## 1

#### International law’s origins are based on the racist refusal to acknowledge Native sovereignty. Treaty authority is predicated on the nonexistence of indigenous governance and seeks to reconcile Native indifference through genocidal means. Scott 18,

(Xavier Scott, Department of Philosophy, York University, Repairing Broken Relations by Repairing Broken Treaties: Theorizing Post-Colonial States in Settler Colonies, Studies in Social Justice, Volume 12, Issue 2, 388-405, 2018, JKS)

The divisibility of sovereignty in the case of non-Europeans allowed colonial states to grant them partial recognition in the form of quasi-sovereignty, thereby enabling the local people to enter into treaties that they could be punished for violating (through just war doctrine) but which could be unilaterally broken by the colonial power once they were no longer politically expedient. Since all the nations of the world are part of a single international community, no country has the right to invade any other. Yet that community was not founded on universal principles, but was based on a European consensus. Since recognition was the basis for membership in the “international community” and the original members of the jus gentium were all European (in practice, if not in theory), the Westphalian system would seem to promote conquest and colonialism abroad, even as it promoted mutual recognition within Europe. The legacy of the Westphalian peace has been a system that simultaneously maintains the historical legality of colonialism, while rejecting it as a principle of justice. The origins of international law were inherently unjust and based on a racist refusal to acknowledge Indigenous sovereignty in its entirety. However, in recognizing the moral and legal chicanery that was required to deny Indigenous sovereignty, we can lay the groundwork for understanding the sovereign violence that European powers committed and how that was then tied to the numerous forms of injustice committed afterwards. Not only did Indigenous peoples have political societies, but European sovereigns and jurists regularly recognized their sovereignty by signing over 800 treaties with different Indigenous communities (Kickingbird, 1995). Siegfried Wiessner (1995) divides the treaty-making conventions between the United States and Indigenous communities into two time periods – prior to and following the end of the War of 1812. Prior to this date, treaties were concluded on a relatively equal basis. They fully recognized the Indigenous governance structures and were ratified by the U.S. Senate using the language of international law. Once the threat of other colonial powers was over, treaties became increasingly used “to regularize and channel the removal of Indians from their traditional vast hunting and fishing grounds to ever smaller, ever more barren areas of land” (Wiessner, 1995, p. 577). The War of 1812 marks a switch from the nation-to-nation relationships that characterized earlier agreements, to a new species of treaty which deprived Indigenous communities of nationhood. I call the means by which colonial states appropriated Indigenous sovereignty “theft,” since it deprived Indigenous peoples of their right to selfdetermination and full use of their traditional territories. Moreover, the quasisovereignty that was granted to Indigenous peoples made the destruction of their communities a requirement to establish the legitimacy of the colonial power’s occupation. Taiaiake Alfred and Jeff Corntassel argue that contemporary settlers are no longer trying to eradicate Indigenous peoples as bodies, but rather “as peoples through the erasure of the histories and geographies that provide the foundation for Indigenous cultural identities and sense of self” (2005, p. 598; emphasis in original). This is both a continuation of the desire to appropriate Indigenous land and an attempt to foreclose the possibility that land that has already been annexed by colonists be returned. Indigenous sovereignty in its current form in the British colonial states continues to act as a form of “quasi-sovereignty” the goal and legacy of which are the assimilation and destruction of Indigenous peoples. The Truth and Reconciliation Commission of Canada (2015) has outlined the crimes the Canadian government committed against Indigenous peoples. While the summary of their findings focuses on the cultural genocide the Canadian state engaged in through residential schools, it acknowledges the physical and biological genocides engaged in by the state as well. It states: Canada asserted control over Aboriginal land. In some locations, Canada negotiated Treaties with First Nations; in others, the land was simply occupied or seized. The negotiation of Treaties, while seemingly honourable and legal, was often marked by fraud and coercion, and Canada was, and remains, slow to implement their provisions and intent. (Truth & Reconciliation Commission of Canada, 2015, p. 1) Australian Prime Minister Kevin Rudd (2008) issued an apology for the “Stolen Generation,” which took Aboriginal and Torres Strait Islander children from their families. The U.S. issued its apology to Indigenous peoples, hidden in section 8113 of a 2010 Defense Appropriations Act. It acknowledges “that there have been years of official depredations, illconceived policies, and the breaking of covenants by the Federal Government regarding Indian tribes” and also “many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States” (111th Congress, 2009, s.8113). All three of these apologies profess a desire to “remove a stain from its past” (Truth & Reconciliation Commission of Canada, 2015, p. 237), for “the nation to turn a new page” (Rudd, 2008), and look towards a future “where all the people of this land live reconciled as brothers and sisters” (111th Congress, 2009, s.8113). Yet the Australian apology made no reference to reparations, the American apology contains a disclaimer that nothing in it is meant to “serve as any settlement against the United States” (111th Congress, 2009, s.8113), and while Canada has attached its apology to court mandated reparations payments, it has failed to reform its relationship with Indigenous peoples by (for example) reforming the 1876 Indian Act. The existence of sovereignty in a colonial context is predicated on the nonsovereignty of Indigenous peoples. At best, they are granted a form of “quasisovereignty” that is not taken seriously by the international state system and is generally considered to be a temporary stage in the integration of Indigenous peoples into the colonial state.5 The quasi-status of their sovereignty is not a step on the path towards full sovereignty, but towards destruction and the seamless transfer of sovereignty from them to the colonial state. In their critique of the literature on post-colonial theory and antiracist work, Bonita Lawrence and Enakshi Dua ask, “what does it mean to look at Canada as colonized space?” (2005, p. 123). Because settler states are founded on policies that combine extermination and assimilation, the continued existence of Indigenous peoples as peoples depends on the full recognition of their inherent sovereignty. For this reason: To speak of Indigenous nationhood is to speak of land as Indigenous, in ways that are neither rhetorical nor metaphorical. Neither Canada, nor the United States – or the settler states of “Latin” America for that matter – which claim sovereignty over the territory they occupy, have a legitimate basis to anchor their absorption of huge portions of that territory. (Lawrence & Dua, 2005, p. 124) To claim respect for Indigenous sovereignty, therefore, is to deny the legal legitimacy of Settler colonies. This is because of the territoriality and legal supremacy claims of sovereign states. While the development of international law has served to strip Indigenous peoples of their traditional lands, it also contains a number of mechanisms that have been used in other contexts of occupation, violence, and genocide. First, the principle of pacta sunt servanda is the cornerstone of international law (Uribe, 2010; Wiessner 1995) – states are required to abide by their word. The fact that colonial powers broke their treaties with Indigenous governments ought not to mean that it is thereby nullified, but rather that “there may be legal consequences” (Kickingbird, 1995, p. 603). Furthermore, the principle of sovereignty contains a right to reassert authority when territory is unjustly annexed. When a state’s sovereignty is violated, international law calls for its restoration. Following Kirke Kickingbird, I believe that “treaties form the backdrop of the past, confirm rights in the present and provide the basic definition for the evolving future” (1995, p. 605). Only by respecting the traditional rights of Indigenous peoples – including rights to their territories – can colonial states repair the sovereign wrong done in the abrogation of their duty to stand by their treaties.

#### 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 alternative is to make space for indigenous futurist reimagining of the relationship between the NDN and the state. It’s a prerequisite to any reconceptualization of land ownership and requires the capability to appropriate space making it mutually exclusive to the aff. The aff reinforces the settler view of relation to land with their flattened understanding of appropriation. Cornum 15.

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.**

#### Settler colonialism is an ongoing structure, not an event. As European settlers came with the intention of making indigenous land their home, they enacted mass genocide and erasure to Native Americans. The erasing of Native history, life and culture are ongoing devastating impacts that outweigh the affirmative. The affirmative actively participates in the settler colonial project of erasure---anything that does not start from the question of settler colonialism removes indigeneity from history - Barker12

—MA U of Victoria, BASc McMaster University [Adam J., “(Re-)Ordering the New World: Settler Colonialism, Space, and Identity” Thesis submitted for the degree of Doctor of Philosophy, University of Leicester 224-234, December 2012]

Dynamics of Erasure **It is important to begin by investigating the erasure of Indigenous presence from place.** Erasure is essential to both occupation and bricolage, the two other colonising acts that are critical to settler colonial spatial production. **Erasure of Indigenous presence can take many forms and may precede and continue throughout the time of Settler occupation**. The variety of ways that settler colonialism produces space is predicated on consuming elements of Indigenous relational networks. Elements of Indigenous relational networks are extracted (removed from contexts that sustain meaning), processed and redeployed through settler colonial social space. What is Erasure? Historical geographer Cole Harris chose to reprint his essay ‘The Good Life Around Idaho Peak, originally researched and written more than thirty years ago, in a 1997 collected volume partly because it contains an egregious error that reflects the mind‐set of colonialism” (xvi). In the first version of this essay, Harris asserted that Idaho Peak, north of Nelson, British Columbia, had never been a site of Indigenous settlement. In the 1997 volume, he recanted: “[m]y proposition that no Native people had ever lived near Idaho Peak is absurd, and grows out of the common assumption, with which I grew up, that a mining rush had been superimposed on wilderness” (p.124). Harris, one of the most important and influential scholars of British Columbia’s native‐newcomer history, bases this striking reversal on a 1930 report by ethnographer James Teit of which he had previously been unaware. Based on interviews conducted between 1904 and 1907 with elders of the Sinixt (Lake) people whose ancestors had lived in the region, Teit’s report details Indigenous peoples’ village sites and the devastating impacts of imported disease (pp.194‐195). In this case, **not only were the physical bodies and communities of Indigenous peoples destroyed and reduced by pathogens introduced by European and American newcomers, even Settler knowledge of indigeneity was discarded and ignored**. In Harris’ analysis, “[m]ine is another example, from one who should have known better, of the substitution of wilderness for an erased Native world” (1997 p.xvi). **This is erasure:** **the total removal of Indigenous being on the land, even from history**, **memory, and culture, to facilitate the transfer of those lands. This can even be accomplished without the removal of Indigenous bodies; it is the relational networks with place that sustain Indigenous being that are the true targets of erasure.** Veracini notes that settler colonialism is most often pursued by settler collectives operating in corporate form (Veracini, 2010a pp.59‐62). **It is easy and not uncommon to ascribe Settler peoples the role of occupation while attributing erasure to a combination of ‘just war’ by state and imperial para‐/military** forces, and uncontrollable diseases like smallpox or influenza, washing Settler hands of responsibility. **Individual Settler people deny their colonial responsibilities through this corporate ‘limited liability’ such that settler colonialism “obscures the conditions of its own production”** (p.14). **However, Settler peoples are — historically and in the present — directly implicated in acts of erasure.** It is more acceptable to suggest that the British Empire or the American state ‘have colonised’ than to suggest that the Settler populations of the northern bloc ‘are colonisers/colonial.’ **This is part of the complex dynamic whereby Settler people**, even as they are or become aware of the existence of settler colonial atrocities, **are able to deny their own complicity** (Regan, 2010) or even those of their forbears.60 **The goal of erasure is the reconciliation of the colonial difference through the materialisation of perceived terra nullius** (Tully, 2000), an ‘empty land’ that, if not actually empty, is at least open: to the entrance of settlers, to being reshaped, to the extraction of advantage. The literature on terra nullius is extensive, and it was recently condemned as part of the ‘doctrine of discovery’ by the United Nations Permanent Forum on Indigenous Issues (2012). For the purposes of settler colonial erasure, terra nullius can be thought of as the creation of a vast, conceptual space of exception. Settler state sovereignty is premised on spaces of exception that reduce Indigenous people to homo sacer (Morgensen, 2011), and **Settler identities are entwined with spatial segregation through frontier narratives that exile indigeneity to the wilderness beyond the reach of the civilising state (Larsen, 2003 pp.92‐94). Thus state space is premised on the erasure of indigeneity itself; Indigenous bodies stripped of sacred nature can be consumed or disposed of in a variety of ways without consequence. The governmental act of regulating and extinguishing indigeneity exceeds Settler sovereignty in two major ways: first, in the extension of the power of life or death over populations whose relationships are not considered part of the state** (thus an extra‐territorial assertion of sovereign power), **and second, in the extension of the state over territories to which Settler people have no legitimate claim based on the presence of Indigenous peoples.** According with Agamben’s observations of the creation of spaces of exception and the imposition of spatial restriction, and the reduction of human life to numbers, both Canada and the United States imposed ‘band lists’ on Indigenous communities. These lists of names of ‘official’ members, later identified by personal identification cards (numbered), issued by the government, were used to control Indigenous movements on and off of reserves and to prevent the entry of Indigenous individuals into colonial spaces, like cities and towns (Frideres et al., 2004 pp. 95‐102). Further, the governments of these states have turned the extermination of Indigenous peoples into a demographic problem. By claiming the sole responsibility to determine who is ‘Indian’ (as per the Constitution in Canada or a whole host of statutes at federal and state levels in America), states were able to legislate rules of heritage. These ‘status’ laws — based often on varying levels of blood quantum in the USA (Garoutte, 2003 pp.38‐60), and an odd, collaping system of parentage in Canada (Lawrence, 2003 p.6) — ensure that, even as Indigenous populations increase, ‘Indian’ people are disappearing. **Physical Erasure Indigenous peoples perceived across settler colonial difference are often constructed as a threat**: to the advantages conferred by the occupation of spaces of opportunity, to the safety of Settler people and to the norms and ‘civilised’ values of settler colonisers. As a consequence, **all manner of violence is directed at Indigenous peoples**, **resulting in the physical elimination, removal, or disappearance of indigeneity** from place. Physical erasure of Indigenous peoples is often initiated extraterritorially by para‐/military forces. This is important for understanding the concept of ‘the frontier’ (below); however, it should not be read to implicate only metropole powers in physical erasure.Settler collectives also participate in the physical erasure of Indigenous peoples and spaces. With rare exceptions, it has been expected that Indigenous peoples will assimilate into and disappear from Settler spaces, rather than the other way around. There are, of course, exceptions to this. There are widespread accounts of Settler people either excluded or exiled from larger collectives, or remnants of failed or collapses collectives, being adopted into Indigenous societies. For example, the second Roanoke colony is believed to have been assimilated into local Indigenous societies sometime between 1578 and 1590 (Kupperman, 2000 p.12). In a different but related vein, the Métis people of the Red River Valley, while a hybrid of Scottish, French, English, Cree and other peoples, are widely recognised as an emergent Indigenous peoplehood (Read & Webb, 2012; Tough & McGregor, 2011). Although the Métis are both culturally and genetically related to European peoples, they assert indigenised networks of being on the land rather than dominating colonial displacement of indigeneity.61 Indigenous networks were capable of absorbing these non‐indigenous Others absent the violent intercession of colonial force. As Chapter 3 has shown, settler colonial space is created by the direct assertion of Settler power over place with the result that exceptional examples such as Roanoke or the Métis are rare. Of course, personal relationships between Settler and Indigenous peoples are not completely encompassed by the drive for erasure, but **the threat of colonial violence is ever‐present**. Even when pursued ‘peacefully,’ intermarriage and socialintegration of Indigenous peoples into Settler spaces occurs in a highly coercive and uneven environment. For example, settler colonial logics that divide and sort have consistently dehumanised Indigenous people, and especially Indigenous women (Smith, 2005; Maracle, 1996 pp.14‐19), leading to widespread gendered and racialised violence. The selective dehumanisation of Indigenous women by settler colonisers contributes to very real physical erasures; consider the contemporary case of the hundreds of missing and murdered Indigenous women in and around Vancouver (Dean, 2010 p.14). More broadly, Settler collectives also play direct roles in spreading disease (Swanky, 2012; Wright, 1992 pp.74, 103‐104) and in extermination through dispossession. Returning to the example of the Pacific Northwest, Settler ranchers did not necessarily intend to physically erase Indigenous populations, but as they monopolised both grazing lands and food markets in the British Columbia Interior, they deprived Indigenous communities of networks of resources that had sustained them since time immemorial (Thistle, 2011; Harris & Demeritt, 1997 pp.234‐240). Erasure through deprivation continues to this day. Despite the fact that Settler societies of the northern bloc are among the most affluent in history, Indigenous communities continue to endure starvation, lack of access to clean drinking water, lack of medical and other health and social services (including education), enforced isolation, and denial of a sufficient land base for social health and reproduction. **Conceptual Erasure As well as the removal of the physical presence of Indigenous people from the land, settler colonial logics call for the removal of Indigenous peoples — at least as autonomous, intelligent actors —** **from the understood history of places** (Veracini, 2007). **Bureaucratic management techniques ensure that the business of solving the ‘Indian problem’ does not impact on the daily life of the average Settler person** by positioning Indigenous populations as inventories to be liquidated rather than people to be engaged with. Erasure has been at times a matter of counting: how many ‘Indians’ are left, how many fewer than last year, how much property should be allocated ‘per Indian,’ and when will the ‘vanishing Indian’ become reality (Veracini, 2010a: 39‐40; Neu, 2000). **This** further **allows individual Settlers to deny complicity in the erasure** **of Indigenous presence: the modern, industrial state counts, includes or excludes, and ultimately disposes of Indigenous peoples, and the state is impersonal. That the state exists because of settler colonisation**, **that Settler people serve as bureaucrats and colonial agents, or that erasure and occupation go hand in hand is rarely acknowledged**. Indigenous histories, especially those living histories sustained in oral traditions, are the storehouse of knowledge of rituals, sacred places, and place‐ based personalities and tend to confound settler colonisation. These histories constantly remind Settler peoples of their illegitimacy on the land; they point out that there are ways of relating to place beyond the understanding of contemporary Settler peoples; and, they provide a source of strength and identity for Indigenous groups even after they have been separated from their places or their spaces have been replaced by colonial spaces. As Holm et al., point out, even the stories of loss regarding a sacred space can be a source of identity (Holm et al. 2003 pp.9‐12; see also Chapter 1). **Settler colonisers**, then, if **they wish to avoid the discomfort associated with living Indigenous histories, must follow a logic of deliberately constructing histories in which Indigenous peoples are either absent or relegated at the margins**. **These then serve as the reference point for Settler people to judge their own ‘progress’ or ‘development’** as a people against anachronistic ‘savages’ who lack agency or power. This is also projected temporally forward: settler colonisation does not intend simply to erase these histories, but also to predetermine the future through “master narratives” (Austin, 2010) of technological progress, the inevitability of civilisation, rights‐based social assimilation, and the wholesale replacement of Indigenous systems of law and governance (Alfred, 2009a). Settler collectives create and perpetuate Settler myths such as the “Peacemaker myth” (Regan, 2010), the heroic trope of the frontier pioneer (Nettlebeck & Foster, 2012), and the up‐by‐the‐bootstraps myth of the self‐made Settler (Ramirez, 2012), to name but a few. Often these myths were created and are perpetuated by playing off of stereotypes about settlement in other colonial jurisdictions. Historian Chris Arnett has remarked: ... there remains the colonial myth that, contrary to what happened south of the 49th parallel, the British resettlement of British Columbia was benign, bloodless and law‐abiding ... Granted the “Indian Wars” of British Columbia came nowhere near the wholesale slaughter of aboriginal people that too often characterized the inter‐racial conflict in the western United States, but as one historian has observed, “human conflict does not decline in complexity as it does in scale.” Artnett, 1999 p.14 Both American and Canadian settler colonisation involved in varying combinations: treaty‐making and breaking; violent military and para‐military force; and, concerted attempts at cultural assimilation or extermination. In Regan’s work, she positions the peacemaker narrative in opposition to the violent reality of residential schools (Regan, 2010). As she points out, many physical buildings of residential schools still exist, though Settler people are unable to “see” them (2010 pp.5‐6). Steeped in national myths premised on narratives of treaty making and cooperation, and especially played off against perceptions of American ‘militant’ conquest, residential schools physically disappear to Settler Canadians: the structures are not seen, the damage not perceived. The residential school project in Canada, jointly pursued by the federal government and churches, was premised on the belief that ‘primitive’ and ‘disappearing’ Indigenous peoples could best be served by ushering their extinction through assimilation.62 However, given that the role of residential schools in erasure cannot be denied, Settler people instead must either deny their own involvement with them (and thus with settler colonisation) or deny that they existed at all. **This is symptomatic of widespread Settler denial that serves not just to erase indigeneity, but also to erase the colonising act of erasure**. **Erasure and Transfer Erasure is required at some stage for each type of** **settler colonial land transfer**. Sometimes this is obvious; for example “necropolitical transfer” (Veracini, 2010a: 35) involves the physical liquidation of Indigenous peoples by military action. However, erasure is involved in many other kinds of transfer either concurrent to (and hidden by) occupation and bricolage, or (usually) before or after these other colonising acts. Notably, Veracini describes that “perception transfer” — “**when indigenous peoples are** **disavowed** **in a variety of ways and their actual presence is not registered** (... for example, when indigenous people are understood as part of the landscape)” — **“is a crucial prerequisite to other forms of transfer**” (Veracini, 2010a p.36). Veracini then draws attention to an important dynamic: “when really existing indigenous people enter the field of settler perception, they are deemed to have entered the settler space and can therefore be considered exogenous” (2010a p.36). The implication is that erasure is unidirectional. **Indigenous peoples cannot be retrieved or revived from their erased condition without serious disruption to settler colonial space. All transfer**, regardless of whether it relies on physical or conceptual erasure, **is intended to be permanent**. Arguments that certain kinds of transfer are ‘better’ than others — such as the Canadian assertion of the peacemaker myth juxtaposed against violent American frontier adventurism — are seeking to differentiate between genocidal acts based on arbitrary distinctions, splitting colonial hairs.

#### Thus, the ROTB is to challenge settler colonialism. I as a settler am in a unique position to challenge and un-forget the erasure of the past in order to try create a more positive future. [could switch out this rotb for centering indigenous knowledge and scholarship too if needed]Shotwell16

Alexis Shotwell, “Against Purity: Living Ethically in Compromised Times”, University of Minnesota Press, 2016, LHP AM

To do this, **we need to revisit how we remember and reckon with this past, opening different possibilities for the present and future**. In the Canadian context, such reckoning perceives the continuity between then Prime Minis- ter Harper’s seemingly disjunctive statements: the apology and acknowledg- ment of Indian Residential Schools as a wrong, and the claim that Canada has no history of colonialism. Strangely, **these statements—one that seems to acknowledge colonialism, the other that disavows it—are *both* forms of dis- avowing colonialism as a patterned and continuing network of social relations**. Following Patrick Wolfe, **we can understand this “move” as an attempt to frame colonialism as a fixed event; he argues that instead we should understand colonialism as “a structure rather than an event,**” existing as a complex social formation across time (Wolfe 2006, 390). Events happened in the past, and they are finished; remembering them is a form of closure, nostalgia, or recapitulation. Practices of colonialism are written into the in- frastructure of the states founded through expropriation, and in this sense they ascend from the past as the infrastructure of the present. **Patterns of social relations, as structure not event, then predict the practices of the future. Remembering how these patterns came to be is a practice of opening ques- tions, defamiliarization, and (perhaps) refusal of the social relations that produced events of the past.** As Glen Sean Coulthard argues: In settler-colonial contexts—where there is no period marking a clear or for- mal transition from an authoritarian past to a democratic present—state- sanctioned approaches to reconciliation must ideologically manufacture such a transition by allocating the abuses of settler colonization to the dustbins of history, and/or purposely disentangle processes of reconciliation from ques- tions of settler-coloniality as such. . . . In such conditions, reconciliation takes on a temporal character as the individual and collective process of overcoming the subsequent *legacy* of past abuse, not the abusive colonial structure itself. (Coulthard 2014, 108–9) How might we think and act in more adequate ways as we stand in relation to shared pasts and presents? Historian of Indigenous struggles and revolutionary, Roxanne Dunbar- Ortiz formulates the beautiful concept of *unforgetting* as a part of resistance to colonialism. In this section, I dwell with conceptions of critical memory practices as a way to think about how white people can work with anticolo- nialism and decolonizing as praxis. For me, **the aspiration to this kind of practice has intimately to do with memory and with the process of under- standing the work of memory in colonial contexts. It is key to hold in mind that the stakes of memory and forgetting are not equal; while people, and white settlers in particular, benefit from forgetting the past that organizes the racist present, Indigenous people bear the weight of memory oppression.** As Patricia Monture-Angus writes, drawing on Paula Allen Gunn’s views on memory: “It must be remembered, especially by Aboriginal individuals, that the roots of our oppression lie in our collective loss of memory” (Monture- Angus 1995, 235). I’ll focus here on the question of decolonization as a chal- lenge to forgetting, which implies that this collective *loss* of memory could perhaps be understood as a theft of memory, a dispossession integral to the colonial process. Dunbar-Ortiz says: The definition of lying is what white South African anti-apartheid writer Andre Brink plays with in his book *An Act of Terror*. What’s the opposite of truth? We think immediately “the lie.” But in Greek, the opposite of truth is forgetting. This is a very subtle thing. **What is the action you take to tell the truth? It is un-forgetting. That is really meaningful to me. It’s not that the origin myth is a lie; it’s the process of forgetting that’s the real problem**. . . . **Alliances without un-forgetting at their core aren’t going to go anywhere in the long run.** So, it is a dilemma, but we have to find a way. (Dunbar-Ortiz 2008, 57) Unforgetting, on this view, is an activity, just as forgetting is an activity. Polit- ical forgetting names an epistemology (a way of knowing) and an ontology (a way of being). Epistemically, forgetting is a core piece of colonial practice. Charles Mills and others call this an *epistemology of ignorance*: just as what we know arises from political situations and choices, what we do not know is actively shaped and carries politics (Mills 2007; Sullivan and Tuana 2007). Ignorance is not just an absence of knowledge; it is a way to (not) know things. In our being, ontologically, we become who we are in part through what we know and what we are made (or made able) to forget. Unforgetting, following Dunbar-Ortiz, can be an important part of resistance. **A central feature of white settler colonial subjectivity is forgetting; we live whiteness in part as active ignorance and forgetting. In situations where facts of the matter are routinely brought to our attention, forgetting must be an active and ongoing thing. In general, I believe that systemic oppression is, in fact, present enough in our world that the kinds of ignorance and lack of knowledge running alongside oppression deserve explanation.** Consider that some people think that they “just don’t see race,” or that poverty doesn’t exist in their community, or that Indigenous people aren’t part of their national consciousness. **One way to understand what is at play here is through imagining a kind of benign ignorance—people just haven’t been taught the facts of the situation, and so they can’t be held responsible for not under- standing how race, poverty, indigeneity, and more, are present in their lives**. If this were the problem, just giving people more and better information would correct their knowledge problem. But we don’t just have a knowledge problem—we have a habit-of-being problem; the problem of whiteness is a problem of what we expect, our ways of being, bodily-ness, and how we understand ourselves as “placed” in time. Whiteness is a problem of being shaped to think that other people are the problem. Another way to under- stand this dynamic is to realize the very complex entanglement of practices and habits of ignorance, repression, and active disavowal that constitute an active settler process of not telling, not seeing, and not understanding the truth of the matter, which is a truth of being shaped as the legacy of the harms of the past. **We unforget, actively and resistantly, because forgetting is shaped by forces bigger than ourselves**. In their book about regulation of sexuality through state surveillance, Gary Kinsman and Patrizia Gentile say: “In part, capi- talism and oppression rule through what we call ‘the social organization of forgetting,’ which is based on the annihilation of our social and historical memories. . . . **We have been forced to forget where we have come from; our histories have never been recorded and passed down; and we are denied the social and historical literacy that allows us to remember and relive our past, and, therefore, to grasp our present”** (Kinsman and Gentile 2010, 21). We white people might, on some level, *like* living with annihilated social and historical memories—we might like to think that the present can be innocent of the past that produced it. We might like to think, though we’re ashamed to admit it, that we don’t need to tell or hear the painful stories of the actions that created the world we live in. That feeling, of wanting to be people un- moored from history, of endorsing the pretense that we have nothing to do with the past that constitutes our material conditions and our most intimate subjectivities, is a feeling that defines us. **The social organization of forget- ting means that our actual histories are lost, and it means that we have a feeling of acceptance and normalness about living with a lie instead of an unforgetting. How do we tell a resistant, anticolonial story without using colonial frameworks?** What would it mean to understand this history without fore- grounding a conception of individualized and disconnected history that may be completely unintelligible within Indigenous social and legal systems? How can we tell histories of residential schools without replicating another colonial trope, that of the innocent, pure, all-good natives corrupted by colonial education? That is, **how can we see the people forced to attend residential schools as victims of profound injustice, and also as people who manifested profound resistance, then and now? How can we understand the people who were forced to attend residential schools but who identify the experience as a positive part of their pasts? In other words: How can we tell the full complexity of this narrative in a way that foregrounds the needs and interests of people most affected by vectors of oppression and vulnerability— without reinscribing the very categories delimiting purity and impurity that were deployed to organize this form of colonization, and without inscribing an ontology of vulnerability as definitive of Indigenous being**? What would inhabiting the full complexity of that narrative do to settlers, white settles in particular? **When I, as a white settler woman living on stolen land, nar- rate these questions or take up and amplify other people’s engagement with questions like these, can I simultaneously take responsibility for whiteness and undo it? These are not meant to be rhetorical questions, but they are difficult to answer. They become even more difficult when the questions apply not just to one school, or to one system of forced schooling, but to an entire area now constituted as a country, Canada, and the entire network of relations thread- ing through it. And it is this entire network and this complex and dense history that the work of unforgetting would stand in relation to.** Recall that the TRC’s mission statement states: “The Truth and Reconciliation Com- mission will reveal the complete story of Canada’s residential school system, and lead the way to respect through reconciliation . . . for the child taken, for the parent left behind” (Truth and Reconciliation Commission 2012, 2). **Telling the complete story of Indian Residential Schools involves substan- tial struggle against a social organization of forgetting; in Canada, unlike in places in transitional contexts such as South Africa in the wake of apart- heid, there has not been widespread attention to the TRC process from white people and settlers generall**y. Also, and **this is the key categorical point, the process itself has been delimited. It did not involve a reckoning with the entire history of colonialism and its violence—**it addressed itself to the more historically and socially bounded wrong of residential schools. Residential schools have been a widespread colonial technology. In addition to Indian Residential Schools in the Canadian context, there were Indian Boarding Schools in the United States and the forced removal of Australian Aboriginal children, though they were held in more dispersed institutional housing and schooling situations.3

## 2

#### Interp: Delineated criteria must be sufficient for both debaters, in other words I should be able to win by turning their offense or proving its consistent with the law

#### Violation: their standards stays its necessary but insufficient

#### [1] reciprocity: they put me in a 2-1 skew, can win from their fwrk or mine but I can’t win through theirs

#### [2] Shiftiness: this functionally makes the entire AC offense conditional, even if I turn it they can go for anything else

#### [3] Substance ed, nibs don’t engage in substance of the aff, even if you win the substance its not enough to win the round.

#### a] Fairness is a voter – debate’s a game that requires fair evaluation and rigorous testing – otherwise we can’t test if your arguments are true

#### b] Drop the Debater – deter future abuse, and skewed the entire round

#### c] Use Competing Interps – 1] Norm setting 2] Reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation.

#### d] No RVI’s - 1] Forces the 1NC to go all-in on Theory which kills substance education, 2] Encourages Baiting since the 1AC will purposely be abusive, and 3] Illogical – you shouldn’t win for not being abusive, which is a litmus test for argumentation

## Case

#### 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**.’

#### 4] If they win unilateralism is problematic, vote neg on permissibility – that would undermine all notions of justice, 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

This brings us to a further set of difficulties with the view that original acquisition is problematic. **If ‘unilateralism’ is a problem** for the original acquisition of property, **it is also a problem throughout private law**. **First** of all, note that **if the objection** to an individual’s act of original acquisition **is that it restricts others’ potential action**, then **there is no reason to limit the objection to** those acts of the individual that implicate **legal** entitlements (i.e., ‘**obligations’**).76 If other **persons’** legitimate grievance about original acquisition is its impact on their potential action, they **should have the same right to complain about anything that affects their potential action**, whether this happens through the creation of a legal entitlement or otherwise. For example, from others’ perspective, **your damaging or destroying an object is at least as bad as your acquisition of it**.77 Even within the context of legal entitlements over objects, original acquisition cannot be singled out. Following the original acquisition of an object, concerns will continue to arise regarding the supposedly ‘unilateral’ nature of entitlements to that object. (It is not as if original acquisition takes the object ‘out of circulation,’ so to speak, so that if that act can be legitimized, all subsequent acts by the owner, and subsequent owners, will be legitimate.) For instance, **your continued possession** of an object **is just as problematic as your original acquisition. Every moment you continue to control an object—rather than, say, abandoning it or ceding to adverse possession—you maintain your property right and thereby exclude others**. Your **alienation** of the object **is also problematic**: **why can you decide to pass the object on to a particular third party, when that will entail that other persons cannot access it**? Moreover, considered within the context of the creation of legal entitlements generally, the original acquisition of property is in no way unique**. The creation of any legal entitlement is ‘unilateral’ in that it changes the scope of others’ ‘freedom,’ creates ‘constraints,’ ‘duties’ or ‘obligations,’ and alters their ‘normative situation’**—in the non-Kantian sense of those words. **Take** the right to **bodily integrity. When your body grows, it occupies new space that I can no longer access. I face new constraints with respect to that space**. The same happens when you immigrate to my country, or when you are born and move out into space as a separate personality for the first time.78 The supposed **unilateralism** **problem** **also arises for contract** rights. When you contract, you have the other party’s consent, so your change to that person’s normative situation is arguably unproblematic.79 But your contract also alters the rights of non- consenting third parties who now have a duty not to induce breach.80 Likewise, the creation of a fiduciary relationship imposes a duty on third parties not to assist breach.81 Previously, we noted that it was odd, given Kant’s rigorous systematicity, that the problem of unilateralism arises only for the initial creation of property rights.**82 As it turns out, if unilateralism is a problem for original acquisition, it is a problem that is common to all private law rights**.

AND LBL

#### Framing:

#### [1] Waldron 96: Imposing one view of justice that ignores colonialist struggles is violent, --B] justice can never solve if certain peoples are always excluded, i.e. how indigenosu peoples are seen as the state of nature

#### [2] Ripstein 9: --A] recognizing preconditions of freedom means recognizing side constraints i.e. colonialism –B] People are unfree to escape colonialism, means alt is prerequisite

#### [3] They criterion is morally abhorrent, it justifies the state oppressing people and slavery that the alternative literally solves by dissecting the dogma and ignorance that create racism, etc.

#### [4] Bingham 10: --A] THIS JUSTIFIES FACISM, BLINDLESSLY FOLLOWING THE RULE OF LAW JUSTIFIES STANDING BY AND WATCHING THE HOLOCAUST –B] who cares about economic growth? Neither of our framings! –C] having rule of law doesn’t matter if some people are inehrently excluded

#### [5] Nagel 5: --A] this is the same policing that was used to enforce slave patrols and Jim crow –B] Relying on a overbearing operator of morality requires that the person is not oppressive, the alternative solves by them escaping the confines of colonialism