests that the removed chief, Gen Fang Fenghui, who has since been detained for alleged corruption, was an obstacle to clinching a deal with India. To be sure, this was not the first time that the PLA’s belligerent actions in the Himalayas imposed diplomatic costs on China. A classic case happened when Mr Xi reached India on a state visit in September 2014. He arrived on Indian prime minister Narendra Modi’s birthday with a strange gift for his host, a predawn Chinese military encroachment deep into India’s northern region of Ladakh. The encroachment, the worst in many years in terms of the number of intruding troops, overshadowed Mr Xi’s visit. It appeared bizarre that the military of an important power would seek to mar the visit of its own head of state to a key neighbouring country. Yet Chinese premier Li Keqiang’s earlier visit to New Delhi in 2013 was similarly preceded by a PLA incursion into another part of Ladakh that lasted three weeks. Such provocations might suggest that they are intentional, with the Chinese government in the know, thus reflecting a preference for blending soft and hard tactics. But it is also possible that these actions underscore the continuing “disconnect between the military and the civilian leadership” in China that then US defence secretary Robert Gates warned about in 2011. During his 2014 India trip, Mr Xi appeared embarrassed by the accompanying PLA encroachment and assured Mr Modi that he would sort it out upon his return. Soon after he returned, the Chinese defence ministry quoted Mr Xi as telling a closed-door meeting with PLA commanders that “all PLA forces should follow the president’s instructions” and that the military must display “absolute loyalty and firm faith in the party”. Recently Xi conveyed that same message yet again when he addressed a parade marking the 90th anniversary of the PLA’s creation on August 1, 1927. Donning military fatigues, Mr Xi exhorted members of his 2.3-million-strong armed forces to “unswervingly follow the absolute leadership of the party.” Had civilian control of the PLA been working well, would Mr Xi repeatedly be demanding “absolute loyalty” from the military or asking it to “follow his instructions”? China does not have a national army; rather the party has an army. So the PLA has traditionally sworn fealty to the party, not the nation. Under Mr Xi’s two immediate predecessors, Hu Jintao and Jiang Zemin, the PLA gradually became stronger at the expense of the party. The military’s rising clout has troubled Mr Xi because it hampers his larger ambition. As part of his effort to reassert party control over the military, Mr Xi has used his anti-corruption campaign to ensnare a number of top PLA officers. He has also cut the size of the ground force and established a new command-and-control structure. But just as a dog’s tail cannot be straightened, asserting full civil control over a politically ascendant PLA is proving unachievable. After all, the party depends on the PLA to ensure domestic order and sustain its own political monopoly. The regime’s legitimacy increasingly relies on an appeal to nationalism. But the PLA, with its soaring budgets and expanding role to safeguard China’s overseas interests, sees itself as the ultimate arbiter of nationalism. To make matters worse, Mr Xi has made many enemies at home in his effort to concentrate power in himself, including through corruption purges. It is not known whether the PLA’s upper echelon respects him to the extent to be fully guided by his instructions. In the past decade, the PLA’s increasing clout has led China to stake out a more muscular role. This includes resurrecting territorial and maritime disputes, asserting new sovereignty claims, and using construction activity to change the status quo. China’s cut-throat internal politics and troubled civil-military relations clearly have a bearing on its external policy. The risks of China’s rise as a praetorian state are real and carry major implications for international security.

#### Extinction.

Caldicott 17 – Helen, 2017, Founder of Physicians for Social Responsibility [“The new nuclear danger: George W. Bush's military-industrial complex,” The New Press]//Elmer

The use of Pakistani nuclear weapons could trigger a chain reac­tion. **Nuclear-armed India, an ancient enemy, could respond** in kind. China, India's hated foe, could react if India used her nuclear weapons, triggering a nuclear [war] ~~holocaust~~ on the subcontinent. If any of either **Russia** or **America**'s 2,250 strategic weapons on hair-trigger alert were launched either **accidentally** or **purposefully** in response, **nuclear winter** would ensue, meaning the **end of most life on earth**.

## Case