# 1N Dubs Emory

## 1

#### Interpretation: If the affirmative garners offense off of the consequences of a fiated plan then, the affirmative must defend a governmental actor that bans private appropriation. To clarify, they can’t just defend private entities stop appropriating.

#### 1---Resolved.

Merriam Webster '18 (Merriam Webster; 2018 Edition; Online dictionary and legal resource; Merriam Webster, "resolve," <https://www.merriam-webster.com/dictionary/resolve;> RP)  
: a legal or official determination especially: a legislative declaration

#### 2---Unjust.

Black’s Law [The Law Dictionary Featuring Black's Law Dictionary Free Online Legal Dictionary 2nd Ed. No Date. <https://thelawdictionary.org/unjust/>] brett

What is UNJUST?

Contrary to right and justice, or to the enjoyment of his rights by another, or to the standards of conduct furnished by the laws.

#### Vote neg:

#### 1] Precision - A] stasis point – the topic is the only reasonable focal point for debate – anything else destroys the possibility of debate because we will be two ships passing –

#### B] internal link turn – violating semantics justifies the aff talking about whatever with zero neg prep or prediction which is the most unfair and educational –

#### C] Jurisdiction – you can’t vote for them because the ballot and the tournament invitation say to vote for the better debater in the context of the resolution –

#### D] objectivity – only semantics are objective whereas pragmatics are subjective which means intervention

#### 2] Ground – circumvention, politics, process CPs, - we loose all possible DA’s of how the plan is actually implemented or works, which means the negative can never generate offense to the plan if it o/w its core generics agaisnt a super tiny plan aff which they read

#### 3] Utopian Fiat – the aff inherency means private entities want to obviously appropriate, but they don’t explain at all why they would stop – they don’t get magical access to that – impacts – A] kills real world and policymaking education – B] topic literature – no one argues against it because it is utopian which kills negative ground and engagement

#### Fairness is a voter – it’s intrinsic to any competitive activity

#### Education’s a voter – it’s why schools fund debate

#### Competing interpretations—it tells the negative what they do and do not have to prepare for. Reasonability is arbitrary and unpredictable, inviting a race to the bottom and we’ll win it links to our offenset this is not frivolous theory, and something where optimal norms matter.

#### Drop the debater to deter future abuse and because the 2N doesn’t get new disads to whole rez so it’s permanently skewed.

#### No RVIs – a] illogical – you can’t say I’m fair vote for me, which is a metaconstraint on all argumentation B] baiting – people will be abusive to bait out theory and then win on the rvi, which invites infinite abuse that outweighs on magnitude

## 2

#### Interpretation: The affirmative can’t defend a plan that is already in law. To clarify, the aff must defend a shift from the status quo

#### The US is the only nation that’s been to the moon and they already have this law – Lupsha 21:

https://www.thegreatcoursesdaily.com/new-law-regarding-human-heritage-in-space-protects-lunar-artifacts/#:~:text=According%20to%20CNN%2C%20historical%20markers,law%2C%E2%80%9D%20the%20article%20said.

According to CNN, **historical markers made by humans on the Moon are now legally protected from removal or destruction. “On December 31, 2020, the One Small Step to Protect Human Heritage in Space Act became law,”** the article said. **“It requires companies that are working with the National Aeronautics and Space Administration (NASA) on lunar missions to agree to be bound by otherwise unenforceable guidelines intended to protect American landing sites on the Moon. “It is also the first law enacted by any nation that recognizes the existence of human heritage in outer space.”** The article pointed out that it reaffirms our commitment to preserving human history, which we already do on Earth. More than 50 years later, the Apollo 11 lunar landing is not as well-known to all generations of Americans. Here’s where it all started.

#### Guess what, you’re even more inherent: it’s also in the Artemis accords, signed by a bunch of spacefaring nations – Nasa:

https://www.nasa.gov/sites/default/files/atoms/files/artemis\_plan-20200921.pdf

**Protecting Heritage Protecting historic sites and artifacts will be just as important in space as it is here on Earth. Therefore, under Artemis Accords agreements, NASA and partner nations will commit to the protection of sites and artifacts with historic value.**

#### Vote neg:

#### 1] Presumption –

#### 2] Shiftiness – incentivized to shift – impacts – a] ground – b] eval debate after 1n

#### 3] Topic ed – a] neg ground – b] research skills

## 3

#### The evocation of common heritage of “mankind” always excludes those who are the constitutive excluded — mechanisms like the Moon treaty purport to be for the good of common humanity, but they in fact just reinforce the nation-state’s ability to make sovereign decisions over space – Cornum 18:

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

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

#### State space exploration destroys the hope for indigenous and afro futurism, subsuming space with ­­­­­­­­\_\_\_\_\_\_, Cornum 15.

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

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

#### Not only does the aff plan do nothing, it legitimates the fiction that the actions of a coopted settler-colonial state are in fact for the people, while the state continues to make the private sector do its dirty work on command. Klinger 18

Klinger, J. M. (2018). *Rare earth frontiers: From terrestrial subsoils to lunar landscapes*. Cornell University Press.

On November 24, 2015, US president Barack Obama signed the Spurring Private Aerospace Competitiveness and Entrepreneurship Act, which grants US citizens the legal right to claim outer space resources and to bring civil suits against enti- ties that pose “harmful interference” to the exercise of private property rights in outer space. Chapter 513, section 51303 states: “A United States citizen engaged in commercial recovery of an asteroid resource or a space resource under this chapter shall be entitled to any asteroid resource or space resource obtained, includ- ing to possess, own, transport, use, and sell the asteroid resource obtained in ac- cordance with applicable law, including the international obligations of the United States.” This legislation, which passed with bipartisan support,24 is an oblique attack on the reigning res communis regime espoused in the OST and the Moon Treaty. By granting US citizens property rights, primarily over asteroid resources and secondarily over “space” resources, the legislation attempts to present itself as consistent with the very international treaty obligations it undermines. It is physically impossible to mine rare earths for profit on the Moon or on any other body in outer space in a manner that is consistent with the provisions of the OST. **Mining obliterates a given landscape, while profiteering requires exclusive access. This is precisely why mining is so useful for extending territorial control to historically elusive places: because it quite simply, brutally, and unam- biguously eliminates the possibility for other uses of the site in question.** If it is a US company, rather than a US public venture, that establishes an exclusive min- ing site in outer space, the geopolitical ambitions of the United States would, in theory, be served either way. **In this case, the private sector can do the dirty work25 of fulfilling the state’s geopolitical agenda while the public sector provides protections and guarantees to the private sector.** But in fact, **a distinction between the public and private sector obscures more than it clarifies.** After all, many of the new space industries were founded by former state space agency personnel, and many of the most effective advocates for the privatization of space have backgrounds in both finance and government. **State promotion of the private sector in pursuit of lunar mining closely resembles the cases reviewed in the previous two chapters, wherein the private sector was selectively enlisted to execute the territorial agenda of the state.** In this case, **the national government provides force and backing to a risky and illegal venture in exchange for anticipated geopolitical advantages**. This is where critical geopolitics helps us see further than conventional geopolitics. Conventional geopolitics would hold that this is simply twenty-first- century statecraft instrumentalizing the private sector to further national inter- ests. For the moment, this particular contrivance of a public-private divide is conceived as enabling US actors on all sides to maximize benefits and dodge in- ternational treaty obligations while they territorialize the Moon. The flaw in this reasoning is the assumption that all interests are wedded to the US national interest, so the newly empowered private sector is imagined as acting as an extension of government interests. But there is no such guarantee. Critical geopolitics, by contrast, challenges fixed notions of the state and therefore fixed notions of public and private sector interests. Private sector firms, newly em- powered by the US government to sue any entity that damages their private interests in outer space, are free to contract with any paying customer regardless of their national origin or the integrity of their enterprise. With the case of the Moon, the stakes of the state’s investment in private sec- tor mining differ from those discussed in previous chapters. It is not just a matter of pursuing profit and geopolitical control, but of maintaining the status quo of the global political economy. Under the terms of the OST—to which all state ac- tors advancing space mining are party—any mineral extracted from the Moon would have to be distributed in a way that is “to the benefit of all peoples” on Earth. To pursue lunar mining in compliance with the OST would fundamentally change the global political economy of resource production and consumption from profiteering to sharing. There is no having it both ways—the terms of the OST have made it thus. Any state or nonstate entity doing otherwise would clearly be operating with impunity regardless of the verbal gymnastics involved in legislative attempts at the national scale to sidestep these agreements. But by insisting on a false premise of legal ambiguity at best and “chaos” at worst (Whit- tington 2013), **private sector actors can do the dirty work of the state, until such time that international treaties are supplanted or other parties acquiesce to violation as the new norm.** For a particular government to assert the right of its citizenry to mine resources in any particular place, and to secure for that citizenry the right to pursue puni- tive legal action against any entities who interfere with the exercise of their prop- erty rights is, by definition, an assertion of sovereignty over those places, whether they are scattered across multiple celestial bodies or consolidated in one place, such as on the Moon. Such claims directly and unambiguously contradict existing international treaty obligations of the United States. The SPACE Act attempts to evade this by concluding with a Disclaimer of Extraterritorial Sovereignty, elabo- rated in Section 403: “It is the sense of Congress that by the enactment of this Act, the United States does not thereby assert sovereignty or sovereign or exclusive rights or jurisdiction over, or the ownership of, any celestial body.” The United States need not assert sovereignty over an entire celestial body in order to claim a particular territory therein. After all, that is how the political ge- ography of Earth is organized: no single state controls the entirety of the celestial body we call home, but that does not negate the sovereignty of 192 national gov- ernments over their respective territories. The verbal gymnastics of the SPACE Act do not succeed in side-stepping the OST’s prohibition of assertions of national sovereignty “by means of use or occupation, or by any other means” (UN 1967, Article II). None of this is to suggest that a coherent agenda exists between the state and the private sector. Advocates of privatized space exploitation have multiple per- spectives on the role of the state. Some denigrate civilian space exploration as too slow (Wingo, Spudis, and Woodcock 2009) and bogged down in bureaucracy, which inhibits the fantastic innovation potential of the private sector (Jones 2013). Others see the state as critical to securing their investments. Of the signing of the SPACE act of 2015, Eric Anderson, cofounder and cochairman of Planetary Re- sources, Inc. gushed: “This is the single greatest recognition of property rights in history. This legislation establishes the same supportive framework that created the great economies of history, and will encourage the sustained development of space” (quoted in Navarro 2015). Regardless of their perspective, **private sector interlocutors are working toward capturing maximum possible support** and minimal regulatory intervention **from the public sector**. This effectively translates into massive transfers of public wealth to private hands while reducing oversight mechanisms concerning the use of that wealth. This coheres with the extensively theorized relationship between the “re- treat of the state” and the “financialization of everything” under contemporary neoliberalism. But as with other cases examined in this book, this is not simply a case of deregulation, but also of reregulation. **The proliferation of commercial space agencies represents not a retreat of the state per se, but rather a reconfiguration of state functions to support a program of redistributing public assets into the private sector in the name of beating a bogeyman from the East.** Indeed, the most vocifer- ous political, public, and legal opinion holds that the private sector should lead the way, and that “**the** **government should focus on its role as enabler**” (Whitehorn 2005). This is overwhelmingly compatible with the US government’s approach since the end of the Cold War (United States House of Representatives 1998).

#### The only way to solve climate change is through anti-racist struggle because climate change is the result of colonialism – they can never solve the root cause - Yeampierre 20:

Gardiner, Beth, et al. “Unequal Impact: The Deep Links Between Racism and Climate Change.” Yale E360, 9 June 2020, e360.yale.edu/features/unequal-impact-the-deep-links-between-inequality-and-climate-change. //LHPBT

Climate change is the result of a legacy of extraction, of colonialism, of slavery. A lot of times when people talk about environmental justice they go back to the 1970s or ‘60s. But I think about the slave quarters. I think about people who got the worst food, the worst health care, the worst treatment, and then when freed, were given lands that were eventually surrounded by things like petrochemical industries. The idea of killing black people or indigenous people, all of that has a long, long history that is centered on capitalism and the extraction of our land and our labor in this country. For us, as part of the climate justice movement, to separate those things is impossible. The truth is that the climate justice movement, people of color, indigenous people, have always worked multi-dimensionally because we have to be able to fight on so many different planes. When I first came into this work, I was fighting police brutality at the Puerto Rican Legal Defense Fund. We were fighting for racial justice. We were in our 20s and this is how we started. It was only a few years after that I realized that if we couldn’t breathe, we couldn’t fight for justice and that’s how I got into the environmental justice movement. For us, there is no distinction between one and the other. In our communities, people are suffering from asthma and upper respiratory disease, and we’ve been fighting for the right to breathe for generations. It’s ironic that those are the signs you’re seeing in these protests — “I can’t breathe.” When the police are using chokeholds, literally people who suffer from a history of asthma and respiratory disease, their breath is taken away. When Eric Garner died [in 2014 from a New York City police officer’s chokehold], and we heard he had asthma, the first thing we said in my house was, “This is an environmental justice issue.” The communities that are most impacted by Covid, or by pollution, it’s not surprising that they’re the ones that are going to be most impacted by extreme weather events. And it’s not surprising that they’re the ones that are targeted for racial violence. It’s all the same communities, all over the United States. And you can’t treat one part of the problem without the other, because it’s so systemic.

#### The alt is to refuse the fantasy of the 1AC. Refusal is not just a “no,” but a generative process that challenges sanctioned modes of protocol and decorum in the university

**King 3** (Tiffany, Assistant Professor of Women’s and Gender Studies at the Georgia State University “Humans Involved: Lurking in the Lines of Posthumanist Flight” *Critical Ethnic Studies* 3, No. 1, pp. 163-170) NIJ

**Native feminist politics of decolonial refusal and Black feminist abolitionist politics of skepticism informed by a misandry and misanthropic distrust of and animus toward the (over)representation of man/men as the human diverge from the polite, communicative acts of the public sphere**, much like the politics of the “feminist killjoy.”4 [INSERT FOOTNOTE: I use “misandry” (hatred of men) and “misanthropic” (distrust or deep skepticism about humankind or humanity) to illustrate how Sylvia Wynter and other Black scholars attend to the ways that the human— and investments in the human—and its revised forms or genres of the human as woman/feminist still reproduce violent exclusions that make the death of Black and Native people viable and in-evitable. In other words, neither men nor women (as humans) can absorb Black females/males/children/LGBT and trans people into their collective folds. Both the hatred of “misandry” and the distrust and pessimism of “misanthropy” are appropriate methods to describe the inflection of the critique levied by Wynter and the other Black scholars examined in this article. END FOOTNOTE] Throughout this article, I deploy the term “feminist” both ambivalently and strategically to mark and distinguish the scholarly tradition created by Black and Native women, queer, trans, and other people marginalized within these respective communities and their anticolonial and abolitionist movements.5 [INSERT FOOTNOTE: See Sylvia Wynter’s afterword, “Beyond Miranda’s Meanings: Un/silencing the ‘Demonic Ground’ of Caliban’s ‘Woman,’” in Out of the Kumbla: Caribbean Women and Literature, ed. Carole Boyce Davies (Chicago, Ill.: Africa World Press, 1990) 355– 72. Wynter warns Black women in the United States and the Caribbean that they need not uncritically embrace womanism as a political position, which can effectively oppose the elisions, racism, and false universalism of white feminism. “Feminism” as well as “womanism” are bounded and exclusive terms that do not effectively throw the category of the human into continual flux. END FOOTENOTE], Until a more useful and legible term emerges, I will use “feminist” to mark the practices of refusal and skepticism (misandry/misanthropy) as ones that largely exist outside more masculinist traditions within Indigenous/Native studies and Black studies. “Decolonial refusal” and “abolitionist skepticism” depart from the kinds of masculinist anticolonial traditions that attempt to reason Native/ Black man to White Man within humanist logic in at least two significant ways. First, **neither participate in the communicative acts of the humanist public sphere from within the terms of the debate. Further, they do not play by the rules**.6 [INSERT FOOTNOTE: See the critiques of the anticolonial tradition within Caribbean philosophy articulated by Shona Jackson in her book Creole Indigeneity (Minneapolis: University of Minnesota Press, 2012). Jackson argues that anticolonial Caribbean masculinist philosophy tends to argue from inside the logic of Western philosophy in order to counter it. For instance, in a valorization of the laborer as human and inheritor of the nation-state, Caribbean philosophy tends to reproduce the Hegelian telos of labor as a humanizing agent for the slave, which inadvertently makes the slave a subordinate human and effectively erases the ostensibly “nonlaboring” humanity of Indigenous peoples in the Anglophone Caribbean. END FOOTENOTE] Specifically, the Native and Black “feminist” politics discussed throughout launch a critique of both the logic of the discussion about the human and identity as well as the mode of communication. In fact, **practices of refusal and skepticism interrupt and flout codes of civil** and collegial **discursive protocol**  to focus on and illumine the violence that structures the posthumanist discourse. Attending to the comportment, tone, and intensity of an engagement is just as important as focusing on its content. The particular manner in which Black and Native feminists push back against violence is important. The force, break with decorum, and style in which Black and Native feminists confront discursive violence can change the nature of future encounters. Given that Black women who confront the logics of “nonrepresentational theory” are really confronting genocide and the white, whimsical disavowal of Black and Native negation on the way to subjectlessness, it is understandable that there is an equally discordant response. **Refusal and skepticism are modes of engagement that are uncooperative and force an impasse in a discursive exchange.** This article tracks how traditions of “decolonial refusal” and “abolitionist skepticism” that emerge from Native/Indigenous and Black studies expose the limits and violence of contemporary nonidentitarian and nonrepresentational impulses within white “critical” theory. Further, this article asks whether Western forms of nonrepresentational (subjectless and nonidentitarian) theory can truly transcend the human through self- critique, self-abnegation, and masochism alone. **External pressure, specifically the kind of pressure that “decolonial refusal” and “abolitionist skepticism” as forms of resistance** that **enact** outright rejection of or view “posthumanist” attempts with a “hermeneutics of suspicion,”7 [INSERT FOOTNOTE: See the work of Black feminists such as Susana M. Morris, author of Close Kin and Distant Relatives: The Paradox of Respectability in Black Women’s Literature (Charlottesville: University of Virginia Press, 2014), as well as womanist theologians who appropriate the phrase “hermeneutics of suspicion” as coined by Paul Ricoeur to describe the reading and interpretive practices of Black woman who are distrustful of traditional tropes about heteronormativity or conventional ways of thinking about what is natural and normal. Further, in Morris’s case, as well as within the tradition of Black women of faith and theologians, canonical and biblical texts are interpreted through a lens that acknowledges white supremacy and misogyny, and critically challenges racism and sexism (or kyriarchy in Morris’s case). Within Black feminist and womanist traditions, it is a position that can recognize the limitations of text and that refuses to accept the doctrine, theories, or message of an ideology wholesale. END FOOTENOTE] **is needed in order to truly address the recurrent problem of the violence of the human** in continental theory. While this article does not directly stake a claim in embracing or rejecting identity per se, it does take up the category of the human. Because the category of the human is modified by identity in ways that position certain people (white, male, able- bodied) within greater or lesser proximity to humanness, identity is already taken up in this discussion. Conversations about the human are very much tethered to conversations about identity. In the final section, the article will explore how Black and Native/Indigenous absorption into the category of the human would disfigure the category of the human beyond recognition. Engaging how forms of Native decolonization and Black abolition scrutinize the violently exclusive means in which the human has been written and conceived is generative because it sets some workable terms of engagement for interrogating Western and mainstream claims to and disavowals of identity. Rather than answer how Native decolonization and Black abolition construe the human or identity, the article examines how Native and Black feminists use refusal and misandry to question the very systems, institutions, and order of knowledge that secure humanity as an exclusive experience and bound identity in violent ways. I consider the practices and postures of refusal assumed by Native/Indigenous scholars such as Audra Simpson, Eve Tuck, Jodi Byrd, and Linda Tuhiwai Smith to be particularly instructive for exposing the violence of ostensibly nonrepresentational Deleuzoguattarian rhizomes and lines of flight. While reparative readings and “working with what is productive” about Gilles Deleuze and Félix Guattari’s work is certainly a part of the Native feminist scholarly tradition, this article focuses on the underexamined ways that Native feminists refuse to entertain certain logics and foundations that actually structure Deleuzoguattarian thought.8 [I thank one of the reviewers, who reminded me that Native feminist thought’s engagement with continental theory, specifically the work of Deleuze and Guattari, can be likened more to “constellations” as it takes up Deleuzoguattarian thought rather than a single point that always departs from a place of refusal. END FOOTENOTE] Further, I discuss “decolonial refusal” in relation to how Black scholars like Sylvia Wynter, Zakiyyah Iman Jackson, and Amber Jamilla Musser work within a Black feminist tradition animated by a kind of skepticism or suspicion capable of ferreting out the trace of the white liberal human within (self-)professed subjectless, futureless, and nonrepresentational white theoretical traditions. In other words, in the work of Sylvia Wynter, one senses a general suspicion and deep distrust of the ability of Western theory— specifically its attempt at self- critique and self- correction in the name of justice for humanity— to revise its cognitive orders to work itself out of its current “closed system,” which reproduces exclusion and structural oppositions based on the negation of the other.9 [INSERT FOOTENOTE: See Katherine McKittrick, “Diachronic Loops/Deadweight Tonnage/Bad Made Measure,” Cultural Geographies 23, no. 1 (2016): 3– 18, doi:10.1177/14744740156 12716, for an exemplary explication of how Sylvia Wynter uses the decolonial scholarship of an “autopoiesis.” END FOOTENOTE] Wynter’s study of decolonial theory and its elaboration of autopoiesis informs her understanding of how the human and its overrepresentation as man emerges. Recognizing that humans (of various genres) write themselves through a “self- perpetuating and self- referencing closed belief system” that often prevents them from seeing or noticing “the process of recursion,” Wynter works to expose these blind spots.10 [INSERT FOOTNOTE: See McKittrick, “Diachronic Loops,” in which the author cites the importance of the work of H. Maturana and F. Varela, Autopoiesis and Cognition: The Realization of the Living (London: D. Reidel, 1972), for the study of the human’s process of self- writing. END FOOTNOTE] Wynter understands that one of the limitations of Western liberal thought is that it cannot see itself in the process of writing itself. I observe a similar kind of cynicism about the way the academic left invokes “post humanism” in the work of Jackson and Musser. Musser in particular questions the capacity of queer theories to turn to sensations like masochism within the field of affect studies to overcome the subject. Further, Jackson’s and Musser’s work is skeptical that white transcendence can happen on its own terms or rely solely on its own processes of self-critique and self- correction. I read Jackson’s and Musser’s work as distrustful of the ability for “posthumanism” to be accountable to Black and Indigenous peoples or for affect theory on its own to not replicate and reinforce the subjugation of the other as it moves toward self- annihilation. Both the human and the post human are causes for suspicion within Black studies. Like Wynter, the field of Black studies has consistently made the liberal human an object of study and scrutiny, particularly the nefarious manner in which it violently produces Black existence as other than and at times nonhuman. Wynter’s empirical method of tracking the internal epistemic crises and revolutions of Europe from the outside has functioned as a model for one way that Black studies can unfurl a critique of the human as well as Western modes of thought. I use the terms “misanthropy” and “misandry” in this article to evoke how Black studies has remained attentive to, wary about, and deeply distrustful of the human condition, humankind, and the humanas-man/men in the case of Black “feminists.” Both Black studies’ distrust of the “human” and Black feminism’s distrust of humanism in its version as man/men (which at times seeks to incorporate Black men) relentlessly scrutinize how the category of the human and in this case the “posthuman” reproduce Black death. I link misandry (skepticism of humankind-as-man) to the kind of skepticism and “hermeneutics of suspicion” that Black feminist scholars like Wynter, Jackson, and Musser at times apply to their reading and engagement with revisions to or expansions of the category of the human, posthuman discourses, and nonrepresentational theory In this article, **I connect discursive performance of skepticism to embodied and affective responses I have witnessed in the academy that challenge the sanctioned modes of protocol, politesse, and decorum in the university.** For example, Wynter assumes a critically disinterested posture as she gazes empirically on and examines intra-European epistemic shifts over time. Paget Henry has described Wynter as an anthropologist of the Occident, as Europe becomes an object of study rather than the center of thought and humanity.11 [INSERT FOOTNOTE: Paget Henry, Caliban’s Reason: Introducing Afro-Caribbean Philosophy (New York: Routledge, 2002), 19. END FOOTENOTE] Throughout the body of Wynter’s work, she seems to be more interested in drawing our attention to the capacity of European orders of knowledge to shift over time— or their fragility— than in celebrating the progress that European systems of knowledge have claimed to make. Wynter’s tracking is just a tracking and not a celebration of the progress narrative that Western civilization tells about itself and its capacity to define, refine, and recognize new kinds of humanity over time. This comportment of critical disinterest is often read as an affront to the codes and customs of scholarly discourse and dialogue in the academic community, particularly when it is in response to the white thinkers of the Western cannon. **Decolonial refusal and abolitionist skepticism respond to how perverse and reprehensible it is to ask Indigenous and Black people who cannot seem to escape death to** move beyond the human or the **desire to be human.** In fact, Black and Indigenous people have never been fully folded into the category of the human.

#### ROB is to vote for the debater with the best grammar for resisting conquest.

#### Colonialism functions in education through rhetorical imperialism, decolonial framing and discourse is key.

**Grande**, Sandy 20**15**: *Red Pedagogy: Native American Social and Political Thought, Tenth Anniversary Edition* . United States of America. Rowman & Littlefield Publisher Inc. (pp 55-56). Sandy Grande is associate professor and Chair of the Education Department at Connecticut College. Her research interfaces critical Indigenous theories with the concerns of education. In addition to Red Pedagogy: Native American Social and Political Thought. (HTE)

**However the question of sovereignty is resolved politically, there will be significant implications on the intellectual lives of indigenous peoples, particularly in terms of education.** Lyons (2000, 452) **views the history of colonization, in part as the manifestation of “rhetorical imperialism,” that is “the ability of dominant powers to assert control of others by setting the terms of the debate.”** He cites, for example, Marhsall’s use of “rhetorical imperialism” in the Worcester v. Georgia opinion: “(T)reaty’ and ‘nation’ are words of our own language, selected in our diplomatic and legislative proceedings…having each a definite and well-understood meaning. We have applied them to Indians, as we have applied them to other nations of the earth. They are applied to all in the same sense” (Lyons 2000, 425). Indeed, through history of federal Indian law terms and definitions have continually changed over time. Indians have gone from ‘sovereign’ to ‘wards’ and from ‘nations’ to ‘tribes,’ while the practice of treaty making has given way to one of agreements (Lyons 2000, 453). **As each change served the needs of the nation-state, Lyons argues that “the erosion of Indian national sovereignty can be credited in part to a rhetorically imperialist use of language by white powers”** (2000, 453). Thus, just language was central to the colonialist project, it must be central to the project of decolonization. Indigenous scholar Haunaini-Kay Trask writes, “Thinking in one’s own cultural referents leads to conceptualizing in one’s own world view which, in turn, leads to disagreement with the eventual opposition to the dominant ideology” (1993, 54). **Thus, where a revolutionary critical pedagogy compels students and educations to question how “knowledge is related historically, culturally and institutionally to the processes of production and consumption,” a Red pedagogy compels students to question how (whitestream) knowledge is related to the process of colonization.** Furthermore, **it asks how traditional indigenous knowledge can inform the project of decolonization**. In short, this implies a threefold process of education. Specifically, a **Red pedagogy necessitates: (1) the subjection of the process of whitestream schooling to critical pedagogical analyses; (2) the decoupling and dethinking of education from its Western, colonialist contexts; and (3) the institution of indigenous efforts to reground students and educations in traditional knowledge and teaching.** In short, a Red Pedagogy aims to create awareness of what Trask terms “disagreements,” helping to foster discontent about the “inconsistencies between the world as it is and as it should be” (Alfred 1999, 132).

## Case

### Util

#### 1] Util triggers permissibility –

#### A] induction –

#### B] cascading –

#### C]

### Offense

#### The moon is indigenous heritage in a lot of places and cultures in the world and their offense depends on thinking its good