# Speech 1NC Colleyville Rd 3 vs Harrison 2-4 8PM

## 1

#### **The world relies on the fundamental opposition to disability to exist – disabled bodies are modeled as the inverse reflection to the normate which drives the internal ableism and desire to eliminate disabled bodies.**

**Hughes 12** [Bill Hughes (professor of Sociology at Glasgow Caledonian University, BA in sociology from the University of Stirling, PhD in political philosophy from the University of Aberdeen). 2012. Accessed 8/9/20. “Civilising Modernity and the Ontological Invalidation of Disabled People.” <https://link.springer.com/chapter/10.1057/9781137023001_2> //Xu]

The stratifying binary of disability/non-disability and the antagonism of the latter towards the former is mediated and maintained, principally, by the emotion of disgust. Disgust is the bile carried in a discursive complex that Campbell (2008: 153) calls ‘ableism’: ‘a network of beliefs, processes and practices that produces a particular kind of self and body (the corporeal standard) that is projected as perfect, species-typical and therefore essential and fully human’. The body produced by ableism is equivalent to what Kristeva (1982: 71) calls the ‘clean and proper body’. It is the body of the ‘normate’, the name that Rosemarie Garland-Thomson (1997) gives to the body that thinks of itself as invulnerable and definitive. It is the hygienic, aspirational body of civilising modernity. It is cast from the increasingly stringent norms and rules about emotional behaviour and bodily display that mark mundane social relations in the lebenswelt (lifeworld). This curious non-disabled body/self has no empirical existence per se. On the contrary, the body of ableism is a normative construct, an invulnerable ideal of being manifest in the imaginary of ‘modernist ontology, epistemology and ethics’ as something ‘secure, distinct, closed and autonomous’ (Shildrick, 2002: 51). It embraces ‘human perfectibility as a normative physical or psychological standard’ and involves ‘a curious disavowal of variation and mortality’ (Kaplan, 2000: 303). It is what we are supposed to aspire to, to learn to be but can never become. It has no grounding in the material world. It is a ‘body schema, a psychic construction of wholeness that … belies its own precariousness and vulnerability’ (Shildrick, 2002: 79). It is a ‘body divorced from time and space; a thoroughly artificial affair’ (Mitchell and Snyder, 2000: 7), the epitome of civilisation, closed off from any connection with the animal side of humanity and from the ways in which our bodily nature wallows in its carnal improprieties. It is a body aghast at the messiness of existence. Disability is the opposite of this ideal body, its ‘inverse reflection’ (Deutsch and Nussbaum, 2000: 13). The disabled body is or has the propensity to be unruly. In the kingdom of the ‘clean and proper body’, disability is the epitome of ‘what not to be’. As a consequence the disabled body can be easily excluded from the mainstream ‘psychic habitus’ (Elias, 2000: 167). The ‘clean and proper’ – a normative body of delicacy, refinement and selfdiscipline – has powerful social consequences most manifest in its normalising dynamics. It is the standard of judgement against which disabled bodies are invalidated and transformed into repellent objects. It is the emblem of purity that by comparison creates existential unease. It apportions the shame and repugnance that underwrite the civilising process (Elias, 2000: 114–19, 414–21). Through ableism, modernity has been able to structure disability as uncivilised, outside or on the margins of humanity. One of the great books of the science of natural history published under the title Systema Naturae by Linnaeus in 1735 distinguishes between homo sapiens and homo monstrosus. In this classification impairment – at its extreme and highly visible end – is excluded from the human family. The distinction is, in itself, an act of violence and invalidation, an object lesson in transforming difference and ‘defect’ into the abominable. The distinction mobilises the aversive emotions of fear and disgust. Ableism is a cruel teacher. It embodies violence at many levels: ‘epistemic, psychic, ontological and physical’ (Campbell, 2008: 159). It is at its most bellicose when it is mediated by disgust: a mediation invoked mostly in the social fabrication of taboo and most compellingly in a context when the human/animal boundary is under threat. Ableism rests on the effort to eliminate from awareness, chaos, abjection, animality and death: all that civilisation seeks to repress. It encourages us to live in the false hope that we will not suffer and die, to adopt a perspective of invulnerability, to confuse morality with beauty and to see death, pain and disability as the repulsive woes of mortality rather than as the existen- tial basis for community and communication. Kolnai (2004: 74) reminds us that, ‘in its full intention, it is death ... that announces itself to us in the phenomenon of disgust’. Disability, in modernity, has been produced in the ontological household of the abject, as the antithesis of communica- tion and community, in a place that we might on occasion peer into only to ‘choke’ on the unsavoury sights that greet us. Disability is put out, put away, hidden, segregated or transformed into its opposite, covered up by whatever medical or aesthetic techniques are available to achieve this end. Any opportunity that disability might have to take its place at the heart of communication and community is thwarted by the ablest sensibilities that push it back down among the disgusting, the sick, the dead and the dying. In fact, as Elias (2000) suggested, the making of ‘civilised’ community and communication in modernity proceeds by exclusion and interdiction, by cutting out and hiding away whatever causes or might come to inspire angar (choking) or anguista (tightness).

#### Political institutions are structured against disabled bodies- legal domains distorts and renders disabled bodies calculable that is underpinned by the figure of the normative citizen that enacts a regime of truth.

**Campbell 05** [Fiona Kumari Campbell (Adjunct Professor in the Department of Disability Studies at Griffith University). “Legislating Disability: Negative Ontologies and the Government of Legal Identities” in “Foucault and Government of Disability” edited by Shelley Termain, University of Michigan Press, Pg 108-120. 2005. Accessed 9/3/20. <https://www.press.umich.edu/8265343/foucault_and_the_government_of_disability> //Xu]

Sociological inquiry and legal investigation into disability must at some point implicitly return to, and negotiate, matters of “disability” at an ontological level. I say “implicitly” because the predominant forms of sociotherapeutic analysis of disability adopt a reductionist approach, which situates “the problem” of disability at the level of attitudes or bias that lead to devaluation. Seldom is the matter of ontology—in particular, negative ontology—regarded as a paramount focal concern in unpacking disability subjectification. In what follows, I seek to redress this imbalance. In order to do so, I foreground the ontology question. In particular, I discuss disability-negative ontologies and the ways in which these ontologies are inflected in the practices and effects of law. Ontology Wars and the “Unthinkability” of Disability A system of thought . . . is founded on a series of acts of partition whose ambiguity, here as elsewhere, is to open up the terrain of their transgression at the very moment when they mark off a limit. To discover the complete horizon of a society’s symbolic values, it is also necessary to map out its transgressions, its deviants. —marcel detienne, Dionysos Slain Activists with disabilities have placed great trust in the legal system to deliver freedoms in the form of equality rights and protections against discrimination. While these equalization initiatives have provided remedies in the lives of some individuals with disabilities, their subtext of disability as negative ontology has remained substantially unchallenged. It is crucial, however, that we persistently and continually return to the matter of disability as negative ontology, as a malignancy, that is, as the property of a body constituted by what Michael Oliver refers to as “the personal tragedy theory of disability,” a conception in whose terms disability cannot be spoken as anything other than an anathema. On the personal tragedy theory, Oliver notes, “disability is some terrible chance event which occurs at random to unfortunate individuals” (1996, 32). In the terms of the “tragedy theory,” disability is assumed to be ontologically intolerable, that is, inherently negative. This conception of disability underpins most of the claims of disability discrimination that are juridically sanctioned within the welfare state and is imbricated in compensatory initiatives and the compulsion toward therapeutic interventions. Insofar as this conception of disability is assumed, the presence of disability upsets the modernist craving for ontological security. The conundrum of disability/impairment is not a mere fear of the unknown, nor an apprehensiveness toward that which is foreign or strange (the subaltern). Disability and disabled bodies are effectively positioned in the nether regions of “unthought.” For the ongoing stability of ableism,2 a diffuse network of thought, depends upon the capacity of that network to “shut away,” to exteriorize, and unthink disability and its resemblance to the essential (ableist) human self. As Foucault explains: The unthought (whatever name we give it) is not lodged in man [sic] like a shriveled up nature or a stratified history; it is in relation to man, the Other: the Other that is not only a brother but a twin, born not of man, nor in man, but beside him and at the same time, in an identical newness, in an unavoidable duality. (1994, 326) In order for the notion of “ableness” to exist and to transmogrify into the sovereign subject of liberalism it must have a constitutive outside—that is, it must participate in a logic of supplementarity. Although we can speak in ontological terms of the history of disability as a history of that which is unthought, this figuring should not be confused with erasure that occurs due to total absence or complete exclusion. On the contrary, disability is always present (despite its seeming absence) in the ableist talk of normalcy, normalization, and humanness. Indeed, the truth claims that surround disability are dependent upon discourses of ableism for their very legitimation. The logic of supplementarity, which is infused within modernism’s unitary subject and which produces the Other in a liminal space, deploys what we might call a “compulsion toward terror”: a terror, ontological and actual, of “falling away” and “crossing over” into an uncertain void of disease. Such effects of terror may produce instances of disability hate crimes, disability vilification, and disability panic. The manifestations of this terror rarely enter judicial domains, but rather are excluded from law’s permissible inquiry and codification. In short, this erasure forecloses the possibility of pursuing legal remedies through the refusal of law’s power to name and countenance oppositional disability discourses. Disability “harms” and “injuries” are only deemed bonafide within a framework of scaled-down disability definitions (read: fictions) elevated to indisputable truth-claims and rendered viable in law. Law’s collusion with biomedical discourse informs us not only about modes of disability subjectification; in addition, and more importantly, that collusion informs us about what it means to be “human” under the rein/reign of ableism. Thus far, I have discussed (at the center, not the periphery) matters of an ontological character in order to introduce the notion of the ontological terror, that is, the unthought of disability, as a significant actor in the promulgation of ableism with law in liberal society. In the next section, I turn to consider practices of freedom as they are actualized within this ableist regime of law. Chasing Freedom and Autonomy—a Recapitulation of Ableist Subjectivity? An able-bodied and competent person is thus a body with a set of given functions, skills and properties, which are steered by a central command unit—the consciousness—which is situated in the head. Agency, mobility, the ability to communicate verbally, to make discretionary judgments, make decisions and implement them—is thus located in the body and in the self residing in that body. —ingunn moser, Against Normalization Within contemporary Western, neoliberal societies, freedom is held to be an inalienable and inherent right of the atomistic individual citizen. Indeed, the ethos of freedom is a foundation of the politics of our present, a mark and effect of justice and the other virtues of practiced democracy—that is, a measure of a society’s true worth, of the degree to which it is “civilized,” and the extent to which it is “advanced.” People who live in Western neoliberal democracies are seduced into freedom, the utopic dream that holds within itself a promise, that is, the vision of an alternative way of living. For disability activists, in particular, and for many of the other folk who live on the underside of liberalism, the ethos of freedom has performed as a source of emancipation that contains a promise to address “social injury.” As Wendy Brown (1995, 7) reminds us, however, there is a paradox inherent to freedom: the incitement of freedom requires the very structures of oppression that freedom emerges to oppose. In recent times, the practices of freedom have been molded and codified into the apparatus of the welfare state, citizenship, and legal personality. In the terms of this apparatus, freedom is represented as autonomy, where this ideal encompasses the drive toward potential maximization, which invokes the performance of a choosing, desiring, and consuming subject (cf. Foucault 1997). Furthermore, the subject of the neoliberal welfare state is assumed to be an independent center of self-consciousness, who holds autonomy to be intrinsically valuable. In the words of C. B. Macpherson (1964), neoliberalism’s normative citizen is a nominal “possessive individual.” The nominal individual is free in as much as he [sic] is proprietor of his person and capacities. The human essence is freedom from dependence on the will of others, and freedom is a function of possession. . . . Society consists of relations of exchange between proprietors. (Macpherson 1964, 3; emphasis added) Macpherson’s description of the neoliberal subject implies that all people must fit with a regulatory ideal; however, it is probably more correct to say that the thrust of shaping identity under neoliberalism aims for a “best fit,” that is, a normalizing, or morphed approach. The tool of comparison, the arbiter of normativity, is the “benchmark man.” As Margaret Thornton explains it, the paradigmatic incarnation of legality—the normative citizen—represents the standard against whom all others are measured and is invariably white, heterosexual, able-bodied, politically conservative, and middle class (1996, 2). Despite Thornton’s suggestion, techniques of self are usually sought, not imposed, for each of us is enrolled in the task of self-appropriation and selfdesignation. The “free” citizen is one who can take charge of herself, that is, act as her own command center. When the citizen of neoliberal society is defined in terms of self-mastery, it may not be possible for some disabled people to be truly “free” in these contexts, unless some protectionist (i.e., paternalist) strategy or ethics of “care” is employed. In any case, the sovereign liberal subject will not be destabilized until, and unless, we refute “autonomy” as the basis for normative legal theory and revise the meaning of “humanness” in terms of relationality. Until we accomplish these theoretical and political tasks, we will be required to manage or govern “disability” in ways that ensure its presence only minimally disrupts the truth claims of legal discourse and its systematization. Under liberalism, the production and government of disability is facilitated, in part, through its taming into a mere logical and discrete etiological classification and ensuing ontological space. The performative acts of a “logic of identity” reduce the disparity and difference of disabled bodies to an unity (see Foucault 1980b, 117). In law, we find this logic of identity expressed in the ideal of impartiality, which is predicated upon the benchmark legal subject. Although a great deal of feminist literature (Cheah, Fraser, and Grbich 1996; Grbich 1992; Howe 1994; O’Donovan 1997) has critiqued this allegedly impartial figuring of the legal subject, that work has not addressed the ableist underpinnings of that subject. A more thoroughgoing analysis of “legal man” would extend the reasoning of those feminist critiques to incorporate ableism as a key characteristic of rampant masculinist subjectivity. Without ableism, masculinist figurings would (we might say) “lose their balls.” The implications of classifying practices go even deeper than this sort of critique suggests. For the unruly, monstrous, and boundary-breaching qualities of disability must be tamed in ways that distinguish that category from other fluid and leaky categories (such as illness, poverty, and ageing) with which it is associated (see Wendell 1996; Shildrick 1997). Corporeal slippages of the disability kind need containment, a civilized workability for procedural justice, a regulated liberty that produces practices of normality, rationality, and pathology. This regulated liberty is exemplified in the continued use of intelligence tests to separate the “eligible” from the “ineligible” within international and national disability legislation (despite serious concerns about the validity of such tests).4 Nevertheless, disability is not only catachrestic, but it is also contestable. Thus, I submit that matters that should be regarded as ontological in character are inextricably bound up with the politics of inclusion. Linton adds weight to this conclusion when she suggests that insofar as “the term ‘disability’ is a linchpin in a complex web of social ideals, institutional structures, and government policies,” many people have a vested interest in maintaining a tenacious hold on its current meaning, which is “consistent with the practice and policies that are central to their livelihood or their ideologies” (1998, 10). Let us consider what the embeddedness of disability implies for understandings of that category and the ways in which disability figurations are mediated in law. The working model of inclusion is really only successful to the extent that people with disabilities are able to “opt in” or be assimilated (normalized). This model of inclusion assumes that the people who cannot, do not, or otherwise refuse to “opt in,” will developmentally progress toward autonomy over time. Indeed, the governing of liberal unfreedom responds to the problem of what should be done with “governing the remainder,” that is, those who are identified as “less than fully autonomous” (Hindess 2000, 11). Hindess identifies three approaches that are taken to governing “the remainder.” They are (1) a clearing away;5 (2) the compulsion toward disciplinary techniques (such as the normalization principle); and (3) targeting external causes by creating welfare safety nets. In order to institute these sorts of “dividing practices” (Foucault 1983, 208) of subjectivity, the aberrant subject may be extinguished (either before or after birth); be “reappraised” (for instance, fabricated as a “rehabilitated person”); become nearly able-bodied (via a morphed passing); or become benevolently transfigured into a “deserving” welfare recipient supra the economy. Law plays an exacting and explicit role in this subjectifying activity of government. Legal intersections/interventions facilitate this subjectifi- cation by allocating and regulating populations into fixed and discrete ontological categories (such as disability, gender, sex, and race) in order that the subjects assigned to these categories can be rendered visible and calculable (Foucault 1976, especially 135–59; 1994). The fixity of disability (which is assumed to be a pregiven property of human bodies) within both legislative and case law not only establishes the boundaries of permissible inquiry; in addition, it establishes the legal fiction of “disability” in the first place. It is this reification of disability (which is based more often than not on biomedical technologies and ascriptions) that reinforces the centrality of the ableist body and the terms of its negotiation. The formulations of disability that disability activists often engage, and which are enshrined in disability related law, in effect discursively entrench and thus reinscribe the very oppressive ontological figurings of disability that many of us would like to escape. Alternative renderings of disability, if they are not able to “fit” such prescribed “fictions,” are barred from entry into legal and other discourses. Consider, for instance, the instructions given in a recent staff survey produced by the Equity Section of Queensland University of Technology (2000). You should answer “yes” to question 2 only if you are a person with a disability which is likely to last, or has lasted two or more years. Please note that if you use spectacles, contact lenses or other aids to fully correct your vision or hearing, you do not need to indicate that you are a person with a disability, and would answer “no.” (Emphasis added) As we can see, defining disability in terms of what it “is” and “is not” performs an emblematic function that re-cognizes the relationships between impairment and disability and civil society. I will consider these relationships further in later sections of this chapter. For the moment, let us turn our attention to the matter of legal remedies, in general, and “social injury” claims (strategies), in particular. Social Injury—a Transgressive or Recuperative Tool? Freedom is neither a philosophical absolute nor a tangible entity but a relational and contextual practice that takes shape in opposition to whatever is locally and ideologically conceived as unfreedom. —wendy brown, States of Injury Feminist legal scholars have attempted to rework and engage with liberalism, that is, to move away from a focus on procedural rights that do not effect substantive change. One feminist strategy that has gained currency is mobilization of the concept of “social injury,” a theoretical device that translates once privatized injuries into collectivist raced, sexed, and disabilized domains from which to make claims to social and legal remedies (Howe 1990; Brown 1995; Howe 1997; Thornton 2000). In this section, I consider the arguments that Wendy Brown and Margaret Thornton have advanced with respect to these oppositional strategies of legal engagement. In order to motivate their arguments in this context, Brown and Thornton variously draw upon Nietzsche’s concept of ressentiment (see Nietzsche 1969, 20, 36, and passim). In the opening pages of States of Injury: Power and Freedom in Late Modernity, Brown asks: “What kinds of domination are enacted by practices of freedom?” (1995, 6). With respect to the social injury project, we can ask: what kinds of domination does the social injury project (as a practice of freedom) enact? The evolution of antidiscrimination law has in fact led to the codification of injury, victimhood, and dependency within an overall context of docile subject positions. An analysis of social injury involves the development of a righteous critique of power from the perspective of the injured. Such an analysis delimits a specific site of blame by constituting certain sovereign subjects (and events) as responsible for the “injury” of social subordination that other subjects experience (Brown 1995, 27). As Brown notes, the “social injury” project establishes certain harms as “morally heinous in the law.” Exactly which “harms” does the social injury project recognize? That is, what kinds of “harm” have legitimacy before the law? I would argue that with respect to disability an uncritical approach to social injury has (at best) established certain authenticated sites and specific instances of “disability discrimination” as harm.6 The discovery of these “harms” has not, however, been extended to the identification of “ableism” as their very font.7 In short, disability discrimination is an outcome of the practices of ableism, not their cause. The conditions of engagement within the emancipatory project require that “the injured” relinquish their investment in a harmed politicized identity in order to be free. But does it work that way? What kinds of ontologies of disability does the social injury project require disabled people to trade in, renegotiate, and maintain? I contend that the use of legal mechanisms to structure political demands is an act of self-subversion that enforces an internalized ableism. The political identity of disability (i.e., “the disabled citizen”) within law not only contributes to an essentialized and exteriorized ontology; in addition, it normalizes and delimits “disability” in order to make it regulative. Following Brown, we can say that the language of (disability) recognition in law “becomes the language of unfreedom,” that is, “a vehicle of subordination through individualization, normalization, and regulation, even as it strives to produce visibility and acceptance” (1995, 66). In other words, the inscription of certain figurations of legal disability requires that disabled people’s “experiences” be regulated within the confines of juridical formations, which ultimately foreclose any alternative perspectives. Furthermore, this form of procedural justice conveys the message that in order to be free within neoliberal societies, disabled people must submit to the strictures of ableist renderings of disability in law, that is, renderings of disability as a personal tragedy. Thornton (2000) offers an optimistic reading of a politics of ressentiment. Although the picture of a politics of ressentiment that Thornton paints might at ‹rst appear attractive in its treatment of disability subjectification, she fails to adequately consider the impact of negative ontologies of disability upon the formations of disability subjectivities in law. In a critical review of Australia’s Disability Discrimination Act of 1992 (DDA), Thornton concludes that neoliberalism and its shift from equal opportunities to equal responsibilities provides evidence that disabled people can only be assimilated (accommodated) if they replicate their benchmark confreres and do not make too many economic demands on the system. As Thornton puts it: “Neo-liberalism is discomforted by prophylactic measures that are perceived as impediments to the freedom to pursue profits” (2000, 19). Indeed, the tensions that arise due to the necessity to work on the “unproductive” disabled body in order to make it “productive” in a recessionist economy grow increasingly evident. Despite this rather disastrous situation, Thornton maintains that not all is lost because a politics of ressentiment allows people with disabilities to “come out” about disability discrimination and thereby enact positive images of disability. Thornton claims that the focus of ressentiment produces a groundswell of dissatisfaction on the part of people with disabilities, where such sentiment can be deployed as a positive force. Thornton recognizes that ressentiment can produce emotions (such as passivity and fear) other than righteous anger; however, she suggests that these other emotions can be attributed to, and are a consequence of, the vulnerability of a person who speaks from an institutionalized context (2000, 20). I am not convinced by this argument. Disabled people who are confined by an institutional location are not the only ones to display emotions of antipathy, ambivalence, and fear. I would argue that all people with disabilities confront the daily challenges of internalized ableism when negotiating daily existence in a world that erases our value, though these challenges always vary in their degree and form.8 Contra Thornton, I am inclined to propose that neoliberalism’s engagement with minority identities provokes a politics of ressentiment on behalf of the “majority.” We need only remind ourselves of the cries of “special rights,”9 legislative rollbacks, and reactive campaigns, both in Australia and the United States. We might find that there are limits to securing equalization protections within the law and social policy, especially in a political climate where the mantras of selfreliance and mutual obligation are increasingly invoked, and complaints about “compassion exhaustion” are often articulated. Although well intentioned, the promotion of social injury strategies may easily result in unintended consequences, such as an increase in disability resentment and hate crimes. The growing number of appeals made to disability-related antidiscrimination legislation might, as Thornton suggests, contribute to the emergence of a new way to think about citizenship, a new way in which disabled people have “the tenacity and conviction” to believe that they are justified in complaining about discrimination (2000, 22). Yet, disabled people’s complaints must be funneled into the denunciatory processes of reductionist and single-cause classifications, which are interpreted both within and outside law through a paradigm of ableism. To be sure, possibilities for resistance to this bureaucratic machinery always exist; however, there is also the threat that a positive politics of ressentiment will be chipped away and unraveled by legal prescriptions of disability and foregoing remedies, which foreclose oppositional renderings of disability and play into (provoke) the internalized ableism of the complainant. Is the concept of “social injury” (allegedly a device of social change) actually recuperative of the structures of liberalism? Or does that concept transgress those structures? As a tool of opposition, the “social injury” approach appears to offer a way out of the loop of discriminatory practices. One ought, however, to be suspicious of a practice that contributes to the elasticity and inclusiveness of the liberal polis. The enduring strength of liberalism lies in its capacity to rewrite and repair the edge of its domain and recuperate any flaws that may expose its fundamentalist and ableist basis/bias. Thus far, I have attempted to problematize the uncritical insertion of “disability” into the neoliberalist project of freedom claims prior to an examination of the benchmark legal subject and the relationship of that subject to disability as negative ontology. In addition, I have considered the strategy of advancing complaints on the basis of claims to “social injury,” as well as the limitations of that approach given the overwhelming deployment of internalized ableism. The fact remains that disability is not regarded as a neutral category. To the contrary, it is value laden and underpinned by a theory of tragedy that makes possibilities of “pride” difficult (if not impossible) to generate. Disability as Inherently Negative? Deafness is increasingly an outlaw ontology, a hunted existence, an experience or way of being that, by definition, evades the biopolitics of the new eugenics. Some believe that deafness has always been an outlaw ontology, but whose fugitive status was generally ignored. How long this fugitive will keep evading the capture is increasingly in question. —owen wrigley, The Politics of Deafness In A Fragment on Government (1776), utilitarian philosopher Jeremy Bentham coined the term legal fiction to refer to the fables and willful falsehoods committed for the purpose of “stealing legislative power, by and for hands, which could not, or durst not, openly claim it,—and, but for the delusion thus produced, could not exercise it” (1990, 118; emphasis added). For Bentham, in other words, the effects of these “legal fictions” are illusions that produce a sense of debility in the very subjection of individuals, as well as the sense of trust and faith that they put in law to deliver “justice.” Thus, Bentham concludes: [F]or the more prostrate that debility, the more flagrant the ulterior degree of depredation and oppression, to which they might thus be brought to submit. Of the degree of debility produced, no better measure need be given, than the fact of men’s being in this way made to regard falsehood, as an instrument, not only serviceable but necessary to justice. (1990, 18; emphasis added) With respect to disability, it would seem that such “legal fictions” give rise to a false or distorted ontology, which is formulated on the basis of biomedical realism, and in whose terms disability is construed as a lack or negative valence. The “fiction” in this case is the suggestion that a negative ontology of disability coupled with a biomedical orientation toward disability prescriptions and evaluative rankings is necessary (i.e., a prerequisite) for the efficient administrative management and legal delimitation of “disability.” A poignant example of the continuing recitation of this kind of legal fiction of disability can be found in the introduction to a special journal issue guest-edited by Melinda Jones and Lee Ann Basser Marks (2000). According to these authors, Most people with disabilities would share the view that being disabled is not a desirable state to be in, and even agree that disability should, where possible, be prevented. However, the suggestion that this carries negative implications about the entitlement to rights, or the values, respect and dignity of people with disabilities, should be resisted. While it may seem paradoxical, it is essential to meet the challenge of truly valuing those who are disabled at the same time as taking action to prevent or limit disability. (2000, 2; emphasis added) The pursuit of legal liberal rights discourse that Jones and Basser Marks encourage is deployed within the context of a negative ontological framework of disability and an assumed permissibility to performatively enact injurious speech. Insofar as Jones and Basser Marks ground their arguments in this context on an a priori assumption that disability is not to be countenanced, they bear testimony to the pervasive and normalizing effects of such negative formulations as key to the maintenance of ableist rationalities; in addition, these authors reveal the recuperative and totalizing tendencies and tensions in the flawed logic of ableist liberalism (see Foucault 1980a, 98). This logic allows the rhetoric of rights to “have it both ways,” that is, to simultaneously hold out the promise of equalization and to reinscribe negative ontologies of disability that continually produce and effect subordination. The very inclusiveness of the neoliberal conception of “citizenship” hinges upon governing disability according to an ethics of normalization and minimization. The individual of Western neoliberalism is an increasingly commodified entity. Within neoliberal societies, individuals are increasingly packaged and marketed (like inanimate objects) in terms of their respective “use-values” that become a measure of their respective worth. 10 Recent technological “advancements” hold out the possibilities of “elevating” the bodies (and minds) of individuals designated as disabled to the level of “nearly able.” Thus, we could argue that “enhancing” and “perfecting” technologies are really means with which to assimilate by way of morphing ableism. 11 A technological dynamic of morphing creates the illusion (that is, an appearance) that the “disabled” body transmogrifies into the “normal” body, effecting a corporeal recomposition and re-formation of subjectivity. Though this sort of fantastic reimaging occurs at an ontological level, the violence of some technological applications is profoundly direct and immediate. Robert Carver writes: Footbinding was a method to attract a good husband and secure a happier life. At the speech and hearing clinic, I was trained to bind the mind of my daughter. Like the twisting of feet into lotus hooks, I was encouraged to force her deaf mind into a hearing shape. I must withhold recognition of her most eloquent gestures until she makes a sound, any sound. I must force her to wear hearing aids no matter how she struggles against them. The shape of a hearing mind is so much more attractive. (1990, n.p.) In fact, an inducement to cooperate with treatments, surgery, and fittings may not be necessary due to the enduring hegemonic compulsion toward ableist normativity. Individuals with disabilities (and, in many cases, their families) develop a sense of responsibilization, a sense of correct ethical conduct, that is, a “regime of truth” about what it is to be a “proper” citizen. These judgments about the “correct” way in which to conduct oneself are often shaped by (or, despite) one’s awareness of the ontological, epistemological, and political effects of resistance or transgression against such prescriptions (cf. Foucault 1988, 1997). In this regard, let us briefly consider a juridical move made within the U.S. context, but which could easily be replicated in the Australian context in which I am writing, namely, the introduction of the legal category of voluntary/elective/chosen disability.

#### The 1AC’s belief of a better future becomes complicit in the logic of rehabilitative futurism that consistently renders the disabled body as ontologically negative. Imagining a better future is threatened by the notion of disabled child – these notions of futurism necessitate the cure or elimination of disability.

**Mollow 15**[Anna Mollow(Ph.D. in 2015 from the University of California, Berkeley, Andrew Vincent White and Florence Wales White Scholar, UC Dissertation-Year Fellow, coeditor of Sex and Disability and the co-editor of DSM-CRIP). “The Disability Drive.” University of California at Berkeley. Pg 85-88. Spring 2015. Accessed 3/6/20. <https://digitalassets.lib.berkeley.edu/etd/ucb/text/Mollow_berkeley_0028E_15181.pdf> //Recut Xu from UTDD]

Elsewhere, I have argued that No Future‟s impassioned polemic is one that disability studies might take to heart. Indeed, the figure that Edelman calls “the disciplinary image of the innocent‟Child” is inextricable not only from queerness but also from disability (19). For example, the Child is the centerpiece of the telethon, a ritual display of pity that demeans disabled people. When Jerry Lewis counters disability activists‟ objections to his assertion that a disabled person is “half a person,” he insists that he is only fighting for the Children: “Please, I’m begging for survival. I want my kids alive,” he implores (in Johnson, Too Late 53, 58). If the Child makes an excellent alibi for ableism, perhaps this is because, as Edelman points out, the idea of not fighting for this figure is unthinkable. Thus, when Harriet McBryde Johnson hands out leaflets protesting the Muscular Dystrophy Association, a confused passerby cannot make sense of what her protest is about. “You‟re against Jerry Lewis!” he exclaims (61). The passerby’s surprise is likely informed by a logic similar to that which, in Edelman‟s analysis, undergirds the use of the word “choice” by advocates of legal abortion: “Who would, after all, come out for abortion or stand against reproduction, against futurity, and so against life?” (16). Similarly, why would anyone come out for disability, and so against the Child who, without a cure, might never walk, might never lead a normal life, might not even have a future at all? The logic of the telethon, in other words, relies on an ideology that might be defined as “rehabilitative futurism,” a term that I coin to overlap and intersect with Edelman‟s notion of “reproductive futurism.” If, as Edelman maintains, the future is envisaged in terms of a fantasmatic “Child,” then the survival of this future-figured-as-Child is threatened by both queerness and disability. Futurity is habitually imagined in terms that fantasize the eradication of disability: a recovery of a “crippled” or “hobbled” economy, a cure for society’s ills, an end to suffering and disease. Eugenic ideologies are also grounded in both reproductive and rehabilitative futurism: procreation by the fit and elimination of the disabled, eugenicists promised, would bring forth a better future.” (68-69)

#### Scenario planning excludes disability from its scope. When the disabled object engages in simulations it contemplates what it means to be disabled and abled forcing it to imagine rehabilitative futures.

Campbell 08 (Dr Fiona Kumari Campbellis a Senior Lecturer in the School of Health and Wellbeing at the University of South Queensland http://www98.griffith.edu.au/dspace/bitstream/handle/10072/21024/50540\_1.pdf “Exploring Internalized Ableism using Critical Race Theory” Disability and Society, Vol. 23 (2), p. 151-162) //Lex VM

Internalized oppression is not the cause of our mistreatment; it is the result of our mistreatment. It would not exist without the real external oppression that forms the social climate in which we exist. Once oppression has been internalized, little force is needed to keep us submissive. We harbour inside ourselves the pain and the memories, the fears and the confusions, the negative self-images and the low expectations, turning them into weapons with which to re-injure ourselves, every day of our lives. (Mason, as cited Marks, 1999, p.25). Internalised ableism means that to assimilate into the norm the referentially disabled individual is required to embrace, indeed to assume an ‘identity’ other than one’s own – and this subject is repeatedly reminded by epistemological formations and individuals with hegemonic subjectifications of their provisional and (real) identity. I am not implying that subjects have a true or real essence. Indeed the subjects' formation is in a constant state of fluidity, multiplicity and (re)formation. However, disabled people often feel compelled to fabricate ‘who’ they are – to adopt postures and comportments that are additional to self. The formation of internalised ableism cannot be simply deduced by assessing the responses of individuals to Althusser’s famous interpolative hailing “Hey you, there” (Althusser & Balibar, 1979). Whilst a subject may respond to “Hey you there, crip!” – it is naïve to assume that an affirmative response to this hailing repressively inaugurates negative disabled subjectification. In fact the adoption of more positive or oppositional ontologies of disability by the subject in question may be unexpectedly enabling. As Susan Park (2000: 91) argues “what is at stake here is not so much the accuracy behind the hailing privilege, but the power of the hailing itself to instantly determine (or elide) that thing it is naming”. Nonetheless, censure and the cancellation of the legitimacy of oppositional subjectivities remains common place as Cherney reminds us with respect to Deaf culture: “If abnormal [sic] bodies must be fixed to fit within dominant cultural views of appropriateness then the Deaf celebration of their differences must be read as an illegitimate model of advocacy”. (Cherney, 1999, p. 33). Foucault’s (1976; 1980) theorisation of power as productive may provide some offerings from which to build a conversation about internalised ableism. I am not so much interested in the ‘external’ effects of that power, but for the moment wish to concentrate on what Judith Butler aptly refers to as the ‘psychic life’ of power. She describes this dimension: … an account of subjection, it seems, must be traced in the turns of psychic life. More specifically, it must be traced in the peculiar turning of a subject against itself that takes place in acts of self-reproach, conscience, and melancholia that work in tandem with processes of social regulation (Butler, 1997b, p.19). In other words, the processes of subject formation cannot be separated from the subject him/herself who is brought into being though those very subjectifying processes. The consequences of taking into oneself negative subjectivities not only regulate and continually form identity (the disabled citizen) but can transcend and surpass the strictures of ableist authorizations. Judith Butler describes this process of the “carrying of a mnemic trace”: One need only consider the way in which the history of having been called an injurious name is embodied, how the words enter the limbs, craft the gesture, bend the spine …how these slurs accumulate over time, dissimulating their history, taking on the semblance of the natural, configuring and restricting the doxa that counts as “reality”. (Butler, 1997b, p. 159) The work of Williams and Williams-Morris (2000) links racism experienced by African Americans to the effects of hurtful words and negative cultural symbols on mental health, especially when marginalized groups embrace negative societal beliefs about themselves. They cite an international study by Fischer et al (1996) which inter alia links poor academic performance with poor social status. Although using different disciplinary language Wolfensberger (1972) in his seven core themes of SRV, identified role circularity as a significant obstacle to be overcome by disabled people wanting socially valued roles. Philosopher Linda Purdy contends it is important to resist conflating disability with the disabled person. She writes My disability is not me, no matter how much it may affect my choices. With this point firmly in mind, it should be possible mentally to separate my existences from the existence of my disability. (Purdy, 1996, p. 68). The problem with Purdy’s conclusion is that it is psychically untenable, not only because it is posited around a type of Cartesian dualism that simply separates being-ness from embodiment, but also because this kind of reasoning disregards the dynamics of subjectivity formation to which Butler (1997a; 1997b) has referred. Whilst the ‘outputs’ of subjectivity are variable the experience of impairment within an ableist context can and does effect formation of self – in other words ‘disability is me’, but that ‘me’ does not need to be enfleshed with negative ontologies of subjectivity. Purdy’s bodily detachment appears locked into a loop that is filled with internalised ableism, a state with negative views of impairment, from which the only escape is disembodiment; the penalty of denial is a flight from her body. This finds agreement in the reasoning of Jean Baudrillard (1983) who posits that it is the simulation, the appearance (representation) that matters. The subject simulates what it is to be ‘disabled’ and by inference ‘abled’ and whilst morphing ableist imperatives, in effect performs a new hyper reality of be-ing disabled. By unwittingly performing ableism disabled people become complicit in their own demise – reinforcing impairment as an outlaw ontology.

#### The 1AC is a form of loco parentis – their action of governing the actions of other nations creates a distinction between ourselves as “full and smart subjects” versus the other “irrational and crazy nations” who will engage in bad actions.

**Mills and Lefrançois 18** [China Mills( [The University of Sheffield](https://sheffield.academia.edu/), [School of Education](https://sheffield.academia.edu/Departments/School_of_Education/Documents), Faculty Member) and Brenda A. Lefrançois(Professor @ School of Social Work for [Memorial University of Newfoundland](https://scholar.google.com/citations?view_op=view_org&hl=en&org=17452456186544668394)). “Child As Metaphor: Colonialism, Psy-Governance, and Epistemicide.” The Journal of New Paradigm Research. Volume 74, 2018 - [Issue 7-8: Transdisciplinary Child and Youth Studies](https://www.tandfonline.com/toc/gwof20/74/7-8). Pages 503-524. 17 Dec 2018. Accessed 3/18/20. [https://www.tandfonline.com/doi/abs/10.1080/02604027.2018.1485438 //](https://www.tandfonline.com/doi/abs/10.1080/02604027.2018.1485438%20//) Recut Xu from BL]

For Ashis Nandy (2007), the Western worldview of childhood as an imperfect transitional state on the way to adulthood is embedded in ideologies of colonialism and modernity, meaning “the use of the metaphor of childhood [is] a major justification of all exploitation” (p. 59). Accordingly, parentification – or even in loco parentis – has been used to justify, and to deem benevolent, interventions used by the powerful to “protect” those who are “childlike”. Not so hidden from the surface are the vested capitalist interests as well as the social, political, and psychological agendas of power and control taken on by those in the parental role within these socially constructed and contrived “parent-child” relations. The developmental logic that underlies these power relations legitimizes various regimes of ruling that promote the subordination of certain groups in the name of benevolence. In this article, we demonstrate the ways in which these forced paternalistic encounters, and the infantilization that characterize them, serve not only to debase and erase racialized/colonized, psychiatrized and/or disabled adults and children as knowers, but also serve to reinscribe children themselves as incompetent and inferior. Colonial logics intersect with medical and psychiatric logics that enable not just the marking of certain individual bodies as sub-human but also the global categorizing of whole groups of people as being undeveloped, underdeveloped and/or wrongly developed. Correspondingly, we understand the importance placed within mainstream corporate academia upon the subfields of developmental studies within political science, international development, international relations, economics, geography, child psychology, and medicine, all which serve the same function of maintaining the status quo of (white) supremacy whilst (re)producing majority world people, children, psychiatrized and/or disabled people as childlike (Blaut, 1993). We expose and contest such debasement whilst also disputing the essentialized and adultist meanings contained within the very concept of childlike, a concept which emanates from dominant Eurowestern and adult-centric constructions of childhood. Metaphor is “pervasive in everyday life”, and is classically understood as structuring the way we think and act, and enabling us to understand and experience “one kind of thing in terms of another” (Lakoff & Johnson, 1980, pp. 3–5). Yet many concepts may not be separate as such, and may be historically entangled with one another. Metaphors are contextually bound and have a performative aspect in that they structure what action we can take (Kövecses, 2015). Understanding something through metaphor may hide aspects of a concept that are not consistent with that metaphor (Lakoff & Johnson, 1980), and thus metaphors can be used to do political and ideological work. We are interested in how certain groups of peoples (colonized, racialized, mad and crip)2 come to be understood, talked about and acted upon through the metaphor of childhood. Specifically, the pervasive, entangled and co-constitutive nature of metaphors of the child, colony/“savage”, mad and crip are explored. The intersections of these metaphors call for an approach attuned to overlaps and not constricted by disciplinary boundaries. We engage in this analysis through a creative transdisciplinary inquiry that is not discipline-specific but instead brings together knowledges that are rarely understood to coexist and that may at times be in tension with each other (Augsburg, 2014; Leavy, 2006; Mitchell & Moore, 2015; Montuori, 2013). Transdisciplinarity – as contingent and non-essentialized – alerts us to and rejects the politics of differentiation and exclusion, key to the bordering and disciplining practices of social scientific knowledge and their beginnings in the codification of Enlightenment rationality used to justify slavery, colonialism and apartheid (Sehume, 2013). Following Nicolescu (2008), we understand transdisciplinary inquiry to be a form of meaning-making that breaks down the academic hierarchy of epistemological relationships, that is open to different forms of logic including that which is unknown (Augsburg, 2014), and that strives to eliminate epistemic injustice (Leblanc & Kinsella, 2016) or epistemicide (Santos, 2014). Further, our inquiry is informed by mad studies, critical disability studies, critical childhood studies, as well as critical race, transnational and post-colonial theories. Mad studies transgresses the academy and its disciplines, with its beginnings being located outside the academy and within mad social movements (Gorman & LeFrançois, 2017; LeFrançois et al., 2013; Russo & Sweeney, 2016). A transdisciplinarity lens is consistent with Mad studies, in that it is not only inquiry based but also questions the logics and the very form in which that inquiry may take (Augsburg, 2014), whilst Mad studies may further rebelliously challenging enlightenment and eurocentric notions of rationality (Blaut 1993) which underpins and structures knowledge emanating from academic disciplines (Sehume 2013). That is, at times, Mad studies may be at odds with rationalism as the basis of knowledge production and as the basis of the formation of the academy. As Bruce (2017) notes, “(r)ationalist readers may fear that such a mad study…detrimentally reinforces myths of black savagery and subrationality. Such investment in rationalism presumes that Reason is paramount for fully realized modern personhood” (p. 307). Like Bruce (2017), we reject such investments and presumptions, and our work instead interrogates the adultist, disableist, saneist, colonial and racist logics that often underpin the conventional academic imaginary. However, debasement of mad people’s knowledges does not just occur within the academy but also within the general public (Leblanc & Kinsella, 2016). Mad studies produces knowledge where the meaning-making of mad people is centred, but where other meanings emanating from other sources – academic or otherwise – also can be considered and deconstructed, incorporated or rejected. So too do we argue that critical childhood studies should also be seen as not only transdisciplinary (Mitchell & Moore, 2015) and as a direct challenge on ‘Reason’ as key for children’s entrance into a fully realized personhood, given the ways adultist notions of children’s inherent irrationality, lack of reason, rule by passion, animism (Scott and Chrisjohn, forthcoming), and their supposed lack of contribution as productive members of (capitalist) society is conventionally inscribed on their bodies and minds in the West. According to Rollo (2018, 61) this denigration and subordination of children – misopedy –was in ancient Greece a “form of social and political hierarchy”. Here the child functions as the ontological other to reason and politics; children as a group for whom there was seen to be a moral obligation to assist but for whom political claims were seen as impossible. It was this that made possible the framing of violence as necessary and legitimated as being in children’s ‘best interests’. As these dominant notions of children and childhood not only exist but also shut down discussions of the social construction of childhood within most academic disciplines (child psychology, sociology, social work, medicine, psychiatry, etc), understanding (critical) childhood studies as a direct challenge to this denotes the desire to disrupt and break away from “the governing strictures found within academic modes of dominant knowledge production that both center and reproduce privileged and constraining notions of reason and productivity” (LeFranc¸ois and Voronka forthcoming). For the most part, the academy neither acknowledges the existence of nor includes knowledge production emanating from children themselves, whether such contributions mirror dominant (adult) discourses or not, as the concept of “children’s contributions” is read through an adultist lens. This is not to imply that the heterogeneous accounts of children and/or mad people are innocent; it is instead about radically calling into question what the academy counts as knowledge. For those contributions deemed childlike, whether they emanate from children, colonized and racialized peoples, psychiatrized or disabled people, transdisciplinarity coupled with Mad studies may provide a platform for ensuring epistemic justice through both the deconstruction of dominant, racist, sanist and ableist strictures but also by opening up a wider space for meaning-making beyond such adultist and Euro-western positivism. We argue that the use of child as metaphor operates as a form of epistemicide – what Santos (2014) terms, a “failure to recognise the different ways of knowing by which people across the globe provide meaning to their existence” (p. 111), including different ways of knowing children. This operates as a form “cognitive injustice” often followed by attempts to destroy epistemological diversity with a single story that claims to be universal (Santos, 2014), including a single developmental story about children and those deemed childlike. These concepts are mostly used by Santos in reference to the violent eradication of Indigenous knowledge systems enabled through a colonial framing of irrationality. Yet cognitive injustice is also at work in the dismissal of alternative experiences of reality and alternative cognitions that are classified as ‘mad’ and intellectually disabled respectively, and hence, marked as incompetency and irrationality. We are interested in how the child functions as a metaphor for colonized, racialized, psychiatrized and disabled peoples. Literature on the iconography of childhood usually makes a distinction between metaphorical or symbolic and actual “flesh and blood” children (Burman, 2016; Morrigan, 2017). We also make this distinction here by exploring the performative nature of “child as metaphor” for those deemed childlike, and for actual children. However, in making this distinction we do not seek to reify a naturalized and essentialized developmental child. Sánchez-Eppler (2005) notes the entanglement of “childhood as a discourse and childhood as persons”, particularly in Euro-western affective deployments of childhood (p. xxiii). Furthermore, we recognize that given the “societally as well as intrapsychically invested character of childhood, arguably all appeals to ‘the child’ are metaphorical” (Burman, 2016, p. 2; Stainton Rogers & Stainton Rogers, 1992). Our point of departure, then, is the analytic task outlined by Burman (2016) to render “explicit the work done by the rhetorical appeal to childhood” (p. 2), and the task in this article is to trace the work done by the metaphorical appeal to childhood, specifically in relation to colonialism, madness and disability. While we are concerned with the effects of metaphor, we are cognizant that the conceptual basis on which “child as metaphor” functions is largely a Euro-western construction of childhood as an early rung on a linear developmental ladder and a stage marked by a lack of intellectual capacity, dependency, irrationality, animism, emotionality, – or “rule by passion”, and economic unproductivity (Blaut, 1993). This is an evolutionary and developmentalist narrative globalized by the West as a universal standard (Nieuwenhuys, 2009) and, as we shall see, a narrative that is deeply entangled with colonialism (Blaut, 1993) and epistemicide (Santos, 2014).

#### The alternative is unwavering pessimism – only a refusal of the world can disrupt the current notion of optimism – voting neg is a refusal of progress.

**Selck 16**[Michael L Selck(B.S., Southern Illinois University – Carbondale). “Crip Pessimism: The Language of Dis/ability and the Culture that Isn’t.” Southern Illinois University Carbondale. Jan 2016. Accessed 3/16/20. <https://opensiuc.lib.siu.edu/cgi/viewcontent.cgi?article=1845&context=gs_rp> //Recut Xu]

The disabled are dying and with them dis/abled culture is being eradicated. In the time between formulating this project and its completion already too many disabled souls have been taken from this world, including pivotal disability studies influences for this research. I barely had enough time to mourn the loss of disability advocate and inspiration porn critic Stella Young before grieving the loss of disability studies exemplar Tobin Siebers. Attached to the grief I feel as a result of the fading disability studies community is the perpetual grief I harbor since my disabled Father’s suicide and in turn the grief concomitant to the claiming of a disabled identity. I choose to start out this project with grief because it communicates the tenor of this research; this is not the disability studies project of inspiration or utopia. My entry point to the disability studies dialogue is riddled with grief, anger, and pain and it is as such that this project plots a course of disability research that attempts to make a space free from the ideological constraints of optimism. The language surrounding dis/ability is highly political. Entire words, phrases, and identities are stretched between, in, and out of the nexus of dis/ability. The choice, for instance, to include a backslash in the word dis/ability represents for Goodley (2014) a desire to delineate and expand each of the categories in the face of global neoliberalism. My initial research inquired about the impact of dis/abled terms and phrases. I went to interrogate rhetoric like “special education”, “handicapable”, and one of the most glaringly overused insults in the American education system “retard”. The scholarship I was coming up with was plentiful but was for the most part located entirely outside of intercultural communication programs like the one I was attending. For the most part the few and far between intercultural communication projects about dis/ability I was able to locate were without modal complexity and didn’t bear semblance to so many of my own experiences. I was beginning to notice a layer of optimism that has been communicatively imprinted upon the negotiation of dis/abled identity. The angst started to manifest as I questioned if I was in the correct field or if dis/ability even was ‘cultural’. I felt a very real cultural erasure of dis/ability in academia and ultimately that glaring lack of consideration is what pushed me to performance studies. I first worked to close the apparent research gap by crafting a collaborative performance titled Under the Mantle (UTM), which put dis/ability, communication scholarship, and pessimist philosophy on stage. The larger purpose of this research report is to antagonize the erasure of dis/ability from communication studies by autoethnographically analyzing the crip-pessimist performance art project Under The Mantle. This research report will first detail the components of the theoretical work that was drawn on to create UTM. Next I offer a literature review to demonstrate the combination of optimism and neglect dis/ability has undergone in intercultural communication models. Following that section I mark my shift to performance methods as I explain how narrative autoethnography can illuminate cultural misconceptions regarding the dis/abled. In the last sections of this report I offer a textual analysis of the performance UTM and analyze three significant arguments of the instillation before concluding. Contextualizing Critical Dis/Ability Theory Often used interchangeably, critical disability theory (CDT) and critical disability studies (CDS) contest dis/ablism (Goodley, 2011, 2014; Devlin & Pothier, 2006; Hosking, 2008). There are several unique additions made to CDS with every new instantiation. Scholars in European countries and Canada attend to the theory, with United States academics often underrepresented. There are three concurrent themes of CDT that I will synthesize in this section with some dis/ability studies authors claiming there are as many as seven themes of CDT (Hosking, 2008). In the introduction to their edited collection of dis/ability essays, Richard Devlin and Dianne Pothier (2006) present three themes of CDT as, first, to highlight the unequal status to which persons with disabilities are confined; second, to destabilize necessitarian assumptions that reinforce the marginalization of persons with disabilities; and third, to help generate the individual and collective practical agency of persons with disabilities in the struggles for recognition and redistribution. (p. 18, emphasis mine) Already the connections between the CDT and the critical communication paradigm are visible as each respectively forefronts notions of power, privilege, identity, and agency. Outlined in more detail, the first theme of CDT argues that there is systemic micro and macro level discrimination against bodies with disabilities. To some critical communication scholars, this theme might be obvious, but it seldom is when “the resulting exclusion of those who do not fit able-bodied norms may not be noticeable or even intelligible” (Delvin & Pothier, 2006, p. 7). As the bumper sticker on my laptop proudly disclaims, “Not all disabilities are visible,” which necessarily adds a level of nuance and complexity to the way that dis/ability studies attend to the prospect of discrimination and violence. Often times, “social organization according to able-bodied norms is just taken as natural, normal, inevitable, necessary, even progress” (Delvin & Pothier, 2006, p. 7). It might be true that the lack of collaborative work between critical communication studies and dis/ability studies is because neoliberalism is supremely effective at rebranding marginalized oppression as a marker of its progress. The implications of this assertion are dire but essential to the basis of crip-pessimism. Theoretical approaches based in pessimism and skepticism are often necessary to distinguish the instruments of self destruction that have been mistaken for those of self betterment. Thus, a key question remains, what is regarded as progress and to whom does it count? The politics of progress call for the second tenet of CDT, which is a destabilization of neoliberal practices that strip power and agency from bodies with disabilities. Devlin and Pothier (2006) use the language of “anti-necessitarian” (p. 2), which refers to the efficacy of social organizations and an unflinching skepticism of liberalism. For Shildrick and Price (1999), “disabled bodies call into question the ‘giveness’ of the ‘natural body’ and, instead, posit a corporeality that is fluid in its investments and meanings” (p. 1). Anti-necessitarian logics ask questions that remain innocuous to the critical communication paradigm. Can the architectural proliferation of stairs and multiple levels on buildings be attributed to neoliberalism and active disablism? If stairs seem to focus too exclusively on physical impairments, then what about the sensitivity of the building’s lighting, acoustics, and spatiality? Finally, if neoliberalism fights to protect its grand narrative of progress then is the social exclusion of bodies with disabilities necessary for the day-to-day operation of our globalized world? As Donaldson (2002) posits: “theories of gendered, raced, sexed, classed, and disabled bodies offer us critical languages for ‘denaturalising’ impairment’” (p. 112) at the level of the subjective and inter-subjective. The third theme of CDT is to attend to the agency of bodies with disabilities in the struggle for recognition. One key element of extending agency to the disabled is the use of social experience. Experience is subjective “but experience remains intimately connected to political and social existence, and therefore individuals and societies are capable of learning from their experiences” (Siebers, 2008, p. 82). Though absolutely necessary, it is not enough to write treatises on the oppression of the disabled over time. Academics, theorists, intercultural trainers, and storytellers alike should be aware of the constant risks of representation. Representation and context are at the core of critical disability studies. The notion of agency is as unstable as the notions of dis/ability. There is no one-size-fits-all human rights based approach that will be suitable to address all disabled experiences, as the theoretical call for crip-pessimism will remind us. Instead of a universal abstract Rawlsian concept of social justice, CDS “attend(s) to the relational components of dis/ablism” (Goodley, 2011, p. 159). By a Rawlsian concept of social justice I mean a model that relies on distributive justice with utopist equality at its core. Where utopist equality projects highlight human sameness to the point of purity. CDT unavoidably invites a discussion about difference into the folds as postmodern and post-structural thinkers position the self as defined constantly in relation to others. Therein lies the difference between an equality model and a justice model of social identity. Often in the attempt to open up spaces for reconsidering self and other, CDS celebrates disability as a positive identity marker. This essay offers a strong argument of caution that the inclusion of CDS in critical communication studies might rely too heavily on celebrations of disabled identity. Nothing better demonstrates that reliance on celebrating identity than the myriad language choices used to describe a disabled identity including: differently-abled, special needs, person with disability, disabled person, temporarily able-bodied, and others. Often, ablebodied audiences have a tendency to sensationalize the presence of disability in a space that has not traditionally welcomed it. Examples of this are highlighted by the increasingly popular discussion of ‘inspiration porn’ (Young, 2014) and Hollywood’s representation of disability. The tendency is to inspirationalize the disabled for achieving tasks that would not be celebrated if they were accomplished by an unimpaired body. Crossing the street, showing up on time, entering a building by oneself are all tasks profoundly routine to the non-disabled and yet simultaneously cherished as markers of progress for the disabled. Philosophical pessimism is articulated next as a way to temper the risk of sensationalizing dis/ability. The theories ultimately fuse together like orchids and wasps to generate the larger theme of crip-pessimism. Philosophical Pessimism Throughout the 19th century pessimism was one of the most popular intellectual and philosophical strains, crossing countries and continents. Authors such as Rousseau, Leopardi, Schopenhauer, and Nietzsche overwhelmingly created and lead the spirit of pessimism. Contemporarily however, the word ‘pessimism’ is pejorative and describes a body’s emotional discontent rather than intellectual engagement with the world. Dienstag (2009) writes, “Since pessimism is perceived more as a disposition than as a theory, pessimists are seen primarily as dissenters from whatever the prevailing consensus of their time happens to be, rather than as constituting a continuous alternative” (p. 3). Power is responsible for ontological shifts, and during shifts some populations benefit while others are harmed. The turn in thinking about pessimism from an intellectual position to an emotional state has been particularly gratuitous for bodies with disabilities. I come to pessimism because of my experience with disability. My anxiety disorder comes with an exteriority of anti-social behavior that has branded me pessimistic. The concern for my anxiety in public situations is often commented on as overly critical, negative, narcissistic, and most often pessimistic. I experience an anxious state of becoming different, and after years of failing to rehabilitate my sameness to able-bodied standards, I have come to a comfort with pessimism. I choose to include pessimism as a theoretical crutch to avoid communication studies’ sensationalism of disability. I imagine that when critical communication studies does bridge the dis/ability research gap that it might, at least initially, extend some neoliberal logics at the expense of CDS. This might manifest by scholars simply asserting disabled personhood where it does not institutionally, culturally, or individually exist. I find that CDT and philosophical pessimism combine in unique and valuable ways, particularly around tensions of personhood, abstract ideal humanism, and neoliberalism. Neoliberalism should be understood as “the superiority of individualized, market-based competition over other modes of organization. This basic principle is the hallmark of neo-liberal thought— one with old roots that lay partly in Anglo economics and partly in German schools of liberalism” (Mudge, 2008, p. 706-707). There are four components of pessimism outlined by Joshua Foa Dienstag (2006) in his book Pessimism: Philosophy, Ethic, Spirit that I wish to explore difference through. They are as following that: (1) time is a burden, (2) history is ironic, (3) human existence is absurd, and finally (4) resignation or affirmation. To write about pessimism necessarily involves questions of time, temporality, and history. The development of philosophical pessimism, specifically, the theories regarding the burden of time-consciousness, begins with difference. For the pessimist, the concept of time begets a differentiation between human and animal. Being a dog-owner myself, I have heard the colloquial aphorism that dogs, as all animals, have no concept of time. Pessimists understand time consciousness as a unique, but ultimately loathsome, trait of the human condition. Even in projects that appear to be geared toward sameness there are always unperceived and neglected populations. For example, even the U.S. constitution alleges persons of color were (and still are often) racially subjugated as property instead of considered to be fully human. The notion of difference is at the center of the pessimist’s position on time-consciousness because the philosophy accepts that the conditions of our existence are subject to relentless unpredictable change. “To the pessimists, however, the human condition is existentially unique— its uniqueness consisting precisely in the capacity for time-consciousness” (Dienstag, 2009, p. 20). For the pessimist nothing is ever the same, everything is always different, and to inhabit linear time means that everything in existence is always rushing off into the past. The advent of human time consciousness is also what leads the pessimist to find the course of history to be ironic. History is ironic for the pessimist because progress is always related to a greater set of unperceived consequences. As suggested above, philosophical pessimism acknowledges that change occurs; technologies develop and improve over time. Pessimists ask if those improvements are related to a greater set of costs that are not immediately recognizable. (Dienstag, 2006, p. 25) Similar to critical disability theory, pessimism interrogates power and privilege. Pessimists rely on the logic of difference to chart consequences. Consequences go unperceived because they occur across populations with disproportionate access to power, populations that are often culturally unintelligible. For instance, the massive boom in mobile technologies like cell phones and laptops has created vast pits of ‘e-waste’ in Africa, surges in child labor, and conflict over rare earth minerals (Vidal, 2013). Pessimists use difference to tease out the distinction between the instruments of suffering and those of betterment. The third philosophical pessimistic position is that human existence is absurd. The absurdity of existence “is illustrated by the persistent mismatch between human purposes and the means available to achieve them: or again, between our desire for happiness and our capacity to encounter or sustain it” (Dienstag, 2006, p. 32). Difference is built upon exanimations of power, which is both fluid and transferable but ultimately permanent. Classical western philosophy has an optimistic pragmatism built into it that posits there must be an answer to our questions. Alternatively, the pessimist embraces uncertainty, ambiguity, and intersubjectivity. Pessimism encourages a sense of comfort around the idea of multiple, coexistent, and perhaps competing histories. Neoliberal optimism is the logic of conflict as materially reconcilable, rather than antagonistically irreconcilable. The fourth and final tenet of pessimism that we are to examine asks what we are to do about our dire human condition. There are multiplicities of rationales that ultimately inform the pessimistic dualism to either resign from life or affirm it entirely. I defer to an existential or Nietzschean pessimism that recognizes suffering is inevitable for two reasons. First, human time-consciousness necessitates an awareness of our impending death. Second, mutually assured value systems will always intersubjectively exist. The choice to affirm life in its entirety is a pessimistic choice. Embracing life as both miserable and beautiful, fleeting and enduring, validates the perpetually fragmented subject seeking a world that exists beyond good and evil and instead just is.

#### The Role of the Ballot is to endorse a critical cripistemology. Academic notions of inclusion only recreate the exclusions of students who fail to live up to pedagogical demands – you should invert disabled success into a failure to become normate.

Mitchell et al ‘14

(David Mitchell, Sharon Snyder, Linda Ware. ““[Every] Child Left Behind” Curricular Cripistemologies and the Crip/Queer Art of Failure” Journal of Literary & Cultural Disability Studies Volume 8, Issue 3, 2014) sbb rc/pat r/c Xu]

Most indicators point to the fact that inclusionist practices have resulted in new kinds of exclusion as opposed to integration. For example, while students with disabilities make up 13% of student populations, those labeled with intellectual disabilities receive a diploma only 36.6% of the time; 22% drop out. The rest (59%) finish their schooling but receive no diploma and, over the course of their education, spend time with non-disabled peers only in art, gym, or music classes (Smith 4–5). In other words, inclusionism’s primary purpose of molding crip/queer bodies into tolerated neoliberal normativities scores a less than passing mark. This article may be understood, then, as a companion to recent disability studies in education (DSE) efforts regarding the ongoing critique of inclusionist practices that leave all children behind. If one can be included only by passing as non-disabled then much of the value of crip/queer experiences is lost in traditional pedagogical practices. In undertaking this exposure of pedagogical heteronormativities we seek to accomplish three specific tasks: 1) engage disability studies in a dialogue with Judith Halberstam’s important recent work on “the queer art of failure” (147); 2) draw out how queer theorizing of the last decade can be productive for disability studies even though, as Robert McRuer and Anna Mollow point out, a more direct engagement with disability has been slow in coming within queer studies (3); and 3) pursue what may seem, at first, to be a counter-intuitive argument in the best interests of actively promoting a certain kind of failure in the context of curricular cripistemologies. All of these objectives emerge in our recent teacher training projects to more effectively address shortcomings foundational to inclusionist methodologies now operative in most public schools across the U.S. To accomplish the alternative crip/queer goals of curricular cripistemologies we intend to explain why failure is necessary when educational inclusion operates as an exclusionary undertaking in, perhaps, the most entrenched, neoliberal, and common sense institution of all: public education. By neoliberal we mean to define education as part of a newly emergent “tolerance” of multicultural differences. In particular, our critique centers on inclusionism as a neoliberal gloss of diversity initiatives that get some disabled students in the door while leaving the vast majority of crip/queer students behind. Neoliberal educational practices cultivate further funding opportunities by advancing claims of successful normalization rather than drawing upon crip/queer differences as sources of alternative insight. Curricular cripistemologies, in contrast, openly advocate for the productive potential of failing normalization [End Page 299] practices (if they were ever obtainable in the first place) because such goals entail erasing recognitions of the alternative values, practices, and flexible living arrangements particular to crip/queer lives. Whereas the administrative platform of former President George W. Bush pushed for U.S. educational reforms around the promotion of standardized testing to “leave no child behind,” we, in turn, present an argument for recognizing standardization of curricula as ultimately “leaving every child behind,” or at least promoting a certain type of norm-fulfilling child in whose name most students turn up wanting. This curricular abandonment of difference in the name of assimilation occurs primarily through an incapacity (or, perhaps, unwillingness) to adapt the lessons of systemically in-built accommodations and crip/queer content designed to address the range of learning differences comprising today’s classroom demographics. The neoliberal school attempts to resolve the accommodation of disability through downplaying rather than drawing from people’s differences. Through the promotion of active abandonment of crip/queer differences, neoliberal standards guide educational reforms saturated in the questionable values of ableism and normalization. In order to double back on this process, practitioners of curricular cripistemologies undertake critical examinations of “compulsory able-bodiedness” (McRuer 31) and “compulsory able-mindedness” (Kafer 16). Thus, what appears on the surface as disabled students’ incapacity to keep up with their normative peers, turns out to be a purposeful failure to accomplish the unreal (and, perhaps, unrealizable) objectives of normalization. Within the multiplying paradoxes of neoliberal inclusionism, crip success is, paradoxically, to fail to become normate. In The Queer Art of Failure Halberstam advocates a concept of “failure [that] allows us [crip/queer people] to escape the punishing norms that discipline behavior and manage human development with the goal of delivering us from unruly childhoods to orderly and predictable adulthoods” (3). This queer studies inversion of ways to read non-normative lives as failing standards of heteronormative expectations enables crip/queer people to pursue other modes of existence as alternates to sanctioned social roles. These alternative strategies of living pass by largely undetected because educational assessments measure only the degree to which students clear the bar of normalization. By applying this crip/queer deployment of “failure,” curricular cripistemologies undertake pedagogical practices suppressed (or, at least, devalued) by normative neoliberal educational contexts. In adopting a strategically counter-intuitive slogan such as “every student left behind,” then, the critique of inclusionism acknowledges the increasingly disciplinarian nature of public education’s normalizing objectives. Inclusion [End Page 300] has taught teachers a dangerous lesson in what appears to be a failed model of adaptation: crip/queer students cannot effectively compete with their non-disabled peers. The pedagogical assessment of the distance that exists between crip/queer and normal students by standardized testing regimes is now part and parcel of the wider cultural abandonment of non-normativity. But what if a “failure to thrive” in pre-determined educational roles is understood as the product of active refusal (that which Halberstam refers to as a “rejection of pragmatism” [89] and Herbert Kohl terms “willed not-learning” [134]) to “fit” disability paradigms reductively dictated by normative institutional expectations? We could take seriously the findings of DSE scholars such as Phil Smith, who points out in Whatever Happened to Inclusion? that education has actually lost ground in terms of including students with more significant disabilities in recent years (28). Within this context, the objectives accomplished by public relations-driven educational “creaming practices” proliferate. They operationalize inclusionist claims to success wherein the normative accomplishments of the most “able disabled students” eclipse the struggles of those left behind.1 Inclusionism, in other words, covers over an unethical promotion of the successes of the few based upon normative standards of achievement for the inadequacies of the many. Within curricular cripistemologies disability metamorphoses from successful normalization into lesser versions of the ableist self into a meaningful alternative site for transforming pedagogical practices and failed social identities.

## 2

#### Text – Father Sky should have jurisdictional control over the plan that “The appropriation of outer space by private entities is unjust”. To clarify, we disagree with the enforcement of the AC.

#### CP is key to decolonize terrestrial and extraterrestrial futures. Beginning with US space research, especially NASA, replicates a violent, masculine eurocentrism.

Rahder 19 (Micha, Assistant Professor of Geography and Anthropology at Louisiana State University “Home and Away: The Politics of Life After Earth” *Environment and Society* 10, p. 169-170) NIJ

Both Earth 2.0 and eco-centric imaginaries tend to erase human difference, reducing humans (and other life) to species type. The question is always about human-other relationships, rarely Haudenosaunee-extraterrestrial, Dutch-algal, or Igbo-bacterial relations. But as Jason Wright and Michael Oman-Reagan note, “the universality in Carl Sagan’s vision of Earth as the cradle of humanity is because his Pale Blue Dot is home not just to ‘everyone you ever heard of’ . . . but also everyone you’ve never heard of—the marginalized, oppressed, erased, and forgotten” (2017: 15). The scales of post-earthly imaginaries are incommensurable with those of earthly difference in the now, yet we must somehow contend with both. From calls to “decolonize Mars” (Decolonizing Mars 2019) to Janelle Monáe’s lyrical suggestion that “they put a flag on a whole ’nother planet” and leave life on Earth to a “fem” future built on “black girl magic,” the singularity of humanity in space expansion imaginaries is increasingly challenged. In this section, I follow Redfield’s (2002) call to provincialize outer space, that is, to attend to the multiplicity of spatial and temporal frames embedded in these imaginaries and their intersections with uneven relations of human difference. William Kramer (2011), in one of the few eco-centric arguments to mention human cultural difference, addresses it as a subcategory to broader ethical considerations: how do we account for cultural values when framing more-than-human ethics? The overall silence in both narratives reflects broader ecological scientific frameworks, which are historically blind to questions of race or cultural difference—particularly after the growth of cybernetic theories in the twentieth century (Rusert 2010). In Environment, Power and Society, the foundational ecologist Howard Odum (1971) “did not use the space capsule as a vague analogy or metaphor, but as an ontological claim about the world. His methodological reductionism of all biological life (including human behavior) to charts of energy circuits became the justification for proposals to manage human society scientifically” (Anker 2005: 246). Despite their commitments to entrepreneurial techno-capitalisms, Earth 2.0 imaginaries are more likely to address human difference, though largely through oversimplified imaginaries of “solutions” to conflict. Despite universalizing rhetoric about humans’ place in the universe, space cultures have grown from European and North American histories and are dominated by white men. But the mid-twentieth century saw a proliferation of space development in many places, with China now emerging as a third extraterrestrial power (Erickson 2014). Indonesia’s achievement of the first satellite system by a “developing” country solidified political discourses of national unity and progress during the authoritarian regime of Suharto (Barker 2005), and at least 10 African countries have or are developing space programs (Hopkins 2013; Matthews 2016). Yet these programs’ focus on satellite systems for Earth applications reveals that expansion imaginaries in particular remain grounded in the former centers of colonial power. Afrofuturism, indigenous science fiction, and other counter-narratives can help decolonize terrestrial and extraterrestrial futures (Lempert 2014). Israeli kibbutzes have been proposed as sociological models for extraterrestrial communities, a counter to the implicitly suburban visions of US cultural imaginaries (Ashkenazi 1992). Indigenous futures draw on rich stores of knowledge regarding adaptation not just to changing environments but also to the violence and oppression of colonial capitalist projects (Whyte 2017). Native American critiques of the NASA space program in the 1980s countered imaginaries of a new frontier with their long-held intimate relationships with Father Sky, the Sun, moon, stars, and their inhabitants (Young 1987). More recently, a science-fiction episode of Futurestates, “The 6th World” (2012), showed a dying technocratic mission to Mars rescued by the financial resources, human-maize intimacies, and ceremonial practices of the Navajo Nation (Becker 2012). Amid these growing counter-hegemonic futures, both the pasts and presents of space projects are shift ing. Emerging recognition of the role of marginalized people in the space industry, such as the hugely successful fi lm Hidden Figures (2016) or the popularity of the astrophysicist Neil deGrasse Tyson, can reinforce logics of anticipation that space will fi x the broken social contract of modernity. Yet political support for space research in the United States is strongly divided along racial and gendered lines, reflecting the continued overwhelming whiteness and maleness of NASA space programs (McCurdy 2011). Shifting away from the US context reveals similarly complex socio-temporal politics. In French Guiana, Redfield (2002) traces the temporal conflicts over launch facilities, particularly whether these should be framed through abstracted, European-universalist futures or through racist, colonial exploitative pasts.

#### The CP is a chronotopic re-reading of the plan that avoids white settler space advocacy and forefronts Indigenous cosmologies

VALENTINE 17 – Associate Professor in the Department of Anthropology at the University of Minnesota – Twin Cities, PhD and MA in Anthropology at New York University, [David, “Gravity fixes Habituating to the human on Mars and Island Three,” 2017 | Hau: Journal of Ethnographic Theory 7 (3): 185–209, DKP]

The Apollo moon program, which underpins both space settlement advocacy and critical approaches to US space activity, was always touted as humanity’s first step into the cosmos, a future that would include Mars colonization. But the promise of a “giant leap for mankind” took shape as both the American Indian movement and the civil rights movement were coalescing, seeking to remind white America of what it refused to remember: the role of Native dispossession and African enslavement in the US state’s founding and the exclusion of Black and Native people from the very constitution of “mankind.”

Jane Young (1987) notes that for Zuni people, Mother Moon was already known, part of Father Sky. Shamans already visit the moon with respect for relatives living there, and as Barbara Tedlock (1979) notes, Native communities were shocked by white American astronauts’ profaning of her sacred flesh. But Young also relates how, during a 1968 rain dance, Zuni clowns parodied Neil Armstrong and Buzz Aldrin’s moon walk a year before it happened (1987: 274). The clowns’ levity in turning the social and physical world upside down while parodying moon walking ahead of its linear time—as much as shamanic space travel—chronotopically inverts both colonized space and modern time, contesting frontier metaphors, prefiguring newly needed habits on the moon, and revealing the cosmos as already social, even as Earth remains home. This Indigenous chronotopic rereading of space finds expression in contemporary Native science fictions and futurisms that, as Grace Dillon notes, “[involve] . . . discarding the emotional and psychological baggage carried from [colonialism’s] impact, and recovering ancestral traditions in order to adapt in our post-Native apocalypse world” (2012: 10; see also Lempert 2014: 164). Such decolonial visions are evident in the 2014 film Delivery from Earth, where a Navajo astronaut mother introduces her Mars-born son, Shiloh, to Earth’s humans, interweaving ontologies of modern science, white liberalism, the settler frontier, and Navajo wisdom in English and Navajo.

Terrestrial Indigenous visions of Mars are not restricted to science fiction or to ritual, parodic “resistance,” and so I now offer a habitual ethnographic anecdote. I met Maria Catalina at the Space Manufacturing Conference in 2012. Maria is a member of Geronimo’s Mescalero Apache nation, and she is also a space settlement activist. She watched the Apollo 11 landing around the time that her mother taught her the medicinal properties of red willow bark and imagined that “I would take all the herbs and plants from my tribe and turn them into medicine for the world” by going to space. “The world” for Maria thus includes Mars, and she has dedicated her life to its settlement, working on a Mars analog site in Chile and championing STEM (science, technology, engineering, and mathematics) education in poor and Native communities. For Maria, going to Mars is not to forget settler colonialism but to respond to it by figuring coordinates for a new Indigeneity on Mars while still on Earth.

These perspectives may be further theorized through recent developments in Native American and Indigenous studies. David Chang (2016) shows how Hawaiian Kānaka people not only developed theories about European colonists, but also explored Europeans’ worlds alongside them. He reframes Kānaka travels with Europeans not as evidence of Euro-colonial power but as part of a long and habitual tradition of Kānaka exploration. As Young (1987) and Tedlock (1979) argue, Indigenous people’s claims on knowing Earth and the cosmos are diverse but systematic. Audra Simpson (2014) in turn argues against the habitual presumption that Native sovereignties must be understood within a settled account of North American history, raising questions about Indigenous claims that include settlement of new lands in other places. Moreover, as Vanessa Watts (2013) argues, Haudenosaunee and other Native histories recognize the constitutive relationships among sky, Earth, humans, and nonhumans in the creation of the world through a relationship between Sky Woman and Turtle, disrupting the assignment of sociality and agency solely to humans, however constituted, or even to Earth. As such, Native and Indigenous histories and perspectives dissolve the universalizing, gravitational pull of Euro-American accounts, and can reframe Mars through chronotopic terms that foreground Native and Indigenous understandings of worlds and humanness, but also preserve agentive claims on “settlement” and “exploration” as something other than chronotopic vectors of Euro-American imperialism.

#### **CP is legit and competitive:** they fiated a vague plan and don’t defend whole-rez. Reading plantexts is their rhetorical method that they’ve staked out to vote aff so they should be prepared to defend it.

## 3

#### Interp – The aff must specify the sovereign rights of tribes against the plan in a delineated text in the 1AC. To clarify, you must specify the influence and decision-making powers of tribal authorities over implementation of the plan in tribal lands – they don’t.

#### Violatokn – extempted

#### Ambiguity is a tool for settlers to define the terms of engagement with tribes. The liberal intentions of the 1AC don’t matter—absent defined standards, the policies will reproduce colonial domination.

Steinman ’12 Steinman, Erich. “Settler Colonial Power and the American Indian Sovereignty Movement: Forms of Domination, Strategies of Transformation.” American Journal of Sociology Vol. 117, No. 4, January 2012, <https://www.jstor.org/stable/10.1086/662708>. PeteZ

A traditional definition of "sovereignty" is: "The supreme, absolute, and uncontrollable power by which any independent state is governed."' 3 Questions regarding the sovereign rights of tribes are often the starting point of any federal Indian law issue. Although the whole of federal Indian law is quite complex,14 the essence of tribal sovereignty is simply the extent to which a tribe can attend to its own affairs and control its own cultural, societal, and economic development free from outside restraints. Under the current legal and political regimes, the extent of tribal control is ambiguous. The Handbook of Federal Indian Law lists three "fundamental principles" that demonstrate the anomalous and restricted nature of tribal sovereignty: (1) Indian tribes possess all the powers of a sovereign state; (2) conquest renders the tribes subject, however, to the legislative authority of the United States and terminates the tribes' external sovereign powers, but does not affect the internal sovereign powers of the tribes; and (3) these powers are subject to qualification by treaties and congressional legislation.' 5 Cohen's three principles demonstrate the dichotomy between internal and external sovereignty16 that pervades the concept of tribal sovereignty. Tribes are supposedly full sovereigns with respect to their own internal affairs and interests. At the same time, however, the United States government has completely extinguished their external sovereign powers.17 This state of affairs might not be problematic if defined standards for maintaining the relationship between the tribal and federal governments existed and the relationship were based upon the consent of the tribes. The history of tribal-federal relations demonstrates, however, that neither standards nor consent exist, and that the relationship is uncertain at best. Tribal-federal relations have periodically oscillated between two diametrically opposed views on the status of Indian Tribes. At one end of the spectrum is the belief that tribes are independent political communities and should control their own development.'8 At the other end lies the belief that the tribal system should be dismantled and individual Indians should be assimilated into the greater American society.19 While these views appear to be in extreme conflict, their implementation produces very similar results. The United States government dominates the tribal-federal relationship, allowing it to manipulate the situation to protect federal interests. The following historical background will demonstrate how the lack of definition and consent in the relationship promotes federal dominance.

#### Vote neg—

#### 1 – Critical Education – The policymaking process is not innocent. Force them to study how their practice of fiat can *itself* reproduce settler colonialism. For tribes, these details are life and death.

#### 2 – Ground – Tribal sovereignty is the first question in any debate about policies that affect natives – avoiding it is unfair, irresponsible, and bad for education.

#### 3 – Presumption – If their framing is right, then the state will always manipulate its policies to screw over tribes – you should presume no sovereignty.

#### It’s drop the debater – anything else advantages the aff by letting them shift in the 1AR. No RVIs – (A) They don’t get a cookie for proving they aren’t colonialist. (B) Guts substance—we should debate the aff whenever possible. Competing interps – reasonability leads to a race to the bottom where debaters get away with terrible practices. Any bright line is arbitrary—you can’t be “educational enough.”

# Case

#### Their focus on violence originating from signification and ideology trades off with an understanding of violence stemming from the material dispossession of land.

Harris ‘4

(Cole, Department of Geography, How Did Colonialism Dispossess? Comments from an Edge of Empire, University of British Columbia, Annals of the Association of American Geographers, 94(1), 2004, pp. 165–182)

Influenced by Michel Foucault’s analysis of the relationships of power and knowledge (1972), by Edward Said’s examination of Orientalism (1978), by textual theory harnessed to colonial discourse analysis, and by many studies of the values and ideologies enmeshed in particular colonial encounters, most postcolonial scholars now identify culture and associated procedures of knowledge generation as the dominant power relations associated with colonialism. Whereas Frantz Fanon (1963) emphasized violence— the power of the gun—and Marx, to the extent that he wrote on colonialism, the aggressive reach of capital, postcolonial research and writing situates the momentum of colonialism in the culture of imperialists and colonists. A central goal, therefore, of colonial discourse theory is to identify the assumptions and representations inherent in colonial culture—in the binary of civilization/savagery, in the erasures of Aboriginal knowledge of time and space, in assumptions about race and gender, in the concept of the land as empty (terra nullius), and so on—and then, insofar as possible, to expose their contemporary manifestations. This work has focused much scholarly energy and has yielded important theoretical and practical results, but it is less clear that it has revealed the principal momentum and power relations inherent in colonialism. Originating in literary and cultural studies, colonial discourse theory, indeed postcolonial scholarship generally, privileges the investigation of imperial texts, enunciations, and systems of signification. In so doing, it exposes implicit modes of seeing and of understanding that are held to infuse and validate colonialism while imparting much of its momentum. If Said offered broadly inclusive descriptions of colonial culture, and if others, more recently, have emphasized the variety of colonial voices and the importance of a local, contextual appreciation of different colonial cultures (e.g., Thomas 1994), in either case, culture is treated as a primary locus of colonial power. Moreover, as elements of colonial culture are assumed to have outlived formal colonial regimes their identification becomes an active political project—the decolonization of representation (Hall 2000, 5). In itself, this is commendable enough, but if studies of colonial culture are not contextualized among other forms of colonial power, then it is well nigh impossible to assess the particular work and the relative salience of colonial culture itself. A study of travel writing, for example, may yield an appreciation of the inflected seeing of travelers and of the complicity of such seeing with colonial projects, while not beginning to address the relative importance of travelers’ seeing and writing in the whole colonial enterprise. Given its focus, it cannot. At best, it can yield a nuanced understanding of traveler perceptions and values, and suggestive ideas about their relationships with colonialism. Colonialism’s complexity may be affirmed, so too, perhaps, the discursive construction of reality— comments tied more closely to theory than to a situated knowledge of colonial practices and power relations. In the hands of some of its most able practitioners, postcolonial scholarship is a potent means of exploring the reworking (‘‘provincializing’’) of European thought at and for the margins of empire (Chakrabarty 2000, 16). However, most postcolonial scholarship is written out of British or American universities and emanates from the heart of a recently superceded empire or of a recently ascendant one that hesitates to acknowledge its own imperial background. American postcolonial scholarship is not preoccupied with America (Hulme 1995; Thomas 1994 172–73). In the background of such scholarship are European theorists, particularly Foucault, Derrida, and Gramsci; in the foreground, European colonial thought and culture. In these circumstances, as many have pointed out, it tends to be Eurocentric—or as the Australian anthropologist PatrickWolfe puts it, occidocentric (1999, 1). So positioned, it is well placed to comment on the imperial mind in its large diversity, and even—especially in the hands of scholars like Homi Bhabha and Dipesh Chakrabarty, who grew up in former colonies—on the ways in which European thought has been inflected and hybridized by its colonial encounters, but not on the diverse, on-the-ground workings of colonialism in colonized spaces around the world. A central claim of the distinguished Indian subaltern historian, Ranajit Guha, is that if British historical writing on the subcontinent reveals something of Britain and the Raj, it reveals nothing of India (1997). Somewhat similar criticisms have been made of much of the postcolonial literature: that it (or parts of it) anticipates a radically restructured European historiography, that it allows for nothing outside the (European) discourse of colonialism, that it is yet another exercise in metatheory and in European universalism (e.g., Slemon 1994; McClintock 1994). As the literary theorist Benita Parry puts it, the postcolonial emphasis on language and texts tends to offer ‘‘the World according to the Word’’ (1997, 12)—and the word tends to be European. But unless it can be shown that colonialism is entirely constituted by European colonial culture (a proposition for which it is hard to imagine any convincing evidence unless the concept of culture is understood so broadly that it loses any analytical value), then studies of colonial discourse, written from the center, must be a very partial window on the workings of colonialism. The discipline of geography has responded to postcolonial thought in a variety of ways (Clayton 2003). Among others, studies of colonialism itself have come into vogue, most of them written in Britain, a few from the edges of empire. I am struck by how much the character of these studies has been influenced by the locations of their authors. Consider, for example, two recent books by historical geographers: Felix Driver’s Geography Militant: Cultures of Exploration and Empire (2000), and Frank Tough’s ‘‘As Their Natural Resources Fail’’: Native Peoples and the Economic History of Northern Manitoba, 1870–1930 (1996). From opposite perspectives, they treat a fairly similar period of British colonialism. Driver analyzes the culture of exploration, particularly the sites and nature of its production and consumption—as at the Royal Geographical Society. His is a study of the ways in which the British imperial mind, both popular and academic, processed explorers’ information. Tough’s work is embedded in the materiality of a declining fur trade in the northern Manitoba bush. It deals with forts and trade routes; with economies and survival strategies as a twohundred- year-old system of commercial capital vacated the region; and with native livelihoods found in a precarious balance between what remained of a hunting, fishing, and gathering economy and intermittent employment in uncertain industrial resource economies. Each is an authentic study, yet they have little to say to each other, and this is basically, I think, because one is written from London, the heart of an empire, and the other from the Canadian Shield, one of its many colonial margins. At least, as Derek Gregory has put it, ‘‘what seemed plausible in the lecture hall of the Royal Geographical Society in London . . . might well become a half truth on the ground’’ (1998, 21). The distinction, perhaps, is between studies of imperialism and of colonialism: imperialism ideologically driven from the center and susceptible to conceptual analysis, colonialism a set of activities on the periphery that are revealed as practice (Young 2001, 16–17). Only a few geographers have tried to bring both the imperial mind and the particularities of local colonial circumstances into focus (e.g., Clayton 2000 and Lester 2001). But if the aim is to understand colonialism rather than the workings of the imperial mind, then it would seem essential to investigate the sites where colonialism was actually practiced. Its effects were displayed there. The strategies and tactics on which it relied were actualized there. There, in the detail of colonial dispossessions and repossessions, the relative weight of different agents of colonial power may begin to be assessed. If colonialism is the object of investigation, then Tough’s sparse Canadian Shield is promising terrain. It was not detached from London, of course, and may have been profoundly influenced by elements of imperial thought and culture, but the extent of this influence cannot be ascertained in London. Rather, I think, one needs to study the colonial site itself, assess the displacements that took place there, and seek to account for them. To do so is to position studies of colonialism in the actuality and materiality of colonial experience. As that experience comes into focus, its principal causes are to be assessed, among which may well be something like the culture of imperialism. To proceed the other way around is to impose a form of intellectual imperialism on the study of colonialism, a tendency to which the postcolonial literature inclines. The experienced materiality of colonialism is grounded, as many have noted, in dispossessions and repossessions of land. Even Edward Said (for all his emphasis on literary texts) described the essence of colonialism this way: ‘‘Underlying social space are territories, land, geographical domains, the actual geographical underpinnings of the imperial, and also the cultural contest. To think about distant places, to colonize them, to populate or depopulate them: all of this occurs on, about, or because of land. The actual geographical possession of land is what empire in the final analysis is all about’’ (1994, 78). Frantz Fanon held that colonialism created a world ‘‘divided into compartments,’’ a ‘‘narrow world strewn with prohibitions,’’ a ‘‘world without spaciousness.’’ He maintained that a close examination of ‘‘this system of compartments’’ would ‘‘reveal the lines of force it implies.’’ Moreover, ‘‘this approach to the colonial world, its ordering and its geographical layout will allow us to mark out the lines on which a decolonized society will be reorganized’’ (1963, 37–40).

#### Outer space isn’t value neutral but has always been a question of militarization – debates between civilian and military use are two sides of the same coin that affectively polices society which proves the affs impacts are inevitable.

Craven 19 [Brackets Original. Matt Craven (Professor of International Law, SOAS University of London, United Kingdom). “‘Other Spaces’: Constructing the Legal Architecture of a Cold War Commons and the Scientific-Technical Imaginary of Outer Space”. European Journal of International Law, Volume 30, Issue 2, May 2019, Pages 547–572, Accessed 1/12/22. <https://academic.oup.com/ejil/article/30/2/547/5536739> //Xu]

There was little doubt to any of the observers of the launch of Sputniks I and II in 1957 that, despite their overtly ‘scientific’ purposes, the arms race had taken a decisive new turn. The exploration of outer space clearly offered a range of potential benefits; alongside the possibility of research into the physics of the atmosphere, it also would facilitate the collection of a host of meteorological, geophysical and cartographic data, enable enhanced capacity for radio communication and television broadcasting, facilitate safe navigation and, finally, open up the possibility of experimental flights to the moon and beyond. No one, however, was blind to the military implications.60 Within the USA, in particular, there was a widespread belief that command over outer space was an imperative that could not be missed: ‘[W]hoever controls outer space’, it was often said, ‘controls the world’.61 In the wilder speculations, thus, it was imagined that a nuclear power might be in a position to launch guided missiles from a space platform to any point on earth with barely any possibility of response, that outer space would be filled with ‘orbiting bombers’ or that the moon would become the site of military rocket installations. ‘Control’ of outer space, thus, was immediately conceived as being vital as a matter of security. Such concerns seemed to place a premium upon ensuring that the ‘use’ of outer space was exclusively peaceful – a view that seemed to be affirmed not merely by the establishment of COPUOS and successive proposals put to the UN by both the USA and Soviet Union. It was also recognized in the US National Aeronautics and Space Act of 1958, which created a civilian space agency (NASA) and declared, in the process, that ‘it is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind’.62 This theme was carried through into the code for outer space – UN General Assembly Resolution 1962 recognizing ‘the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes’ and the Outer Space Treaty that added in Article 4 that states should not place nuclear weapons or weapons of mass destruction in orbit and that the moon and other celestial bodies shall be used by all states parties ‘exclusively for peaceful purposes’ (military bases and fortifications, in particular, being prohibited). Indeed, President Lyndon B. Johnson described the Outer Space Treaty as ‘the most important arms-control development since the limited test-ban treaty of 1963’.63 In an immediate sense, then, outer space was configured as a space radically distinct from atmospheric space and was placed at once beyond the field of both sovereignty and of war. These, however, were by no means co-terminous. The preferred analogy when discussing the status of outer space was often that of the high seas – like the seas, outer space should be marked by the principle of freedom of access and movement, a res communis incapable of being ‘enclosed’. In fact, this was the analogy used by the USA when defending its use of satellites for reconnaissance purposes; ‘reconnaissance’ from space, it was argued, was the functional equivalent of surveillance from the high seas.64 It is clear, however, that this analogy was problematic precisely because the high seas themselves were not immune from being brought within the field of military conflict.65 And, with that in mind, alternative modes of analysis were often proffered to ensure that the ‘commons’ was not to be equated with a potential field of battle.66 Nevertheless, there was always a certain equivocation running through discussions within the UN and elsewhere as to whether the military/non-military distinction was one that could be effectively held in place. Not only were the Declaration on Outer Space and Outer Space Treaty silent on certain vital matters – on the equipping of satellites, for example, with conventional weaponry or the militarization of the ‘extracelestial void’ – but the inclusion of Article 3, which instructed states to ‘carry on activities’ in accordance with international law and the UN Charter ‘in the interest of maintaining international peace and security’, gave expression to the idea, vaunted at various moments, that outer space may nevertheless be the site of military action in self-defence.67 ‘Peaceful’ use, on such a measure, was not to be calibrated by reference to the equipment or personnel put into space – whether military or civilian – but, rather, by reference to the ends or motivation of the actors in question.68 In the case of the USA, this was to resolve itself in the idea that ‘peaceful use’ should not be equated with ‘non-military use’ but, instead, with ‘non-aggressive’ use. As Senator Albert Gore was to put it, when speaking before the UN First Committee in 1962: [i]t is the view of the United States that outer space should be used only for peaceful – that is, non-aggressive and beneficial – purposes. The question of military activities in space cannot be divorced from the question of military activities on earth. To banish these activities in both environments we must continue our efforts for general and complete disarmament with adequate safeguards. Until this is achieved, the test of any space activities must not be whether it is military or non-military, but whether or not it is consistent with the United Nations Charter and other obligations of law.69 The same general tenor was maintained in the discussion over Article 4 of the Outer Space Treaty concerning the demilitarization of the moon and celestial bodies. In this treaty, it was admitted that the use of military personnel ‘for scientific research or other peaceful purposes shall not be prohibited’, largely in recognition of the fact that for both space powers it was the military, not civilian agencies, who were responsible for developing rocket and other outer space capabilities. What one might see in this is a straightforward determination, on the part of both space powers, to continue the practice of exploiting outer space for purposes of defence whilst holding on, at the same time, to the general idea that outer space was a space of peaceful endeavour. Defensive militarization, here, was to be conceptualized as the functional equivalent of total demilitarization. Yet ‘defence’ was also an unstable category in circumstances of a bipolar military standoff that depended upon a balance of forces. For not only might an effective defence depend upon first strike capability (as the doctrine of ‘mutually assured destruction’ was to suggest),70 but also, as was later to become evident following the announcement of the US Strategic Defense Initiative in 1983,71 even the construction of an overtly ‘defensive’ system could assume an offensive cast if only one party possessed that capacity.72 There was, however, also a much deeper problematic at work here, which related to the persistence of a governmental rationality that was held over from the earlier decades of the 20th century, that understood the necessity of bringing all social resources – economic, technical, scientific and human – to bear in defence of the state against an existential threat. This was articulated in the interwar years in the theories of total war developed by the likes of Erich Ludendorff73 and Ernst Jünger,74 but was carried forward, well into the aftermath of World War II.75 Even if, at Nuremberg, the tribunal had associated the practice of total war with the pathologies of National Socialism,76 as the likes of Georg Schwarzenberger and Josef Kunz were to observe, it was a method of waging war that was only, in small part, to be associated with the problem of totalitarianism. For both, the phenomenon of total warfare was a much more general one – associated with technological developments in arms, indiscriminate modes of warfare and the mobilization of the civilian population – and was as much in play in the 1950s as it had been in earlier decades.77 If the prospect of nuclear annihilation meant that no element of society would be spared, so also, it seemed to follow, no element of society should be excluded from preparations to ward off that eventuality. Whilst, in the case of the Soviet Union, the ethos of centralized planning and a party bureaucracy equipped with an ideology of collective ownership and class warfare naturally dissolved any operative distinctions between the civil and the military establishment,78 the same was also apparent in the USA where, as was recognized as early as 1945, the ongoing development of new technologies of offence and defence, in conditions of competition, would require ‘the participation of every element of the civilian population’ and, in particular, the enlistment of the countries research capabilities.79 Alongside the development of what Dwight Eisenhower later described as a ‘military-industrial complex’, guided by a ‘scientific-technological elite’,80 the rationalities of the Cold War were to envelop US society in a much more profound way – from the mobilization of the media in defence of free thought, the enlistment of corporations, unions and research establishments in defence of national security and the co-option of cultural institutions (from Hollywood to the universities81) in the affective management and policing of public life.82 The significance of this in the context of outer space was the almost total loss of any way to distinguish effectively between military and civilian activities. Just as the requirements of resourcing a technologically dependent military armature increasingly depended upon a civilian infrastructure of research, industry and economic management,83 so also was it clear that prospective civilian and scientific activities in space (such as meteorology, remote sensing, navigation systems and telecommunications) all had military dimensions. If, for example, developments in meteorological knowledge and environmental science seemed to open up the possibility of weather control for the purposes of combating drought, improving agriculture or the avoidance of natural disasters, so also could that same science assist in the development of military communications and ballistic missile capability (which depended upon information about the lower and upper atmosphere, ionospheric behaviour, geodesy and geomagnetism).84 Such knowledge also opened up new possibilities for manipulating weather systems in order to procure military advantage (such as the manipulation of thunderstorms to disable communication systems or the creation of fog or cloud).85 But it was not just about scientific knowledge enabling new avenues of military innovation; it was also about the purposes to which the same technology might be put. Thus, for example, the camera-equipped satellite programmes (Tiros, CORONA), with the auxiliary systems of information recovery and reproduction, were virtually identical (give or take a few degrees of resolution) whether they were used for the purposes of geodetic measurement and weather prediction or military reconnaissance. In some cases, furthermore – such as the US Galactic Radiation Background satellite – intelligence-gathering electronics was incorporated within the same instrument used for the measurement of solar radiation.86

#### The 1AC’s use of international law in regulating outer space whitewashes the fundamental asymmetries of IR – that greenlights Great Power domination.

Havercroft and Duvall 09 [Jonathan Havercroft (Associate Professor in the Department of Politics and International Relations at the University of Southampton) and Raymond Duvall (Professor of Political Science and Associate Director of the Interdisciplinary Center for the Study of Global Change/MacArthur Interdisciplinary Program on Global Change, Sustainability, and Justice at the University of Minnesota). “Critical astropolitics The geopolitics of space control and the transformation of state sovereignty”. Securing Outer Space. 2009. Accessed 1/26/2022. https://www.taylorfrancis.com/chapters/edit/10.4324/9780203882023-8/critical-astropolitics-geopolitics-space-control-transformation-state-sovereignty-jonathan-havercroft-raymond-duvall //Xu]

Although Deudney has not extended his “historical security materialist” approach into explicitly theorizing space weapons, per se (dealt with only tangentially and implicitly in the last two chapters of his recent book), his proposals during the Cold War to foster institutional collaboration between space powers as a way of promoting peace can safely be understood as a form of the mutually binding practices that he associates with the federalrepublican mode of protection. In addition, one of the general conclusions that Deudney reaches about “historical security materialism” is that the more a security context is rich in the potential for violence, the better suited a federal-republican mode of protection is to avoid systemic breakdown. Therefore, it seems reasonable to conclude that within Deudney’s work is a nascent theory of how a federal-republican international system could limit conflict between space powers by binding them together in collaborative uses of space for exploratory and security uses. In this sense, Deudney can be read as the liberal-republican astropolitical counterpart to Everett Dolman.5 While Deudney’s astropolitical theorizations hold out the promise of a terrestrial pacification through space exploration it is interesting to note a significant aporia in his theory – empire as a possible mode of protection. While real-statist modes of protection have an internal hierarchical authority structure, they are based on assumptions of external-anarchy, which is to say a system of sovereign states. Conversely, the federal-republican model is based on a symmetrical binding of units, in a way that no single unit can come to dominate others and accordingly in which they preserve their sovereignty (Deudney 2000, 2002, 2007). In a third mode, to which Deudney gives only scant attention, the case of empire, the hegemony of a single unit is such that other units are bound to it in an asymmetrical pattern that locates sovereignty only in the hegemon, or imperial center. Successful empires, including the Roman, British, and American, permit local autonomy in areas that are not of the imperial power’s direct concern while demanding absolute obedience in areas that are of vital concern to it, particularly when it comes to issues of security.6 Deudney’s implicit astropolitical theory thus ignores structurally asymmetric relations – in effect he ignores power. It is as if in wanting to have the world avoid the possibility of a planetary hegemony at the heart of the premise with which he and Dolman began their respective analyses, he white-washes it by failing to acknowledge the profound asymmetries of aspirations and technological–financial–military capacities among states for control of orbital space. In the next two sections we respond to Deudney’s call for “historical security materialism” by focusing on the premise that he skirts but that Dolman emphasizes, that military control of space means (at least the possibility of) mastery of the Earth. Specifically we examine how a new mode of destruction – space weapons – is the ideal basis for the third mode of protection – empire – through its potential for substantial asymmetry. We argue that the power asymmetries of space weapons have very significant constitutive effects on sovereignty and international systemic anarchy, and underlie the constitution of a new, historically unprecedented, form of empire. Before turning to that central thesis, however, we will first sketch the general contours of a critical astropolitics, which builds on the foundational premise of Dolman and Deudney, but modifies their theories in light of the significant insights of critical theory, particularly with respect to constitutive power. We ask: what consequences of astropolitics can a critical approach illuminate that may be concealed by an astropolitics informed by either liberal-republican or realist assumptions? How can insights offered by the revival of geopolitics in the writings of Deudney and Dolman – particularly the call for a new security materialist mode of analysis – be used to supplement and refine critical international relations theory? Critical astropolitics In the broad intellectual tradition of geopolitics, advocates of a critical perspective – particularly Simon Dalby, John Agnew, and Gearóid Ó Tuathail – have challenged mainstream geopolitical theory for assuming and validating power relations implicit in the production of geopolitical knowledge, and for a tendency to be a reifying and totalizing discourse that erases difference and political contestation from processes of representing space (Agnew 2003, 2005; Dalby 1991; Dalby and Ó Tuathail 1998; Ó Tuathail 1996). Ó Tuathail has criticized earlier forms of geopolitics for their ocularcentrism and what he terms the “geopolitical gaze.” Drawing on the work of Michel Foucault, he reads geopolitical discourse as power/knowledge, such that knowledge of spaces produces subjects empowered for expansive control. Geopolitical representations – what Ó Tuathail terms geo-power – are in a mutually supportive relation with the imperial institutions in which they are produced (Ó Tuathail 1996: 6–20). Empires cannot function without clear representations that explore, chart, and bring under control cartographic spaces. The spatial imaginary of the “geopolitical gaze,” then, is immanent to empire. In a related vein, Simon Dalby, too, has studied the role that geographical representations play. He has examined official policy documents and academic analyses of U.S. strategic thinking in both Cold War strategies and the Bush doctrine to determine how geographical representations of the earth shape U.S. imperial strategy (Dalby 2007). Additionally, John Agnew’s work examines how a particular geopolitical imagining – a global order constituted by sovereign states – “arose from European–American experience but was then projected on to the rest of the world and in to the future in the theory and practice of world politics” (Agnew 2003: 2). Such scholarly work of critical geopolitics makes two crucial contributions. First it draws on the interpretive strategies of various theorists – from Foucault to Derrida and others – to critique the assumptions of mainstream geopolitical analysis. Second it moves toward a reformulation of geopolitics in a form that is more conscious of how power operates in the theory and practice of world politics. In the first two parts of this chapter we have drawn on the first of those contributions for our critical reading of realist and liberal-republican astropolitics, albeit without our making explicit reference to specific social theorists. Thus, just as Mackinder’s geopolitics re-presented how the world operated in a way that could be understood and controlled by British imperialists, it can be argued, following Agnew’s, Ó Tuathail’s and Dalby’s lead, that the kinds of representations of space proffered by Dolman (as orbits, regions, and launching points of strategic value) make the exercise of control over space intelligible from an American imperialist perspective. The “astropolitical gaze” and its cartographic representations are mutually productive with the current U.S. policy of attempting to secure control over orbital space. As we saw, realist astropolitics celebrates the ways in which extending U.S. military hegemony into space could amplify America’s imperial power. Yet, Dolman’s realist astropolitik leaves under-theorized the normative implication of space-based imperialism. Instead, Dolman merely asserts that America would be a benevolent emperor without explaining what checks on U.S. power might exist to prevent it from using the “ultimate high ground” to dominate all the residents of the Earth. Conversely, Deudney focuses on the potential for inter-state collaboration to produce a federalrepublican global political order. However, Deudney leaves under-theorized the very real possibility that a unilateral entry into space by the U.S. could create an entirely new mode of protection and security. While our approach to critical astropolitics shares the political commitments and many of the theoretical foundations of critical geopolitical scholarship, our interest is more in the study of the constitutive as opposed to the representational consequences of astropolitics. Accordingly, in the remainder of this chapter we draw on the second contribution of critical geopolitics – the reformulation of geopolitical theory through concepts of critical theoretical analysis – to address the normative and theoretical absences we have identified in the realist and liberal astropolitical writings of Dolman and Deudney. First, we will draw on the critical theories of sovereignty offered in writings of Foucault, Agamben, and Hardt and Negri to theorize the form that the missing mode of protection/security from Deudney’s “historical security materialist” analysis – empire – would take. Second, we conclude by arguing that such a mode of protection/security would lack any effective counterbalances to its ability to project force, and as such it is unlikely that it would be the benevolent imperial power that Dolman claims it would be.

#### The 1AC’s project of ilaw necessitates a sovereign subject of mastery and individualization that creates international necro-zones of racialized sacrifice – the subject of IR theory depends on an asymmetrical segregated order of nation states.

Agathangelou 11 [Anna M. Agathangelou (political scientist from York University in Toronto. She is the co-director of Global Change Institute, Cyprus and was a visiting fellow in the Program of Science, Technology and Society at John F. Kennedy School of Government, Harvard). “Bodies to the Slaughter: Global Racial Reconstructions, Fanon's Combat Breath, and Wrestling for Life”. Somatechnics, March 2011, vo. 1, No. 1 : pp. 209-248. Accessed 1/22/22. <https://www.euppublishing.com/doi/full/10.3366/soma.2011.0014> //recut Xu]

Fanon scales colonisation to the level of the slave and colonised body. He illustrates the incommensurability of the intimate encounter of black flesh with the body of the coloniser and focuses on the structuring processes required to make it possible. He begins his critique with the normative imperial order of slavery and colonisation and those humanist interventions claiming to protect the sovereign subject. He tells us that the constitution of this sovereign subject depends on an asymmetrical segregated-order: This world divided into compartments, this world cut in two is inhabited by two different species ... When you examine at close quarters the colonial context, it is evident that what parcels out the world is to begin with the fact of belonging to a given race, a given species ... The cause is the consequence; you are rich because you are white, you are white because you are rich. (Fanon 1967d: 39–40, emphasis in original) Fanon points out that this order’s constitution depends on direct violence that turns a species into slaves, black, and colonised. This violence makes it possible for zones to become ‘civil’ spaces of ‘generalized trust’ and security for the sovereigns; the species occupying them possess ‘generalized trust’ and are racially white. This relation ends up being taken for granted: belonging to a given race of property relations is the precondition for any ‘civil’ encounter. Indeed, as Wilderson argues, ‘Fanon makes clear how some are zoned, a priori, beyond the borders of generalized trust’ (Wilderson 2010: 33). The establishment of gratuitous violence zones, positions and constitutes simultaneously the species and the colonised. Further, ‘the condition of possibility upon which subjectivity’ (Fanon 1967d: 39–40) is based must be recognised and theorised. The creation of colonised zones, the interstate state system, racialised whiteness, and property relations require theorising if we are to disrupt those relations which unify and entify a normative ‘ethical order’. Fanon, of course, is clear: without the vertical existence of breath, that is, giving one’s breath as nourishment for blackness, slavery, and colonisation, there is no such order. This order, even when it claims inclusion, segregates subjects of recognition from ‘species’. Subjects are positioned into the interstate structure of worlds with sovereign protection, able to take by force and accumulate anything, from things to life itself. Fanon seems to have anticipated Foucault who argues: ‘Power is employed and exercised through a net-like organisation. And not only do individuals circulate between its threads; they are always in the position of simultaneously undergoing and exercising power ... The individual ... is not the vis-a`-vis of power; it is I believe, one of its prime effects’ (Foucault 1980: 98). However, Fanon does not begin with this prime effect of power, as he wants us to learn to read social relations, racism, and economies of violence as if experiencing our own gratuitous violence, in an attempt to think the impossible place of the slave, the black body, and the colonised – in other words, the living being whose existence is already assumed as structurally impossible and, hence, as breath which can never be synonymous with life. The basis of the (inter) state structure, Fanon recognises, is already the juristic sovereign person whose essence, or what Goodrich calls the sovereign that the state has a right to kill, is already secured from the threat of mutilation. On the one hand, Foucault (1990: 138) asks this about state power: ‘How could power exercise its highest prerogative by putting people to death, when its main role was to ensure, sustain, and multiply life, to put this life in order?’ On the other hand, Fanon makes explicit the matrix of violence which requires and makes sure that species are zoned as black and colonised: ‘Individualism is the first to disappear ... the colonialist bourgeoisie had hammered into the native’s mind the idea of a society of individuals where each person shuts himself up in his own subjectivity, and whose only wealth is individual’ (Fanon 1967d: 47): Their first encounter was marked by violence and their existence together – that is to say the exploitation of the native by the settler – was carried on by a dint of a great array of bayonets and cannons. The settler and the native are old acquaintances. In fact, the settler is right when he speaks of knowing ‘them’ well. For it is the settler who has brought the native into existence and who perpetuates his existence. The settler owes the fact of his very existence, that is to say, his property, to the colonial system. (Fanon 1967d: 36) But why such insistence? What tension does Fanon want to foreground? Fanon actually has a different ‘locus of enunciation’ and insists on a long trajectory of the effects of the imperial, colonial, and slave order and vertical relations of what he calls ‘combat breath’ (Fanon 1967c: 65). By drawing out Fanon’s idea of ‘combat breath’ and articulating it as struggles that disrupt the practices of violence and the final destruction of countries and people, we see that enforcing the right to life of the radical individual (the propertied man of a structure of white supremacy which depends on slavery and colonisation) will authorise thanatopolitics and necroeconomics, not by suspending a right to life but rather by enforcing a right to that ‘liberal’ life. But this minimalist right to life could preclude crucial relations in the everyday continuum-spaces of the human and the non- human, including ecologies and it does by deploying practices of disfigurement and destruction. Fanon exposes the imperial European re-assemblage of power and demonstrates that state power shifts are connected to the emergence of an ‘international’ order and apparatuses that make possible a particular sovereign-master-colonising subject. In his view, colonial power says: ‘Since you want independence, take it and starve ... A regime of austerity is imposed on these starving men; a disproportionate amount of work is required for their atrophied muscles’ (Fanon 1967d: 96). Fanon notes the prevalence of suffocation and starvation in world politics, the devouring of the flesh and the subsequent redistribution of its existential vital energy that is turned into wealth. Amelioration requires more than changing working conditions and setting up less exploitative structures (such as socialism and communism). Rather, it requires ‘regime[s] which [are] completely oriented toward the people as a whole’ which prioritise the principle ‘that man is the most precious of all possessions’.8 Such a locus will preclude ‘that caricature of society where all economic and political power is held in the hands of the few who regard the nation as whole with scorn and contempt’ (Fanon 1967d: 98).

#### Our recutting of Skibba will win us this debate- it valorizes the Global North as the saviro of the world.

Skibba 1: Skibba, Ramin. [Space writer at WIRED Magazine; astrophysicist; science writer and freelance journalist based in San Diego] “It’s time for a new international space treaty.” Salon.com, July 26, 2021. <https://www.salon.com/2021/07/26/its-time-for-a-new-international-space-treaty_partner/> CH

The Biden administration has so far focused its space policy not on treaties but on "norms," non-legally binding principles that they hope will evolve into international agreements with teeth. But it's hard to imagine that enforceable international space policies will be adopted unless Biden explicitly and enthusiastically calls for them, while urging Russian and Chinese leaders to do the same. More likely, whatever endeavors the space industry and military decide to pursue will retroactively become policy. This is already playing out in debates about the private harvesting of resources from the moon and asteroids, the types of spacecraft companies can put in orbit, and the kinds of space and anti-satellite weapons militaries can develop. If we were to design a new space treaty that would preserve space primarily as a place for exploration and collaboration rather than for war and commercial gain, what would it look like? It would coordinate travel and limit traffic in busy orbits in the atmosphere while also taking steps to limit the creation of space debris. (Cleaning up the mess already clogging low-Earth orbit is another story entirely.) It would also build on the Moon Agreement, prohibiting the deployment and testing of weapons — including electronic weapons — in the atmosphere. And it would prohibit deploying and testing any weapons in space, not just on the moon or other celestial bodies. It would create an independent, international organization to review proposals for mining resources and establishing colonies on the moon, Mars, and beyond. This sounds ambitious — and it is — but it's achievable. The Antarctic Treaty of 1961 enshrines many of the same principles for activity on Antarctica, and it still works six decades later. Public opinion on space seems to be shifting, too, with growing calls to jettison colonialist views of space exploration in favor of more egalitarian approaches. If scientists, non-governmental groups, space environmentalists, and other stakeholders put pressure on the Biden administration, it could become politically feasible for the president to take a stand and jumpstart space diplomacy with the U.S.'s rivals. To the extent that it would help make space exploration sustainable, peaceful, and beneficial to all humanity, it would be worth the cost in political capital. We only have one atmosphere, one moon, and one night sky to cherish.

#### US-Russian cooperation is a unique form of empire---leverages political weight to exacerbate inequality and block the interests of developing countries

Haris Durrani 19, JD/PhD candidate at Columbia Law School and Princeton University, winner of the Sacknoff Prize for Space History, 7/19/19, “Is Spaceflight Colonialism?” <https://www.thenation.com/article/apollo-space-lunar-rockets-colonialism/>

The signatories also proclaimed that American and Soviet dominance of space amounted to de facto claims of sovereignty—a “technological partition” of orbit. Today, the Colombian Constitution still contains a provision claiming sovereignty over the orbital segment above the country’s territory.

The Bogotà Declaration is one piece of a bigger story. Historically, Third World lawyers and diplomats have long sought to reshape international law to equitably reorder barriers to access in extraterritorial or transnational domains like space, the sea, and the electromagnetic spectrum (for telecommunications). They articulated these claims by portraying US and Soviet or Russian extraterritorial activity as a unique form of empire. They saw global inequality as a perpetuation of older, more formal colonial orders, and they argued that the “Great Powers” exploited such inequality as they shaped the laws that governed extraterritorial domains.

#### Cosmobiopolitics constitutes the governance of Outer Space as a shared resource mean to be used to further Human Progress. The 1AC Skibba “beneficial to all humanity“merely sustains space as a common good for “joint usage” to further exploitation.

Damjanov 15, Katarina. "The matter of media in outer space: Technologies of cosmobiopolitics." Environment and Planning D: Society and Space 33.5 (2015): 889-906. (Faculty of Arts, University of Western Australia)//Elmer

Long before the beginning of the Space Age, humans used the regions above the globe to facilitate mediation practices; electromagnetic waves, for example, were emitted across airspace and into the atmosphere to enable radio communication decades before the first artificial satellite confirmed its arrival in the planet’s orbit on 4 October 1957. With its possible roots in early societies’ use of the celestial bodies visible from the earth’s surface for temporal and spatial orientation, the ‘media history’ of the human use of outer space reaches a watershed moment with the launch of Sputnik. This basketball-sized metal sphere, equipped with radio transmitter and four external antennas, was the first solid object, the first functional media artefact that humans had placed outside their own world. This is not to say that Sputnik marks the event in which human mediation practices begun to materially impact outer space, erasing its original, ‘natural’ state – the radio signals that penetrated the layers of the troposphere and ionosphere, although intangible, left their own material traces, environmental alterations comparable with the material results of atmospheric pollution triggered by industrial progress. These early uses of space have entangled it in a gamut of processes of techno-mediation, initiating the extraterrestrial unfolding of a historical trajectory which Jussi Parikka (2011: 3) terms ‘medianature’ – they have extended this ‘continuum between mediatic apparatuses and their material contexts in the exploitation of nature’ into outer space. However, Sputnik’s orbital presence does represent a steppingstone in the extraterrestrial progression of human medianature: it indicates the species’ acquired ability to purposefully introduce an object of technical media into outer space. As such, Sputnik epitomises a shift in the use of non-terrestrial spaces; no longer were they incidental and remote to human media exploits, they were instead made central and essential. What the first signal that Sputnik sent to its ground control announced was that humanity’s techno-logic aspirations to transform the material world and advance its productive capacity through the logic of acquisition, investment and destruction – an intrinsic human impulse described by Karl Marx (1964) as our essence of species-being – are no longer earth-bound. Sputnik and all media devices that followed it have been gradually converting outer space into a living milieu, reinforcing it as a material–social setting of human circumstances and relations. The concept of ‘milieu’ is important for understanding the complexities involved in the cosmobiopolitical transformation of outer space. In Foucault’s work and in other influential texts such as those of his mentor Georges Canguilhem (2008) and Simondon (1980) and Stiegler (1998), although employed in different contexts, the term ‘milieu’ essentially designates a site which simultaneously conditions and is itself conditioned by the productive forces of human life – whether biological, social or technical. Courses of medianature in outer space sharpen such perspectives on mutually transforming relations between humans and their milieu, providing biopolitical focus to Simondon’s and Stiegler’s perspectives on technology as fundamental in constituting human life. Stiegler’s view of progress as human technological evolution frames technical objects as a prosthesis in whose creation humans embed their ‘interiors’ and through which they further exteriorise and mould their living milieu, a process which has been changing the idea of what it is to be human (Stiegler, 1998: 17). In the Stieglerian sense, the human ‘exteriorisation’ in technical media that are sent into space not only imbues the earth’s exterior with a reflection of the human, but itself reconstitutes the human and reconfigures human ways of life. These technologies thus radically enhance the capacity for species-being, becoming a vital part of our biopolitical capital: while altering our apparently otherwise lifeless planetary exterior into a malleable and thus governable locus of life, their mediatic operations assist humans to overcome their biological and geographical limitations and proceed as a collective towards becoming more-than-human. Our medianature has been continuously adjusting to its extraterrestrial conditions and the acceleration of our technological ‘exteriorisation’ in space has necessitated the development of an attendant governmental framework. The landmark attempt to arrange the increasing multiplicity of human relationships with outer space was to define them through the rule of law – a juridical prefiguration which, as Foucault and Giorgio Agamben (1998) suggest, is a prerequisite for governing life. In 1967, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (United Nations, 2002), or, The Outer Space Treaty (OST) entered into force. In lieu of the pending human landing on the Moon, this international legal agreement established outer space as the shared domain of a global commons, which is to be explored and used by all nation-states, but which itself is to stay outside the vagaries of territorial claims and property rights. A pre-emptive gesture aimed at securing politico-economic codification of the extraterrestrial milieu before human arrival, the OST did not specify where the administrative borders of outer space are – the border between terrestrial and extraterrestrial space has been unofficially assigned to the Ka´rma´n line, a region about 100 km above the planetary surface, where objects sent into space do not fall back but remain in orbit. Nevertheless, the Treaty designates its inhuman expanses as the precinct of human governance, and behind such legal coding stood the same politico-economic rationalities which Foucault identified as pivotal for the institution of the doctrine of the ‘Freedom of the Seas’ as a foundation of international maritime law in the seventeenth century. This legal principle that identified the ocean’s strategic importance as a jointly used resource and set it free from territorial claims, symptomatically announced two interrelated entrances onto the world stage – the rise of global capitalism and the birth of biopolitics, while its replication in the OST marked the next phase in their development. In one of his lectures at the Colle`ge de France, Foucault (2008: 51–73) provided a brief account of how the history of international law echoed the emergence of modern approaches to governance, where the primary emphasis upon territory becomes augmented with the objective to secure the vitality of the shared market. He described how the Treaty of Westphalia’s reinforcement of borders around sovereign states in 1598, which strengthened their inner autonomy yet limited their external reach, instituted each of them as a part of a collective of states gathered around the common interest of progress. This territorial reform aimed to end devastating wars between the states and ensure their political and economic stability, but it imposed the need for new domains of competition in which each of them could independently acquire and prosper, and all them could together be in a ‘state of permanent collective enrichment’ (Foucault, 2008: 55). These spaces, Foucault suggested, were inaugurated with the ‘Freedom of the Seas’ in 1609, which opened the ocean as a space which all states could use to advance through economic competition rather than rivalry over territory. While specifically related to the agenda of European colonial expansions, the establishment of the seas as shared commons was indicative of the awareness that the unlimited accumulation of wealth requires the infinitely free space of the global market. Freedom of the seas was, as Foucault (2008: 56) described, born out of this ‘new form of global rationality... a new calculation on the scale of the world’ and it marked the start of economic globalisation. The interplay between the finite room of territories and infinite possibilities for circulation and accumulation of capital was sustained indefinitely by asserting the global freedom, the commonality of the seas. Through the commons of the seas, capitalism assumed its global latitudes; while the historical enclosure of wastelands that were shared as ‘commons’ enabled the initial, ‘primitive’ accumulation of capital, the creation of the ocean’s commons enabled capitalism to articulate its processes at a global scale. This legal manoeuvre to defend territory by rethinking the spaces of the market institutes the idea of shared commonality as an Archimedean point for the governance of human societies, preparing the terrain for a biopolitical system of governance based upon its abstraction into a method of subsuming ‘life itself’ to the massifying logic of averages and estimates. The institution of the OST and its associated Agreements and Conventions2 from the mid-twentieth century was an outcome of yet another spatial crisis; it was an attempt to negotiate the many tensions that the arrival of the Space Age stirred within global affairs. It was at the time of Cold War and states’ political polarisation, in a world where rapid industrialisation and massive population increases were coupled with anxieties about limits to economic growth, that outer space was identified as a potential site of military conflicts, competing claims of sovereignty and a rapacious race for resources. The looming possibility of still deeper crisis necessitated another repositioning of states and markets around their vital assets, and a restoring of the global equilibrium of powers. Here the OST drew upon the juridical principle of a ‘common heritage’ of humankind – a concept previously employed in the Antarctic Treaty in 1959 for comparable arrangements of international regimes of governance – and took the idea of the commons outside the globe. The treaty expanded the conceptual borders of ‘the scale of the world’ into extraterrestrial space, prescribing that its exploration ‘shall be carried out for the benefit and in the interests of all countries’ and that it ‘shall be the province of all mankind’ (OST, article 1). Once again, international law established a space of commons whose exploration and exploitation would proceed as a joint enterprise through which all states could freely advance and prosper both individually and as a part of collective. Just as the ‘Freedom of the Seas’ opened routes for ships sailing in the name of nations, the OST unlocked flightpaths for spaceships and other technologies, stimulating states’ techno-scientific interests and competition and ensuring that the emerging mode of ‘high-tech’ capitalism had from its beginnings an extra-planetary, infinite prospect. This trans-national legal netting codified an idea of global commonality and framed the inhuman regions of outer space as the ‘province of all mankind’, drawing them into its global system of governance. The OST thus provided the juridical platform from which to articulate a cosmobiopolitical order; it offered a governmental framework for enacting a vision of the human race as a species-power, which will, through the techno-mediated exploration of space, direct its own cosmic progress. Almost a half century after the OST, media technologies remain crucial to the transformation of outer space into a human province. The voracious neoliberal drive of the state-industry nexus that conditions global biopolitics is so dependent upon them, that they become a target of the same systems of governance they catalyse. Their construction, launches and distribution are the subject of careful calculation, meticulous planning and complex logistics, their condition and movements are continuously being monitored, assessed and managed, and this transfer of governmental rationalities from living humans to inanimate objects changes the biopolitical approach to human species-being. If biopower emerged as concerned with bodies of human individuals and populations, and pressing environmental concerns about the ‘global body of the Earth’ augmented its application ‘from human to planetary bodies’ (Bryld and Lykee, 2000: 92–94), then space-based media technologies mark a subsequent phase in the development of its architecture. They trigger the transposition of life management onto the bodies and populations of media technologies and it is this shift which inaugurates the object-centred coordinates of the cosmobiopolitical: the governance of the human without actual humans. The legal basis of cosmobiopolitics, the OST respectively preserves the status of outer space as a globally shared domain and permits its occupation by technical media that are the legal province of particular terrestrial entities, thus accommodating the contradictory tenets of their governance. However, these governmental rationalities are defined by codes of law and ‘the law’ as Foucault (2007: 47) notes ‘works at the level of the imaginary’, and it can only imagine things which can and cannot be done; like the 0s and 1s of digital code, it only prescribes a state of presence or absence of things. It is the very presence of media technologies in outer space (and the absence of humans) which contradictorily makes possible and disturbs the cosmobiopolitical imaginary. Their remote position situates them beyond the reach of juridical rule and the policing-power of states, literally placing them outside of the ‘global grid’ of governance. While they are used as apparatus through which to enable human terrestrial enterprises, these objects themselves carry the essence of terra and of the absent presence of the human beyond the globe. The media technologies in outer space do not only reduce the incompatibility between the human and the extraterrestrial, but also introduce frictions within their exchanges. This disturbance suggests that their material realities disrupt the imaginaries implied by law and instead assert their own force, reinforcing these objects somewhat absurdly as the non-governable markers of extraterritoriality in the commons, as the non-human emissaries of humanity, and as a non-living population of objects which are managed as if they were alive. In outer space, the matter of media itself becomes code through which to define what can be propertied and what remains commons, what can be governed and what poses itself as ungovernable, where the human ends and the non-human begins, where the boundaries that distinguish governance of the living from the non-living lie and when biopolitics transmutes into a cosmobiopolitics. The media apparatus that support the metamorphosis of biopolitics in outer space are varied, and the milieus in which they function require a range of different performances. The following sections of this paper consider a number of the varying ways specific media technologies perform this extra-planetary extension of the impulse to govern life by focusing on satellites and their debris, and on the prospects of an interplanetary Internet. None of these specimens provides a complete picture of the ways in which media technologies inspire the advent of a cosmobiopolitics. Rather, each offers a different angle from which to consider the shifts in material and social arrangements that are demanded by forays beyond the earth, signs that herald a radical shift in the way humanity conceives of life and articulates its governance. What follows is a series of initial steps, the first paces in a far larger survey that aims to chart the natality of the emergent cosmic traits of biopolitics. I offer here a series of sketches, an outline of tentative trajectories suggested by contemporary mediatic excursions into outer space. By exploring how we manage an over-population of functional and defunct media objects in orbital space and imagine the utilities of interplanetary Internet networks, I suggest that human extraterrestrial medianatures necessitates a profound alteration in our relationship with the technologies, and the reframing of governmental obsessions with discourses of territory, security, and population.

#### The project of a “common heritage” is a trojan horse for instilling militaristic control – this managerial lens renders nature and humanity fungible.

Craven 19 [Matt Craven (Professor of International Law, SOAS University of London, United Kingdom). “‘Other Spaces’: Constructing the Legal Architecture of a Cold War Commons and the Scientific-Technical Imaginary of Outer Space”. European Journal of International Law, Volume 30, Issue 2, May 2019, Pages 547–572, Accessed 1/12/22. <https://academic.oup.com/ejil/article/30/2/547/5536739> //Xu]

* link t/s case – conceptualizing of commons imposes exploitation
* reps matter – shift in conceptiaoztaoins

With these considerations in mind, Argentina, France and Poland submitted a proposal in the following year,110 leading the legal sub-committee of COPUOS to embark upon a ten-year project to draft what was to become the, largely abortive, Moon Treaty of 1979. Whilst much of the text of the Moon Treaty tracked the parallel provisions in the Outer Space Treaty, the main area of contention concerned the question of resource exploitation. As early as 1967, the Argentinian representative, Aldo Armando Cocca, had argued that the wealth and natural resources of the moon and other celestial bodies could be used ‘solely for the benefit of mankind as a whole’,111 and had subsequently submitted a draft agreement to COPUOS proclaiming such resources to be the ‘common heritage of all mankind’.112 What this was generally understood to mean was not that outer space resources should be free from ownership or exploitation (as an early Soviet draft proposed113) but, rather, that, as and when they were exploited, it should be for the benefit of the entirety of humanity.114 From that point on, the debate stabilized around two alternative schemes: whether, on the one hand, states should be entitled to exploit the resources individually subject only to an obligation to distribute the benefits ‘to all’ or whether, in the alternative, the exploitation of resources was only to take place through the medium of an international regime/agency and, pending its establishment, be subject to a moratorium.115 The final agreement offered support for both positions.116 On the one hand, it declared the moon and its natural resources to be the common heritage of mankind and that the resources ‘in place’ should not become the property of any state, international organization, non-governmental entity or natural person. It also committed parties to ‘undertake to establish an international regime’ to govern exploitation as soon as it became feasible.117 On the other hand, by limiting the prohibition on ownership of surface and subsurface resources to those ‘in place’, it offered the possibility that they might nevertheless be claimed once removed. The absence of a vaunted ‘moratorium’ on extraction, furthermore, was to suggest that exploitation might proceed subject only to the principle of ‘equitable sharing’ until the moment at which the international regime came to be established.118 In the end, however, the Moon Treaty remained largely unratified as many of its vocal opponents in the USA objected to the way in which it appeared to inaugurate a ‘system of international socialism’,119 foreclosing ‘the commercial uses of outer space by American enterprise’.120 What is worth bringing out here is not the surface-level disagreement as to the relationship between collective and individual modes of extraction or, indeed, the way in which an ‘east–west adversarialism’ appeared to have given way to a dynamic of ‘north–south resource disparity’ but, rather, to the conditions under which the formation of the outer space commons was to appear.121 In the first place, as the Nigerian representative in COPUOS noted, the language of the ‘common heritage of mankind’ had facilitated a subtle shift from a language of exploration to that of exploitation.122 Outer space was no longer simply a site of speculative scientific endeavour or open to projects of exploration and discovery, but it had become a resource or, indeed, as Myres McDougal and others were to explain, a myriad of resources of varying kinds, in which everything from solar radiation, magnetic and gravitational forces, wave lengths, geostationary locations123 through to meteors tracking through the solar system came to be conceptualized in terms of their ultimate ‘value’ or ‘utility’.124 Once again, thus, one sees the presence of a particular technological rationality undergirding the outer space regime, in which the natural and human environments were to be understood to be the objects of an instrumental reasoning that concerned itself with how they might be manipulated, controlled, exploited and, ultimately, commodified, and in which the technology through which those ends were to be both conceived and achieved (space rockets, probes, telescopes, satellites, planetary rovers and so on) would take the form of a passive, neutral, medium – as mere machines and mechanisms or as ways of doing things.125 The embrace of this rationality may, on the face of it, be seen to have been utterly perverse: the ultimate outcome of a desire to avoid a competitive stripping of the resources of the moon and other celestial bodies, resolving itself in the creation of a regime in which that objective, and that way of thinking about our planetary environment, was not just dominant but also subordinate to everything else. The technology through which those projects were to be made thinkable, furthermore, was clearly only ‘neutral’ to the extent that one could separate its existence from the fact of its (largely exclusive) possession and control by two violent, competitive, superpowers.126 As Marcuse observed, however, that same rationality – common to both Western and Soviet state forms127 – cut deeper than this. On the one hand, the technologies of mass communication, surveillance and warfare were to profoundly shape the perception, experience and apprehension of everyday life, creating a ‘technological reality’ of an ‘object world’ conceived ‘as a world of instrumentalities’.128 On the other hand, however, that same rationality would serve to alienate the subject from their life world through their incorporation into the ‘technological community of the administered population’.129 The domination of nature that technology appeared to enable was thus only one side of a formation that had, as its complement, a human domination propagated through the technological ‘administration’ of the subject and the manufacture of human desires, needs and interests.130 To the extent, then, that the Moon Treaty embraced this rationality, it was one that was ultimately pacifying in effect, swallowing up and repulsing all alternatives, bringing all within the sway of the same totalitarian tendency. In the second place, and as an apparently countervailing measure, was the idea that access to, and the use of, outer space resources should be subject to an international regime, the ‘purposes’ of which were set out in Article 11(7). Just as the International Telecommunication Union managed the ‘technical’ distribution of wavelengths and frequencies, allocating slots in the geostationary orbit, and just as the World Meteorological Organization coordinated the collection and dissemination of meteorological data, so also it was envisaged that the resources of the moon should similarly be subject to the oversight of an international regime of rational administration. The anticipated regime, it was explained, would concern itself with the ‘orderly and safe development of the natural resources’, their ‘rational management’, ‘the expansion of opportunities in the use of those resources’ and an ‘equitable sharing of the benefits’. The model of administration imagined here was one clearly designed to displace the possibility of unrestricted pillage or of primitive accumulation, and the language deployed elicited a sense of distance from precisely those ideas. No mention is made of the practices of extraction, commodification or exploitation that might be enabled; rather, it is faintly suggested, the moon might be ‘improved’ through its ‘development’, terraformed perhaps into a site fit for tourism or colonization? Yet, by the same token, the arrangements seemed to be concerned merely with the transfiguration of relations of power into bureaucratic technique and, in doing so, maintained in place the very same conditions that underpinned the practices to which it was opposed. Certainly, it was clearly envisaged that a further agreement would follow, setting out in more detail the administrative arrangements required for the purposes of the ‘equitable sharing of benefits’. Certainly, it was also possible that such arrangements might include the transfer of technology, the sharing of science and the distribution of profits. But no measure of administration could avoid the observation that the regime was to authorize in space precisely the same operations that had been productive of the material inequalities on earth, albeit this time it was ‘colonization’ or ‘conquest’ in the name of humanity (‘mankind’) rather than some small subset of the same. Finally, and related to this, the very ‘commonness’ of humanity to which the regime gave expression was ultimately a vestigial one. Humanity was to be represented here, not as a universal community of free-willing subjects or as a set of values – of rights or needs – but, rather, through the mediate category of material ‘interests’; the exploration and use of the moon, as Article 4 puts it, ‘shall be carried out for the benefit and in the interests of all countries’. What humanity had in common, thus, and what defined it once one took away the categories of rule and ownership, was a fluid, economy of ‘interests’,131 the fulfilment of which was always more or less and which was open to be bargained, traded, sacrificed and exchanged. These ‘interests’ assumed the same metaphorical function of assets and liabilities in double-entry bookkeeping – as abstract quantities capable of being compiled, indexed, managed, balanced and administered in the same way as the material resources to which they appeared to relate. Whilst undoubtedly central to the foundations of both capitalism132 and liberal democratic thought,133 they bespoke, in the same measure, of a natural social mechanism or instinct that transcended time and place, that was universally operable and ascribable equally to ‘future generations’ as much as to those of the present. They were/are, in that sense, always ‘common’ and everywhere present, even if the plea to ‘commonness’ would frequently arrive in the form of a demand for their moderation. Their function, however, has been to rationalize social relations, describe their operative mechanics and authorize sovereignty, all in a manner akin to the market – in which human life, qua interests, is the formal subject matter of processes of transaction and exchange. If then the ultimate telos of the regime was to turn, by some bewitching magic, something that was not capable of being owned into something that might become so (through its removal), so also it seemed to imagine that this was also the case with respect to the category of ‘humanity’ that it ushered into existence. Humanity comes to be expressed, ultimately, in a metaphorically commodified form of life identified in and through its relationship to the resources over which it seeks to have control. To be human is to partake of the ‘interests’ in the resources of the moon and other planetary bodies in which all are deemed to share. Just as outer space was a site in which the distinction between peace and war became blurred so as to make warfare itself an illegible part of the regime, so also we might observe, in this context, another similar construction. Here, the regime takes on the character of that which it seeks to prevent or avoid – a system of resource extraction and of primitive accumulation, through which every other relationship humankind might have with the outer space environment, and, indeed, with itself, comes to be mediated. As the instrumental object of a regime of management that has the ‘use’ of nature as its operative configuration, outer space becomes enmeshed within the one-dimensional dynamics of the total administrative state that was central to its formation and, with it, the very meaning of what it is to be human in space.

#### The AFF is a form of green governmentality that subjects the environment world and people to managerial regulation – 1AC McCann valorzination of requiring “solutions for restoring Earth” marks states and the liberal western order as the stewards of a sustainable future and expands green capitalism.

Adelman 15 (Sam, School of Law, University of Warwick, June 2015, “Tropical forests and climate change: a critique of green governmentality”, International Journal of Law in Context, 11, pp 195-212)

I. Green governmentality Michel Foucault coined the neologism ‘governmentality’ as shorthand for mentalities of governance that link knowledge and power to government and rationality. Foucault analysed the ways by which neoliberal governmentality becomes a pervasive way of thinking (Foucault, 2008, p. 219), but warned that neoliberalism should ‘not be identified with laissez-faire, but rather with permanent vigilance, activity and intervention’ (p. 132). Foucault argues that neoliberal economists are fully aware that ‘free’ markets require extensive state intervention and regulation – the ‘rules of the game’ (p. 174). Extensive governance is indispensable for market rule and best achieved through ‘a minimum of economic interventionism, and maximum legal interventionism’ (p. 167). The growing literature on green governmentality uses Foucault’s insights to analyse the significance of neoliberal rationalities and discourses in climate and environmental governance.2 One example is the highly contested concept of sustainable development, which suggests that it is possible to achieve endless economic growth and social justice while protecting the environment.3 Holmgren (2013, p. 370) regards sustainable development as a discourse characterised by a managerial notion of regulation. Wolfgang Sachs (1999) justifiably described the notion as an oxymoron, but such criticism did not deter delegates at the 2012 Rio+20 conference from reincarnating the concept as ‘green economy in the context of sustainable development and poverty reduction’. Green governmentality frames climate change as a technical problem that can be solved by science-driven forms of governmentality associated with the nation state, multilateral institutions such as the UN Framework Convention on Climate Change (UNFCCC) and the IPCC, and transnational capital (Bäckstrand and Lövbrand, 2007, pp. 126–131; Oels, 2005). Luke (1997) describes the intensified governmentalisation of nature through market mechanisms and legal measures that extend neoliberalism into international regulatory systems. This is based on a particular conception of nature bounded within the techniques and rationalities of green governmentality that legitimises governmental interventions as the responsible stewardship of nature: ‘Corporations, all levels of government, scientists, United Nations organizations, and global think tanks have all inserted themselves into the game of speaking for nature. Typified by the sustainable development discourse, these different actors work to produce knowledge about the earth and its resources that cast it as manageable.’ (Luke, 1999, p. 129). In a similar vein, Rutherford (2007, p. 295) argues that environmental discourses emerge through the production of ‘truths’ about nature that require and justify its regulation, management and governance. For Holmgren, global climate governance is a compromise between ecological modernisation and green governmentality, the dominant discourses of forest governance that have shaped neoliberal environmental policies. Ecological modernisation promotes ‘market based solutions, good governance, flexibility and cost efficiency’, whereas green governmentality is based on centralised multilateral regimes to administer the climate, such as the Kyoto Protocol (Holmgren, 2013, p. 370). Oels argues that advanced liberal government in the West leads to the framing of climate change primarily as an economic problem susceptible to governance under legal frameworks like the UNFCCC and the Kyoto Protocol, which are predicated on the effectiveness of market mechanisms and technological solutions. Climate change is thus perceived not as ‘a moral issue but instead a matter of cost-benefit analysis. If the costs of destruction caused by climate change exceed the costs of preventing it, taking action is legitimate’ (Oels, 2005, p. 201). States are still important because they are necessary to facilitate market mechanisms, but they operate alongside a growing number of non-state actors to induce or discipline individuals into behaviour that conforms with market rationality (Paterson and Stripple, 2010).5 Humphreys (2006, p. 215) argues that in many respects the state is now as much a taker as a maker of standards in governance regimes increasingly characterised by market rationalities and ‘voluntary alternatives to state regulation and intergovernmental regimes’ (p. 223).