# TOC R2 vs. Mercer Island KS

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### Part 1: Space NFTs

#### The blockchain is going to space – while it is still appropriation their unique nature allows countries to get away with interpreting current space treaties as allowing this specific form of appropriation, which is exploded by a lack of consensus on the issue. Their failure to interact with real structures means it will spread to all property by its very nature – De Filippi and Leiter 21:

De Filippi, P., & Leiter, A. (2021). Blockchain in Outer Space. *AJIL Unbound,* *115*, 413-418. doi:10.1017/aju.2021.63

Today, however, **space activities are increasingly dominated by private actors.**4 The global space economy grew from 200 billion USD in 2005 to 450 billion USD in 2021, with 80 percent of the revenue generated by private companies, mostly driven by U.S.-based entrepreneurs.5 Corporations such as SpaceX, Blue Origin, and Virgin Galactic have already announced the dawn of the “commercial space age.”6 While the geopolitical underpinnings cannot be ignored, these companies are participating in the race for space exploration mostly for commercial reasons.7 As private entities, these companies are not directly subject to the provisions of these international treaties; yet, they are indirectly affected by them, to the extent that they are expected to respect the laws of the country in which they operate, which are subject to the treaties’ provisions. As a result, it is generally understood that—just like national governments—**private companies cannot claim sovereignty over any celestial body in outer spaces. Yet, the wording of the relevant treaties is sufficiently ambiguous as to allow for the commodification of outer space resources by private parties**.8 Indeed, if **the OST** framework for the governance of outer space was aimed at preventing national appropriation, it **never excluded** **the possibility of extracting resources from outer space,9 provided that the extraction is undertaken “for the benefit and in the interest of all humankind”** (Article 1).10 Accordingly, in recent years, **some countries**—such as the United States,11 Luxembourg,12 the United Arab Emirates,13 and Japan14—**have enacted laws enabling private entities to claim ownership over the resources** they extract from outer space, provided that this does not entail or presuppose claims of national sovereignty.15 These countries are interpreting the provisions of the OST in such a way as to allow for the private appropriation of resources in outer space, despite the explicit prohibition of national appropriation of celestial bodies.16 **This interpretation is explicitly recognized in** Section 10 of **the Artemis Accords** of October 2020, stipulating that “the extraction of space resources does not inherently constitute national appropriation under Article II of the Outer Space Treaty.”17 This increase of **commercial activity** and its support in national legislation **builds on the presumed distinction between** the **national appropriation** of celestial bodies (**through** a claim of **sovereignty**) **and** the **private appropriation** of celestial resources (**through** private **property** claims). This distinction is **grounded on the alleged separation of** roles and jurisdictions between the **state** **and** the **market**,18 mostly **supported by liberal and libertarian visions of society**.19 Although these visions recognize the complementarity between the market and the state, **they consider that resource allocation is generally best achieved through a decentralized market, only involving a minimal state20** in charge of protecting private property rights.21 Blockchain Narratives for Outer Space It is **in this alleged separation between the state and the market that blockchain technology enters into play**, bringing a new set of narratives for private ordering22 **based on the myth of an autonomous and decentralized market** order.23 In particular, **blockchain narratives of transnationality** (i.e., spanning across multiple jurisdictions) 24**,** **alegality** (i.e., existing beyond the purview of the law),25 **and self-sovereignty** (i.e., operating independently of any sovereign authority)26 **can be regarded as relevant catalysts** for some of the emerging practices of private ordering in outer space. The decentralized character of blockchain technology facilitates coordination between multiple parties, with no centralized control. The transparency and tamper-resistance of the technology makes it possible for anyone with an Internet connection and a blockchain wallet to record information in a secure and immutable manner, providing a secure audit trail of who has done what when. Finally, the automation inherent in smart contract-based systems enables operations to be carried out automatically by the underlying blockchain network, without any third-party intervention. While the legal validity and enforceability of these smart contract provisions ultimately depend on the laws of national jurisdictions, **blockchain technology enables the creation of an alternative regime to traditional property and contract law, whose enforceability does not depend on the laws of any given country**, **but rather on the technological rules embedded into a particular blockchain infrastructure**. In other words, **blockchain technology could be considered as a “new means of securing legal protections” in outer space, despite the lack of an “international consensus on** the sovereignty-**property** relation.”27 In light of these above-described features, **blockchain technology has come to be regarded as a promising vehicle for advancing decentralized markets** that operate independently from any governmental authority.28 This narrative of blockchain technology has also been leveraged for raising funds for outer space projects.One of themost well-known examples comes again from **Elon** **Musk**, who **announced** in May 2021 that a **SpaceX mission** to the Moon with an estimated cost of 62 million USD would allegedly be entirely **funded in Dogecoins**. There are many other initiatives that advertise blockchain-based fundraising for space ventures (such as Space Decentral29 or ConsenSys Space30)—although it remains to be seen if the money raised will indeed be used for commercial undertakings in outer space. The problem with **these blockchain-based initiatives** is that they **fail to acknowledge that enforcement cannot be achieved by blockchain technology alone when interacting with non-digital assets. Indeed, while blockchain technology and smart contracts are often said to be self-enforcing or self-executing, this only** **applies to digital contracts or digital assets that subsist exclusively on the blockchain**. **As soon as a blockchain-based infrastructure** needs to **interact** **with** a **non-blockchain-based structure**, the **trustless and self-executing features** of the technology **fall short**—with regard to both **collecting inputs and enforcing outputs** outside of the blockchain infrastructure. **Whether a blockchain is used as a land-**registry for outer space;31 as a distributed **platform to negotiate** and record **orbital positions** **and** **mining licenses**;32 **as a traffic management system** for the identification and the localization of satellites and space debris;33 **as a supply chain** management system for space-related activities; or even as a smart contract framework to control the operations of physical devices34—**all of these applications require, on the one hand, a trusted set of “oracles” that can feed the blockchain-based system with external information**, **and, on the other hand, a third-party enforcement authority that can intervene in case of a dispute**. These issues are not specific to outer space; they apply to every application of blockchain technology that needs to interface with a nonblockchain- based structure. **Blockchain-based systems are thus not an effective work-around for the general dependence of private ordering on third-party enforcement institutions.** While the Artemis Accords indicate that state-based legislation still has a considerable role to play despite the increased presence of private entities in outer space, how enforcement will be facilitated in outer space—and by whom—is still up for debate.

#### Thus, I affirm: The appropriation of outer space by private entities using non-fungible tokens is unjust. NFTs are explicitly used for appropriation as defined by the OST – Froelich,

Froehlich, Annette. "Outer Space and Cyber Space.”

In the space sector, it is advanced that space assets (from space resources to geospatial data) on the blockchain in exchange for cryptocurrency, as described by Scatteia, below: Potential space resource utilization approaches including asteroid mining and regolith extraction on the Moon could be facilitated by the tokenization of assets. Tokenizing space resources has a huge range of applications in the space mining industry, since blockchain provides a mechanism to register the physical location of space resources as digital tokens, and track their transactions, thus enabling for a transparent identification and management process. (emphasis added) Although Scatteia lists “an asteroid” as a tokenizable space asset in the PwC report mentioned above, in the eyes of the international space law principle of non-appropriation, as enshrined within the article II of the Outer Space Treaty, this would qualify prima facie as non-compliant with treaty law which forbids national appropriation of celestial bodies. Nonetheless, there is room for debate as article II is broad and results already in divergent interpretations and therefore generates loopholes. Two questions arise. Firstly, whether “tokenizing” an asteroid would amount to national appropriation. Secondly, whether an asteroid is characterized, under treaty law, as a celestial body. The two questions remain, as of this writing, unanswered.

#### NFTs fail at every goal they have. Their dream of decentralization and “code-is-law” collapses under exploitation of weak protection and the need for third parties. Diehl 21,

Diehl, Stephen. “The Handwavy Technobabble Nothingburger.” The Handwavy Technobabble Nothingburger, 24 Nov. 2021, https://www.stephendiehl.com/blog/nothing-burger.html. //LHPYA

Progcoins are manifestations of what some of us programmers call [decentralized woo woo](https://www.stephendiehl.com/blog/decentralized-woo.html), these projects claim to build all manner of programmatic applications. Yet when you dig into the details of such claims they’re very hand-wavy appeals to things that either don’t exist yet or are thinly veiled gambling schemes and outright scams. After twelve years of these technologies existing (roughly the same age as the iPhone) there is basically only one type of successful crypto business: exchanges which exist to trade more crypto. But the heart of this issue, and why there’s no other success stories, is because smart contracts tenuously look like a good idea until you actually try to build anything real that has to interact with the non-blockchain outside world. At which point they become too brittle, insecure, or strictly inferior to a centralized alternative. In database terminology smart contracts are stored procedures that run one of the various incarnations of distributed databases these technologies are built on. In theory they act somewhat like self-automated vending machines but for more complex user interactions. In practice they act more like self-automated bug bounties which typically explode violently when certain exploits are issued against the coded logic, and at which point they spill all of the coins locked up in the contract. These disasters happen about two or three times a week now because coding at that level of correctness required in a Javascript-like language with loose and ill-defined semantics is near impossible. When a contract does finally meet its end, the only recourse is begging or [threats](https://mashable.com/article/compound-ceo-asks-for-money-back-defi-bug) to return the stolen tokens. However it’s unclear that “stolen” is the right word because the contract was simply behaving exactly as instructed and therein lies the core reason why [“code is law”](https://www.nytimes.com/2021/11/23/business/dealbook/cryptocurrency-code-law-technology.html) is an absolutely rubbish idea. The second absurdity at the heart of smart contracts is their dependence on external data sources to function, the so-called “Oracle problem” is an intractable issue whereby these blockchain stored procedures must depend on data external to a blockchain in order to allegedly perform some business function. If a contract is modeling some sort of derivative contract then it depends on the price of the underlying asset, which it will have to pull from a price feed from Bloomberg. To check if the counterparty to the derivative has posted collateral it will have to pull out to query the balance of an account at a high street bank for one of the counterparties. To check if the counterparties are allowed to trade with each other they have to check whether either of them is on a sanctions list. So then by the time you’ve folded Bloomberg, Barclays and Uncle Sam into the trust boundary of your smart contract there’s very little point to saying this process is decentralized anymore, and begs the question why even construct this Rube Goldberg machine when it could be better done as a simple program running on a centralized server. It would be far more sensible and efficient to just build a web app that uses Stripe for payments. That is unless your business model fundamentally depends on selling unregistered securities or breaking the law.

### Part 2: Individualization

#### Modern capitalism transformed Fordism into something much more sinister. Workers are no longer hired but bought as packets of fractalized time by multiple employers, destroying both the employer we could resist and the solidarity amongst workers we need to do it. This allows capitalism to create precarity that further makes resistance impossible – Berardi 11:

Franco Berardi, “After The Future,” 2011 [philosopher] // LHPYA

In February 2003, the American journalist Bob Herbert published in the New York Times the results of a cognitive survey of hundreds of unemployed youths in Chicago: none of the interviewees expected to find work in the next few years; none expected to be able to rebel, or set off large-scale collective change. The general sense of the interviews was a sentiment of profound impotence. The perception of decline did not seem focused on politics, but on a deeper cause, a scenario o fsocial and psychic involution that seemed to cancel every possibility of build­ ing alternatives. **During the zero zero decade, precariousness has spread throughout the organization of labor, becoming the prevailing feeling of the new generation**. The fragmentation of the present is reversed in the implosion of the future. In lhe Corrosion of Character: The Transformation of Wt.irk in Modern Capitalism, Richard Sennett reacts to this existential condition of precariousness and fragmentation with nostalgia for a past epoch in which life was structured in relatively stable social roles, and time had enough linear consistency to construe paths of identity: "Time's arrow is broken; it has no trajectory in a continually re-engineered, routine­ hating, short-term political economy. People feel the lack of sustained human relations and durable purposes" (Sennett 1 998, 98) . But this nostalgia has no hold on present reality, and attempts to reactivate the community remain artificial and sterile. Precariousness is itself a precarious notion, because it defines its object in an approximate manner, but also because from this notion derive paradoxical, self-contradictory, in other words precarious strate­gies. If we concentrate our critical attention on the precarious character of job performance, what kind of program can we propose, to what target can we aspire? That of a stable job guaranteed for life? This would be (and actually is) a cultural regression, the definite subordination of labor to the rule of exploitation. Notwithstanding the idea of "flexicu­ rity," we are still far from any strategy of social recomposition of the labor movement that might extricate us from unlimited exploitation. We need to pick up again the thread of analysis of social composition and decompositon if we want to discern possible outlines of any re­ composition to come. In the 1970s, the energy crisis, the consequent economic reces­ sion, and finally the replacement ofworkers with numerical machines resulted in a large number ofpeople with no guarantees. The question of precariousness soon became central to social analysis, but also to the ambitions of the movement. We began by proposing to struggle for forms of guaranteed income, not linked to work, in order to face the fact that **a large part of the young population had no prospect of guaranteed employment.** The situation has changed since then, because what seemed a marginal and temporary condition has now become the prevalent form of labor relations. **Precariousness is no longer a marginal and provisional characteristic, but it is the general form of the labor relation in a productive, digitalized sphere, reticular and recombinant**. **The word "precariat" generally stands for work that no longer has fixed rules about labor relations, salary; or the length of the work day.** However, if we analyze the past, we see that these rules functioned only for a limited period in the history of relations between labor and capital. Only for a short period at the heart of the twentieth century, under the political pressures of unions and workers, in conditions of (almost) full employment, and thanks to a generally strong regulatory role played by the state in the economy, some limits to the natural violence of capitalist dynamics could be legally established. The legal obligations that in certain periods have protected society from the vio­lence of capital were always founded on political and material relations of force (workers' violence against the violence of capital) . Thanks to political force, it became possible to affirm rights, establish laws, and protect them as personal rights. With the decline in the political force of the workers' movement, the natural precariousness and brutality of labor relations in capitalism have re-emerged. The new phenomenon is not the precarious character of the job market, but the technical and cultural conditions in which infolabor is made precarious. **The technical conditions are based on digital recom­bination of infolabor in networks**. The cultural conditions include the education of the masses and the expectations of consumption inherited from late twentieth century society, which are continuously fed by the entire apparatus of marketing and media communication. If we analyze the first aspect, the technical transformations in­ introduced by the digitalization of the productive cycle, we see **that the essential point is not that the labor relation has become precarious (which, after all, it has always been), but the dissolution of the person as active productive agent, as labor power**. The cyberspace of **global production can be described as an immense expanse of depersonalized human time**. Infolabor, the provision of time for the elaboration and recom­ bination of segments of infocommodities, takes to the extreme the tendency, which Marx analyzed, for labor to become abstracted from concrete activity. **This process of abstraction has progressively stripped labor time of every concrete and individual particularity**. The atom oftime ofwhich Marx wrote is the minimal unit of productive labor. But **in industrial production, abstract labor time was impersonated by a physical and juridical bearer, embodied in a worker in flesh and bone**, with a certi­ fied and political identity. Naturally, capital did not purchase a per­sonal disposition, but the time for which the workers were its bearers. **But if capital wanted to dispose of the necessary time for its valoriza­tion, it was obliged to hire a human being**, to buy all of its time, and therefore it had to face up to the material needs and the social and political demands of which the human was a bearer. **When we move onto the sphere of infolabor, there is no longer a need to buy a person for eight hours a day indefinitely**. **Capital no longer recruits people, but buys packets of time, separated from their interchangeable and occasional bearers**. Depersonalized time has become the real agent of valorization, and depersonalized time has neither any right, nor any demand. It **can only be either available or unavailable, but this is purely theoretical be­ cause the physical body, despite not being a legally recognized person, still has to buy food and pay rent**. The informatic procedures of the recombination of semiotic ma­terial have the effect of liquefying the "objective" time necessary to produce the infocommodity**. In all of the time of life, the human ma­ chine is there, pulsating and available, like a brain-sprawl in waiting**. The extension of time is meticulously cellularized: cells of productive time can be mobilized in punctual, casual, and fragmentary forms. The recombination of these fragments is automatically realized in the net­ work. The mobile phone is the tool that makes possible the connection between the needs of semiocapital and the mobilization of the living labor of cyberspace. The ringtone of the mobile phone calls the workers to reconnect their abstract time to the reticular flux. It's a strange word-"liberalism"-with which we identify the ide­ ology prevalent in the posthuman transition to digital slavery. Liberty is its foundational myth, but the liberty of whom? The liberty of capi­ tal, certainly. Capital must be absolutely free to expand in every corner of the world to find the fragment of human time available to be ex­ ploited for the most miserable wage. But liberalism also predicates the liberty of the person. In neoliberal rhetoric, the juridical person is free to express itself, to choose representatives, and be entrepreneurial at the level ofpolitics and the economy. All this is very interesting, except that the person has disappeared; what is left is like an inert object, ir­ relevant and useless. The person is free, sure. But his time is enslaved. His liberty is a juridical fiction to which nothing in concrete daily life corresponds. If we consider the conditions in which the work of the majority of humanity, proletariat and cognitariat, is actually carried out in our time, ifwe examine the conditions ofthe average wage glob­ ally, if we consider the current cancellation of previous labor rights, we can say with no rhetorical exaggeration that we live in a regime of slavery. **Globally, the average wage is hardly sufficient to buy the mere survival of a person whose time is at the service of capital. And people have no right over the time of which they are formally the proprietors, but from which they are effectively expropriated. That time does not really belong to them, because it is separated from the social existence of the people** who make it available to the recombinant cyberproduc­ tive circuit. **The time of work is fractalized, that is, reduced to minimal fragments for reassembly, and the fractalization makes it possible for capital to constantly find the conditions for the minimum wage. Precariousness is the black heart of the capitalist production pro­ cess in the global network, where a continuous flow of fragmented and recomposable infowork circulates**. **Precariousness is the transformative element of the whole cycle of production. Nobody is outside its reach. At unspecified times, workers' wages are reduced or cut, and the life of all is threatened**. Digital infolabor can be fragmented in order to be recomposed someplace other than where that work is done. From the point ofview of the valorization of capital, flow is con­ tinuous, but from the point of view of the existence and time of cog­ nitive workers, productive activity has the character of recombinant fragmentation in cellular form. Pulsating cells of work are lit and ex­ tinguished in the large control room of global production. **Infolabor is innately precarious, not because of the contingent viciousness of em­ployers but for the simple reason that the allocation of work time can be disconnected from the individual and legal person of the worker, an ocean of valorizing cells convened in a cellular way and recombined by the subjectivity of capital. It is appropriate to reconceptualize the relationship between re­ combinant capital and immaterial labor, and it is advisable to obtain a new framework of reference**. Given the impossibility, from now on, of reaching a contractual elaboration of the cost of work by basing it on the legal person-because productive abstract labor is disconnected from the individual person of the worker-the traditional form of the wage is no longer operative, since it can't guarantee anything anymore. Therefore, the recombinant character of cognitive labor seems incom­patible with any possibility of social recomposition or subjectivation. The rules of negotiation, collaboration, and conflict have changed, not because of a political decision, but because of a technical and cultural change in the labor relationship. The rules are not immutable, and there is no rule which forces us to comply with the rules. The legalist Left has never understood this. Fixed on the idea that it is necessary to comply with the rules, it has never known how to carry out confronta­ tion on the new ground inaugurated by digital technologies and the globalized cycle of infolabor. The neoliberals have understood this very well and they have subverted the rules that were laid down in a century of trade union history. In the classical mode of industrial production, the rule was based on a rigid relationship between labor and capital, and on the possibil­ ity of determining the value of goods on the basis of socially necessary working time. But in the recombining stage of capital based on exploi­ tation of fluid infowork, there is no longer any deterministic relation between labor and value. We should not aim to restore the rules that neoliberal power has violated; **we should invent new rules adequate to the fluid form of the labor-capital relation**, where there is no longer any quantitative time­ value determinism and, thus, where there is no longer any necessary constant in economic relations**. How can we oppose the systemic depersonalization** of the work­ ing class and the slavery that is affirmed in the command of precarious and depersonalized work? This is the question that is posed **with insis­ tence by whomever still has a sense of human dignity**. Nevertheless, no answer comes, because the forms of resistance and struggle that were efficacious in the twentieth century appear to no longer have the ca­ pacity to spread and consolidate, nor, consequently, can they stop the absolutism of capital. We have learned from the experience of workers' struggle in re­ cent years that the struggle of precarious workers does not become a cycle, does not leave a social sediment of consciousness, organization, and solidarity. Fractalized work can also intermittently rebel, but this does not set any wave of struggle in motion. The reason is easy to un­ derstand. **In order for struggles to form a cycle there must be** a spatial proximity of laboring bodies and **an existential temporal continuit**y. Without this proximity and this continuity, we lack the conditions for cellularized bodies to become a community.

#### Capitalism subjugates freedom itself by making people view themselves as free projects when that view forces them to contribute to the system. This system turns people against themselves and harbors indefinite contradiction that prevents its meaningful critique – Han 17,

Han, Byung-Chul. Psychopolitics: Neoliberalism and new technologies of power. Verso Books, 2017. //LHPYA

Freedom will prove to have been merely an interlude. Freedom is felt when passing from one way of living to another - until this too turns out to be a form of coercion. Then, liberation gives way to renewed subjugation. Such is the destiny of the subject; literally, the ‘one who has been cast down’. Today, we do not deem ourselves subjugated subjects, but rather projects·, always refashioning and reinventing ourselves. A sense of freedom attends passing from the state of subject to that of project. All the same, this projection amounts to a form of compulsion and constraint - indeed, to a more efficient kind of subjeçtivation and subjugation. As a project deeming itself free of external and alien limitations, the I is now subjugating itself to internal limitations and self-constraints, which are taking the form of compulsive achievement and optimization. We are living in a particular phase of history: freedom itself is bringing forth compulsion and constraint. The freedom of Can generates even more coercion than the disciplinarian Should, which issues commandments and prohibitions. Should has a limit. In contrast, Can has none. Thus, the compulsion entailed by Can is unlimited. And so we find ourselves in a paradoxical situation. Technically, freedom means the opposite of coercion and compulsion. Being free means being free from constraint. But now freedom itself, which is supposed to be the opposite of constraint, is producing coercion. Psychic maladies such as depression and burnout express a profound crisis of freedom. They represent pathological signs that freedom is now switching over into manifold forms of compulsion. Although the achievement-subject deems itself free, in reality it is a slave. In so far as it willingly exploits itself without a master, it is an absolute slave. There is no master forcing the achievement-subject to work. Yet all the same, it is absolutizing bare life and labour. Bare life and labour form two sides of the same coin. Health represents the ideal of bare life. Today’s neoliberal slave lacks the sovereignty - indeed, the freedom - of the master who, according to Hegel’s dialectic, performs no labour at all and only enjoys. For Hegel, the sovereignty of the master derives from his rising above bare life and risking death itself in the process. Such excess - living and enjoying beyond measure - is alien to the slave, who worries only about bare life. But counter to what Hegel assumed, labouring does not make the slave free. The slave remains enslaved to labour. Now, the slave is forcing the master to work too. Today’s dialecic of master and slave means the totalization of labour. As the entrepreneur of its own self, the neoliberal subject has no capacity for relationships with others that might be free of purpose. Nor do entrepreneurs know what purpose free friendship would even look like. Originally, being free meant being among friends. ‘Freedom’ and ‘friendship’ have the same root in Indo-European languages. Fundamentally, freedom signifies a relationship. A real feeling of freedom occurs only in a fruitful relationship - when being with others brings happiness. But today’s neoliberal regime leads to utter isolation; as such, it does not really free us at all. Accordingly, the question now is whether we need to redefine freedom - to reinvent it - in order to escape from the fatal dialectic that is changing freedom into coercion. Neoliberalism represents a highly efficient, indeed an intelligent, system for exploiting freedom. Everything that belongs to practices and expressive forms of liberty - emotion, play and communication - comes to be exploited. It is inefficient to exploit people against their will. Allo-exploitation yields scant returns. Only when freedom is exploited are returns maximized. It is interesting to note that Marx also defines freedom in terms of a successful relationship to others: Only in community [with others does each] individual [have] the means of cultivating his gifts in all directions; only in the community, therefore, is personal freedom possible.’1 From this perspective, being free means nothing other than self-realization with others. Freedom is synonymous with a working community (i.e., a successful one). For Marx, individual freedom represents a ruse - a trick of capital. ‘Free competition’, which is based on the idea of individual freedom, simply amounts to the ‘relation of capital to itself as another capital, i.e., the real conduct of capital as capital’.1 2 Capital reproduces by entering into relations with itself as another form of Capital: through free competition. It copulates with the Other of itself by way of individual freedom. Capital grows inasmuch as people engage in free competition. Hereby, individual freedom amounts to servitude inasmuch as Capital lays hold of it and uses it for its own propagation. That is, Capital exploits individual freedom in order to breed: ‘It is not the individuals who are set free by free competition; it is, rather, capital which is set free.’3 The freedom of Capital achieves self-realization byway of individual freedom. In the process, individuals degrade into the genital organs of Capital. Individual freedom lends it an ‘automatic’ subjectivity of its own, which spurs it to reproduce actively. In this way. Capital continuously ‘brings forth living offspring’.4 Today, individual freedom is taking on excessive forms; ultimately, this amounts to nothing other than the excess of Capital itself. At a certain level of development, according to Marx, the forces of production (human labour, modes of work and the material means available) come into conflict with the dominant relations of production (conditions of ownership and domination). Contradiction arises because the forces of production never stop evolving. Thus, industrialization brings forth new forces of production that come into conflict with structures of ownership and government that still resemble feudal conditions. In turn, this contradiction entails social crises: pushes to change the relations of production. For Marx, the contradiction is to be eliminated by way of the proletariat’s struggle against the bourgeoisie - which will bring forth a communist social order. But counter to what Marx assumed, communist revolution cannot resolve the contradiction between forces of production and relations of production. The contradiction admits no dialectical Aufhebung. Capitalism can always escape into the future precisely because it harbours permanent and inherent contradiction. Accordingly, industrial capitalism has now mutated into neoliberalism and financial capitalism, which are implementing a post-industrial, immaterial mode of production - instead of turning into communism. As a mutant form of capitalism, neoliberalism transforms workers into entrepreneurs. It is not communist revolution that is now abolishing the allo-exploited working class - instead, neoliberalism is in the course of doing so. Today, everyone is an auto-exploiting labourer in his or her own enterprise. People are now master and slave in one. Even class struggle has transformed into an inner struggle against oneself. The cooperative ‘Multitude’ that Antonio Negri has exalted as the post-Marxist successor to the ‘proletariat’ does not describe the contemporary mode of production. Rather, conditions are defined by the solitude of an entrepreneur who is isolated and self-combating and practises auto-exploitation voluntarily. As such, it is a mistake to believe that the cooperative ‘Multitude’ will overthrow the parasitic ‘Empire’ and bring forth a communist social order. The Marxist scheme to which Negri adheres will prove to have been yet another illusion. In fact, no proletariat exists under the neoliberal regime at all. There is no working class being exploited by those who own the means of production. When production is immaterial, everyone already owns the means of production him- or herself. The neoliberal system is no longer a class system in the proper sense. It does not consist of classes that display mutual antagonism. This is what accounts for the system’s stability. Today, the distinction between proletariat and bourgeoisie no longer holds either. Literally, ‘proletarian’ means someone whose sole possessions are his or her children: self-production is restricted to biological reproduction. But now the illusion prevails that every person - as a project free to fashion him- or herself at will - is capable of unlimited self-production. This means that a ‘dictatorship of the proletariat’ is structurally impossible. Today, the Dictatorship of Capital rules over everyone. The neoliberal regime transforms allo-exploitation into auto-exploitation; this process affects all ‘classes’. Such classless self-exploitation - which was something utterly unknown to Marx - renders impossible any social revolution based on the difference between the exploiters, on the one hand, and the exploited, on the other. Indeed, given the auto-exploiting achievement-subject’s isolation, no political We is even possible that could rise up and undertake collective action. People who fail in the neoliberal achievement-society see themselves as responsible for their lot and feel shame instead of questioning society or the system. Herein lies the particular intelligence defining the neoliberal regime: no resistance to the system can emerge in the first place. In contrast, when allo-exploitation prevails, the exploited are still able to show solidarity and unite against those who exploit them. Such is the logic on which Marx’s idea of a ‘dictatorship of the proletariat’ is based. However, this vision presupposes that relations of repression and domination hold. Now, under the neoliberal regime of auto-exploitation, people are turning their aggression against themselves. This autoaggressivity means that the exploited are not inclined to revolution so much as depression. In our world, we no longer work in order to satisfy our own needs. Instead, we work for Capital. Capital generates needs of its own; mistakenly, we perceive these needs as if they belonged to us. Capital therefore represents a new kind of transcendence, which entails a new form of subjectivation. We are being expelled from the sphere of lived immanence - where life relates to life instead of subjugating itself to external ends.

#### NFTs and the blockchain create a new digital property regime divorced from labor. They are the climax of the ideology in which information itself is a commodity, allowing anything and everything to become a commodity without the need to put actual labor in – Frelischmann 21:

Eric Fleischmann, [Eric Fleischmann (he/they) is an undergrad student working in the solidarity economy and pursuing a double major in anthropology and philosophy. He is an anarchist indebted to communistic and continental thought but engaged primarily in the traditions of mutualism, North American individualist anarchism, and contemporary left-libertarianism. He has been involved in various capacities with numerous leftist, left-leaning, and labor-oriented organizations—generally ones which promote forms of politico-economic decentralization and democratization and/or degrees of left unity (C4SS, IWW, UMAW, BLC, HEP, CDI, RG, etc.). He has also played in and currently plays in several punk, hardcore, and alternative bands (Soy., Consumerist, Manbitesdog, Nope, etc.) and has released multiple albums.] November 16, 2021, “NFTs Suck for Labor” <https://theanarchistlibrary.org/library/eric-fleischmann-nfts-suck-for-labor> //LHP AV //RECUT LHPYA

It’s best to start this piece off by admitting that I am not particularly tech-savvy. I am a cheerleader for open-source, peer-to-peer, decentralized, appropriate, etc. technology, but, otherwise, I am only about as knowledgeable about this stuff as your average zoomer.[1] However, some things in the technological and digital world appear quite obvious to me. For example, **the latest cancerous offshoot of the private property regime has arrived: the NFT** (a term you may have recently come across on the Internet). An abbreviation for ‘non-fungible token,’ these tokens, as Robyn Conti and John Schmidt describe for Forbes, are… a digital asset that represents real-world objects like art, music, in-game items and videos. They are bought and sold online, frequently with cryptocurrency, and they are generally encoded with the same underlying software as many cryptos. Although they’ve been around since 2014, NFTs are gaining notoriety now because they are becoming an increasingly popular way to buy and sell digital artwork. A staggering $174 million has been spent on NFTs since November 2017. They are called ‘non-fungible’ because, unlike conventional cryptocurrencies, they cannot be traded/exchanged for one another. In its basic function, NFTs allow someone to purchase the rights to the original version of a piece of media and then, by means of blockchain (decentralized lists of records maintained through networked cryptography), they can be authenticated as the actual owner regardless of how many times and in what ways it has been shared. The conventional left-labor critique of this phenomenon is obvious: private property is fundamentally anti-social and so any expansion of private property into the digital realm will produce primarily negative ends. However, the broader critique of intellectual property pre-dates the Internet by decades and has primarily been the domain of the individualist anarchists and mutualists. The great individualist Benjamin Tucker writes: [T]he patent monopoly, which consists in protecting inventors and authors against competition for a period long enough to enable them to extort from the people a reward enormously in excess of the labor measure of their services, – in other words, in giving certain people a right of property for a term of years in laws and facts of Nature, and the power to exact tribute from others for the use of this natural wealth, which should be open to all. The abolition of this monopoly would fill its beneficiaries with a wholesome fear of competition which would cause them to be satisfied with pay for their services equal to that which other laborers get for theirs, and to secure it by placing their products and works on the market at the outset at prices so low that their lines of business would be no more tempting to competitors than any other lines. And this line of thinking is continued into the 20th Century by Laurance Labadie, who writesthat some of the main “restrictions to free production and distribution are patents, copyrights, and tariffs” and into the 21st Century by Carson, who writes that “enclosure, via ‘intellectual property,’ is why Nike can pay a sweatshop owner a few bucks for a pair of sneakers and then mark them up to $200. Most of what you pay for isn’t the actual cost of labor and materials, but the trademark."[2] And as such, IP works, as all monopolies do, to restrict free production and voluntary exchange and thus artificially shift the price of goods above the cost of production; the market equilibrium of the labor theory of value as it is presented in modern interpretations by Laurance Labadie and Carson.[3] These two thinkers write, respectively, that “it may be said that, granting free competition, that is, free and equal access to the means of production, to the raw materials, and to an unrestricted market, the price of all articles will always tend to be measured by the effort necessary for their production. In other words, labor as a factor in measuring value will become predominant” and that “[i]n an economy of distributive property ownership . . . time-preference would affect only laborers’ calculations of their own present consumption versus their own future consumption. All consumption, present or future, would be beyond question the result of labor.” But why is intellectual property and its effect on pricing being discussed here? NFT ownership is ‘enforced’ through blockchain, not by the government, right? It’s not actually copyright or anything? Correct, NFTs are not the same as copyright or any other kind of IP. David Lizerbram & Associates write that NFT owners… have the right to own, sell, lend, or otherwise transfer the NFT itself. They don’t (unless they own the copyright) have the right to make or sell copies of the digital art, to transfer the copyright in the work, or to create derivative works based on the original. The “right to make copies” bit is messy in the digital world. For example, if I buy an NFT, and then I post it to Instagram with the message “Check out this cool NFT that I just bought!”, that’s creating many more digital copies. But this is true for all kinds of visual art these days, and the artist is free to go to Instagram and file a copyright takedown notice, requesting that the post be removed. My ownership of the NFT wouldn’t make that request invalid unless I also owned the copyright.Therefore, **NFTs** do not directly—at least to a very significant degree—alter the price of the goods themselves away from the cost of production, but they do something similar to the ownership of goods, **artificially creating a market in the production of ownership of things instead of things themselves**. This **inflates the value of the certificate from almost zero—the cost of the ‘production’ of the ownership (though the ‘per-token’ cost of maintaining the blockchain needs systemic consideration particularly in respect to the environmental externalities of its overall energy use and carbon emissions** and the overall labor, as will be gestured toward later on, to perpetuate the Internet through information and technology production)—**to the ridiculous price of the token’s speculative resale value as the ‘original’ version or as part of an NFT ‘brand,’ thus creating a sense of value totally detached from the actual labor required for production**. Amanda Yeo explains this proliferation of ‘false’ value in a hypothetical scenario: **I imagine** you **stumbling through a** post-COVID, **post-apocalyptic party**, gripping a half-empty beer and shouting in strangers’ ears **over pounding EDM**. “**I own @dril’s pinned tweet**,” you declare, **pronouncing the @ because that’s the person you’ve become. “Like, the original. I own it**.” “You can’t own someone else’s tweet,” replies your unimpressed victim as they subtly scan the room for friends. “It’s text on the internet.” You falter. “No you don’t get it — **I tokenised it. I got the original**. All… Everything else, the retweets, they’re all just copies. They don’t… **Mine has value**.” You can’t explain what this value is, but **you paid $2.5 million so there must be value**. The thudding song blasting over the speakers drops its beat. **The beat is always dropping. The beat has never dropped. The beat dropped 13 years ago.** This is **basically like if you actually believed buying an ‘acre of the moon’ or a star granted the same value as an actual acre of the moon or an actual star and you sold it within a community that somehow agreed with you.** And this rather gross dystopian vision should distinctly worry advocates of labor. **Firstly**—as demonstrated above—**it adds to a culture, particularly on the Internet**, **that does not understand or accept labor as being a main definer of value**; a culture, it should be noted, that is only disrupted by the direct action of the working class and through efforts to widen the distribution of the means of production and investable wealth. [4] This has been an enormous problem since the advent of the Internet. As the Wu Ming Foundation writes… **Behind the** phantasmagory of the **Internet lies** a set of definite social relations, and Marx means production relations, **exploitation relations**. The net rhetoric hides these relations. It is indeed possible to talk about the Internet for hours, days, months, touching only marginally the issue of who owns it, who is really in control of the nodes, the infrastructure, the hardware. **The pyramid of labour** — including slave-like labour — **incorporated into the devices we use** (computers, smartphones, ereaders etc.) **and as a consequence into the Internet itself, is even less discussed. Everyday, corporations expropriate social wealth on the net, and oppress the working class at each corner of the Earth behind the scenes.** The Foundation goes further to point out that Facebook and other **social media sites**—the platforms which have been and will continue to be integral to the proliferation of NFTs (Facebook and Twitter are both looking to integrate them even further)—**are largely the product of its users’ surplus labor**. In fact… “[**your whole work is surplus work on Facebook, because you are not paid**. Everyday **Zuckerberg** sells your surplus work—-that is to say, he **sells your life** (your sensitive data, your navigation patterns, etc.) **and your relations. He makes several million dollars each day, because he is the owner of the [means] of production, and you are not. Information is a commodity. Knowledge is a commodity. In fact, it is the quintessential commodity in Post-Fordism** (or whatever you want to call it).” But returning to the matter of anti-labor valuation more generally, this **issue appears**, from a Marxist perspective, **in** all market exchanges—such as, obviously, **NFT transactions**—**in the form of commodity fetishization, the false belief that the value of a commodity is somehow intrinsic and the failure to realize its value as an investment of labor**—**the disappearing of social relationships above being the “net” version of this phenomena.** But, for individualist anarchists and mutualists, as is discussed above, **this is not, at least to the degree marxists posit, a condition of market exchange universally, but rather one enabled by an economic system**—**like capitalism—that restricts free competitio**n in production and exchange, **and therefore shifts primarily to defining value through marginal utility.** Both groups would, however, likely agree that **NFTs further integrate this problem into blockchain technology**. But furthermore, it is sometimes argued by those in the neoliberal center and center-right that IP is essential to protecting ownership of the products of artistic producers’ labor. The same holds true of arguments in favor of NFTs, and this is how it has often been presented to me in my ‘part-time work’ as a punk musician. And for leftists and pro-labor folks, this may appear to be enacting the slogan “labor is entitled to all it creates.” Or at the very least it might appear to be a trick that visual artists, musicians, and writers can take advantage of to increase their personal profit. Conti and Schmidt argue that… [b]lockchain technology and NFTs afford artists and content creators a unique opportunity to monetize their wares. For example, artists no longer have to rely on galleries or auction houses to sell their art. Instead, the artist can sell it directly to the consumer as an NFT, which also lets them keep more of the profits. In addition, artists can program in royalties so they’ll receive a percentage of sales whenever their art is sold to a new owner. This is an attractive feature as artists generally do not receive future proceeds after their art is first sold. The picture is far less rosy than they make it out to be though, and Yeo outlines very clearly why: There is the argument that NFTs are good for digital artists, as they enable them to be paid for their work. Currently, images are easily taken, duplicated, and spread online, often with no credit given to their original creator. NFTs enable us to hold one up as the one true original, giving it value and stimulating the arts industry by enabling collectors to collect. Surely this is a good use of cryptocurrency? To that I say: If you want a unique artwork, then commission an artist. If you want to ensure creators are properly compensated for their labour, then commission an artist. If you’re concerned about the viability of the arts industry, then commission an artist. More than this, NFTs don’t even guarantee any money goes to the person who created the work. As it currently stands, there is nothing stopping people from simply tokenising other people’s work, claiming it and profiting off it. In fact it’s already happening. There is even a Twitter account that will tokenise any tweet for you regardless of whether or not you yourself wrote it — all you have to do is tag it. Blockchain technology, particularly cryptocurrencies, are becoming more and more accessible—and therefore more commonplace—for the average lay person,\* with crypto ATMs popping up all over the place and more and more countries approving the official usage of cryptocurrencies. Jim Barth explains that, “[i]nitially a fringe movement supported by a small fraction of early adopters, the use of cryptocurrencies is following the trajectory of cell phone adoption, online shopping, touchless payment systems, and other technological and behavioral evolutions. These innovations started slowly as well before reaching an inflection point followed by explosive expansion.” He points out further that “mainstream payments firms, including PayPal, now offer customers the ability to buy and sell Bitcoins – or fractions of Bitcoins – from their accounts. And an increasing number of tech companies, including Square Inc., accept payments in Bitcoins and hold portions of their cash reserves in the digital currency. Even VISA has jumped into the fray. Coinbase, the largest U.S. cryptocurrency exchange, will soon offer a VISA debit card that lets customers spend Bitcoins from their Coinbase VISA accounts.” So as this popularity grows, the awful and, honestly, stupid reality of NFTs for visual artists, musicians, writers, and other artistic producers must be made clear. [5] **NFTs suck for labor.**

#### This subjugation of subjectivity to basic accumulation creates the capitalist death drive. All life is oriented as an attempt to escape death through capitalist growth, but the creation of this dichotomy converts humans into capitalists machines incapable of living at all – Han 2,

Han, Byung-Chul, and Daniel Steuer. *Capitalism and the death drive*. Polity Press, 2021. //LHPYA

The accumulation of capital produces the same affect as the accumulation of mana. Growing capital means growing power. More capital means less death. Capital is accumulated in order to escape death. Capital may also be seen as frozen time; infinite amounts of capital create the illusion of an infinite amount of time. Time is money: confronted with a time-limited life, we accumulate time-as-capital. Adalbert von Chamisso’s novella Peter Schlemihls wundersame Geschichte [The Wonderful History of Peter Schlemihl] can be read as an allegory of the capitalist economy. Schlemihl sells his shadow to the devil in return for a bottomless bag of gold (that is, infinite capital). The pact with the devil turns out to be a pact with capitalism. Infinite capital makes the shadow – which stands for the body and death – disappear. But Schlemihl soon realizes that a life without a shadow is impossible. He walks the earth as the undead. The moral is: death is a part of life. The story thus ends with this admonition: ‘But you, my friend, if you want to live among mankind, learn to revere first your shadow, and then your money. Capitalism is obsessed with death. The unconscious fear of death is what spurs it on. The threat of death is what stirs its compulsion of accumulation and growth. This compulsion drives us towards not only ecological but also mental catastrophe. The destructive compulsion to perform combines self-affirmation and self-destruction in one. We optimize ourselves to death. Relentless self-exploitation leads to mental collapse. Brutal competition ends in destruction. It produces an emotional coldness and indifference towards others as well as towards one’s own self. In capitalist societies, the dead and the dying are less and less visible. But death cannot simply be made to disappear. If, for instance, factories no longer exist, then work takes place everywhere. If mental asylums disappear, then madness has become normal. It is the same with death. If the dead are not visible, a rigor mortis has extended over all of life. Life freezes into survival: ‘In survival, death is repressed; life itself . . . would be nothing more than a survival determined by death.’17. The separation of life and death that is constitutive of the capitalist economy creates an undead life, death-in-life. Capitalism generates a paradoxical death drive; it deprives life of life.18 A life without death, which is what capitalism strives 9 to achieve, is what is truly deadly. Performance zombies, fitness zombies, and Botox zombies: these are manifestations of undead life. The undead lack any vitality. Only life that incorporates death is truly alive. The mania for health is the biopolitical manifestation of capital itself. Capitalism’s striving for life without death creates the necropolis – an antiseptic space of death, cleansed of human sounds and smells. Life processes are transformed into mechanical processes. The total adaptation of human life to mere functionality is already a culture of death. As a consequence of the performance principle, the human being ever more closely approximates a machine, and becomes alienated from itself. Dataism and artificial intelligence reify thinking. Thinking becomes calculating. Living memories are replaced with machine memories. Only the dead remember everything. Server farms are places of death. We bury ourselves alive in order to survive. In the hope of survival, we accumulate dead value, capital. The living world is being destroyed by dead capital. This is the death drive of capital. Capitalism is ruled by a necrophilia that turns living beings into lifeless things. A fateful dialectic of survival turns the living into the dead: the undead. Erich Fromm writes the following about a world ruled by necrophilia: The world becomes a sum of lifeless artifacts; from synthetic food to synthetic organs, the whole man becomes part of the total machinery that he controls and is simultaneously controlled by. . . . He aspires to make robots as one of the greatest achievements of his technical mind, and some specialists assure us that the robot will hardly be distinguished from living men. This achievement will not seem so astonishing when man himself is hardly distinguishable from a robot. The world of life has become a world of ‘no-life’; persons have become ‘nonpersons,’ a world of death. Death is no longer symbolically expressed by unpleasant-smelling feces or corpses. Its symbols are now clean, shining machines.19 Undead, death-free life is reified, mechanical life. Thus, the goal of immortality can only be achieved at the expense of life

### Part 3: Smoothness

#### Semiocap is predicated on smooth communication of information to generate predictability and conformity within society. It subsumes all resistance by predicting and effectively coopting it through the social realm. Han 3,

Han, Byung-Chul. Psychopolitics: Neoliberalism and new technologies of power. Verso Books, 2017. //LHPYA

Initially, the internet was celebrated as a medium of boundless liberty. Microsoft’s early advertising slogan - ‘Where do you want to go today?’- suggested unlimited freedom and mobility on the web. As it tumèd out, such euphoria was an illusion. Today, unbounded freedom and communication are switching over into total control and surveillance**. More and more, social media resemble digital panoptica keeping watch over the social realm and exploiting it mercilessly**. **We had just freed ourselves from the disciplinary panopticon - then we threw ourselves into a new, and even more efficient, panopticon**. Jeremy Bentham’s panopticon isolated inmates from each other for disciplinary purposes and prevented them from interacting. In contrast, **the occupants of today’s digital panopticon actively communicate with each other and will­ingly expose themselves**. That is**, they *collaborate***in the panopticon’s operations. **Digital control society makes intensive use of freedom**. This can only occur thanks to volun­tary self-iüujnination and self-exposure *{Selbstausleuchtung und Selbstentblößung).* **Digital Big Brother *outsources* opera­tions to inmates, as it were. Accordingly, data is not surren­dered under duress so much as offered out of an inner need**. That is why the digital panopticon proves so efficient. Transparency is demanded in the name of the freedom of information too. In reality, however, this amounts to noth­ing other than a *neoliberal dispositive*. It means turning everything inside out by force and transforming it into *infor­mation.* Under the immaterial mode of production that now prevails, **more information and more communication mean more productivity, acceleration and growth**. Information represents a positive value; inasmuch as it lacks interiority, it *can circulate independently, free from any and all context.* Accordingly, the circulation of information admits accelera­ tion at will - for purely arbitrary reasons. Secrets, foreignness and otherness represent impediments to unbounded communication. In the name of transparency, they are to be eliminated. **Communication goes faster when it is smoothed out - that is, when thresholds, walls and gaps are removed. This also means stripping people of interiority, which blocks and slows down communication. However, such emptying-out of persons does not occur by violent means. Instead, it occurs as voluntary self-exposure. The negativity of otherness or foreignness is de-interiorized and transformed into the positivity of communicable and consumable difference: ‘diversity’**. The dispositive of trans­ parency effects utter exteriorization in order to accelerate the circulation of information and speed communication. **Ultimately, openness facilitates unrestricted communication - whereas closedness, reserve and interiority obstruct** it. The dispositive of transparency has the further conse­quence of promoting total conformity. The economy of transparency seeks to suppress deviation. Total network­ ing - total communication - already has a levelling effect per se. Its effect is conformity: it is as if everyone were watching over everyone else - even before intelligence agencies or secret services have stepped in to supervise and steer. Invisible moderators smooth out communication and calibrate it to what is generally understood and accepted. Such *primary, intrinsic* surveillance proves much more problematic than the *secondary, extrinsic* surveil­ lance undertaken by secret services and spying agencies. Neoliberalism makes citizens into consumers. The free­dom of the citizen yields to the passivity of the consumer. As consumers, today’s voters have no real interest in poli­ tics - in actively shaping the community. **They possess neither the will nor the ability to participate in communal, political action. *They react only passively* to politics: grum­bling and complaining, as consumers do about a commod­ity or service they do not like.** Politicians and parties follow this logic of consumption too. They have to \**deliver*\ In the process, they become nothing more than suppliers; their task is to satisfy voters who are consumers or customers. **The *transparency* demanded of politicians today is anything but a *political* demand. Transparency is not called for in *political* decision-making processes; no consumer is interested in that. Instead, and above all, the imperative of transparency serves to expose or unmask politicians, to make them an item of scandal. The call for transparency presupposes occupying the position of a shocked spectator. It is not voiced by engaged citizens so much as by passive onlookers.** Participation now amounts to grievance and complaint.

#### This is the exact purpose of NFTs. They push interactions and physical objects into the realm of the panopticon by tokenizing them, stripping them of any truly non-fungible aspect that could interrupt the smooth flow of information – Horning 21,

Horning, Rob. “The Presence of the Original.” Real Life, 26 Feb. 2021, https://reallifemag.com/the-presence-of-the-original/.

Currently sitting at the intersection of art and technology is a [special kind of car crash](https://www.jgballard.ca/media/1995_kulture_deluxe_magazine.html) involving cryptocurrency and digital-art licensing that is known as an NFT. Promoting [an article](https://www.nytimes.com/2021/02/22/business/nft-nba-top-shot-crypto.html) about the phenomenon, the New York Times inanely [tweeted](https://twitter.com/nytimestech/status/1363966759032733697), “NFT stands for ‘nonfungible token,’ which isn’t really important. They’re fun! And cool! And selling for a lot of money!” I basically disagree with all of that. They are neither “cool” nor “fun,” but an environmentally destructive means for extending the matrix of capitalist relations to emerging forms of commonality. As Everest Pipkin [put it on Twitter](https://twitter.com/everestpipkin/status/1364558534608785410), “NFTs are bad for the environment not accidentally but because of the value system of the world they are building, which is also bad.” Also, NFTs are not “selling for a lot of money” exactly either; the values involved are largely bound up in cryptocurrencies and are thus mostly speculative and unrealizable, except for those very few who win the timing game and can cash out. NFTs combine the baseless speculative frenzy associated with bitcoin with the often baseless speculative frenzy associated with trends, under the imprimatur of 4chan-ish or WallStreetBets-style memes to keep the action going. Let a thousand Dogecoins bloom. And lastly, I think it actually is “really important” that these properties are called nonfungible tokens and not something more like “digital artworks” or “DRM” or “intellectual property.” The oxymoronic term not only signals the centrality of cryptobabble to the phenomenon and the perception of its value; it also highlights how the fantasy of tying value to “nonfungibility” — to the arbitrary assertion by fiat of an object’s uniqueness — collapses into “tokens,” empty counters, the essence of the fungible. The idea behind NFTs is to put digital images (or at least contracts pertaining to their ownership) on a blockchain so that someone can have grounds to claim private ownership of them, as though the images (infinitely duplicable by their intrinsic nature — copies without originals, as Baudrillard would put it) were unique and maybe even auratic works with a provenance that can’t be faked or falsified. These contracts can be applied to artworks, memes, or footage of [sports highlights](https://www.nbatopshot.com/) — the point is to turn some piece of digital media into a collectible, into an autograph of sorts instead of something whose essence is that it’s a freely circulating piece of content. The logic of NFTs is that the illusion of owning something should be more enjoyable than experiencing it; or, ownership is the best experience you can have, the apotheosis of the “experience economy” and its pursuit of “authentic” encounters. As the New York Times article explains it, “The buyers are usually not acquiring copyrights, trademarks or even the sole ownership of whatever it is they purchase. They’re buying bragging rights and the knowledge that their copy is the ‘authentic’ one.” NFT buyers, by this account, are trying to spend their way to re-establishing something “real” in the face of the digital surfeit. The “bragging rights,” though, are not a matter of direct social recognition — they don’t even have the utility of, say, the digital clothes one might buy for their avatar in a video game to articulate and augment one’s social presence in that space. Rather the “bragging” plays out as speculation, as rising and falling values in NFT markets. The “authenticity” involved is just a matter of formal bookkeeping and bears no relation to the nature of the content of what is purchased. “With NFTs, you have the art part largely stripped from the equation — which is perfect [for their collectors], since they don’t understand it, and it just gets in the way anyhow,” artist Kenny Shachcter writes in [this Artnet column](https://news.artnet.com/opinion/kenny-schachter-tk-1946256). Felix Salmon, in his [assessment](https://www.axios.com/newsletters/axios-capital-3f54a3d2-5468-4731-bb6e-130e2d12d798.html) of NFTs, claims that with the NFT market “there is no correlation between artistic merit and financial value.” Is there ever? There is no correlation between apples and oranges either. If you could measure artistic merit in dollars, all art would be is a pile of money. (If, as Kant argues, rational beings have dignity and no price, NFTs have a price that precludes dignity.) Salmon argues that “the artists turning to NFTs are generally outsiders who don’t make the kind of art that traditional collectors like, but who know how to tap into a large online following.” That is, NFTs reflect the hope of some artists that they can escape the “art world” and sell their work directly, as though the art world weren’t (in theory, at least) the gatekeeping system that grounds artistic value in some other social principle beyond financial speculation or the prerogatives of the “attention economy.” Art is obviously not reducible to “popular stuff” (which is just another way of saying it is not reducible to money). People collect art (or familiarize themselves with what is being collected) to belong to the art world, to gain access to artists, to parties, to scenes, to situations, to interpretive communities. Art is as much the concept that holds that exclusionary construct together as it is any sort of particular work, digital or physical. Gambling on NFTs does nothing to democratize that world or that concept; if anything, it makes them more rarefied. The overriding fantasy of blockchains is that they can eliminate the need for social systems of trust and legitimation, but they accomplish the exact opposite: They destroy the very possibility of trust, the very possibility of legitimacy — positing instead a world in which every kind of incident is permanently recorded in a log and the possibility of “becoming” itself is banished from the world. There can be no “art” without an art world that mediates it and negotiates it, that functions dynamically and is capable of unpredictable shifts. As unjust and irrational as the art world can be, it can’t be replaced with “smart contracts” on blockchains that purport to arbitrate value automatically. In the blockchain there is no space for difference. Everything is explicit and empty. In a sense, the aim of NFTs is to empty content of whatever it contains that makes it circulate, that makes people want to see it and copy it and redistribute it, and reduce instead to a moment of property, an assertion of the self who owns it over its potential social significance. Or to put that another way, NFTs make the social significance of any digital artifact the simple fact that it can be owned and valued, and that its value can fluctuate. As Schachter puts it, “NFT ‘art’ doesn’t communicate much, nor have anything in the way of purpose other than its exchange value.” Under the guise of re-creating aura, it extinguishes the possibility of aura once and for all and asserts that cash is king. NFTs create property rights in memes, which might otherwise be understood as an aspect of the cultural commons. The result is to make ownership the only meme, the only concept we ultimately share. “You’re buying a feeling,” venture capitalist Ben Horowitz, an investor in exchange platforms that make NFT trading possible, tells the Times, and he means it as though it is a good thing. In a perfect example of psychological projection, his partner Marc Andreeson gives a quote that pre-emptively declares that people who are skeptical of NFTs are the real cynics. Shouldn’t we be able to buy feelings? Shouldn’t we able to spend more and thereby feel more? Shouldn’t rich people’s lives be more meaningful?

#### The aff method and role of the ballot is to endorse the creation of friction. This isn’t communication bad but about a model of communication. We must reclaim interiority to prevent the perfectly smooth communication Semiocap desires to restructure our communication entirely. This means embracing an aesthetic rejection of smoothness through creating areas of incommunicability in the system – Rasch 20,

Rasch, Miriam. "Friction and the Aesthetics of the Smooth." *Eurozine, May* 11 (2020): 2020.

**One key concept that can help highlight the fixations of dataism is friction. With the help of technology, this must be eliminated, exponents of dataism will say. After all, friction stops the movement that produces data that will and must make the world *predictable*.** Dataism derives its authority from its ability to make predictions. It is focused on a future that holds few surprises, as long as its gaze is not disturbed. If I experience too much friction – in the city, through apps and on the Internet –, if it is too complicated to use my smartwatch, my smart thermostat or lighting app, then I will disappear from view. My profile will fade away. Frictionless or *seamless* design has therefore been the ideal for software and hardware development since the 1990s. It is also an important dogma of dataism. At **the same time, there’s no avoiding the fact that the total elimination of friction would lead to a standstill, which would necessarily affect the data collection machine. Movement is friction**. Consequently, dataism casts its own shadow because, without initial friction or unpredictable behaviour, there would be no data to retrieve. It provides a paradoxical image of the dataist end time: **if everything is datified, all friction has been eliminated and every movement follows familiar patterns, the world comes to a halt.** A wholly predictable future is not a future, but a continuous present. In his book ‘Saving Beauty’, [6] **the philosopher Byung-Chul Han describes the desire for frictionlessness as the aesthetics of ‘the smooth’ [7]. Han sees the pursuit of the elimination of any resistance, where digital technology is highly developed, as a social *zeitgeist*. It’s not just about collecting as much data as possible; the smooth embodies a society under the spell of positivity. ‘What is smooth does not injure. Nor does it offer any resistance. It is looking for Like. The smooth object deletes its Against. Any form of negativity is removed’,** he writes. [8] In other words, **frictionlessness can be understood as an elaborate design for the path of least resistance. But is that path a dead end? If I try to sit very still in order not to produce any data, I may look like the epitomy of ultimate surrender. I might appear to be giving in to total predictability, and it could seem that the friction has finally levelled out. Yet my body still houses thoughts. Turbulence rages within me. These are perhaps the greatest types of friction.** I do not want to believe that such turbulence to be captured in data, brought under control and made predictable. **Because nobody knows what’s going on inside my head. And this is exceptional: *no one knows*. Not even me.** In ‘*The Ethics of Ambiguity’* [9], the existentialist philosopher Simone de Beauvoir explains how friction, both within and between humans and the world, forms the basis of ethics. She compares the relationship between herself and the outside world with the image of a hiker in a snowy landscape. Between the two there is an unbridgeable distance. ‘I cannot appropriate the snow field where I slide. It remains foreign, forbidden.’ [10] Though it is true that we long for an effortless, undemanding relationship with our environment, de Beauvoir says, perhaps even for union with it, this is something we are not granted. ‘I should like to be the landscape which I am contemplating,’ she writes. ‘I should like this sky, this quiet water to think themselves within me, that it is I whom they express in flesh and bone, and I remain at a distance.’ The distance doesn’t matter. On the contrary, it properly ensures that humankind has a place in the world, ‘that the sky and water exist before me’.  **Distance may be a source of friction, but it is also fruitful. A relationship characterized by friction carries a degree of risk and exposes any notion of control (such as predictability) to be illusory**. But that means triumph not defeat, joy not torment, de Beauvoir says. It is an ambiguity unthinkable in a society under the spell of positivity.  **Friction lies at the very heart of ‘ambiguous morality’ and, for this reason, offers a useful tool for reflection on ethics and dataism.** If friction is closely linked to ethics, then the elimination of friction undoubtedly produces an ethical dilemma. The landscape that extends before me (connected by cameras, sensors and my own screen addiction) seems a smooth icy surface. Set foot on it and you slip. Rather than be able to calculate a future with few or no surprises, I would prefer to imagine the future as an open space extending in all directions, including backwards and inwards. The hills, lakes, forests and mountains beyond the horizon cannot be seen. **\* Friction means rebellion**. I keep my mouth shut to avoid the risk of being heard by eavesdroppers. Still the words long to escape, they want a way out. Within my inert body, resistance rages. In his essay ‘The wild garden of the imagination’, [11] cultural philosopher Kris Pint discusses the effects of **imaginative resistance, which chips away at the prevailing view of humanity and the world, and unfolds a different landscape around us**. Though it is true that this form of mental resistance is constantly distracted and lulled to sleep by objects, advertisements and notifications, it cannot easily be constrained**. It exists in silence, in refusal and in listening to what stirs within our innermost self, where imaginative resistance can germinate**, Pint writes. But it cannot be limited to this. **Silence is ultimately unsatisfying**.  **Where is the turbulence to go? How can the counter-imagination begin to speak? There must be stories and strategies to help me navigate more consciously and freely through the data-producing landscape I am a part of. If the world, with me in it, is translated into data, there must be another language that counters it. One that isn’t only mine but can be shared, one that breaks open instead of closing up**. In her book *Brain Beast*, [12] Marjan Slob pursues a similar mission. She subjects discourse about the brain to a hermeneutical examination and describes how the popularized image of the brain suppresses a ‘time-honoured language’ – the language of the humanities. Brain science, Slob writes, ‘provides profiles, not portraits’. The same applies to the process of translation into data, even if it eats up not just the brain but the world in its entirety. As our ‘time-honoured language’ becomes crudely replaced by the scan, we lose a whole arsenal of options for thinking about ourselves and shaping our lives, says Slob. Brain scans and similar images will never fully map out our rich and manifold inner worlds, and instead run the risk of drawing up something that ‘will look suspiciously like an atlas for the world of experience’. Must we then go back to our old, time-honoured language? In my view, that is just as doomed to fail. Whose language was it, after all? Was it not appropriated by scholars, men and the West? Should we not be exploring *other* languages, which, though embedded in tradition, the humanities, or other cultural conventions provide means of description appropriate to this particular historical period, possibilities for thinking about ourselves in the here and now, stories that specifically challenge the monopoly of the profile language? By interpreting brain science as a profile language and emphasizing its linguistic features – which also apply to dataism, despite its number fetish –, Slob opens a path leading not only to an old language, but also potentially to a new one. Quoting the writer Herta Müller, she writes: ‘“Language was and is, nowhere and never an apolitical area. Each time you have to listen to what it intends.” I think the following is a good question: What does your language intend?’

Language is never neutral. The Jamaican poet Ishion Hutchinson says, for example, that he wants to reconquer the language he was taught to speak in order to reinvent it. He is referring, of course, to English – the language of his country’s oppressors. Hutchinson expresses ‘the wish never to remain passive, never to take language on a given platform but to break it, break into it’ [13]. He speaks of a faraway time, centuries ago, with an intensity and violence of feeling I am lucky to have been spared. Yet I feel moved and touched by his words. They speak to my silent yet raging inertia. Breaking the language**, breaking it in, and assembling another story from the fragments – wouldn’t that also be possible with the language of data? Data vacuums would suck the very stars from the sky if they could.** Hutchinson imagines how Julius Caesar might have looked up at those stars and said: ‘“to whatever end they are, they are mine.”’ **It is up to us to deny that rapacious emperor the sense that he has the ability to grab, possess and constrict even the stars in the night sky,** Hutchinson writes. **Or, in the words of Ta-Nehisi Coates in *Between the World and Me*, we must query the logic of the claim – instead of trying to change something within the existing order, we should question the order itself. Only then can the New emerge and escape from what you are attempting to oppose.**  **Coates says he is fighting against what he calls ‘the Dream’ – the illusion cherished by white Americans that they live in a world that is wholly just and good, in which it is self- evident that everyone prefers to go along with anything on offer. The Dream justifies the white American position, while at the same time wiping out any notion of an alternative** way. It is ‘the enemy of all art, courageous thinking, and honest writing’, Coates writes. But enmity is inherent in all dreams, he pursues. Reactive dreams will exhibit the same defects as the Dream they replace. **There is only one thing to do: go back to the drawing board and try to build something different**