## 1 – Set Col

#### Settlerism is an everyday process shaped by affective investments in institutions that claim jurisdiction over native land. Legal and political action is inextricably dependent on the elimination of the native.

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In Walden (1854), Henry David Thoreau offers a vision of personhood divorced from the state, characterizing his experience of “Nature” during his time at Walden Pond as providing him with a sense of his own autonomous embodiment and a related set of ethical resources that enable him to reject the demands of contemporary political economy.1 The invocation of “Nature” appears to bracket the question of jurisdiction, opening into a different conceptual and phenomenological register that displaces the problem of locating oneself in relation to the boundaries of the state. However, the very feeling that one has moved beyond geopolitics, that one has entered a kind of space that suspends questions of sovereignty or renders them moot, depends on the presence of an encompassing sovereignty that licenses one’s access to that space. If the idea of “Nature” holds at bay the question of jurisdiction so as to envision a kind of place for cultivating a selfhood that can oppose state logics/politics, it also effaces the ways that experience/vision of personhood itself may arise out of the legal subjectivities put in play by the jurisdictional claiming/clearing of that space as against geopolitical claims by other polities, specifically Native peoples. Thoreau offers an example of how settlement – the exertion of control by non-Natives over Native peoples and lands – gives rise to modes of feeling, generating kinds of affect through which the terms of law and policy become imbued with a sensation of everyday certainty. This affective experience productively can be characterized as an instantiation of what more broadly may be characterized as settler common sense. The phrase suggests the ways the legal and political structures that enable non-Native access to Indigenous territories come to be lived as given, as simply the unmarked, generic conditions of possibility for occupancy, association, history, and personhood. Addressing whiteness in Australia, Fiona Nicoll argues that “rather than analysing and evaluating Indigenous sovereignty claims…, we have a political and intellectual responsibility to analyse and evaluate the innumerable ways in which White sovereignty circumscribes and mitigates the exercise of Indigenous sovereignty”, and she suggests that “we move towards a less coercive stance of reconciliation with when we fall from perspective into an embodied recognition that we already exist within Indigenous sovereignty”. 2 Addressing the question of how settlement as a system of coercive incorporation and expropriation comes to be lived as quotidian forms of non-Native being and potential, though, may require tactically shifting the analytical focus such that Indigenous sovereignties are not at the center of critical attention, even as they remain crucial in animating the study of settler colonialism and form its ethical horizon. “An embodied recognition” of the enduring presence of settler sovereignty, as well as of quotidian non-Native implication in the dispossession, effacement, and management of indigeneity, needs to attend to everyday experiences of non-relation, of a perceptual engagement with place, various institutions, and other people that takes shape around the policies and legalities of settlement but that do not specifically refer to them as such or their effects on Indigenous peoples. In order to conceptualize the mundane dynamics of settler colonialism, the quotidian feelings and tendencies through which it is continually reconstituted and experienced as the horizon of everyday potentiality, we may need to shift from an explicit attention to articulations of Native sovereignty and toward an exploration of the processes through which settler geographies are lived as ordinary, non-reflexive conditions of possibility. In Marxism and Literature, Raymond Williams argues for the necessity of approaching “relations of domination and subordination” as “practical consciousness” that saturat[es] … the whole substance of lived identities and relationships, to such a depth that the pressures and limits of what can ultimately be seen as a specific economic, political, and cultural system seem to most of us the pressures and limits of simple experience and common sense.3 Understanding settlement as, in Williams’s terms, such a “structure of feeling” entails asking how emotions, sensations, psychic life take part in the (ongoing) process of realizing the exertion of non-Native authority over Indigenous peoples, governance, and territoriality in ways that saturate quotidian life but are not necessarily present to settlers as a set of political propositions or as a specifically imperial project of dispossession. In the current scholarly efforts to characterize settler colonialism, the contours of settlement often appear analytically as clear and coherent from the start, as a virtual totality, and in this way, the ongoing processes by which settler dominance actively is reconstituted as a set of actions, occupations, deferrals, and potentials slide from view. We need to ask how the regularities of settler colonialism are materialized in and through quotidian non-Native sensations, inclinations, and trajectories. Moreover, administrative initiatives and legalities become part of everyday normalizations of state aims and mappings but in ways that also allow for an exceeding of state interests that potentially can be turned back against the state, giving rise to oppositional projects still given shape and momentum by the framings that emerge out of the ongoing work of settler occupation – such as in Walden. The essay will close with a brief reading of Thoreau’s text that illustrates how its ethical framing emerges out of, and indexes, everyday forms of settler feeling shaped by state policy but not directly continuous with it. 1. The figure of the vanishing Indian still remains prominent within US popular and scholarly discourses, both explicitly and implicitly. Within this narrative, Native peoples may have had prior claims to the land, but they, perhaps tragically, were removed from the area, or died out, or ceased to be “really” Indian, or simply disappeared at some point between the appearance of the “last” one and the current moment, whenever that may be.4 As against this tendency, scholars who seek to track the workings of settler colonialism face an entrenched inattention to the ways non-Native conceptions and articulations of personhood, place, property, and political belonging coalesce around and through the dispossession of Native peoples and normalization of (the) settler (-state’s) presence on Native lands. Insistence on the systemic quality of such settler seizures, displacements, identifications responds to this relative absence of acknowledgment by emphasizing its centrality and regularity, arguing that the claiming of a naturalized right to Indigenous place lies at the heart of non-Native modes of governance, association, and identity. However, such figurations of the pervasive and enduring quality of settler colonialism may shorthand its workings, producing accounts in which it appears as a fully integrated whole operating in smooth, consistent, and intentional ways across the socio-spatial terrain it encompasses. Doing so, particularly in considering the exchange between the domains of formal policy and of everyday life, may displace how settlement’s histories, brutalities, effacements, and interests become quotidian and common-sensical. Looking at three different models, I want to sketch varied efforts to systemize settler colonialism, highlighting some questions that emerge when they are read in light of issues of process and affect. In Settler Colonialism and the Transformation of Anthropology, Patrick Wolfe argues, “Settler colonies were (are) premised on the elimination of native societies. The split tensing reflects a determinate feature of settler colonization. The colonizers come to stay – invasion is a structure not an event.” 5 Offering perhaps the most prominent definition of settler colonialism, Wolfe’s formulation emphasizes the fact that it cannot be localized within a specific period of removal or extermination and that it persists as a determinative feature of national territoriality and identity. He argues that a “logic of elimination” drives settler governance and sociality, describing “the settler-colonial will” as “a historical force that ultimately derives from the primal drive to expansion that is generally glossed as capitalism” (167), and in “Settler Colonialism and the Elimination of the Native,” he observes that “elimination is an organizing principle of settler-colonial society rather than a one-off (and superceded) occurrence”, adding, “Settler colonialism destroys to replace.” 6 Rather than being superseded after an initial moment/period of conquest, however, colonization persists since “the logic of elimination marks a return whereby the native repressed continues to structure settler-colonial society” (390), and “the process of replacement maintains the refractory imprint of the native counter-claim” (389). Yet, when and how do projects of elimination and replacement become geographies of everyday non-Native occupancy that do not understand themselves as predicated on colonial occupation or on a history of settler-Indigenous relation (even though they are), and what are the contours and effects of such experiences of inhabitance and belonging? In characterizing settlement as a “structure”, “logic”, and a “will”, Wolfe seeks to integrate the multivalent aspects of ongoing processes of non-Native expropriation and superintendence, but doing so potentially sidesteps the question of how official governmental initiatives and framings become normalized as the setting for everyday non-Native being and action in ways that cannot be captured solely by reference to “the murderous activities of the frontier rabble” (392–3).

#### Irrationality is placed within the state of nature for Kant, which indigenous peoples are pathologized through. This is an issue with their metaphysics not their reps. THEY MENTION THE STATE OF NATURE BEING BAD! You could read kant without replicating this racist trope.

James (Sakej) **Youngblood** Henderson, “The Context of the State of Nature”. Chapter within *Reclaiming Indigenous Voice and Vision* edited by Marie Battiste in **2000,** UBCPress Vancouver Toronto [https://books.google.com/books?hl=en&lr= &id=XAq01sB8k-AC&oi=fnd&pg=PA11&dq=the+state+of+nature+indigenous&ots=UfRfnoa7Yj&sig=c1U8URUMFOhxDl5MP\_TBpBVkWmg#v=onepage&q&f=false](https://books.google.com/books?hl=en&lr=&id=XAq01sB8k-AC&oi=fnd&pg=PA11&dq=the+state+of+nature+indigenous&ots=UfRfnoa7Yj&sig=c1U8URUMFOhxDl5MP_TBpBVkWmg#v=onepage&q&f=false) (HTE).

Terror and suffering have always been integral to European life and thought. **Modern European political thought is constructed on the idea that terror is a legitimate source of sovereign power and law.** What modern European political thought conceals however, are the effects of such terror on those who suffer under the rule of this law. Following the tradition of ideographic mapping on birth bark used by the Aboriginal peoples of the eastern forests of North America, I want to map the cognitive contours and choices that have led to the domination and oppression of Indigenous peoples and their terror and suffering. Specifically. **I want to map the British seventeenth century construct of the "state of nature.“ show how this idea created the competing frameworks of treaty federalism and colonialism. and critique the relevance of the construct in Indigenous struggles.** Modern **European political thought has its roots in the "state of nature" theory propounded by the seventeenth-century English political philosopher Thomas Hobbes. Hobbes’s vision of the state of nature remains the prime assumption of modernity, a cognitive vantage point from which European colonialists can carry out experiments in cognitive modeling and engineering that inform and justify modern Eurocentric scholarship and systemic colonization. Indigenous peoples have experienced this concept as slavery, colonization, and imperialism, as well as liberalism, socialism, and communism**. **These derivatives of Hobbes’s vision are the source of our difference, our suffering, and our pain, and it is our experience of them that unites us against continued domination and oppression.** Since the Hobbesian vision of the state of nature and the ideas derived from it exist in our minds as part of the cognitive prison imposed on us by our Eurocentric educations, indigenous peoples need to understand both the nature and the function of this ideology. **To understand why and how we were taught in these ideas, which constrain both our present abilities and our children’s future, we have first to understand the  artificial context of European thought.** The best way to understand this phenomenon is through the idea of contextuality.

#### The evocation of common heritage of “mankind” or common rationality claim to help common humanity, but they in fact just reinforce the nation-state’s ability to make sovereign decisions over space. Cornum 18,

Cornum, Lou. “Event Horizon.” *Real Life Mag*, 12 Mar. 2018, https://reallifemag.com/event-horizon/.

The word *pioneer*, usually attached to innovation, is never too far from people like Jeff Bezos or Elon Musk or Peter Thiel. These men’s careers in tech startups, their origins in the digital commerce boom, and their pioneer identities were forged on the electronic frontier. Like pioneers of industry in the colonial expansion of the Americas, these men operate on the knife’s edge of sovereignty as it cuts a path for both state and capital to consolidate power. In space, these men see a chance to loosen further the bonds that still restrain the endless capital they’ve been chasing in their imagined rocket ships. Investors, architects of the financial and material future, have taken to using the term “NewSpace” to refer to the almost accessible ventures of asteroid mining, space shipping, spaceship travel, and other forms of space commerce. Still, there are fminor contractual obstacles. **Even at the void’s edge, there is a treaty.** A couple of treaties actually. **Out there the governments still rely on these dusty remnants of the dying beast of nation-state sovereignty and the apparatuses of international relations first created to aid and abet the global distribution of white men’s control. The Outer Space Treaty of 1967, which has a more precise formal name** — Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies — **may seem surprisingly benevolent. It is sometimes summarized as saying that *nobody can own space*. But while it outlaws national appropriation, it allows incorporation without the state.** In a demotion from the sensual feel of its phrasing, “celestial bodies” become the body politic, managed sites of bans and requirements. While the U.S. did sign the Outer Space Treaty of 1967, it did not sign the 1979 Moon Treaty**,**more formally known as the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies. The Moon Treaty, among other directives, bans any state from claiming sovereignty over any territory of celestial bodies; bans any ownership of any extraterrestrial property by any organization or person, unless that organization is international and governmental; and requires an international regime be set up to ensure safe and orderly development and management of the resources and sharing of the benefits from them. It also bans military activity such as weapons testing or the founding of extraterrestrial military bases (though it’s hard to see U.S. presence anywhere in the stars or on Earth as anything other than militaristic). **Evoking the common heritage of “mankind,” the Moon Treaty could appear a pie-in-the-sky attempt at more equitable relations to land than have been established on Earth since the advent of private property and national borders. But it is of course expressed only in the stop-gap measure of treaties that assign power to states, governments, and resource-management regimes. The power of the treaty is in its possible revoking. In making the decision to sign the treaty or not sign the treaty, the collectives state their unquestioned right to make decisions in space at all. Space is a place where old and new sovereignties, like asteroids desired for mining, are colliding or sometimes colluding. There is a line connecting the Dutch East India Company, the Hudson Bay Company, and SpaceX. These companies begin as corporate endeavors, but then as now the nation-state is sticky: It finds a way to adhere.** Take the case of Luxembourg, a polity that lives on tax loopholes (allowing large corporations to move money in and out of the nation with utmost secrecy and minimal charges) where, as Atossa Araxia Abrahamian [reports for the *Guardian*](https://www.theguardian.com/news/2017/sep/15/luxembourg-tax-haven-privatise-space), private space companies are finding their funding allies for financed trips to the moon, Mars, and the interstellar spots for satellites. The mixing of business and research mixes the money and power hungering of technocrats who don’t just want to own businesses but want people to see their businesses as the shareholders of humanity’s future.In middle school we didn’t have model U.N., but we did have model Earth. For field trips we’d be taken away to Biosphere 2, a site for space-colonization experiments built by Space Biosphere Ventures but owned by Columbia University by the time I visited. In these field trips to the desert outside a town auspiciously named Oracle, we walked around the display vivarium, always being reminded to call it biosphere *two*— biosphere *one* was the earth outside, the one we had momentarily left behind and one day might leave behind for good. That old planet was a past prototype. But the new prototype was itself already a defunct research facility. The closed-system experiment with human subjects had failed twice in the ’90s, and it now rests as one of the many dreams littering the desert of a new world.When a world is new, it creates alongside a space held for the older worlds. This is the drama between what can be brought from before and what will be made anew. It is why Aeneas carried his dying father Anchises on his shoulders out of Troy on his way to found Rome. The traveler always brings baggage. Jeff Bezos would like to be the one who carries that baggage to space or controls the robots and poorly paid temporary laborers who accomplish the carrying. In this supposedly new space, the regimes of inequality will be quite familiar. The space-goers insist it is something called humanity, with the ingrained hierarchical legacies of this category, that will be going.Leaders in industry who have always wanted to be world leaders are now positioning themselves as leaders of outer worlds. Elon Musk makes union busting seem like a cosmic necessity for the continuation of human life. The material and subsequent cultural valorization of certain kinds of work in the tech industry, wherein the “great minds” make all the money and those who maintain the machinery of day-to-day existence are treated like the shit they’re supposed to take, does not end at the stratosphere.Even the more lofty moral considerations of outer-space ethics (e.g., is terraforming ever morally acceptable?) often ignore their fundamental basis in deathly processes still very much situated on Earth. Any outer-space endeavor today or in the near future will be an extension of the life-destroying capacities of capitalists and their colonial countries. On the [Deep Space Industries page](https://deepspaceindustries.com/mining/) for asteroid mining, the exploitation and extraction of minerals is heralded as “an unlimited future for all mankind**.” The endless extension of capitalist accumulation comes with an extension of this delusion of “all mankind.” As if all such projects, the project of humanity itself, has not always been an exclusionary one.** SETI may appear to inhabit a different realm of speculation than that of the grandstanding services-and-commodities pioneers. But its project also follows a willful ignorance about human history and the exclusions that make humanity as a class possible. SETI proponents, much like Musk and his ilk, view themselves at the forefront of a new breakthrough not necessarily of capital but of knowledge. Their sites of expansion are not centered so much on the territories capital requires in order to enclose, privatize, and extract until depletion (though they can be intimately connected, as in the development of the university and research centers as global actors of dispossession), but on sites of encounter. Outer-space commerce and funded extraterrestrial contact-seekers operate on and reinforce damaging notions of land, life, and the future that actually hinder the survival of most Earth dwellers rather than provide anything like meaningful hope. Stories of contact are only ever understood as colonial stories. Every inquiry of future contact with extraterrestrial life, from academic and government-funded to amateur and whimsical, relies on the same stale comparisons of colonial conquest. Columbus, of course; Captain James Cook, often. Every episode of the podcast *Making New Worlds: Why Are We Going?*features historical authorities commenting on colonial situations of the past and comparing them to hypothetical situations with extraterrestrials. The topics convened by those who are granted the authority to speak on them are conducted under the tyranny of certain givens, the most persistent and damning of them being contact as conquest.

#### The alternative is engagement in indigenous space futurism, the active imagination of future worlds free from colonialism. This enables us to frame future movements against the settler colonialist state while going against dominant settler discourse in the debate space. The perm is impossible since the aff bans private appropriation – indigenous individuals can’t launch rockets and get off the rock. The aff subsumes space with the state, Cornum 15.

Cornum, Lou. “The Space NDN's Star Map.” *The New Inquiry*, 26 Jan. 2015, https://thenewinquiry.com/the-space-ndns-star-map/.

**For indigenous futurism**, technology is inextricable from the social. **Human societies are part of a network of wider relationships with objects**, animals, geological formations and so on. **To grasp our relationship with the non-human world here on Earth, we must also extend our understanding of how Earth relates to the entirety of the cosmos.** We live on just one among millions of planets, each an intricate and delicate system within a larger, increasing complex structure. For the indigenous futurist endeavor, striving to understand the ever-multiplying connections linking us to the beginning of the universe and its constant expansion also entails unraveling the intricate relations that make up our Earthly existence. Zainab Amadahy, who identifies as a person of mixed black, Cherokee and European ancestry, grounds her writing practice in illuminating and understanding networks of relationships: “I aspire to write in a way that views possible alternatives through the lens of a relationship framework, where I can demonstrate our connectivity to and interdependence with each other and the rest of our Relations.” **Her** 1992 novel ***The Moons of Palmares*** examines the relationships, both harmful and collaborative, between indigenous peoples and descendants of slaves in an outer space setting that merges histories of the Black Atlantic with the colonial frontier. In a provocative bit of plotting, she casts an indigenous character, Major Eaglefeather, as an oppressive foreign force in the lives of an outer space labor population that has shaped its society in remembrance of black slave resistance in North/South America and the Caribbean. The story **follows Major Eaglefeather’s decision to reject his ties to the corporate state and support a rebel group of laborers**. The name Palmares is taken from a real-world settlement founded by escaped slaves in 17th-century Brazil, which is also known to have incorporated indigenous peoples and some poor, disenfranchised whites. In a chronicle written in the late 17th century, these *quilombos* are described as networks of settlements that lived off the land and were supplemented by raids on the slave plantations where the inhabitants were formerly held**. It is said that in Palmares the king was called Gangasuma, a hybrid term meaning “great lord” composed of the Angolan or Bandu word *ganga* and the Tupi word *assu*. The word succinctly captures the mixture of cultures that banded together in Palmares to live together on the margins of a colonialist, slave-holding society. While Palmares was eventually destroyed in a military campaign, it lives on as a legend of slave rebellion and utopian possibility that Amadahy finds well suited for her outer space story about collaborative resistance to state power and harmful resource extraction processes. Outer space, perhaps because of its appeal to our sense of endless possibility, has become the imaginative site for re-envisioning how black, indigenous and other oppressed people can relate to each other outside of and despite the colonial gaze.** Amadahy’s work is crucial for a critical understanding of the space NDN. **The space NDN cannot allow him or herself to fall into the patterns of domination and kyriarchy that have for too long prevailed here on Earth as well as speculative narratives of outer space. Afrofuturists have looked to space as the site for black separatism and liberation. If the space NDN is truly committed to being responsible to all our relations, it is imperative for our futurist vision to be in solidarity with and service to our fellow Afrofuturist space travelers. Our collective refusal of colonial progress (namely, our destruction) means we must chart other ways to the future that lead us and other oppressed peoples to the worlds we deserve.** *The Moons of Palmares* works toward this end by revealing the strong connections between indigenous and black histories, narratives and ways of living. **Indigenous futurism is indebted to Afrofuturism: Both forms of futurism explore spaces and times outside the control of colonial powers and white supremacy.** These alternative conceptions of time reject the notion that all tradition is regressive by narrating futures intimately connected to the past. SF and specifically the site of outer space give writers and thinkers the imaginative room to envision political and cultural relationships and the future decolonizing movements they might nourish. This focus on relationship, especially as posited by Amadahy, also accounts for those forms of indigeneity that persist among peoples either stolen from their lands or whose lands have been stolen from them. As the writer Sydette Harry recently posted on Twitter, “Black people are displaced indigenous people.” However, because of the processes of forced relocation and slavery and continuing anti-black racism, black people are often denied claims to indigeneity. There is also a pernicious erasure of black NDNs in America and Canada. **In exploring outer space, black authors are also able to assert their own relationship to land both on Earth and in the cosmos.** The Black Land Project (BLP), while not an explicitly futurist organization, fosters the kind of relationships to land on Earth that futurist authors and thinkers envision in outer space. In a recent podcast, *Blacktracking through Afrofuturism*, BLP founder and director Mistinguette Smith discusses how walking over the routes of the Underground Railroad brought forth alternate dimensions and understandings of time outside the settler paradigm of ownership. These are aspects of relating to land that the Afrofuturist and the space NDN (identities which can exist in the same person) bring with them on their travels. This focus on relationship rather than a strict idea of location speaks to the way in which the space NDN can remain secure in their indigenous identity even while rocketing through dark skies far from their origins. This is not to demean the work of land protectors and defenders who risk serious repercussions for resisting corporate and state encroachment on indigenous territories. The space NDN supports those who are able and choose to remain on the land, while also hoping to broaden understandings of indigeneity outside simple location. **Locations of course are never simple. It is the settler who wishes to flatten the relation between place and people by claiming land through ownership. Projecting themselves forward into faraway lands and times, the space NDN reveals the myriad ways of relating to land beyond property.**

#### The role of the ballot is to center indigenous scholarship and resistance-- Any ethical commitment requires that the aff place themselves in the center of Native scholarship and demands.

Carlson 16

(Elizabeth Carlson, PhD, is an Aamitigoozhi, Wemistigosi, and Wasicu (settler Canadian and American), whose Swedish, Saami, German, Scots-Irish, and English ancestors have settled on lands of the Anishinaabe and Omaha Nations which were unethically obtained by the US government. Elizabeth lives on Treaty 1 territory, the traditional lands of the Anishinaabe, Nehiyawak, Dakota, Nakota, and Red River Metis peoples currently occupied by the city of Winnipeg, the province of Manitoba, (2016): Anti-colonial methodologies and practices for settler colonial studies, Settler Colonial Studies, DOI: 10.1080/2201473X.2016.1241213, JKS)

Arlo Kempf says that ‘where anticolonialism is a tool used to invoke resistance for the colonized, it is a tool used to invoke accountability for the colonizer’.42 Relational accountability should be a cornerstone of settler colonial studies. I believe settler colonial studies and scholars should ethically and overtly place themselves in relationship to the centuries of Indigenous oral, and later academic scholarship that conceptualizes and resists settler colonialism without necessarily using the term: SCT may be revelatory to many settler scholars, but Indigenous people have been speaking for a long time about colonial continuities based on their lived experiences. Some SCTs have sought to connect with these discussions and to foreground Indigenous resistance, survival and agency. Others, however, seem to use SCT as a pathway to explain the colonial encounter without engaging with Indigenous people and experiences – either on the grounds that this structural analysis already conceptually explains Indigenous experience, or because Indigenous resistance is rendered invisible.43 Ethical settler colonial theory (SCT) would recognize the foundational role Indigenous scholarship has in critiques of settler colonialism. It would acknowledge the limitations of settler scholars in articulating settler colonialism without dialogue with Indigenous peoples, and take as its norm making this dialogue evident. In my view, it is critical that we not view settler colonial studies as a new or unique field being established, which would enact a discovery narrative and contribute to Indigenous erasure, but rather take a longer and broader view. Indigenous oral and academic scholars are indeed the originators of this work. This space is not empty. Of course, powerful forces of socialization and discipline impact scholars in the academy. There is much pressure to claim unique space, to establish a name for ourselves, and to make academic discoveries. I am suggesting that settler colonial studies and anti-colonial scholars resist these hegemonic pressures and maintain a higher anti-colonial ethic. As has been argued, ‘the theory itself places ethical demands on us as settlers, including the demand that we actively refuse its potential to re-empower our own academic voices and to marginalize Indigenous resistance’.44 As settler scholars, we can reposition our work relationally and contextually with humi- lity and accountability. We can centre Indigenous resistance, knowledges, and scholarship in our work, and contextualize our work in Indigenous sovereignty. We can view oral Indigenous scholarship as legitimate scholarly sources. We can acknowledge explicitly and often the Indigenous traditions of resistance and scholarship that have taught us and pro- vided the foundations for our work. If our work has no foundation of Indigenous scholarship and mentorship, I believe our contributions to settler colonial studies are even more deeply problematic.

## 2 – Presumption Permissibility

#### Presumption and permissibility negate – if everything is permissible so is private appropriation which negates since it isn’t unjut

## Aff

### Kant Racist

#### Racism isn’t surprising or anomalous—the ideals of white supremacy are part of the abstract and ideal moral theory that rejects as ideology any concept of specific idea. even if theres some theoretical version of teh aff that might be not racist, the erasure of race in the initial aff is impossible to recover from

Mills, W. Charles. *The Racial Contract.*Cornell University Press, 1997. (copy of the book will be given upon request I cant put it in the doc)

The discussion at the beginning should have made clear why I think this answer misses the point. **Insofar as the moral theory and political philosophy of present-day contractarianism are trying to prescribe ideals for a just society, which are presumably intended to help transform our present *non*ideal society, it is obviously important to get clear what the facts are.** Moral and political prescription will depend in part on empirical claims and theoretical generalizations, accounts of what happened in the past and what is happening now, as well as more abstract views about how society and the state work and where political power is located. If the facts are radically different from those that are conventionally represented, the prescriptions are also likely to be radically different. Now as I pointed out at the start, and indeed throughout, **the absence from most white moral/political philosophy of discussions of race and white supremacy would lead one to think that race and racism have been marginal to the history of the West. And this belief is reinforced by the mainstream conceptualizations of the polity themselves, which portray it as essentially raceless, whether in the dominant view of an individualist liberal democracy or in the minority radical Marxist view of a class society. So it is not that mainstream contractarians have *no* picture.** (Indeed it is impossible to theorize without *some* picture.) **Rather, they have an *actual* (tacit) picture, which, in its exclusion or marginalization of race and its typically sanitized, whitewashed, and amnesiac account of European imperialism and settlement, is deeply flawed and misleading. So the powerful image of the idealized contract, in the absence of an explicit *counter*image, continues to shape our descriptive as well as normative theorizations. By providing *no* history, contemporary contractarianism encourages its audience to fill in a *mystified* history, which turns out to look oddly like the (ostensibly) repudiated history in the original contract itself!** No one actually believes nowadays, of course, that people formally came out of the wilderness and signed a contract. **But there *is* the impression that the modern European nation-states were not centrally affected by their imperial history and that societies such as the United States were founded on noble moral principles meant to include everyone, but unfortunately, there were some deviations.**[73](file:///Volumes/GoogleDrive/Shared%20drives/21-22%20LD%20Debate/JF22%20-%20SPACE/Work%20Folders/Varsity/Ayman/Speech%20Docs/Harvard/Neg/part0007_split_000.html#Ch3-73) ***The “Racial Contract” explodes this picture as mythical, identifying it as itself an artifact of the Racial Contract in the second, de facto phase of white supremacy*.** Thus—in the standard array of metaphors of perceptual/conceptual revolution—it effects a gestalt shift, reversing figure and ground, switching paradigms, inverting “norm” and “deviation,” to emphasize that *nonwhite racial exclusion from personhood was the actual norm***. Racism, racial self-identification, and race thinking are then not in the least “surprising,” “anomalous,” “puzzling,” incongruent with Enlightenment European humanism, but *required* by the Racial Contract as part of the terms for the European appropriation of the world. So in a sense standard contractarian discussions are fundamentally misleading, because they have things backward to begin with: what has usually been taken (when it has been noticed at all) as the racist “exception” has really been the *rule*; what has been taken as the “rule,” the ideal norm, has really been the *exception*. The second**, related **reason that the “Racial Contract” should be part of the necessary foundation for contemporary political theory is that our theorizing** and moralizing ***about* the sociopolitical facts are affected in characteristic ways by social structure.** There is a reflexiveness to political theory, in which it theorizes about itself and later theorists critique the blindnesses of earlier ones. The classic texts of the central thinkers of the Western political tradition—for example, Plato, Hobbes, Locke, Burke, Marx—typically provide not merely normative judgments but mappings of social ontologies and political epistemologies which explain why the normative judgments of others have gone astray**. These theorists recognized that to bring about the *ideal* polity, one needs to understand how the structure and workings of the *actual* polity may interfere with our perception of the social truth. Our characteristic patterns of understanding and misunderstanding of the world are themselves influenced by the way the world is and by the way we ourselves are, whether naturally or as shaped and molded by that world**. So one needs criteria for political knowing, whether through penetrating the illusory appearances of this empirical world (Plato), through learning to discern natural law (Hobbes, Locke), through rejecting abstraction for the accumulated wisdom of “prejudice” (Burke), or through demystifying oneself of bourgeois and patriarchal ideology (Marxism, feminism). Particularly for alternative, oppositional theory (as with the last two**), the claim will be that an oppressive polity characterized by group domination distorts our cognizing in ways that themselves need to be theorized about.** We are blinded to realities that we should see, taking for granted as natural what are in fact human-created structures. So we need to see differently, ridding ourselves of class and gender bias, coming to recognize as political what we had previously thought of as apolitical or personal, doing conceptual innovation, reconceiving the familiar, looking with new eyes at the old world around us. Now if the “Racial Contract” is right, existing conceptions of the polity are foundationally deficient. **There is obviously all the difference in the world between saying the system is basically sound despite some unfortunate racist deviations, and saying that the polity is racially structured, the state white-supremacist, and races themselves significant existents that an adequate political ontology needs to accommodate. So the dispute would be not merely about the facts but about *why* these facts have gone so long unapprehended and untheorized in white moral/political theory.** Could it be that membership in the *Herrenvolk*, the race privileged by this political system, tends to prevent recognition of it *as* a political system? Indeed, it could. So not only would meeting this political challenge imply a radically different “metanarrative**” of the history that has brought us to this point, but it would also require, as I have sketched, a rethinking and reconceptualization of the existing conventional moral/political apparatus and a self-consciously reflexive epistemic examination of how this deficient apparatus has affected the moral psychology of whites and directed their attention away from certain realities. By its crucial silence on race and the corresponding opacities of its conventional conceptual array, the raceless social contract and the raceless world of contemporary moral and political theory render mysterious the actual political issues and concerns that have historically preoccupied a large section of the world’s population**. Think of the rich colorful tapestry over the last two centuries of abolitionism, racial vindicationism, aboriginal land claims, antiimperial and anticolonial movements, antiapartheid struggle, searches to reclaim racial and cultural heritages, and ask yourself what thread of it ever appears within the bleached weave of the standard First World political philosophy text. It is undeniable (one would think) that these struggles are political, but dominant categories obscure our understanding of them. They seem to be taking place in a different conceptual space from the one inhabited by mainstream political theory. One will search in vain for them in most standard histories and contemporary surveys of Western political thought. The recent advent of discussions of “multiculturalism” is welcome, but what needs to be appreciated is that these are issues of political *power*, not just mutual misconceptions resulting from the clash of cultures.

#### Kant is a foundational theorist of white supremacy and non-personhood. This is not isolated, but rather a constitutive feature of academic philosophy that is ignored by the failure to do ideology critique.

Mills, W. Charles. *The Racial Contract.*Cornell University Press, 1997.

Finally, **Kant’s version of the social contract is in a sense the best illustration of the grip of the Racial Contract** on Europeans, since by this time the actual contract and the historical dimension of contractarianism had apparently vanished altogether. So here if anywhere, one would think—in this world of abstract persons, demarcated as such only by their rationality—race would have become irrelevant. But as Emmanuel Eze has recently demonstrated in great detail, this orthodox picture is radically misleading, and the nature of Kantian “persons” and the Kantian “contract” must really be rethought.[65](file:///Volumes/GoogleDrive/Shared drives/21-22 LD Debate/JF22 - SPACE/Work Folders/Varsity/Ayman/Speech Docs/Harvard/Neg/part0007_split_000.html" \l "Ch2-65) For it turns out that **Kant**, widely regarded as the most important moral theorist of the modern period, in a sense the father of modern moral theory, and—through the work of John Rawls and Jürgen Habermas—increasingly central to modern political philosophy as well, **is *also* the father of the modern concept of race**.[66](file:///Volumes/GoogleDrive/Shared drives/21-22 LD Debate/JF22 - SPACE/Work Folders/Varsity/Ayman/Speech Docs/Harvard/Neg/part0007_split_000.html" \l "Ch2-66) His 1775 essay “The Different Races of Mankind” (“Von den Verschiedenen Rassen der Menschen”) is a classic pro-hereditarian, antienvironmentalist statement of “the immutability and permanence of race.” For him, comments George Mosse, “racial make-up becomes an unchanging substance and the foundation of all physical appearance and human development, including intelligence.”[67](file:///Volumes/GoogleDrive/Shared drives/21-22 LD Debate/JF22 - SPACE/Work Folders/Varsity/Ayman/Speech Docs/Harvard/Neg/part0007_split_000.html" \l "Ch2-67) **The famous theorist of personhood is also the theorist of subpersonhood**, though this distinction is, in what the suspicious might almost think a conspiracy to conceal embarrassing truths, far less well known. As Eze points out, Kant taught anthropology and physical geography for forty years, and his philosophical work really has to be read *in conjunction with these lectures* to understand how racialized his views on moral character were. **His notorious comment in *Observations on the Feeling of the Beautiful and Sublime* is well known to, and often cited by, black intellectuals: “So fundamental is the difference between [the black and white] races of man . . . it appears to be as great in regard to mental capacities as in color”** so that “a clear proof that what [a Negro] said was stupid” was that “this fellow was quite black from head to foot.”[68](file:///Volumes/GoogleDrive/Shared drives/21-22 LD Debate/JF22 - SPACE/Work Folders/Varsity/Ayman/Speech Docs/Harvard/Neg/part0007_split_000.html" \l "Ch2-68) The point of Eze’s essay is that **this remark is by no means isolated or a casual throwaway line that, though of course regrettable, has no broader implications. Rather, it comes out of a developed theory of race and corresponding intellectual ability and limitation. It only *seems* casual, unembedded in a larger theory, because white academic philosophy as an institution has had no interest in researching, pursuing the implications of, and making known to the world this dimension of Kant’s work**. In fact, Kant demarcates and theorizes a color-coded racial hierarchy of Europeans, Asians, Africans, and Native Americans, differentiated by their degree of innate *talent*. Eze explains: “‘Talent’ is that which, by ‘nature,’ guarantees for the ‘white,’ in Kant’s racial rational and moral order, the highest position above all creatures, followed by the ‘yellow,’ the ‘black,’ and then the ‘red.’ Skin color for Kant is evidence of superior, inferior, or no ‘gift’ of ‘talent,’ or the capacity to realize reason and rational-moral perfectibility through education.... It cannot, therefore, be argued that skin color for Kant was merely a physical characteristic. It is, rather, evidence of an unchanging and unchangeable moral quality.” Europeans, to no one’s surprise I presume, have all the necessary talents to be morally self-educating; there is some hope for Asians, though they lack the ability to develop abstract concepts; the innately idle Africans can at least be educated as servants ahd slaves through the instruction of a split-bamboo cane (Kant gives some useful advice on how to beat Negroes efficiently); and the wretched Native Americans are just hopeless, and cannot be educated at all. So, in complete opposition to the image of his work that has come down to us and is standardly taught in introductory ethics courses, full personhood for Kant is actually dependent upon race. In Eze’s summary, “The black person, for example, can accordingly be denied full humanity since full and ‘true’ humanity accrues only to the white European.”[69](file:///Volumes/GoogleDrive/Shared drives/21-22 LD Debate/JF22 - SPACE/Work Folders/Varsity/Ayman/Speech Docs/Harvard/Neg/part0007_split_000.html" \l "Ch2-69) The recent furor about Paul de Man[70](file:///Volumes/GoogleDrive/Shared drives/21-22 LD Debate/JF22 - SPACE/Work Folders/Varsity/Ayman/Speech Docs/Harvard/Neg/part0007_split_000.html" \l "Ch2-70) and, decades earlier, Martin Heidegger, for their complicity with the Nazis, thus needs to be put into perspective. These are essentially bit players, minor leaguers. One needs to distinguish theory from actual practice, of course, and I’m not saying that Kant would have endorsed genocide. ***But the embarrassing fact for the white West (which doubtless explains its concealment) is that their most important moral theorist of the past three hundred years is also the foundational theorist in the modern period of the division between* Herrenvolk *and* Untermenschen, *persons and subpersons, upon which Nazi theory would later draw*.** Modern moral theory and modern racial theory have the same father

#### That’s also a reason only the alt can solve for material racism…

### Framework

#### [1] practical reason assumes

#### [2] Kant used practical reason to justify violence – i.e. he said black people weren’t true reasoners – that shows how people can use things like the aff to jsutify settler violence, so a pre-requisite to thinking about reasoners is stopping this violence.

### AT Commonly Owned

#### Injustice requires someone wronged, but initial acquisition doesn’t violate any entity’s rights– therefore, private appropriation of outer space cannot be unjust, Feser 05:

Edward Feser, [Associate Professor of Philosophy at Pasadena City College] “THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION,” 2005 //LHP AV

The reason **there is no such thing as an unjust initial acquisition** of resources is that there is no such thing as either a just or an unjust initial acquisition of resources. The concept of **justice**, that is to say, simply **does not apply** to initial acquisition. **It applies only after initial acquisition has already taken place**. In particular, it applies only to transfers of property (and derivatively, to the rectification of injustices in transfer). This, it seems to me, is a clear implication of the assumption (rightly) made by Nozick that **external resources are initially unowned**. Consider the following example. **Suppose** **an individual** **A seeks to acquire some previously unowned resource R**. **For it to be** the case that A commits an **injustice** in acquiring R, it would also have to be the case that **there is some individual** **B** (or perhaps a group of individuals) **against whom A commits the injustice**. **But for B to have been wronged** by A’s acquisi- tion of R, **B would have to have had a rightful claim over R,** **a right to R**. By hypothesis, **however**, **B did not have a right to R, because no one had a right to it—it was unowned, after all**. So B was not wronged and could not have been. In fact, **the very first person who could conceivably be wronged by anyone’s use of R would be, not B, but A himself, since A is the first one to own R**. Such a wrong would in the nature of the case be an injustice in transfer—in unjustly taking from A what is rightfully his—not in initial acquisition. **The same thing, by extension, will be true of all unowned resources: it is only after some- one has initially acquired them that anyone could unjustly come to possess them, via unjust transfer**. It is impossible, then, for there to be any injustices in initial acquisition.7

#### 1] Resources being commonly owned would mean it’s not appropriation, Feser 05:

Edward Feser, [Associate Professor of Philosophy at Pasadena City College] “THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION,” 2005 //LHP AV

The **first** point is actually a fairly trivial one. **If resources start** out **commonly owned**, **then** for this very reason they do not start out unowned, in which case **there is no initial acquisition** of any sort to speak of, unjust or otherwise. **We all (somehow) just own everything**. Thus, **anyone** **who takes** R **without the consent** of the rest of us **would be committing** (if he is committing an injustice at all) an **injustice in transfer** rather than acqui- sition. This is perfectly in line with my claim that injustices in holdings can take place only after someone already has ownership of resources, either through initially acquiring them from their unowned state or because the resources are “just owned” from the start; it has no tendency to show that initial acquisition itself can be just or unjust.

#### 2] Common ownership is nonsensical and begs the question, Feser 05:

Edward Feser, [Associate Professor of Philosophy at Pasadena City College] “THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION,” 2005 //LHP AV

Of course, **this raises the question of how exactly we come collectively to own all resources,** which leads us to the second point. Those who object to Nozick’s assumption that resources start out unowned8 typically rest content with noting that there are alternative possibilities, especially the possibility that resources start out commonly owned, as if the mere exis- tence of this alternative casts doubt on Nozick’s assumption—indeed, as if merely noting the possibility of common ownership were enough to establish its actuality. But **why is the assumption of common ownership of resources any less in need of justification than the assumption that resources are unowned?** Why should we regard the former assumption, and not the latter, as the default assumption to make? Surely the reverse is true: **the claim that we all own everything is more in need of justification than the claim that no one initially owns anything**. Surely **such a claim is not merely unjustified, but counterintuitive, even mysterious**. **Consider** the following: **a pebble resting** uneasily **on** the sur- face of the asteroid **Eros** as it orbits the sun, a cubic foot of **molten lava** churning a mile below the surface of the earth, one of the polar **icecaps on Mars**, an ant floating on a leaf somewhere in the mid-Pacific, **or the Andromeda galaxy**. **It would seem odd in the extreme to claim that any particular individual owns any of these things**: **In what sense could Smith**, for example, **who** like most of the rest of us **has never left** the surface of the **earth** or even sent a robotic spacecraft to Eros, **be said to own the pebble** resting on its surface? But **is it any less odd to claim we all own the pebble or these other things**? **Yet the entire universe of external resources is like these things**, or at least (in the case of resources that are now owned) started out like them—started out, that is to say, **as just a bunch of stuff that no human being had ever had any impact on.** **So what trans- forms it into stuff we all commonly own?** Our mere existence? How so? **Are we to suppose that it was all initially unowned, but only until a group of Homo sapiens finally evolved on our planet**, at which point the entire universe suddenly became our collective property? (How exactly did that process work**?) Or was it just the earth that became our collective prop- erty? Why only that? Does something become collective property only when we are capable of directly affecting it?** **But why does everyone share in ownership in that case —why not only those specific individuals who are capable of affecting it: for example, explorers, astronauts, or entrepre- neurs? It is, after all, never literally “we” collectively who discover Ant- arctica, strike oil, or go to the moon, but only particular individuals**, together perhaps with technical assistance and financial backing pro- vided by other particular individuals. **Smith’s being the first to reach some distant island** and build a hut on it **at least makes it comprehensible how he might claim** —plausibly or implausibly —to own it. This fact about Smith gives some meaning to the claim that he has come to own it. But it is not at all clear how this fact would give meaning to the claim that Jones, whom Smith has never met or even heard of, who has had no involve- ment in or influence on Smith’s journey and homesteading, and who lives thousands of miles away (or even years in the future), has also now come to own it. **Still less intelligible is the claim that Smith’s act has given all of us—the human race collectively, throughout all generations—a claim to the island**.

### AT Need State Enforcement

#### Top level – every aff argument about needing state enforcement is nonunique at best – the neg is not arguing that property enforcement is possible; instead, it defends appropriation or acquisition – that is a claim an individual can make once they mix their labor with it. This is inevitable because individuals must lay claim to resources inevitably pre-state AND then a state comes along to enforce those rights. Worst case, it would still not be unjust because if the state is essential to enforcement, then appropriation cannot be unjust because the state would be necessary to generate obligations or conceptions of justice in the first place, but there isn’t a state at all!

#### 1] inevitable –

#### A] we have to act in the state of nature that exists, which requires appropriating objects, like food, shelter, clothes, etc.

#### B] people have to assert self-ownership – ie ownership of their own body – even absent a state in order to act at all, including the action required to form a state – arbitrary to say we can’t assert control of external objects if we mix our labor and possess control

#### C] If they win this arg, vote neg on permissibility – we couldn’t live to make a state

#### 2] Not intrinsic to the resolution –

#### A] we could form new states in space that arbitrate property claims

#### B] we could extend sovereignty into space from existing states

#### 3] Unilateralism absent a state isn’t bad – no new obligations are imposed, Sage 12:

Sage, Nicholas W., [Assistant Professor of Law, London School of Economics and Political Science Law School, teach and write about private law, especially contract, property, and tort, particularly interested in theoretical questions about how to understand and justify these areas of law, as well as related issues in moral and political philosophy.] “Original Acquisition and Unilateralism: Kant, Hegel, and Corrective Justice” (January 1, 2012). Canadian Journal of Law and Jurisprudence, Vol. 25, No. 1, pp. 119-36, January 2012, Available at SSRN: <https://ssrn.com/abstract=2033518> //LHP AV

Consider how the unilateralism problem is formulated. **Original acquisition is called ‘unilateral’ because the acquirer’s action ‘limits’ other persons’ ‘freedom’**—it imposes a new ‘constraint,’ ‘duty’ or ‘obligation,’ it ‘changes their normative situation.’64 If those terms have their ordinary meanings then original acquisition is indeed ‘unilateral.’ **One person’s action means that a certain object is no longer available for others to access.** To that extent, the freedom of those persons is limited, they are under new constraints, duties or obligations, and their normative situation is changed. In an all-things-considered moral universe this would be troubling. But **in the Kantian right, unilateralism in this sense is irrelevant.** A specific conception of freedom carries the “justificatory burden of [Kant’s] entire argument”.65 Limitations, constraints, duties, and obligations are immaterial unless they contravene this conception. Likewise, normative change matters only if it implicates Kant’s singular norm of freedom. **Recall that for Kant ‘freedom’ means only that each person’s action must be their own—it cannot be chosen by any other person.** **This conception of freedom is purely relational and strictly negative**. That is brought out in the contrast between, on the one hand, a person’s purposive action, and on the other, the ‘context’ for their action or their ‘mere wishes’**. A person has no right to any particular context for the exercise of their action. Moreover, a person’s mere wish for something creates no entitlement to it.** Indeed, even a desperate need for a particular resource does not bind anyone else. Why does Kant insist that, while a person’s action necessarily commands respect, their mere wish or need never binds others?66 One answer is that **Kant’s system concerns only relations between persons, and wishes and needs are non-relational: they bear no necessary relation to any other person.** A person can wish for or need something even though no other person could get it for them. But what about wishes or needs that can be realized with others’ help? Most of us think that people ought to respect each other’s needs and at least some wishes when this is practicable. Kant’s answer is that if my wish or need bound you as a matter of right then I would be choosing your action for you. Even if you did not want to, you would have to direct your action toward satisfying my wishes or needs. I would thus be using your purposiveness to achieve my ends. That would be inconsistent with your freedom—your right that you alone choose how you exercise your purposiveness.67 Thus, one way that I could violate your freedom—one way I could choose your action for you—is by forcing you to satisfy my wish, thereby using your purposiveness to achieve my end. **There is also another way I could choose your action for you: by acting myself such that I foreseeably interfere with your action**. **When my action interferes with yours, your exercise of your purposiveness does not produce the end that you intended. Instead it produces some other end, which I have effectively substituted and thereby chosen for you.** (Since it is not always obvious whether an interference that happens to result from my action is properly regarded as my choice, sophisticated systems of private right develop objective tests to decide.)68 Under the Kantian conception of freedom**, original acquisition is unproblematic because your taking control of an unowned object is just your own action.** To take control of the object is to subject it to your action. **You do not, in taking control of an object, choose any other person’s action for them.** **You do not use anyone else’s purposiveness to achieve your end, you just exercise your own purposiveness. Nor does your action interfere with anyone else’s action**—by definition, the object in question, which you are originally acquiring, is not yet subjected to any other person’s control or action. **Thus, the object is at most the target of others’ potential action—in other words, of their mere wishes. That is irrelevant for Kant.** We can see the same point by recalling that, for Kant, the categories of private law entitlement embody ‘freedom’: they reflect the ways in which persons extend their action or purposiveness in the world.69 A person acts through their body, so they have an entitlement to bodily **integrity. A person can also acquire a property right over an object that is separate from the body, by subjecting the object to their action through taking control.** Now, **prior to original acquisition** an object is clearly not part of any person’s body, nor is it any person’s property. No person has any entitlement to the object. Which is just to say that no person has yet subjected it to their action. **Therefore the object is as yet unconnected to any person in a way that is recognized by the Kantian right**. An unacquired object may be connected to persons only in ways that are irrelevant. (For example, as the target of a wish, or as the anticipated context for their actions.) We might say, then, that **prior to its acquisition an object—which does not have any normative standing of its own—is invisible to the Kantian right**. An object appears for the very first time upon acquisition, already incorporated into some person’s sphere of external purposiveness. Or more accurately, **since rights are always relational, we could say that the Kantian right sees just the interrelation between two persons’ spheres of externalized purposiveness—one or both of which may have already extended over objects.** The formulations of the unilateralism problem obscure all this. **Original acquisition** does diminish ‘freedom’ in one sense: it **shrinks the domain of objects** that are **available** for others to access in the future—the domain of objects that could potentially be subjected to others’ action. But **that has nothing to do with Kantian freedom**. Likewise, as a pragmatic matter original acquisition imposes a constraint, duty or obligation: others are now obligated not to deal with a certain object. But **in Kantian terms obligations are unchanged: each person must respect each other’s action; one person’s action now happens to extend over the object in question**. Finally, original acquisition changes **others’ normative situation**, conceived as a sort of catalog of options they might pursue or objects they could potentially subject to their action. But from Kant’s perspective, their normative situation **remains the same**. **The object remains unsubjected to their action, and they remain obligated to respect the acquirer’s. That an object other persons could have extended their action over is now unavailable to them has no significance for Kant.** **It is only if we see the world in terms irrelevant to Kantian right—not as a world of purposive agents related to each other through their external actions and choices, but as a world of physical objects or resources and creatures with wishes and needs for them—that original acquisition is problematically ‘unilateral**.’