### 1NC---OFF

#### The role of private entities in outer space serves as a disruption from the legitimate violence from the state --- the 1AC doesn’t prevent expansion it just solidifies control

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So, the Orphans rebellion might be closer to Disney’s Jack Sparrow than to ‘Calico Jack’ Rackham and figures like Tumlinson describe the invocation of piracy as tongue in cheek. Nontheless historical figure of the pirate remains a useful heuristic for approaching contemporary space mining. The pirate, as frontier libertarian of the colonial seas, was both anathema to and fundamentally constitutive of the international legal order that began to emerge alongside the ‘juridification of the oceanic commons’ (Policante, 2015, p. xii). A violent appropriator exploiting the ‘free’ spaces outside the sphere of state power, the pirate of the pre-modern world was hostis humani generis – the enemy of all humanity (see Chapter 6 in this volume for a detailed analysis). But, paradoxically, efforts to eradicate piracy solidified the role of European colonial powers as protectors of the oceanic commons and global commerce, simultaneously strengthening the state’s monopoly on legitimate violence on the frontier (Heller-Roazen, 2009; Policante, 2015, p. xii). Although the pirate’s capacity for unrestricted violence in plundering treasure from rival vessels may not resonate with space mining, this section considers whether extraterrestrial resource exploitation can be construed as an act of theft that similarly involves this state/ pirate dialectic. Central to the commingling of piratical lawlessness and the extension of state power onto the frontier is a transformation in the pirate’s legal standing that occurred between the sixteenth and eighteenth centuries. During the European Wars of Religion, a ‘state of exception’ (Agamben, 2005) became solidified in customary law and treaty agreements beginning with the 1559 Treaty of Cateau-Cambrésis. ‘Amity lines’ were drawn to separate the emergent ‘law of nations’ between continental powers and an anomic space ‘beyond the line’,10 where ‘treaties, peace and friendship applied only to Europe, to the Old World, to the area on this side of the line’ (Schmitt, 2006, p. 92). It is within this 130 M. Johnson anomic space where the pirate became employed by the state: those who held a lettre des marques et de représailles (letter of marque and reprisal) were authorised to plunder enemy vessels and treasure without any limit on hostility. The pirate was transformed from lawless freebooter to state-sanctioned privateer: resources appropriated beyond the line were shared between privateers and state coffers, and the privateer became fundamental to European state-building (Policante, 2015, pp. 61–67). Might the frontier beyond the atmosphere comprise a similar state of exception, where the physical distance from the ‘concrete order’ (Schmitt 2006, p. 65) of terrestrial legal and political norms results in an extra-legal or anomic space, free for plunder? Despite the largely pre-emptive juridification of the space frontier via the Outer Space Treaty of 1967 (OST), the legal status of outer space retains a degree of ambiguity. The OST was drafted at the height of Cold War geopolitical tension and subsequently focused more on the militarisation of outer space and undesirability of territorial claims on celestial bodies, as opposed to clarifying the role of non-state actors or providing a framework for commercial activity (Pop, 2000). The treaty established that outer space was res communis: a commons and ‘the province of all mankind’. Article 2 stated that ‘Outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.’ Crucially, the treaty has not explicitly forbidden private appropriation of celestial bodies. The clause ‘by any other means’ is possibly enough to prohibit appropriation by non-government actors (Pop, 2000). To more ardent supporters of space mining, however, the emphasis on national appropriation presents a loophole for private enterprise (Kfir, 2016; White, 1998), that ‘an individual acting on his own behalf or on behalf of another individual or a private association or an international organization could lawfully appropriate any part of outer space, including the moon and other celestial bodies’ (Gorove, 1969, p. 351). The US Commercial Space Launch Competitiveness Act of 2015 (CSLCA) appears to take the latter interpretation, whereby the sovereign power of the US legislature endorses private enterprises to ‘act on their own behalf’. Title IV of the Act states: A United States citizen engaged in commercial recovery of an asteroid resource or a space resource … shall be entitled to any asteroid resource or space resource obtained, including to possess, own, transport, use, and sell the asteroid resource or space resource obtained in accordance with applicable law, including the international obligations of the United States. (US CSLCA, 2015, §402) These ‘international obligations’ are clearly in relation to the OST, and the CSLCA also includes the ‘Extraterritorial Sovereignty Disclaimer’: ‘the United States does not thereby assert sovereignty or sovereign or exclusive rights or jurisdiction over, or the ownership of, any celestial body’ (US CSLCA, 2015, Privateering on the cosmic frontier? 131 §403). The ‘applicable law’ of the act only includes, but it is not limited to, international law: while the precise details regarding enforcement of any space property claims are unclear, such claims could also be protected under US law and competing claims arbitrated in US courts. While the CLSCA would not entail the American flag being planted on the surface of an asteroid, the US is tacitly claiming some level of jurisdiction via acts of corporate appropriation. And, if ‘international obligations’ represent more than just the OST’s nonappropriation principle, the general absence of recognition and endorsement from the international community means that the CSCLA is a largely unilateral assertion.11 The CSLCA effectively positions the US in opposition to other nations – spacefaring or otherwise – seeming to contradict the res communis nature of the OST. It imposes a res nullius legal interpretation of outer space resources by assuming that celestial bodies are free for exploitation, provided no direct territorial claims are made. The United States recognises and enforces its citizens’ resource claims on the space frontier in the name of ‘[developing] in the United States … economically viable, safe and stable’ space resource industries (US CSLCA, 2015, p. 44). This exploitation of the frontier as ‘state of exception’ is an act of economic competition, and the CSLCA then starts to resemble the letter of marque. Resources claimed in outer space will generate tax revenue and further political prerogatives of economic growth (jobs, infrastructure and so on), akin to the role of privateering in European state-building or the granting of royal charters to joint-stock companies like the East India Company. Outer space becomes the province of the United States economy rather than ‘all mankind’ a commercial vanguard enables an indirect form of ‘accumulation by dispossession’ (Harvey, 2004; Dickens & Ormrod 2007, p. 59), pre-emptively stealing resources owned by all. As far as NewSpace’s yearnings for pirate space utopias are concerned, this fundamental reliance on the state’s legislative apparatus implies that the notion of a stateless space frontier is indeed a fantasy. As privateers and patriots, ‘[extending] our free-market values into space’ (Kerber, cited in Space Frontier Foundation, 2015), NewSpace mining firms effectively extend state influence onto the anomic frontier under the guise of entrepreneurial commerce.

#### Cosmobiopolilitics exploits life from the workforce, using the narrative of ‘a better future in space’ to extract productivity and erase non-technological aspects of humanity.

Damjanov 15 [Katarina Damjanov is a professor and lecturer in digital media and communication design at the University of Western Australia. Her current research considers the sociomaterial dimensions of media technologies in outer space., The matter of media in outer space: Technologies of cosmobiopolitics, Society and space, pub. 2015//AK]

Media technologies that reside in outer space demand site-specific analysis – unlike terrestrially bound devices, they inhabit what is external to earth. Both as a physical and as a discursive site, the location of outer space conditions their mediatic capacity to sculpt human societies. In 1967, the international law declared that outer space was a domain of global commons, placing it outside territorial and property rights and under international regimes of governance. Yet, while this legal provision framed outer space as a ‘common heritage’ of humanity, it remained essentially an inhuman environment; all our encounters with it are always mediated – from the astronaut suit that keeps the human body alive to the Hubble Telescope images of faraway galaxies that once existed before the dawn of our time. Positioned in outer space to overcome its fundamental incompatibility with humans, these devices perform their primary function of technical media, acting as ‘mediators between man and nature’ (Simondon, 1980: 1) and domesticating the unforgiving expanses of the extraterrestrial as a ‘living milieu’ onto which the human and its vital processes could be imprinted and subsequently governed. However, except for a few astronauts currently on roster in the International Space Station, outer space is generally empty of humans, and this absence brings our biopolitical bonds with media technologies into sharp relief: claiming and retaining outer space as a part of the human milieu entirely relies upon our ability to create, manage and control these objects. The biological imperatives of securing the desired modes of relationship between humans and their milieu necessarily involve governance of objects (Thacker, 2009), in particular those of a technical kind, which are, as Gilbert Simondon (1980) and Bernard Stiegler (1998) invite us to consider, historically inseparable from human life. But in the inhuman milieu of outer space, technologies are no longer only a means, or a side concern of governance, but its primary and central objects. Supported by an earthbound pyramid of elite scientific labour and sophisticated equipment, the human relationship with these remotely positioned technologies is indicative of the readjustment of the scope of the biopolitical. It necessitates shifting the governmental focus from living humans towards inanimate objects and their own life in space, and acknowledging the complexities produced in this interweaving of the human and the technological. A distinct stage of our techno-scientific endeavour to exceed our ‘natural’, human and terrestrial limitations, mediatic exploration of space fuels the vectors of technology and currents of life beyond the globe, entangling them into relations which might appear uncannily familiar yet utterly alien to us now. Ongoing media advances in outer space are a major means for shaping what the 2014 symposium at Parsons New School of Design invoked as the contours of ‘Post-Planetary Capital’, heralding a host of intersecting trajectories surrounding ways of thinking at a scale beyond the planetary.1 A critical focus upon the central role of media technologies appears as a crucial contribution to the various arcs of speculative inquiry into ‘post-planetary capital’; this is not least because the operations of these technologies are at the core of all political, scientific, economic and environmental conceptions of human ways of life outside the planet. Media technologies not only underwrite the spatial progress of capitalism, its re-scaling of the commons and the transmutation of its biopolitical rationalities, these objects themselves exert their own material and social effects, providing directional impetus to the idea of planetary and extra-planetary ‘capital’. In this sense, they are not merely artefacts of techno-scientific capability or markers of the assertion of property, nor are they just the scaffolding which supports the evolution of media cultures. They act as a fulcrum upon which the productive agencies of the human and the technological can reposition themselves within the arena of life, demanding continuous reappraisal and redesign of the scope and techniques of its control. This paper brings these diverse technologies together under the analytic rubric of ‘media’ to situate them within the conceptual framework of cosmobiopolitics. In the following sections, I first historicise their role in the articulation of governmental strategies that sustain capitalist expansion and biopolitical control of human ‘living space’. I then consider our mediatic relations with the ‘extra-planetary’ through two case studies; the first on satellites and their debris in earth’s orbital space and the second on steps towards the establishment of interplanetary Internet networks, exploring their potential to sculpt the material and social horizon of our futures on and beyond the globe.

#### This biopolitical impulse in space reduces life to the question of survival, and enables the mobilization of the population for war, extinction

Kaye ‘16 (Bradley, Inst. @ Erie Community College and Niagara County Community College, “Biopolitics and the Infected Community: Foucault, Sartre, Esposito, and Butler,” *Fast Capitalism*, Vol. 13 No. 1, 2016, edited)

However, Foucault claims that this direct power to take lives has been sublimated and redirected externally elsewhere. Now, when the sovereign has an attack on power, where the sovereign’s life is in danger, it is within the state’s power to kill the subjects by redirecting their energy into war. It is not direct killing of the subjects by the sovereign, but a redirecting of libidinal energies into the fascism of total war. It was no longer considered that this power of the sovereign over his subjects could be exercised in an absolute and unconditional way, but only in cases where the sovereign’s very existence was in jeopardy: a sort of right of rejoinder. If he were threatened by external enemies who sought to overthrow him or contest his rights, he could then legitimately wage war, and require his subjects to take part in the defense of the state; without directly proposing their death, he was empowered to expose their life: in this sense, he wielded an indirect power over them of life and death. (Foucault, 1978, 135) The state is analogous to the paternalistic family structure, the Roman “Father” looking after its subjects for their own good, disposing of life at any time. There are also ways that the creeping state presence in a bureaucratic Western society creates repressive social modalities that eventually bring every aspect of society under its regulating gaze via the normative aspects of legal state apparatuses. The father’s no has become the yes of consumerism. I will try to construct a viable set of ideological alternatives by juxtaposing the differences between Michel Foucault and Jean-Paul Sartre. In bio-politics risk is spread out over the entire population as: Wars are no longer waged in the name of a sovereign who must be defended; they are waged on behalf of the existence of everyone; entire populations are mobilized for the purpose of wholesale slaughter in the name of life necessity: massacres have become vital. It is as managers of life and survival, of bodies and the race, that so many regimes have been able to wage so many wars, causing so many men to be killed. (Foucault, 1978, 137) As life is exposed it becomes “bare life” increasingly informed by the naked question of survival. In the seventies there was a push towards nuclear disarmament a major question that still lingers, and Foucault presses the issue by saying: “The atomic situation is now at the end point of this process: the power to expose a whole population to death is the underside of the power to guarantee an individual’s continued existence.” (ibid.) Now that his lectures have been published we can see in Society Must be Defended; Security, Territory, Population; The Birth of Biopolitics; and elsewhere how his research on this issue was shaped by textual references within the canonical traditions of philosophy, in particular by many of the Enlightenment Period political philosophers such as Hobbes and Bentham. His work also stems up to the Nazi thinkers and the American neo-liberal capitalist reactions to the rise of Fascism bred by a total and complete paranoia of any state intervention into daily life. All of that has been in the name of biopolitics. Is there an anti-essentialist dimension to even biopolitics? It is hard to pigeon hole Foucault as a philosopher of the institutional aspects of power when he says point blank: “One needs to be nominalistic, no doubt: power is not an institution, and not a structure; neither is it a certain strength we are endowed with; it is the name that one attributes to a complex strategical situation in a particular society” (Foucault, History of Sexuality Volume 1, pg. 93). When I talk with even learned scholars about Foucault there is still a weird idea that he only talks of institutional aspects of power. Discipline and Punish was a political intervention at a particular moment in the early seventies when the prison population was spiraling out of control and my hypothesis is the state was criminalizing minor drug offenses and locking people away as a tactical maneuver to suppress the resistance that had gained popularity in the sixties and seventies which was when the Rockefeller Drug Laws began to take effect; this is also when the problem of prison overcrowding became a major problem which required a move towards prison abolition. History of Madness was written in the early sixties at the beginning of psychoanalysis as a serious medical discourse and psychiatry with talk therapy was starting to gain traction as a widely accepted social phenomenon. As Foucault points out though, these were all methods of creating spaces of incarceration and modes of surveillance on the criminal and mad populations that were deemed to be political threats to the state due to living by non-normative behaviors. The criminalization of madness was also a major tactic of repressive political discourses at that time, which still exist as tropes to this day. As a result of these social institutions the mental hospital and the prison gaining ascendancy as repressive apparatuses that incarcerate and create surveillance the result was a mass homogenization of experience and a total fear that lead to the post-modern surface level “fluffy” simulacrum life experience where every social interaction was an interaction at the level of superficiality. Digging into the depths of the psyche to do the hard inner work of self-transformation would lead to unleashing the negativity that pent up as a result of being harassed by these repressive political institutions. The age-regressions that occur when someone is made slightly uncomfortable when in the seventies capitalism was moving more towards a service economy, retail, office jobs, therapy, health fields, and this leads to the stroking of the bourgeois and petit bourgeois ego from all sides by capitalist consumerism that serves everyone and says “Yes” to any desire. Lower classes are being incarcerated in massive proportions especially racial minorities in the United States. But, in the midst of this, impatience with any subtlety has grown prevalent and the big issue now is that capitalism always says yes, even to the most perverse desires and horrific violent transgressions. Experiences can be bought at least as simulacrums in virtual or tele-visual forms. Acting out in a repressive society has taken the form of simulated acting out, actors acting out parts on television and in movies, but in reality workers (and especially women) are more repressed now than ever before. Now truth has become nothing more than accrued habits and whatever helps everyone feel comfortable and satisfied. For some reason the discourse of bio-politics is extremely seductive in garnering support for American imperialistic endeavors abroad, the subjects seem to [ignore] the violence inflicted by the US Military when it is conducted as a humanitarian “peace-keeping” mission. Or, as Roberto Esposito points out the way of garnering the alleged consent of the masses for a war effort is by positing the necessity to take life in order to preserve life. Often in Bosnia, Iraq, Afghanistan and Libya, the US Government bombed the so-called enemies while they also air dropped medical supplies. The taking of life is problematically coupled with the desire for immunization, to create death and destruction while also trying to sanitize, clean up, and “fix” the broken situation. The Affordable Care Act is no such exception to the rule. It tries to offer healthcare to workers who will remain productive in an effort to maintain the working class as healthy subjects, but it is a prescriptive measure designed to put a band-aid on the problems of health that arise when the workers are worn down due to frenetic bodily activities of manual labor, and the stasis of intellectual immaterial office work which contributes to certain health risks such as obesity. It is the bio-political ethos in praxis, because the predominant political discourse surrounding the pro and con positions regarding the reforms was almost always economic in nature. Does the policy save consumers money? Does it save the government money? Nowhere in the discussion was there any analysis that perhaps capitalism contributes to these health related issues that need preventative care, or in the pseudo-debates about veterans’ health care that their health problems are a direct result of bio-political discourses that provoked wars over the last ten to twenty years. There is a certain matrix by which the bio-political conversation has continued unabated.

#### The role of the ballot is to vote for the debater that best resists hegemonic knowledge productions. The role of the ballot is to embrace specific intellectualism, uncovering the weak points in regimes of knowledge production, you should weigh the power relations latent in each advocacy against each other

Owen 97. David Owen, professor of social sciences at Southampton University, 1997, “Maturity and Modernity: Nietszche, Weber, Foucault and the ambivalence of reason,” Routledge publishers, published July 22, 1997

In our reflections on Foucault’s methodology, it was noted that, like Nietszche and Weber, he commits himself to a stance of value-freedom as an engaged refusal to legislate for others. Foucault’s critical activity is oriented to human autonomy yet his formal account of the idea of autonomy as the activity of self-transformation entails that the content of this activity is specific to the struggles of particular groups and individuals. Thus, while the struggle against humanist forms of power/knowledge relations denotes the formal archiectonic interest of genealogy as critique, the determination of the ‘main danger’ which denotes the ‘filling in’ of this interest is contingent upon the dominant systems of constraint confronted by specific groups and individuals. For example, the constitution of women as ‘hysterical,’ of blacks as ‘criminal,’ of homosexuals as ‘perverted’ all operate through humanist forms of power/knowledge relations, yet the specificity of the social practices and discourses engaged in producing these ‘identities’ entails that while these struggles share a general formal interest in resisting the biopolitics of humanism, their substantive interests are distinct. It is against this context that Foucault’s stance of value-freedom can be read as embodying a respect for alterity. The implications of this stance for intellectual practice became apparent in Foucault’s distinction between the figures of the ‘universal’ and ‘specific’ intellectual. Consider the following comments: In a general way, I think that intellectuals-if this category exists, which is not certain or perhaps even desirable- are abandoning their old prophetic function. And by that I don’t mean only their claim to predict what will happen, but also the legislative function that they so long aspired for: ‘See what must be done, see what is good, follow me. In the turmoil that engulfs you all, here is the pivotal point, here is where I am.’ The greek wise man, the jewish prophet, the roman legislators are still models that haunt those who, today, practice the profession of speaking and writing. The universal intellectual, on Foucault’s account, is that figure who maintains a commitment to critique as a legislative activity in which the pivotal positing of universal norms (or universal procedures for generating norms) grounds politics in the ‘truth; of our being (e.g. our ‘real’ interests). The problematic form of this type of intellectual practice is a central concern of Foucault’s critique of humanist politics in so far as humanism simultaneously asserts and undermines autonomy. *If*, however, this is the case, what alternative conceptions of the role of the intellectual and the activity of critique can Foucault present to us? Foucault’s elaboration of the figure of the ‘specific’ inellectual provides the beginnings of an answer to this question: I dream of the intellectual who destroys evidence and generalities, the one who, in the inertias and constraints of the present time, locates and marks the weak points, the openings, the lines of force, who is incessantly on the move, doesn’t know exactly where he is heading nor what he will think tomorrow for he is too attentive to the present. The historicity of thought, the impossibility of locating an Archimedean point outside of time, **leads Foucault to locate intellectual activity as an ongoing** attentiveness to the present **in terms of what is singular** and arbitrary **in what we take to be universal** and necessary. Following from this, **the intellectual does not seek to offer** grand theories **but** specific analyses**,** not global but local criticism. We should be clear on the latter point for it is necessary to acknowledge that Foucault’s position does not entail the impossibility of ‘acceding to a point of view that could give us access to any complete and definitive knowledge of what may constitute our historical limits’ and, consequently, ‘ we are always in the position of beginning again’ (FR p. 47). The upshot of this recognition of the partial character of criticism is not, however, to produce an ethos of fatal resignation but, in far as it involves a recognition that everything is dangerous, ‘a hyper-and pessimistic activism’ (FR p. 343). In other words, it is the very historicity and partiality of criticism which bestows on the activity of critique its dignity and urgency. What of this activity then? We can sketch the Foucault account of the activity of critique by coming to grips with the opposition he draws between ‘ideal’ critique and ‘real’ transformation. Foucault suggests that the activity of critique ‘is not a matter of saying that things are not right as they are’ but rather ‘of pointing out what kinds of assumptions, what kinds of familiar, unchallenged, uncontested modes of thought and practices we accept rest’ (PPC p. 154). This distinction is perhaps slightly disingenuous, yet Foucault’s point is unintelligible if we recognize his concern to disclose the epistemological grammar which informs our social practices as the starting point of critique. This emerges in his recognition that ‘criticism (and radical criticism) is absolutely indispensable for any transformation’: A transformation that remains within the same mode of thought, a transformation that is only a way of adjusting the same thought more closely to the reality of things can merely be a superficial transformation. (PPC p. 155) The genealogical thrust of this critical activity is ‘to show that things are not as self-evident as one believed, to see that what is accepted as self-evident is no longer accepted as such’ for ‘as soon as one can no longer think things as one formerly thought them, transformation becomes both very urgent, very difficult, and quite possible’ (PPC p. 155). The urgency of transformation derives from the contestation of thought (and the social practices in which it is embedded) as the form of our autonomy, although this urgency is given its specific character for modern culture by the recognition that the humanist grammar of this thought ties us into the technical matrix of biopolitics. The ‘specificity’ of intellectual practice and this account of the activity of critique come together in the refusal to legislate a universal determination of ‘what is right’ in favour of the perpetual problematisation of the present. It is not a question, for Foucault, of invoking a determination of who we are as a basis for critique but of locating what we are now as the basis for a reposing of the question, “who are we?” the role of the intellectual is thus not to speak on behalf of others (the dispossessed, the downtrodden) **but to** create the space **within which** their struggles become visible **such that these others** can speak for themselves. The question remains, however, as to the capacity of Foucault’s work to perform this critical activity through an entrenchment of the ethics of creativity as the structures of recognition through which we recognize our autonomy in the contestation of determinations of who we are.

**We should imagine a world where things aren’t what they seem – the desire of the 1ac is the opposite of the life guided by reason – return to immanence and embrace contingency**

**Gulli 16** (Bruno Gulli - teaches philosophy at Long Island University, “Sovereign Violence and the Power of Acting – (Imagining the Unsovereign Law)”, A Journal of the Social Imaginary, 2016, <https://cab.unime.it/journals/index.php/IMAGO/article/viewFile/1307/1024>, MG)

A critique of sovereign violence, therefore, cannot simply rest on the reality of affects and desire and the deterministic tendencies engendered by it. What must be taken into account by such a critique is the fact of contingency –as well as the awareness of it. **Being aware of contingency means imagining how things could be other than they are**. Obviously, this awareness and this imagination are not found in the detached place of a simple and unified subject, but rather in the multiple conditions of subjectification and in the process of individuation –and this is what determination amounts to. Yet, a vortex of original contingency and freedom must exist if we are to posit the possibility of change. Things can change –as John Duns Scotus notes— because they are possible, rather than necessary (Duns Scotus 1987: 44). Indeed, “**those who deny that some being is contingent should be exposed to torments until they concede that it is possible for them not to be tormented**” (9). Something different can be imagined only because it is possible –and possibility is part of reality. So when Lordon denies what he calls “the tense of regret” as “a retrospective illusion” and as “the Spinozist non-sense par excellence,” he is perhaps denying the reality, or actuality, of potentiality (Lordon 2014: 143). He says that “to be able to do and to do are one and the same thing: we could only have done what we did, neither more nor less” (143-144). But I find this unrealistic and false. For instance, I could have gone to the movies last night even though I didn’t. I believe that, even from a Spinozist point of view, the denial of ‘I could have,’ which I would not necessarily call “the tense of regret,” is a bit too strong. (Let us also note that the tense of regret is rather ‘I should have’ and admit that regret itself is in any case an important moment in human experience – and that we often learn from it.) That denial does in fact reduce reality to what is simply there, the merely given, by excluding potentiality. For it seems impossible to deny ‘I could have’ without at the same time also denying the ‘I could’ of transformation and change. To be sure, Lordon does not at all rule out change. But he inscribes it in a determinist –though he specifies, non-fatalist—ontology. For instance, he says, When the indignation that gets people moving prevails over the obsequium that makes them stay put, a new affective vector is formed, and individuals who used to be determined to respect institutional norms … are suddenly determined to sedition (140). But what accounts for this indignation? I would suggest that it is not at all a matter of determinism or free will. As far as I know, one of the most interesting takes on this issue is Jean-Paul Sartre’s denunciation of it as a false problem. At the outset of the chapter on freedom in Being and Nothingness, Sartre says, It is strange that philosophers have been able to argue endlessly about determinism and free will, to cite examples in favor of one or the other thesis without ever attempting first to make explicit the structures contained in the very idea of action (1956: 559). For Sartre, an action must be intentional: “The careless smoker who has through negligence caused the explosion of a powder magazine has not acted” (ibid.). This intentionality is what makes agents (bodies) expend their freedom, their nothingness. But as Sartre famously says, there is no exit from it, “we do not choose to be free” (623). We are “thrown into freedom,” condemned to it (ibid.). Sartre provides the solution to the false problem mentioned above, the paradox of freedom, by means of the notion of ‘situation’: “there is freedom only in a situation, and there is a situation only through freedom” (629). Situation means determination, but outside the logic of determinism. **Freedom means power to act, outside the illusion of a free will**. A critique of sovereignty also needs to posit something outside sovereignty. **However, this is not a moment of transcendence; rather, it is a return into immanence**. To say that there is a return to immanence seems to imply that there was an exit from it. In fact, there was no exit, but only the positing of a fictitious reality, **the illusion of sovereignty as a totality**. **The end of that illusion gives the sense of a return into what has always already been there**. In fact, it is sovereignty itself – sovereignty’s first and foremost expression of violence—that by positing itself as separate and distant creates a **metaphysical and fictitious paradigm of power** as potestas (authority) rather than potentia (potency). The fact that the paradigm is fictitious does not mean that it lacks real efficacy. What it lacks is **authenticity** and, if you will, **legitimacy**. Yet, it is a real and effective power. Lordon is absolutely right when he says, on the basis of Spinoza, that there “is no potestas that does not emanate from potentia(multitudinis) –but in the form of hijacking and to the advantage of the most powerful of master-desires, the desire of the sovereign” (160-161). **What must be shown is that the desire of the sovereign –a despotic desire—is the opposite of the life guided by reason, and closer to freedom, defining the desire of the multitude**. It is this reason that is neither private nor public, but something altogether different. In fact, it is common reason, that is to say, humanity.

#### **Contingency comes first – it shapes politics, acts as a precondition for liberal freedom, and counters dogmatic identities that otherwise threaten solvency**

Alt 16 (Suvi Alt - Assistant Professor in International Relations at the University of Groningen, “Beyond the Biopolitics of Development”, University of Laplap, 9 December 2016, <https://core.ac.uk/download/pdf/79177315.pdf>, MG)

The French Revolution gave expression to the idea that truth is created rather than found.487 Instead of being of a transcendent origin, truth is made in the human world. The ontological proposition of contingency has thus been necessary for a modern account of freedom from transcendental rule.488 **Contingency is a precondition for liberal freedom**. The contemporary importance of contingency is also founded on its association with the biopolitical imaginary. As discussed in the previous chapter, contingency is not one property of emergent life; it is the property of emergent life.489 Furthermore, Foucauldian conceptions of power are also based on an understanding of both the origins and nature of power as contingent. Recognising the contingency of all forms of social and political order is arguably one of the core tenets of different forms of poststructuralist thinking. Likewise, poststructuralism has contributed to politics an understanding of humans as beings produced by contingent histories, events and practices. Foucauldian analyses of ourselves as historically determined beings are directed at ‘the contemporary limits of the necessary’, thus exposing the contingency of such truths and practices that produce subjects.490 Contingency is put forward as a **precondition for politics** in the works of a number of contemporary thinkers including William Connolly, Jacques Rancière and Michael Shapiro. Appreciation of our own contingency and of our indebtedness to difference provides, for Connolly, a **way of countering dogmatic identities and thus functions as the basis of his account of a pluralistic democratic ethos**.491 Likewise, Shapiro affirms the possibility of ‘a contingency-embracing order where new relations, based on de-identification with old imposed essences, can flourish.’492 For Rancière, democracy refers to the institution of politics as the system through which any order of distribution of bodies is ‘thrown back on its contingency.’493 According to Robert Nichols, a free relation to the world means ‘being attuned to the contingency and indeterminacy of world-disclosure, which, in turn, means accepting that “we” (our selfhood) are beholden to this contingency – that we are contingent beings who are “held” by ontological freedom.’494 The effectiveness of the political is arguably manifested wherever the necessity of subjectivities, relations and systems of governance is **exposed as a fiction** and replaced with a **recognition of contingency** as the formative principle of the political. The biopolitical problematisations of various practices and rationalities pertaining to ‘life’ that have proliferated within the past decade are also intimately **tied to the concept of contingency**. According to Thomas Lemke, the primary aim of an analytics of biopolitics is to reveal the contingency of the rationalities on which biopolitical governance is based.495 Biopolitical analysis ought to, therefore, be concerned with exposing contingency where none appears to exist. But how can this construction of contingency as the site of the political delineate itself from the neoliberal governing that relies on contingency for ts very functioning? This question is often left unaddressed by those pursuing biopolitical analysis. As contingency appears to have become the principal characteristic of neoliberal life and the primary site through which it is governed, how can we think of a politics that is capable of challenging such ‘governing through contingency’ without resorting to pre-conceived transcendental truths or simply settling for the existing ontology? If the referent of biopolitical governance is, indeed, no longer the human but contingency, then the challenge to biopolitical governance has to either come from **within that contingency** or give its **own account of the relation between life and contingency**. Politics that is internal to neoliberal contingency will **perceive contingency as the price that is to be paid for freedom**. The search for ways of being governed differently is arguably possible because all systems of governance are contingent, except, of course, for the governance implied by the neoliberal conception of life as contingent. Put differently, life is free to become anything but the ontology of becoming cannot be questioned.

#### **Politics requires engagement with ethics and requestioning – failure to weigh the kritik ensures ethics that aren’t worth our time**

Schwarz 13 (Elke Shwarz - Senior Lecturer in Political Theory at Queen Mary University, “The Biopolitical Condition: Re-thinking the Ethics of Political Violence in Life-Politics”, The London School of Economics and Political Science, November 2013, <http://etheses.lse.ac.uk/760/1/Schwarz_Biopolitical_Condition.pdf>, MG)

Ethics and law are not the same. While the latter relies on abstraction, the former always contains an element of contingency inherent to human interactions, enshrined in experience. Whether this element is considered to be embodied (Coker 2013 p.190) or whether is rooted in sensibility (Critchley 2009 p.63), it relies on the human and his subjectivity to be actualised. In current narratives of warfare, this human element, and with it its radical uncertainty, is obscured by **codes, algorithms and statistical perceptions**. (Sylvester 2013 p.111) It is further occluded by the subservience mandate in the military profession. If we want to rethink ethics, we ought to consider it in the **context of politics**, the human and the complexities of today’s technologised world. As Braidotti suggests, “an ethics worthy of the complexities of our time requires a fundamental **redefinition of our understanding** of the subject in his location …”. (Braidotti 2011 p.300) In this, ethics ought to be able to incorporate the uncertain, the un-ascertainable, including fallibility, alterity and the multitude of plural beings. (in Braidotti’s case human and non-human entities) In this vein, Vivienne Jabri advocates an ethicality that questions subjectivity as a singular way of being and doing and is able to embrace the ‘messiness’ that emerges in human interaction. (Bauman 2000; Jabri 1998) I suggest that we must consider the subject and how we conceive of the subject in conceiving of an ethics that is not limited and limiting through code but has the capacity to be inclusionary assessing each situation, specifically those in war where life and death are at stake, anew. It is through the “unobvious decision” within which ethics is revealed. (Coker 2013 p.175) It is by doing what is not expected, and which might pose a certain, further risk, in which ethics is actualised. Politics, as an aspect and consequence of interaction in human plurality relies on ethical principles that enable humans to coexist not merely in Mitsein, but rather Fürsein (being-for) in a shared world (Bauman 2000 p.84), taking up a certain responsibility for the Other. It is, as indicated earlier, the very plurality of mankind within a shared space that gives rise to ethics in the first place. As Bauman rightly points out “[w]e share the world, and so we willy-nilly affect each other’s lives; what we do, or abstain from doing is not indifferent to the life of the others.” (Bauman 2000 p.84) In other words, in being and acting among others in a shared space, we already have a responsibility for the other – a responsibility that we may or may not take up. In such a shared world, interdependencies between individuals not only give rise to the conception of ethics but also give it meaning as “ethicality has … everything to do with what **human beings do to each other**” (Bauman 2000 p.83) – including political action. Subjectivity, the sense of self, is key here, as Critchley notes, “… ethics is entirely my affair, not the affair of some hypothetical, impersonal or universal I running through a sequence of possible imperatives” (Critchley 2009 p.66) t requires, however, a restyling of the subject not as analysable entity under the sway of progress and development toward an improved goal. The **biopolitical technology perspective** perpetually measures the human and humanity **against that which it is not, i.e. perfect and secure**. First and foremost, understanding the human subject as a political being (in the Arendtian sense), means to understand her as one that must take responsibility, that reveals herself, in freedom, in the political interaction with others. Jabri addresses the importance of the understanding of the self and subjectivity in the context of shaping ethics. She advocates a subjectivity that incorporates alterity and contingency in the context of interactions with the other. It is only such a subjectivity of incorporated and accepted difference that can give rise to an ethicality and a normative International Relations enterprise that rejects rigid prescriptions and ethics as code, but rather seeks a morality and ethicality of multiplicities in an everchanging interaction with the self in one’s context. In introducing a different way of thinking about ethics, Jabri highlights the unknowable and incalculable nature of human reality and underlines Bauman’s insight that “in place of the regularisation or systematisation of human moral conduct” one should call for “**a recognition of uncertainty**, mystery or spontaneity” (Jabri 1998 p.594) to encompass aspects of spontaneity and inexplicable sympathies. Jabri, with Bauman, advocates a release of morality from the rigid frameworks of law-like depersonalised rules of ethical codes in support of a conception of morality that **disregards “epistemological certainties**” (Jabri 1998 p.594) and recognizes the “**ambiguities and complexities, which surround each moral act**”. (Jabri 1998 p.594)

#### **The perm fails – the power of contingency lies in the hands of the beholder, incorporating everyday politics into contingency makes the state of exception permanent, serves as a barrier to agency, and recreates chaos**

Körösényi, Illés, and Metz 16 (András Körösényi - Professor of Political Science at the Corvinus University of Budapest, Gábor Illés - Junior Research Fellow at the Institute for Political Science at Centre for Social Sciences for the Hungarian Academy of Sciences, Rudolf Metz - PhD Candidate at Doctoral School of Political Science for the Faculty of Social Sciences at the Corvinus University of Budapest, “Contingency and Political Action: The Role of Leadership in Endogenously Created Crises”, Cogitatio, 23 June 2016, <https://www.cogitatiopress.com/politicsandgovernance/article/view/530/530>, MG)

The role of contingency depends on the abilities and goals of the political actor who faces the crisis situation (or creates one). Technocrats, like Monti, were trying to “erect defences and barriers” against fortuna, while the agency of de Gaulle or Orbán can rather be characterized as “boring the hard boards” of the institutional arrangement, economic conventions, and authorities. As we saw in their cases, political leaders can not only **utilize the higher level of contingency to create a new arrangement** (a new state of normalcy) shaped to their wants; they can also try to **incorporate an elevated level of contingency into everyday politics, making the state of exception permanent**. This paper aimed to contribute to the field at two levels. On the theoretical one, two contributions can be emphasized. Firstly, we introduced a conceptual typology that offers an overview of the approaches dealing with the relationship between crisis and political agency. This typology in our view can to a certain extent alleviate the stark distinction between structure and agency through using the same concept (that of contingency) to describe both of them. Contingency, as we have seen, can be a constraining element of the structure that forces the politician to take a certain course of action (background contingency). But at the same time it can become operative, if the political actor wants and is able to take risk (Weber), or continually makes order and **recreates chaos** (Schabert, 1989). The views of Schabert and Weber point toward a “monist” understanding of political action, where contingency permeates everything and where it is both the **barrier to and an element of agency**. This view can be contrasted with the “dualist view”, where structures and agency are starkly separated, and contingency is a feature of the structure, and the only task of political agency can be to abate it. Secondly, the aim of the typology was not just to add another theoretical perspective to the existing ones (it was not just an end in itself), but it also served as means to call attention to a potential relationship between agency and crisis that has been largely passed over by literature. This relationship is the most voluntaristic—and the “most clearly Weberian”—one, where there is no exogenous shock present, and **leaders generate crisis situations themselves** (quadrant D).

### 1NC---OFF

#### Thus, the advocacy: the appropriation of the solar system by Israeli private entities is unjust.

#### Their linguistic use of ‘outer space’ reifies an anthropocentric modes of thinking through forwarding the binary between human and space

Ferrando 16[Francesca Ferrando. New York University, Liberal Studies Program, Faculty Member "Why Space Migration Must Be Posthuman" In: Schwartz, J., Milligan, T. (eds.) Ethics of Space Exploration, Springer, Vol. 8, 2016, pp. 137-152. ISBN: 978-3-319-39825-9 (Print) Web: http://link.springer.com/chapter/10.1007/978-3-319-39827-3\_10]/ISEE

Before accessing the topic of space migration, we shall start our reflection by asking the question: “should we go to space?”. A common answer given to this question is that humans should first take care of the problems characterizing planet Earth, before going somewhere else.5 The counter-argument to this point has been mostly utilitarian, that is: we will never go to space, if we wait until we resolve all the problems on Earth. Or, alternatively: we will resolve problems on Earth by going to space and finding new resources. Instead of an utilitarian view based on a linear progression of time, which has been criticized both from a scientific (Gould 1996) as well as from a philosophical perspective (especially, within the post-modern frame), we will approach this subject from an onto-epistemological standpoint inspired by Heidegger's definition of technology (1953; Engl. Trad. 1977); space will be thus accessed as “a way of revealing” (ivi, 12), allowing for an original understanding of the notion of space. Let's start with the problematics related to our initial question by asserting a basic and still informative point: we have **always** been in space. Humans have originated on planet Earth, which is part of a solar system located, among many others, in the Milky Way galaxy. Asking if we should go to space, more than looking for a real answer, reflects the **human-centric dualistic attitude** of presenting the unknown as a form of separated otherness. A more precise question could then be: “should humans migrate to outer space?”. The term “outer space” is defined by the Oxford Dictionary as “the region of space beyond the earth's atmosphere or beyond the solar system. In extended use: a place or region beyond the usual limits of awareness or accessibility” (2015). It can be seen as an extended and somehow confused framework, comprehensive of a wide variety of spaces, such as the solar system as well as the regions beyond the solar system. The notion of “outer space” **implies** the one of “inner space”, which would be the Earth and the earth's atmosphere: these dualistic premises become disputable when realizing that outer space is crucial to the understanding of life on Earth and to the development of the notion of the **human itself**. From the origin of human civilizations to the contemporary world, the skies have played a crucial role in the formation of human identity. Astronomy6 is considered the oldest of natural sciences, dating back to the Upper Paleolithic (cfr. Brady 2013); its relevance to many ancient cultures went so far as becoming focal part of their social identity and architectonical outfits.7 The large majorities of the temples across world civilizations were built in accordance with astronomical alignments: think, for instance, of the solstitial orientation of the sarsen monument at Stonehenge (Ruggles 2006) or the early Maya urban planning architectural complexes (Šprajc et al. 2009). The connection between knowledge of the skies and the sacred were deeply intertwined, and it is broadly believed that the astronomers of 5 Saara Reiman calls this approach “Earth first” (2009, 83). 6 Let's note that the notion of astronomy in the ancient world cannot be fully assimilated to the contemporary scientific field. 7 A specific area of studies called “archaeoastronomy” has recently developed around this topic (cfr. Magli 2009). the ancient times were also the spiritual guides or priests of their communities (cfr. Hayden and Villeneuve 2001). In Ancient Egypt, astronomical imagery was an essential part of their religious pantheon, with Ra, the Sun God and the raising sun as symbols of creation; his daughter, Goddess Maat, represented the Order of the Universe and was the wife of the Moon god Thoth. In the words of archaeoastronomer Giulio Magli: “...celestial matters were, for the ancient Egyptians, deeply and intimately connected with the most important things of all: preserving Maat, the cosmic order, on Earth. Such an order was anchored to the celestial cycles: the cycle of the sun, the calendar, the succession of the hours of the night, the reappearance of Sirius and of the other stars” (2013, 2). The star Sirius, sometimes called “the Dog star” due to its location in the constellation of Canis Major (Latin for the “Greater Dog”), still has a special meaning in the creational myth of the Dogon, an indigenous tribe of southeastern Mali in West Africa (Griaule 1967). The prehistory and early history of humanity do not treat space as **otherness**, but as an integral part of the human genealogy, providing knowledge of great relevance for social functioning and daily survival. Similarly, on a scientific level, a strict division between the Earth and the heavens cannot be placed either. Scientific hypotheses such as exogenesis and panspermia8 postulate that life did not originate on Earth, but formed somewhere else extraterrestrially.9 A consideration of Earth ejecta and the hypothesis of lithopanspermia, that is, the potential for organic molecules preserved in space as a consequence of “the collision of kilometre-scale bodies with Earth, comets or asteroids” (Reyes-Ruiz et al. 2012, 777), also plays an important role in the disruption of a strict division between Earth and outer space. With these premises, we can now go back to our question: “should humans go to outer space?”. Here we shall refresh another simple, yet important and multilayered piece of information: humans have already been in outer space in a series of successful launches achieved as the result of the space race between the Soviet Union and the US during the Fifties and Sixties of the XX Century (cfr. Cadbury 2005). The modalities of the space race will be analyzed in order to show how humans have lost in it their ontological primacy.

#### Unchecked calculative thought results in extinction.

Wu, 19—Professor, School of Foreign Languages, Southeast University (Lanxiang, with Zhou Xiaolin, Southeast University, “Essence of Technology and Ecological Disaster: A Heideggerian Reading of Margaret Atwood’s The Year of the Flood,” Interlitteraria, 2019, 24/1: 158-172, dml) [language modifications denoted by brackets]

What is practiced in the Compound is exactly what Heidegger criticizes in his essay The Question Concerning Technology. As he points out, the current definition of technology, which sees it only as “a means and a human activity,” is “instrumental and anthropological.” (1977: 5) When the instrumental side is overemphasized, human manipulation of technology would become overwhelmingly dominant. To satisfy the increasing desire to know, and to master, a scientist might be committed to bringing the instrumentality of technology to its fullest extent. But in doing so, he “distanced himself from Being, which was manifesting itself in the presencing of all particular beings. For in his seeking, he [they] reached out not simply to receive with openness, but also to control.” (Lovitt 1977: xxv) When the obsession with the technological force makes modern man [people] forget who he is [who they are], and puts himself [themselves] in a superior position, there will emerge “a warlike clash between forces” (Foucault 2003: 16). When more biotechnological geniuses like Glenn are “given free reign to tamper with nature” (Bouson 2011: 10–11), what awaits the world is the nightmarish scenario that Atwood speculates in The Year of Flood, the doomsday when humans are wiped off the Earth by the viruses “that cannot be controlled and that are universally destructive.” (Foucault 2003: 254)

#### Language shapes reality – failing to prioritize it guarantees extinction

Warren Sandmann, 96 - professor of communication at the State University of New York (Earth Talk, ed: Muir, p. 131-132) //DH

Gore presents us with a compelling illustration of the symbolic construction of reality, of humans as agents and as constructs, and of the material effects of symbolism. Many may differ with Gore's specific political proposals, and many may also find flaws in his use of evidence. That is not what is at issue here. The essence of Gore's argument is that, as McGee and Burke have already noted, we live in a symbolically created world. The only meaningful relationship we can have with the material world is through symbol use. What Gore argues in his book is that we are playing out a no-win game by our failure to understand our symbolic relationship with the earth. The rules of the game have changed, as far as the planet is concerned. The problem is that we are still playing according to the old symbols and the old relationship in which we are placed by these symbols. Until we acknowledge the interdependence of the symbolic and the material, until we acknowledge that our symbols control our relationship with the material, and until we acknowledge that we can play an active role in the creation of new symbols and the reinterpretation of old, we will continue the degradation of the planet. No environmental program, no recycling campaign, no search for an alternative energy source-nothing will have an impact on the environment until our symbolic relationship with the planet is changed. What can we learn from our analysis of this text, from our better under­standing of the relationship between the symbolic and the material world? We learn that we cannot continue to separate the two, to believe that there is no relationship between the symbols that we use (and that use us) and the material world in which we live. There is no such thing as "mere" rhetoric. The language that we use is the only tool that we have for creating the material structures and practices by which we can change and improve the material world. If we are unable to correct the current dysfunctional relationship between the symbolic and the material or to create a better, more functional relationship, then there can be no material changes to the material world. What both Gore and scholars such as Burke, McGee, Hall, and Althusser tell us is that we must practice symbolic change at the same time we work toward material change. Despite all the difficulties in creating (or renewing) a more positive symbol system for the relationship between humanity and the planet, that work must occur. To continue to operate within the current symbolic relationship will not allow real material change. The battle over the environment is first and foremost a battle for the power to name. The winner in this battle sets the rules for the battle, the place for the battle, and the means by which a "winner" can be declared. If those who wish to create a more functional relationship between the earth and humanity. fail to acknowledge the importance of the symbols that are used or fail to gain control of those symbols, then the earth and humanity will be left in the hands of those who have helped to create the dysfunction in the first place. This chapter cannot provide an explicit manual for how this change can be accom­plished. But change is possible. We do not live in a world that operates without the consent of those who constructed it. Both the current symbolic relation­ship and the societal structures that have been created by this relationship and that help to maintain this relationship are the product of human action, and human action can alter this relationship. If there is one lesson to be learned from this analysis, it is this: The control of symbols is the control of social reality and the ability to make material consequences. Ignore rhetoric at your own (and the planet's) risk.

### Case

#### 1---No weighing offense that is not predicated on the appropriation of outer space anything else is inf regressive and destroys negative ground. They are a huge drop in the bucket and don’t access the offense they think they do.

#### 2---Vote negative on presumption, the affirmative cannot solve the harms they have isolated:

#### A --- NewSpace --- its inclusive of individuals and private corporations outside of Israel, the 1AC johnson evidence indicates that all private appropriation is bad.

#### B --- Public --- the Israeli government maintains its ability to subjugate and exterminate Palestinians post affirmative, they do not have a private space key warrant, especially given the history of the genocide of Palestinians. The 1AC Johnson evidence in part three says Israel has expanded its private sector, but the Israel Space Agency is a public body.

<https://en.wikipedia.org/wiki/Israel_Space_Agency>

On Starzmann/corry

1. No ontology warrant just classifies Palistinian ppl as other whichn is definitely ontic not ontology given at one point in time it wasn’t true
2. Double bind either it is ontological and the aff has no solvency or it’s not and the aff has no fw basis and you pref biopolitics which is deeply entrenched globally
3. They read progress ev through student activism but give no brightline for when activism is overwhelmed by global structures; hold the line on their progress possible claims in terms of aff solvency given they read extinction inevitable at the top

Johnson

1. Only applies to tech advanced countries and missing internal link to Israel as tech advanced
2. No indigenous ppl in space means incoherent for logic of elimination to continue
3. This just isn’t true space mining is happening now and social hierarchies aren’t being perpetuated in space because there’s literally no colony in space to manifest the hierarchy

#### 1AC Aleweil proves our circumvention argument --- the state will morph in ways that allow it to continue violence against Palestinians.

#### 3---Totalizing claims of colonialism are bad – the aff reifies settler dominance

**Busbridge, 18**—Research Fellow at the Centre for Dialogue, La Trobe University (Rachel, “Israel-Palestine and the Settler Colonial ‘Turn’: From Interpretation to Decolonization,” Theory, Culture & Society Vol 35, Issue 1, 2018, dml)

The prescription for decolonisation—that is, a normative project committed to the **liberation of the colonised** and the **overturning of colonial relationships of power** (Kohn & McBride, 2011: 3)—is indeed one of the **most counterhegemonic implications** of the settler colonial paradigm as applied to IsraelPalestine, potentially shifting it from a diagnostic frame to a prognostic one which offers a ‘proposed solution to the problem, or at least a plan of attack’ (Benford & Snow, 2000: 616). What, however, does the settler colonial paradigm offer by way of **envisioning decolonisation**? As Veracini (2007) notes, while settler colonial studies scholars have sought to address the lack of attention paid to the experiences of Indigenous peoples in conventional historiographical accounts of decolonisation (which have mostly focused on settler independence and the loosening of ties to the ‘motherland’), there is nevertheless a ‘**narrative deficit**’ when it comes to **imagining settler decolonisation**. While Veracini (2007) relates this deficit to a matter of conceptualisation, it is apparent that the **structural perspective** of the paradigm in many ways **closes down possibilities** of **imagining the type of social** and **political transformation** to which the **notion of decolonisation aspires**. In this regard, there is a **worrying tendency** (if not **tautological discrepancy**) in settler colonial studies, where the **only solution to settler colonialism is decolonisation**—which a faithful adherence to the paradigm **renders largely unachievable**, if not **impossible**. To understand why this is the case, it is necessary to return to Wolfe’s (2013a: 257) account of settler colonialism as guided by a ‘zero-sum logic whereby settler societies, for all their internal complexities, uniformly require the elimination of Native alternatives’. The structuralism of this account has **immense power** as a means of mapping forms of injustice and indignity as well as strategies of resistance and refusal, and Wolfe is careful to show how transmutations of the logic of elimination are complex, variable, discontinuous and uneven. Yet, in seeking to **elucidate the logic of elimination** as the **overarching historical force** guiding settler-native relations there is an **operational weakness** in the theory, whereby such a logic is **simply there**, **omnipresent** and **manifest** even when (and perhaps especially when) it **appears not to be**; the settler colonial studies scholar need only **read it into a situation** or **context**. It thus **hurtles from the past** to the **present** into the **future**, never to be fully extinguished until the native is, or until history itself ends. There is thus a **powerful ontological** (if not metaphysical) **dimension** to Wolfe’s account, where there is such thing as a ‘**settler will**’ that **inherently desires the elimination of the native** and the distinction between the settler and native **can only ever be categorical**, founded as it is on the ‘primal binarism of the frontier’ (2013a: 258). It is here that the differences between earlier settler colonial scholarship on Israel-Palestine and the recent settler colonial turn come into clearest view. While Jamal Hilal’s (1976) Marxist account of the conflict, for instance, engaged Palestinians and Jewish Israelis in terms of their relations to the means of production, Wolfe’s account brings its own ontology: the bourgeoisie/proletariat distinction becomes that of settler/native, and the class struggle the struggle between settler, who seeks to **destroy** and **replace the native**, and native, who **can only ever push back**. Indeed, if the settler colonial paradigm views history in similar teleological terms to the Marxist framework, it **does not offer** the same hopeful vision of a liberated future. After all, settler colonialism has **only one story to tell**—‘either **total victory** or **total failure**’ (Veracini, 2007). Veracini’s attempt to disaggregate different forms of settler decolonisation is revealing of the difficulties that come along with this zero-sum perspective. It is significant to note that beyond settler evacuation (which may decolonise territory, he cautions, but not necessarily relationships) the picture he paints is a relatively bleak one. For Veracini (2011: 5), claims for decolonisation from Indigenous peoples in settler societies can take two broad forms: an ‘anticolonial rhetoric expressing a demand for indigenous sovereign independence and self-determination… and an “ultra”-colonial one that seeks a reconstituted partnership with the [settler state] and advocates a return to a relatively more respectful middle ground and “treaty” conditions’. While both, he suggests, are tempting strategies in the struggle for change, though ‘ultimately ineffective against settler colonial structures of domination’ (2011: 5), it is the latter strategy that invites Veracini’s most scathing assessment. As he writes, under settler colonial conditions the independent polity is the settler polity and sanctioning the equal rights of indigenous peoples has historically been used as a powerful weapon in the denial of indigenous entitlement and in the enactment of various forms of coercive assimilation. This decolonisation actually enhances the subjection of indigenous peoples… it is at best irrelevant and at worst detrimental to indigenous peoples in settler societies (2011: 6-7). The ‘primal binarism of the frontier’ plays a particularly ambivalent role in Veracini’s (2011: 6) formulation, where the **categorical distinction** between settler and native **obstructs** the ‘possibility of a genuinely decolonised relationship’ (by virtue of its lopsidedness) yet is a **necessary political strategy** to **guard against the absorption** of Indigenous people into the settler fold, which would **represent settler colonialism’s final victory**. The battle here is between a ‘settler colonialism [that] is designed to produce a fundamental discontinuity as its “logic of elimination” runs its course until it actually extinguishes the settler colonial relation’ and an anti-colonial struggle that ‘**must aim to keep the settler-indigenous relationship going**’ (2011: 7). In other words, the categorical distinction produced by the frontier **must be maintained in order to struggle against its effects**. Given the lack of options presented to Indigenous peoples by Veracini (2014: 315), his conclusion that settler decolonisation demands a ‘radical, post-settler colonial passage’ is perhaps not surprising – although he has ‘no suggestion as to how this may be achieved and [is] pessimistic about its feasibility’. Scholars have long reckoned with the ambivalence of the settler colonial situation, which is simultaneously colonial and postcolonial, colonising and decolonising (Curthoys, 1999: 288). Given the generally dreadful Fourth World circumstances facing many Indigenous peoples in settler societies, it **could be argued** that there is good reason for such **pessimism**. The settler colonial paradigm, in this sense, offers an important caution against celebratory narratives of progress. Wolfe (1994), it must be recalled, wrote the original articulation of his thesis precisely against the idea of ‘historical rupture’ that dominated in Australia post-Mabo, and was thus as much a scholarly intervention as it was a political challenge to the idea of Australia having broken with its colonial past. **Nonetheless**, the **fatalism** of the settler colonial paradigm—whereby decolonisation is by and large put beyond the realms of possibility—has seen it come under **considerable critique** for **reifying settler colonialism** as a transhistorical meta-structure where colonial relations of domination are **inevitable** (Macoun & Strakosch, 2013: 435; Snelgrove et al., 2014: 9). Not only does Wolfe’s ontology **erase contingency**, **heterogeneity** and (crucially) **agency** (Merlan, 1997; Rowse, 2014), but its polarised framework effectively ‘**puts politics to death**’ (Svirsky, 2014: 327). In response to such critiques, Wolfe (2013a: 213) suggests that ‘the repudiation of binarism’ may just represent a ‘settler perspective’. However, as Elizabeth Povinelli (1997: 22) has astutely shown, it is in this regard that the **totalising logic** of Wolfe’s structure of invasion **rests on a disciplinary gesture** where ‘**any discussion** which **does not insist** on the polarity of the [settler] colonial project’ is **assimilationist**, worse still, **genocidal** in effect if not intent. **Any attempt** to ‘explore the **dialogical** or **hybrid nature** of colonial subjectivity’—which would entail **working beyond the bounds of absolute polarity**—is **disciplined as complicit** in the settler colonial project itself, leaving ‘the **only nonassimilationist position** one that **adheres strictly** and **solely** to a **critique** of [settler] state discourse’. This gesture not only **disallows the possibility of counter-publics** and **strategic alliances** (even limited ones), but also **comes dangerously close** to ‘**resistance as acquiescence**’ insofar as the settler colonial studies scholar may **malign the structures set in play** by settler colonialism, but **only from a safe distance unsullied by the messiness** of ambivalences and contradictions of settler and Native subjectivities and relations. **Opposition** is thus left as our **only option**, but, as we know from critical anti-colonial and postcolonial scholarship, opposition in itself is **not decolonization**

#### 4---Rejecting the state and emphasizing structure is a pessimism trap that stifles indigenous agency and activism.

Sheryl Lightfoot 20, associate professor in Indigenous Studies at University of British Columbia, “The Pessimism Traps of Indigenous Resurgence,” Chapter 10 in *Pessimism in International Relations*, pp 162-170, <https://doi.org/10.1007/978-3-030-21780-8_10>, pacc

Pessimism Trap 2: The State is Unified, Deliberate and Unchanging in Its Desire to Dispossess Indigenous Peoples and Gain Unfettered Access to Indigenous Lands and Resources

In other words, colonialism by settler states is a constant, not a variable, in both outcome and intent. Further, the state is not only intentionally colonial, but it is also unified in its desire to co-opt Indigenous peoples as a method and means of control.

In 2005's Wasase, Alfred presents the state as unitary, intentional and unchanging in its desire to colonise and oppress Indigenous peoples noting, 'I think that the only thing that has changed since our ancestors first declared war on the invaders is that some of us have lost heart'.22 Referring to current state policies as a 'self-termination movement', Alfred states, 'It is senseless to advocate for an accord with imperialism while there is a steady and intense ongoing attack by the Settler society on everything meaningful to us: our cultures, our communities, and our deep attachments to land'.23

Alfred's Peace, Power, Righteousness (2009) also argues that the state is deliberate and unchanging, stating quite plainly that 'it is still the objective of the Canadian and US governments to remove Indians, or, failing that, to prevent them from benefitting, from their ancestral territories'.24 Contemporary states do this, he argues, not through outright violent control but 'by insidiously promoting a form of neo-colonial self-government in our communities and forcing our integration into the legal mainstream'.25 According to Alfred, the state 'relegates indigenous peoples' rights to the past, and constrains the development of their societies by allowing only those activities that support its own necessary illusion: that indigenous peoples today do not present a serious challenge to its legitimacy'.26

Linking back to the aim of co-option, Alfred argues that while the state's desire to control Indigenous peoples and lands has never changed, the techniques for doing so have become subtler over time. 'Recognizing the power of the indigenous challenge and unable to deny it a voice', due to successful Indigenous resistance over the years, 'the state has (now) attempted to pull indigenous people closer to it'.27 According to Alfred, the state has outwitted Indigenous leaders and 'encouraged them to reframe and moderate their nationhood demands to accept the fait accompli of colonization, (and) to collaborate in the development of a "solution" that does not challenge the fundamental imperial lie'.28

In a similar vein, Coulthard's central argument is centred on his understanding of the dual structure of colonialism. Drawing directly from Fanon, Coulthard finds that colonialism relies on both objective and subjective elements. The objective components involve domination through the political, economic and legal structures of the colonial state. The subjective elements of colonialism involve the creation of 'colonized subjects', including a process of internalisation by which colonised subjects come to not only accept the limited forms of 'misrecog-nition' granted through the state but can even come to identify with it.29 Through this dual structure, colonial power now works through the inclusion of Indigenous peoples, actively shaping their perspectives in line with state discourses, rather than merely excluding them, as in years past. Therefore, any attempt to seek 'the reconciliation of Indigenous nationhood with state sovereignty is still colonial insofar as it remains structurally committed to the dispossession of Indigenous peoples of our lands and self-determining authority'.30

Concerning the state in relation to Indigenous peoples on the international level, Corntassel argues that states and global organisations, for years, have been consistently framing Indigenous peoples' self-determination claims in ways that 'jeopardize the futures of indigenous communities'.31 He claims that states first compartmentalise Indigenous self-determination by separating lands and resources from political and legal recognition of a limited autonomy. Second, he notes, states sometimes deny the existence of Indigenous peoples living within their borders. Thirdly, a political and legal entitlement framing by states deem-phasises other responsibilities. Finally, he claims that states, through the rights discourse, limit the frameworks through which Indigenous peoples can seek self-determination. Like Alfred and Coulthard, Corntassel has concluded that states are deliberate and never changing in their behaviour. With this move, Corntassel limits and actually demeans Indigenous agency, overlooking the reality that Indigenous organisations themselves chose the human rights framework and rights discourse as a target sphere of action precisely because, as was evident in earlier struggles like slavery, civil rights or women's rights, these were tools available to them that had a proven track record of opening up new possibilities and shifting previous state positions and behaviour. Indigenous advocates also cleverly realised, by the 1970s, that the anti-discrimination and decolonisation frames could be used together against states. States did, in no way, nefariously impose a rights framework on Indigenous peoples. Rather, Indigenous organisations and savvy Indigenous political actors deliberately chose to frame their self-determination struggles within the human rights framework in order to bring states into a double bind where they could not credibly claim to adhere to human rights and claim that they uphold equality while simultaneously denying Indigenous peoples' human rights and leaving them with a diminished and unequal right of self-determination. But, because he is caught in the pessimism trap of seeing the state only as unified, deliberate and unchanging, Corntassel overlooks and diminishes the clear story of Indigenous agency and the potential for positive change in advancing self-determination in a multitude of ways.

Pessimism Trap 3: Engagement with the Settler State is Futile, if Not Counter-Productive

Since the state always intends to maintain, if not expand, colonial control, and is seeking to co-opt as many Indigenous peoples as possible in order to maintain or expand its dispossession and control, it is therefore futile, at best, and actually dangerous to Indigenous existence to engage with the state. Furthermore, all patterns of engagement will lead to co-optation as the state is cunning and unrelenting in its desire to co-opt Indigenous leaders, academics and professionals in order to gain or maintain control of Indigenous peoples.

Alfred argues, in both his 2005 and 2009 books, that any Indigenous engagement with the state, including agreements and negotiations, is not only futile but fundamentally dangerous, as such pathways do not directly challenge the existing colonial structure and 'to argue on behalf of indigenous nationhood within the dominant Western paradigm is self-defeating'.32 Alfred states that a 'notion of nationhood or self-government rooted in state institutions and framed within the context of state sovereignty can never satisfy the imperatives of Native American political traditions'33 because the possibility for a true expression of Indigenous self-determination is 'precluded by the state's insistence on dominion and its exclusionary notion of sovereignty'.34 Worst of all, according to Alfred, when Indigenous communities frame their struggles in terms of asserting Aboriginal rights and title, but do so within a state framework, rather than resisting the state itself, it 'represents the culmination of white society's efforts to assimilate indigenous peoples'.35

Because it is impossible to advance Indigenous self-determination through any sort of engagement with the state, Coulthard also advocates for an Indigenous resurgence paradigm that follows both his mentor Taiaiake Alfred but also Anishinaabe feminist theorist Leanne Simpson.36 As Coulthard writes, 'both Alfred and Simpson start from a position that calls on Indigenous peoples and communities to "turn away" from the assimilative reformism of the liberal recognition approach and to instead build our national liberation efforts on the revitalization of "traditional" political values and practices'.37 Drawing upon the prescriptive approach of these theorists, Coulthard proposes, in his concluding chapter, five theses from his analysis that are intended to build and solidify Indigenous resurgence into the future:

1. On the necessity of direct action, meaning that physical forms of Indigenous resistance, like protest and blockades, are very important not only as a reaction to the state but also as a means of protecting the lands that are central to Indigenous peoples' existence;

2. Capitalism, No More!, meaning the rejection of capitalist forms of economic development in Indigenous communities in favour of land-based Indigenous political-economic alternative approaches;

3. Dispossession and Indigenous Sovereignty in the City, meaning the need for Indigenous resurgence movements 'to address the interrelated systems of dispossession that shape Indigenous peoples' experiences in both urban and land-based settings'38;

4. Gender Justice and Decolonisation, meaning that decolonisation must also include a shift away from patriarchy and an embrace of gender relations that are non-violent and reflective of the centrality of women in traditional forms of Indigenous governance and society; and

5. Beyond the Nation-State. While Coulthard denies that he advocates complete rejection of engagement with the state's political and legal system, he does assert that 'our efforts to engage these discursive and institutional spaces to secure recognition of our rights have not only failed, but have instead served to subtly reproduce the forms of racist, sexist, economic, and political configurations of power that we initially sought.to challenge'.39 He therefore advocates expressly for 'critical self-reflection, skepticism, and caution' in a 'resurgent politics of recognition that seeks to practice decolonial, gender-emancipatory, and economically non-exploitative alternative structures of law and sovereign authority grounded on a critical refashioning of the best of Indigenous legal and political traditions'.40

Corntassel also demonstrates the third pessimism trap, that all engagement with the state is ultimately futile. For the most part, however, Corntassel's observation is that the UN system operates like a reverse Keck and Sikkink 'boomerang model' and 'channels the energies of transnational Indigenous networks into the institutional fiefdoms of member countries', by which an 'illusion of inclusion' is created.41 He argues that, in order to be included or their views listened to, Indigenous delegates at the UN must mimic the strategies, language, norms and modes of behaviour of member states and international institutions. Corntassel finds that 'what results is a cadre of professionalized Indigenous delegates who demonstrate more allegiance to the UN system than to their own communities'.42 In his final analysis, he charges that the co-optation of international Indigenous political actors is highly 'effective in challenging the unity of the global Indigenous rights movement and hindering genuine dialogue regarding Indigenous self-determination and justice'.43

Finding that states deliberately co-opt and provide 'illusions of inclusion' to Indigenous political actors in UN settings, Corntassel comes to the same conclusion as Alfred concerning the futility of engagement, arguing that because transnational Indigenous networks are 'channeled' and 'blunted' by colonial state actors, 'it is a critical time for Indigenous peoples to rethink their approaches to bringing Indigenous rights concerns to global forums'.44

Imagining a Post-Colonial Future: Pessimistic 'Resurgence' Versus the Optimism and Tenacity of Indigenous Movements on the Ground

All of these writers advocate Indigenous resurgence, through a combination of rejecting the current reconciliation politics of settler colonial states, coupled with a return to land-based Indigenous expressions of governance as the only viable, 'authentic' and legitimate path to a better future for Indigenous peoples, which they refer to as decolonisation. While inherently critical in their orientation, these three approaches do make some positive and productive contributions to Indigenous movements. They help shed light on the various and subtle ways that Indigenous leaders and communities can become co-opted into a colonial system. They help us to hold leadership accountable. They also help us keep a strong focus on our traditional, cultural and spiritual values as well as our traditional forms of governance which then also helps us imagine future possibilities.

As I have pointed out here, however, all three theorists are also caught in the same three pessimism traps: authenticity versus co-option; a vision of the state as unified, deliberate and never changing in its desire to colonise and control; and a view of engagement with the state as futile, if not dangerous, to Indigenous sovereignty and existence. When combined, these three pessimism traps aim to inhibit Indigenous peoples' engagement with the state in any process that could potentially re-imagine and re-formulate their current relationship into one that could be transformative and post-colonial, as envisioned by the UN Declaration on the Rights of Indigenous Peoples. The pessimism traps together work to foreclose any possibility that there could be credible openings of opportunity to negotiate a fairer and just relationship of co-existence with even the most progressive state government.

This pessimistic approach is not innocuous. By overemphasising structure and granting the state an enormous degree of agency as a unitary actor, this pessimistic approach does a remarkable disservice to Indigenous resistance movements by proscribing, from academia, an extremely narrow view of what Indigenous self-determination can and should mean in practice. By overlooking and/or discounting Indigenous agency and not even considering the possibility that Indigenous peoples could themselves be calculating, strategic political actors in their own right, and vis-a-vis states, the pessimistic lens of the resurgence school unnecessarily, unproductively and unjustly limits the field of possibility for Indigenous peoples' decision-making, thus actually countering and inhibiting expressions of Indigenous self-determination. By condemning—writ large—all Indigenous peoples and organisations that wish to seek peaceful co-existence with the state, negotiate mutually beneficial agreements with the state, and/or who have advocated on the international level for a set of standards that can provide a positive guiding framework for Indigenous-state relations, the pessimistic lens of resurgence forecloses much potential for new and improved relations, in any form, and is very likely to lead to deeper conflicts between states and Indigenous peoples, and potentially, even violent action, which Fanon indicated was the necessary outcome. The pessimism traps of the resurgence school are therefore, likely self-defeating for all but the most remote and isolated Indigenous communities. Further, this approach is quite out of step with the actions and vision of many Indigenous resistance movements on the ground who have been working for decades to advance Indigenous self-determination, both domestically and globally, in ways that transform the colonial state into something more just and may eventually present creative alternatives to the Westphalian state form in ways that could respect and accommodate Indigenous nations. Rather, it aims to shame and blame those who wish to explore creative and innovative post-colonial resolutions to the colonial condition.

The UN Declaration on the Rights of Indigenous Peoples (the Declaration or UN Declaration) was adopted by the General Assembly in 2007 after 25 years of development. The Declaration is ground-breaking, given the key leadership roles Indigenous peoples played in negotiating and achieving this agreement.45 Additionally, for the first time in UN history, the rights holders, Indigenous peoples, worked with states to develop an instrument that would serve to promote, protect and affirm Indigenous rights, both globally and in individual domestic contexts.46

Many Indigenous organisations and movements, from dozens of countries around the world, were involved in drafting and negotiating the UN Declaration and are now advocating for its full implementation, both internationally and in domestic and regional contexts. In Canada, some of the key organisational players—the Grand Council of the Crees (Eeyou Istchee), the Assembly of First Nations, and the Union of British Columbia Indian Chiefs, or their predecessor organisations—were involved in the drafting and lengthy negotiations of the UN Declaration during the 1980s, 1990s and 2000s. In the United States, organisations like the American Indian Law Alliance and the Native American Rights Fund have been involved as well as the Navajo Nation and the Haudenosaunee Confederacy, who represent themselves as Indigenous peoples' governing institutions. From Scandinavia, the Saami Council and the Sami Parliaments all play a key role in advancing Indigenous rights. In Latin America, organisations like the Confederation de Nationalidades Indfgenas del Ecuador (CONAIE) and the Consejo Indio de Sud America (CISA) advocate for implementation of the UN Declaration. The three, major transnational Indigenous organisations— the World Council of Indigenous Peoples, the International Indian Treaty Council and the Inuit Circumpolar Council—were all key members of the drafting and negotiating team for the UN Declaration, and the latter two, which are still in existence, continue their strong advocacy for its full implementation.

Implementation of the UN Declaration on the Rights of Indigenous Peoples requires fundamental and significant change, on both the international and domestic levels. Because implementation of Indigenous rights essentially calls for a complete and fundamental restructuring of Indigenous-state relationships, it expects states to enact and implement a significant body of legal, constitutional, legislative and policy changes that can accommodate such things as Indigenous land rights, free, prior and informed consent, redress and a variety of self-government, autonomy and other such arrangements. States are not going to implement this multifaceted and complex set of changes on their own, however. They will require significant political and moral pressure to hold them accountable to the rhetorical commitments they have made to support this level of change. They will also require ongoing conversation and negotiation with Indigenous peoples along the way, lest the process becomes problematically one-sided. Such processes ultimately require sustained political will, commitment and engagement over the long term, to reach the end result of radical systemic change and Indigenous state relationships grounded in mutual respect, co-existence and reciprocity. This type of fundamental change requires creative thinking, careful diplomacy, tenacity, and above all, optimistic vision, on the part of Indigenous peoples. The pessimistic approaches of the resurgence school are ultimately of little use in these efforts, other than as a cautionary tale against state power, of which the organisational players are already keenly aware. Further, by dismissing and discouraging all efforts at engagement with states, and especially with the blanket accusations that all who engage in such efforts are 'co-opted' and not 'authentically' Indigenous, the resurgence school actually creates unnecessary negative feelings and divisions amongst Indigenous movements who should be pooling limited resources and working together towards better futures.

heir rob ev is terrible  
1. Doesn’t support the tag, just says Israeli accountability is important   
and palestinian/jewish people need to coexist  
2. Too specific and way not predictable who can have ev for mediating   
between “nationist and universalist impulses”  
3. Double bind either their argument is true in relation to structures and   
structures overwhelm their solvency per their ontology claims or their   
args aren’t in relation to structures and they have no solvency   
anyways per their rob interp  
Pref hegemonic knowledge production resistance as the rob   
1. Ours encompasses theirs wehich mean it’s better for topic ed in debate  
2. Predictable and engageable  
3. Has a metric for eval which is the quantifiable loss of heg knowledge   
production  
4. Controls the root cause to their rob that’s the permeability of   
biopolitics arg from our framing and their own ev that their offense is   
constrained by “larger structures lost in hyperspecific focus”  
On Miriam (educational spaces key arg)  
1. This card is just not in the context of debate  
2. Ev overwhelms the offense either discourse is sufficient outside of   
debate given current political activism by students or it’s not and   
debate doesn’t change anything given it’s literally in a different   
country than palistinian student activists  
3. Even if this arg is true by reading the aff it is discussed so you can just   
vote neg and garner the discourse offense of the aff there’s no reason   
why it’s exclusive to plan solvency  
No palestinian discourse first  
1. discussion has been happening for literally decades no solvency   
through discussion yet; it devolves to violence which turns their   
argument  
2. double bind either the current laws defeat discourse as they’ve been   
around for years or they don’t restrict discourse which means no   
offense to discourse anyways  
3. only focus on biopolitcs solves it controls the internal link for why   
Israeli laws affect discourse anyways because they’re state mandated