## 1

#### Commercial asteroid mining is coming now – lower costs and improving tech make it economically viable – and the legal basis is already in place in multiple countries

Gilbert, PhD student in space resources at the Colorado School of Mines, writes in 21 alex gilbert, is a complex systems researcher and a PhD student in space resources at the Colorado School of Mines. "Mining in Space Is Coming." Milken Institute Review, April 26, 2021, [www.milkenreview.org/articles/mining-in-space-is-coming](http://www.milkenreview.org/articles/mining-in-space-is-coming). [Quality Control]

Space exploration is back. after decades of disappointment, a combination of better technology, falling costs and a rush of competitive energy from the private sector has put space travel front and center. indeed, many analysts (even some with their feet on the ground) believe that commercial developments in the space industry may be on the cusp of starting the largest resource rush in history: mining on the Moon, Mars and asteroids. While this may sound fantastical, some baby steps toward the goal have already been taken. Last year, NASA awarded contracts to four companies to extract small amounts of lunar regolith by 2024, effectively beginning the era of commercial space mining. Whether this proves to be the dawn of a gigantic adjunct to mining on earth — and more immediately, a key to unlocking cost-effective space travel — will turn on the answers to a host of questions ranging from what resources can be efficiently. As every fan of science fiction knows, the resources of the solar system appear virtually unlimited compared to those on Earth. There are whole other planets, dozens of moons, thousands of massive asteroids and millions of small ones that doubtless contain humungous quantities of materials that are scarce and very valuable (back on Earth). Visionaries including Jeff Bezos imagine heavy industry moving to space and Earth becoming a residential area. However, as entrepreneurs look to harness the riches beyond the atmosphere, access to space resources remains tangled in the realities of economics and governance. Start with the fact that space belongs to no country, complicating traditional methods of resource allocation, property rights and trade. With limited demand for materials in space itself and the need for huge amounts of energy to return materials to Earth, creating a viable industry will turn on major advances in technology, finance and business models. That said, there’s no grass growing under potential pioneers’ feet. Potential economic, scientific and even security benefits underlie an emerging geopolitical competition to pursue space mining. The United States is rapidly emerging as a front-runner, in part due to its ambitious Artemis Program to lead a multinational consortium back to the Moon. But it is also a leader in creating a legal infrastructure for mineral exploitation. The United States has adopted the world’s first spaceresources law, recognizing the property rights of private companies and individuals to materials gathered in space. However, the United States is hardly alone. Luxembourg and the United Arab Emirates (you read those right) are racing to codify space-resources laws of their own, hoping to attract investment to their entrepot nations with business-friendly legal frameworks. China reportedly views space-resource development as a national priority, part of a strategy to challenge U.S. economic and security primacy in space. Meanwhile, Russia, Japan, India and the European Space Agency all harbor space-mining ambitions of their own. Governing these emerging interests is an outdated treaty framework from the Cold War. Sooner rather than later, we’ll need new agreements to facilitate private investment and ensure international cooperation. What’s Out There Back up for a moment. For the record, space is already being heavily exploited, because space resources include non-material assets such as orbital locations and abundant sunlight that enable satellites to provide services to Earth. Indeed, satellite-based telecommunications and global positioning systems have become indispensable infrastructure underpinning the modern economy. Mining space for materials, of course, is another matter. In the past several decades, planetary science has confirmed what has long been suspected: celestial bodies are potential sources for dozens of natural materials that, in the right time and place, are incredibly valuable. Of these, water may be the most attractive in the near-term, because — with assistance from solar energy or nuclear fission — H2O can be split into hydrogen and oxygen to make rocket propellant, facilitating in-space refueling. So-called “rare earth” metals are also potential targets of asteroid miners intending to service Earth markets. Consisting of 17 elements, including lanthanum, neodymium, and yttrium, these critical materials (most of which are today mined in China at great environmental cost) are required for electronics. And they loom as bottlenecks in making the transition from fossil fuels to renewables backed up by battery storage.

#### However, the legal framework that strikes the best balance of providing economic incentives for mining while preventing unbeneficial land claims requires a doctrine of appropriation – the plan prevents that

Meyers 15 Meyers, Ross. J.D. candidate at the University of Oregon Law School. "The doctrine of appropriation and asteroid mining: incentivizing the private exploration and development of outer space." Or. Rev. Int'l L. 17 (2015): 183. Italics in original. [Quality Control]

The doctrine of appropriation is a reasonable rule for adjudicating asteroid claims, and it could easily be modified to apply to asteroid mining. In the context of water rights, the doctrine of appropriation requires that the claimant be a landowner in order to claim the right to use a water source. It does not make sense, however, for the international community to grant complete ownership over asteroids toa single entity, so the landowner requirement of the rule should be removed. A similar modification would need to be made to the "beneficial use" language of the doctrine. In the context of water rights, an appropriator obtains rights only to water that he or she can reasonably put to beneficial use. The metals contained in asteroids have a high level of marketability. For that reason, a mining entity could potentially put any amount of obtained metal to beneficial use, in the sense that the resources can be sold. This, however, would defeat the purpose of the rule, which is to limit such unreasonable claims. To ameliorate this problem, the doctrine of appropriation could be modified to define "beneficial use "constructively by providing that beneficial use is assumed for any resources that have been removed from the asteroid that the mining entity can reasonably hope to transport to market in a return journey. With the astronomical cost of undertaking a trip to such an asteroid, this modification would limit mining entities to only what they can carry back, thereby leaving the untapped resources available to other entities capable of making the same trip. Considering the size and profitability of metal deposits on asteroids, this modification to the doctrine of appropriation would not be overly burdensome to corporate interests. At the same time, it would satisfy the economic imperative of promoting the rapid development of asteroid resources. By changing the landowner requirement, and qualifying the “beneficial use" language, the doctrine of appropriation would be essentially ready for application to asteroid mining claims. The only other changes necessary would be some additional requirements that are common to other space related provisions, like those found in the Outer Space Treaty of 1968. For example, a reporting requirement or clause guaranteeing asylum for other astronauts. A functional rule might read something like this: *State parties or private entities may, upon actual possession, lay claim to natural resources found on or below the surface of asteroids. Rights to appropriate are given in order of seniority, starting with the first party to land on the surface of the asteroid and establish control over the resources, be it water, methane, metal, or any other beneficial substances. A party will be said to have established control over a resource once he has mined the substance and removed it from the asteroid. A senior appropriator may use as much of the asteroid's resources as he can take from the asteroid and put to beneficial use, and may continue to enlarge his share until another junior appropriator begins to appropriate resources from source for beneficial use. For the purposes of this Agreement, "beneficial use “refers to the amount of resources that an appropriator has removed from the asteroid that the actor may reasonably hope to bring home in a return voyage. Resources in excess of what an appropriator can reasonably hope to transport to market in a single voyage do not qualify as having a beneficial use, and are therefore not yet claimed. This means that the extraction of metal from an asteroid does not serve to provide ownership if the appropriator plans on letting the resources languish until another voyage is undertaken to secure the resources and bring them back to Earth. Junior appropriators receive rights in the source of resources (the asteroid) as they find it, and may prevent the senior appropriator from enlarging his share to the junior appropriator’s detriment under a no-injury rule. No state party will attempt to hinder other parties from landing on or using the asteroid, and parties will assist other entities on an asteroid, should they need emergency assistance. Mining claims on asteroids will be reported to the Secretary-General of the United Nations, and state parties agree to release the location of the asteroid, and any scientific findings to the United Nations, the general public, and the scientific community. In the event that the asteroid is on a collision course with any other celestial body, all state parties agree to follow the course of action suggested by the United Nations. Should the United Nations decide the asteroid must be destroyed, no state party may claim liability for resources contained within the asteroid, but not yet captured. This provision applies only to asteroids as classified by the scientific community, and does not apply to planets, comets, meteorites, or any other celestial body not mentioned.*

#### Asteroid mining offsets terrestrial growth that ruins the environment and enables solar power satellites – both solve climate change

Taylor 19 Chris Taylor is a veteran journalist. Previously senior news writer for Time.com a year later. In 2000, he was named San Francisco bureau chief for Time magazine. He has served as senior editor for Business 2.0, West Coast editor for Fortune Small Business and West Coast web editor for Fast Company. Chris is a graduate of Merton College, Oxford and the Columbia University Graduate School of Journalism. "How asteroid mining will save the Earth — and mint trillionaires." Mashable, 2019, mashable.com/feature/asteroid-mining-space-economy. [Quality Control]

The mission is essential, Joyce declares, to save Earth from its major problems. First of all, the fictional billionaire wheels in a fictional Nobel economist to demonstrate the actual truth that the entire global economy is sitting on a mountain of debt. It has to keep growing or it will implode, so we might as well take the majority of the industrial growth off-world where it can’t do any more harm to the biosphere.

Secondly, there’s the climate change fix. Suarez sees asteroid mining as the only way we’re going to build solar power satellites. Which, as you probably know, is a form of uninterrupted solar power collection that is theoretically more effective, inch for inch, than any solar panels on Earth at high noon, but operating 24/7. (In space, basically, it’s always double high noon).

The power collected is beamed back to large receptors on Earth with large, low-power microwaves, which researchers think will be harmless enough to let humans and animals pass through the beam. A space solar power array like the one China is said to be working on could reliably supply 2,000 gigawatts — or over 1,000 times more power than the largest solar farm currently in existence.

“We're looking at a 20-year window to completely replace human civilization's power infrastructure,” Suarez told me, citing the report of the Intergovernmental Panel on Climate Change on the coming catastrophe. Solar satellite technology “has existed since the 1970s. What we were missing is millions of tons of construction materials in orbit. Asteroid mining can place it there.”

The Earth-centric early 21st century can’t really wrap its brain around this, but the idea is not to bring all that building material and precious metals down into our gravity well. Far better to create a whole new commodities exchange in space. You mine the useful stuff of asteroids both near to Earth and far, thousands of them taking less energy to reach than the moon. That’s something else we’re still grasping, how relatively easy it is to ship stuff in zero-G environments.

#### Asteroid mining solves rare earth metal depletion – prevents tech stagnation and unsustainable resource extraction

Mitchell 20 Robin Mitchell is an electronic engineer who has been involved in electronics since the age of 13. After completing a BEng at the University of Warwick, Robin moved into the field of online content creation developing articles. "How might asteroid mining be key to electronics future?" 28-09-2020, [www.electropages.com/blog/2020/09/how-might-asteroid-mining-be-key-electronics-future](http://www.electropages.com/blog/2020/09/how-might-asteroid-mining-be-key-electronics-future). [Quality Control]

As electronics continue to become increasingly more important in everyday life, so is the ability to produce electronic components. With the supply of minerals on Earth having a finite size, some are worried that Earth will soon run out of critical resources such as platinum and lithium. What are asteroids, what are they composed of, and could they be the key to providing humanity with a near-infinite source of minerals?

What minerals are commonly needed for electronics?

Since the introduction of the first commercial circuits, electronics have become incredibly advanced with silicon dies having billions of active components, resistors the size of dust specks, and capacitors that can hold obscene amounts of charge for their size. However, many of these components rely on minerals that most will never have heard of for them to be able to work. Basic components such as resistors and capacitors use common materials including iron, carbon, and aluminium, but components such as LEDs, silicon dies, and thin-film displays use lanthanum, cerium, neodymium, and europium. While many of these minerals fall under the “rare-earth” category, that does not necessarily mean that they are rare; but many are.

Why are these minerals running out?

Minerals that are rare by nature are uncommon in the crust, and mass industrialisation is quickly using up remaining reserves of these minerals. However, it is important to understand what reserve means and how reserves are calculated. Let’s take Uranium as an example to understand this concept better; as things currently stand, there are 80 years of Uranium reserves left. Now, this does not mean that all the uranium will be used up globally in 80 years, this means that at the current price of Uranium, proven sources will continue to supply Uranium at a profitable rate for 80 years. When all reserves are used up, the price for that mineral increases, and this makes areas that used to be unprofitable more profitable, thus generating new reserves.

However, there is another aspect to resources that need to be considered; environmental damage. A good example to demonstrate this is Lithium. While Lithium is rather abundant in the crust, it is spread very wide, making most crust uneconomical to mine. If all cars on earth went electric, the proven reserves of Lithium would run out in 3 years. Of course, new reserves would be made available, and this would extend the ability to use Lithium in industrial practices. However, mining Lithium has a massive environmental impact and sees vast amounts of land destroyed and made toxic due to by-products in the extraction process. The same applies to many rare minerals; many tons of earth is needed to get even the smallest quantity.

What are asteroids, and what are they made of?

Asteroids are small cosmic bodies that orbit a star and can range in size, density, and composition. One of the largest asteroids in the Solar System, Vesta, has a diameter approximately 330 miles, while some of the smallest can be just two meters across. Asteroids mostly consist of rock as well as minerals, but their exact composition greatly varies. For example, M-type asteroids are those that mostly consist of nickel-iron, while C-type asteroids consist of clay and silicate rocks. Other minerals that are often found in asteroids include gold, cobalt, palladium, platinum, and osmium.

Could asteroid mining be the key to ensuring limitless supplies?

While asteroids themselves may contain trace amounts of rare minerals, their size and lack of an ecosystem would allow for a mining operation to destroy an entire asteroid with no repercussions. Asteroids are also plentiful in the Solar System, and would most likely provide humanities resource needs for millions of years. For perspective, the total weight of the asteroid belt is only 3% that of the moon, but that is still 2.39×1021 kilograms. Even then, that is only the asteroid belt and does not consider stray asteroids that orbit the sun, planets, and rings around Saturn / Jupiter.

#### Both of those cause extinction

Bell 19 Aidan Bell is the co-founder of EnviroBuild, a sustainable building materials company based in London. PhD from Manchester in Inorganic Chemistry. "The Conflict of Tech Innovation and Sustainability." TechNative, 22 Jan. 2019, technative.io/the-conflict-of-tech-innovation-and-sustainability. [Quality Control]

Technological advancement has existed throughout human history

Humans have walked the Earth for 200,000 years, inventing countless new processes and systems along the way. The somewhat gradual expansion of human knowledge exploded after the burgeoning of agriculture in the Middle Eastern region of the Levant around 12,000 years ago. Societies at this time manipulated their environment for food-crop cultivation for the first time, inventing sophisticated activities like irrigation and logging.

This nascent field of agriculture created more food and thereby lead to a rapid increase in population size. Yet human expansion also resulted in the increased degradation of the environment. Experts theorise that the mass extinction of megafauna across North America and Australasia was the result of humans rather than environmental factors, while the Mayans were also at fault for causing widespread deforestation and a severe drought through excessive logging, a mistake that brought their eventual demise.

The exploration and proliferation of new technologies is the inevitable result of human intelligence, and the consequences thereof have always been difficult to avoid. Yet our awareness of this damage places humanity in a position of knowledge outside the standard predator-prey relationship that otherwise dominates the world and results in starvation for animals that overeat their food sources.

The current technological dilemmas that we face today are similar to those of ancient time. Overuse of a resource for immediate human benefit risks longer-term negative influence. A report conducted by Greenpeace found that Internet data centres have incredibly large carbon footprints, accounting for 3% of global electricity use, much of it in locations that offer cheap, but dirty, electricity. Likewise, the minerals that are found in electronic devices like mobile phones, such as tantalum and gold, often originate from unregulated mining that releases harmful substances into the surrounding soil, air and water. Mining also contributes hugely to deforestation, which is responsible for 15% of global greenhouse gas emissions.

The negative impacts of technological innovation are increasing and action needs to be taken soon to resolve this crisis for the sake of future generations. The Intergovernmental Panel on Climate Change (IPCC) report last month warned that we have just 12 years to reduce the rate of global warming before widespread flooding and droughts become unavoidable. The demand for minerals and energy brought about by technological advancements shows no sign of slowing down, painting a worrying picture for the future of the planet.

Faced with the consequences of our intelligence, humanity now has to use its incredible versatility to overcome the challenges it has created for itself. For example, wind and solar power are increasingly becoming economically-viable sources of unlimited, free electricity and provide us with the opportunity to reduce our dependence on harmful fossil fuels. Bioengineering should help us protect surface soils and the ecosystems that depend on them by maintaining healthy levels of nutrients and soil salinity. Technological advancements will even help us prevent species extinction events that would otherwise destroy our Earth altogether, with NASA already developing spacecraft to push approaching asteroids out of our orbit.

#### Space’s lack of inhabitants and ecological problems solves the vast majority of their criticism – but it segregates the capitalists from ruining Earth and generates enough resources to make the planet’s surface into a Communist utopia

Taylor 19 Chris Taylor is a veteran journalist. Previously senior news writer for Time.com a year later. In 2000, he was named San Francisco bureau chief for Time magazine. He has served as senior editor for Business 2.0, West Coast editor for Fortune Small Business and West Coast web editor for Fast Company. Chris is a graduate of Merton College, Oxford and the Columbia University Graduate School of Journalism. "How asteroid mining will save the Earth — and mint trillionaires." Mashable, 2019, mashable.com/feature/asteroid-mining-space-economy. [Quality Control]

All in all, it’s starting to sound a damn sight more beneficial to the human race than the internet economy is. Not a moment too soon. I’ve written encouragingly about asteroid mining several times before, each time touting the massive potential wealth that seems likely to be made. And each time there’s been a sense of disquiet among my readers, a sense that we’re taking our rapacious capitalist ways and exploiting space.

Whereas the truth is, this is exactly the version of capitalism humanity has needed all along: the kind where there is no ecosystem to destroy, no marginalized group to make miserable. A safe, dead space where capitalism’s most enthusiastic pioneers can go nuts to their hearts’ content, so long as they clean up their space junk.

(Space junk is a real problem in orbital space because it has thousands of vulnerable satellites clustered closely together around our little blue rock. The vast emptiness of cislunar space, not so much.)

And because they’re up there making all the wealth on their commodities market, we down here on Earth can certainly afford to focus less on growing our stock market. Maybe even, whisper it low, we can afford a fully functioning social safety net, plus free healthcare and free education for everyone on the planet.

## 2

#### Counterplan: States should implement the hybrid Public Trust Doctrine approach outlined in Babcock 21 to allow for private appropriation of outer space.

#### That solves sustainable space development and the aff, Babcock 21

[Hope M. Babcock, 29 October 2021, "22 - Using the Public Trust Doctrine to Manage Property on the Moon", Cambridge University Press, https://www.cambridge.org/core/books/abs/cambridge-handbook-of-commons-research-innovations/using-the-public-trust-doctrine-to-manage-property-on-the-moon/18298C56686CA8A396517AB8D217666E, date accessed 1-25-2022] //Lex AT

Having a lottery or an auction of “ownership rights,” or establishing a system of tradable credits might lessen the equity and technical problems with the economic zone management proposal. While an auction theoretically would open up the market in development rights to non spacefaring nations, in practice, only the wealthy nations would be able to effectively bid on and secure those rights.58 However, the idea of tradable credits might work.59 Under an outer space trading system, participant nations, regardless of their space faring capacity, would be allotted a fixed number of resource development credits, allowing the credit holder to extract a certain tonnage of materials or develop a fixed amount of celestial surface, during a specified time period.60 The credits could apply to the amount of the resource a participant was allowed to extract, regardless of location, or could be tied to a particular area of a celestial body. Participants could buy credits from and sell them to other participants.61 The proposal would allow developing nations to benefit from space exploration and exploitation, and participants would run the market reducing the need for an administering international agency. Even though market participants would run the market, an international institution will be needed to allocate tradable credits and devise an allocation methodology that assures non-spacefaring nations receive some benefit. International oversight also will be needed to ensure that nations do not exceed their allotted credits. And tradable credits would need to be anchored by some form of authorization, like a permit, creating another need for a central administrative body. While the idea of tradable development credits is consistent with international law, could assure equitable distribution of the benefits of space development, and provide sufficient incentives for development of these resources, the approach may be too administratively encumbered. The public trust doctrine offers another approach for managing an open access commons. 62 Under this doctrine, the sovereign holds certain common properties in trust in perpetuity for the free and unimpeded use of the general public. The public’s right of access to and use of trust resources is never lost, and neither the government nor private individuals can alienate or otherwise adversely affect those resources unless for a comparable public purpose. Showing its adaptability, supporters of the doctrine are currently arguing in court that it applies to the atmosphere.63 The doctrine places on governments an affirmative, ongoing duty to safeguard the perpetual preservation of trust resources for the benefit of the general public, limiting the sovereign’s power on behalf of both present and future entities. It directs the government not to manage them for private gain and applies to private as well as public resources. Uses of trust resources that are inconsistent with the doctrine can be rescinded. The doctrine effectively places a permanent easement over trust resources that burdens their ownership with an overriding public interest in their preservation. Thus, the public trust doctrine protects the “people’s common heritage,” 64 just as the Moon Treaty protects outer space as part of the common heritage of mankind. A doctrine that imposes an enforceable perpetual duty on the sovereign to preserve trust resources, prevents their alienation for private benefit, and assures public access to them seems a particularly apt property management tool in outer space. The fact that public access to trust resources is so central to the doctrine65 is consistent with international space law’s open access principles. It avoids the problems of alienation and exclusion associated with private property management approaches and does not require the creation of a new administrative authority, as anyone can invoke the doctrine. Of all the management approaches discussed, the public trust doctrine seems the most suited to managing property in outer space. However, the doctrine provides no incentives for development of trust resources.66 Its traditional use has been to curtail development, making it potentially a counter productive solution to the beneficial development of outer space. Allowing limited use of private property management approaches, like tradable development credits, might buffer that effect – a form of overlapping hybridity67 between one type of property, a commons, and a management regime from another, private property, enabled by application of the public trust doctrine. This approach might allow development of outer space, while assuring that it will not just be profitable for a few; rather, space’s development will be sustainable and equitable, ideally for all.

## 3

#### RoB is to evaluate the fiated consequeunces and effects of the plan. Consequences are tied to epistemology and inform material violence which means they are inseparable from the aff.

#### The standard is maximizing expected well being or saving lives

#### Pleasure and pain are intrinsic value and disvalue – everything else regresses – robust neuroscience.

Blum et al. 18

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**Pleasure** is not only one of the three primary reward functions but it also **defines reward.** As homeostasis explains the functions of only a limited number of rewards, the principal reason why particular stimuli, objects, events, situations, and activities are rewarding may be due to pleasure. This applies first of all to sex and to the primary homeostatic rewards of food and liquid and extends to money, taste, beauty, social encounters and nonmaterial, internally set, and intrinsic rewards. Pleasure, as the primary effect of rewards, drives the prime reward functions of learning, approach behavior, and decision making and provides the **basis for hedonic theories** of reward function. We are attracted by most rewards and exert intense efforts to obtain them, just because they are enjoyable [10]. Pleasure is a passive reaction that derives from the experience or prediction of reward and may lead to a long-lasting state of happiness. The word happiness is difficult to define. In fact, just obtaining physical pleasure may not be enough. One key to happiness involves a network of good friends. However, it is not obvious how the higher forms of satisfaction and pleasure are related to an ice cream cone, or to your team winning a sporting event. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure [14]. Pleasure as a hallmark of reward is sufficient for defining a reward, but it may not be necessary. A reward may generate positive learning and approach behavior simply because it contains substances that are essential for body function. When we are hungry, we may eat bad and unpleasant meals. A monkey who receives hundreds of small drops of water every morning in the laboratory is unlikely to feel a rush of pleasure every time it gets the 0.1 ml. Nevertheless, with these precautions in mind, we may define any stimulus, object, event, activity, or situation that has the potential to produce pleasure as a reward. In the context of reward deficiency or for disorders of addiction, homeostasis pursues pharmacological treatments: drugs to treat drug addiction, obesity, and other compulsive behaviors. The theory of allostasis suggests broader approaches - such as re-expanding the range of possible pleasures and providing opportunities to expend effort in their pursuit. [15]. It is noteworthy, the first animal studies eliciting approach behavior by electrical brain stimulation interpreted their findings as a discovery of the brain’s pleasure centers [16] which were later partly associated with midbrain dopamine neurons [17–19] despite the notorious difficulties of identifying emotions in animals. Evolutionary theories of pleasure: The love connection BO:D Charles Darwin and other biological scientists that have examined the biological evolution and its basic principles found various mechanisms that steer behavior and biological development. Besides their theory on natural selection, it was particularly the sexual selection process that gained significance in the latter context over the last century, especially when it comes to the question of what makes us “what we are,” i.e., human. However, the capacity to sexually select and evolve is not at all a human accomplishment alone or a sign of our uniqueness; yet, we humans, as it seems, are ingenious in fooling ourselves and others–when we are in love or desperately search for it. It is well established that modern biological theory conjectures that **organisms are** the **result of evolutionary competition.** In fact, Richard Dawkins stresses gene survival and propagation as the basic mechanism of life [20]. Only genes that lead to the fittest phenotype will make it. It is noteworthy that the phenotype is selected based on behavior that maximizes gene propagation. To do so, the phenotype must survive and generate offspring, and be better at it than its competitors. Thus, the ultimate, distal function of rewards is to increase evolutionary fitness by ensuring the survival of the organism and reproduction. It is agreed that learning, approach, economic decisions, and positive emotions are the proximal functions through which phenotypes obtain other necessary nutrients for survival, mating, and care for offspring. Behavioral reward functions have evolved to help individuals to survive and propagate their genes. Apparently, people need to live well and long enough to reproduce. Most would agree that homo-sapiens do so by ingesting the substances that make their bodies function properly. For this reason, foods and drinks are rewards. Additional rewards, including those used for economic exchanges, ensure sufficient palatable food and drink supply. Mating and gene propagation is supported by powerful sexual attraction. Additional properties, like body form, augment the chance to mate and nourish and defend offspring and are therefore also rewards. Care for offspring until they can reproduce themselves helps gene propagation and is rewarding; otherwise, many believe mating is useless. According to David E Comings, as any small edge will ultimately result in evolutionary advantage [21], additional reward mechanisms like novelty seeking and exploration widen the spectrum of available rewards and thus enhance the chance for survival, reproduction, and ultimate gene propagation. These functions may help us to obtain the benefits of distant rewards that are determined by our own interests and not immediately available in the environment. Thus the distal reward function in gene propagation and evolutionary fitness defines the proximal reward functions that we see in everyday behavior. That is why foods, drinks, mates, and offspring are rewarding. There have been theories linking pleasure as a required component of health benefits salutogenesis, (salugenesis). In essence, under these terms, pleasure is described as a state or feeling of happiness and satisfaction resulting from an experience that one enjoys. Regarding pleasure, it is a double-edged sword, on the one hand, it promotes positive feelings (like mindfulness) and even better cognition, possibly through the release of dopamine [22]. But on the other hand, pleasure simultaneously encourages addiction and other negative behaviors, i.e., motivational toxicity. It is a complex neurobiological phenomenon, relying on reward circuitry or limbic activity. It is important to realize that through the “Brain Reward Cascade” (BRC) endorphin and endogenous morphinergic mechanisms may play a role [23]. While natural rewards are essential for survival and appetitive motivation leading to beneficial biological behaviors like eating, sex, and reproduction, crucial social interactions seem to further facilitate the positive effects exerted by pleasurable experiences. Indeed, experimentation with addictive drugs is capable of directly acting on reward pathways and causing deterioration of these systems promoting hypodopaminergia [24]. Most would agree that pleasurable activities can stimulate personal growth and may help to induce healthy behavioral changes, including stress management [25]. The work of Esch and Stefano [26] concerning the link between compassion and love implicate the brain reward system, and pleasure induction suggests that social contact in general, i.e., love, attachment, and compassion, can be highly effective in stress reduction, survival, and overall health. Understanding the role of neurotransmission and pleasurable states both positive and negative have been adequately studied over many decades [26–37], but comparative anatomical and neurobiological function between animals and homo sapiens appear to be required and seem to be in an infancy stage. Finding happiness is different between apes and humans As stated earlier in this expert opinion one key to happiness involves a network of good friends [38]. However, it is not entirely clear exactly how the higher forms of satisfaction and pleasure are related to a sugar rush, winning a sports event or even sky diving, all of which augment dopamine release at the reward brain site. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure. Remarkably, there are pathways for ordinary liking and pleasure, which are limited in scope as described above in this commentary. However, there are **many brain regions**, often termed hot and cold spots, that significantly **modulate** (increase or decrease) our **pleasure or** even **produce the opposite** of pleasure— that is disgust and fear [39]. One specific region of the nucleus accumbens is organized like a computer keyboard, with particular stimulus triggers in rows— producing an increase and decrease of pleasure and disgust. Moreover, the cortex has unique roles in the cognitive evaluation of our feelings of pleasure [40]. Importantly, the interplay of these multiple triggers and the higher brain centers in the prefrontal cortex are very intricate and are just being uncovered. Desire and reward centers It is surprising that many different sources of pleasure activate the same circuits between the mesocorticolimbic regions (Figure 1). Reward and desire are two aspects pleasure induction and have a very widespread, large circuit. Some part of this circuit distinguishes between desire and dread. The so-called pleasure circuitry called “REWARD” involves a well-known dopamine pathway in the mesolimbic system that can influence both pleasure and motivation. In simplest terms, the well-established mesolimbic system is a dopamine circuit for reward. It starts in the ventral tegmental area (VTA) of the midbrain and travels to the nucleus accumbens (Figure 2). It is the cornerstone target to all addictions. The VTA is encompassed with neurons using glutamate, GABA, and dopamine. The nucleus accumbens (NAc) is located within the ventral striatum and is divided into two sub-regions—the motor and limbic regions associated with its core and shell, respectively. The NAc has spiny neurons that receive dopamine from the VTA and glutamate (a dopamine driver) from the hippocampus, amygdala and medial prefrontal cortex. Subsequently, the NAc projects GABA signals to an area termed the ventral pallidum (VP). The region is a relay station in the limbic loop of the basal ganglia, critical for motivation, behavior, emotions and the “Feel Good” response. This defined system of the brain is involved in all addictions –substance, and non –substance related. In 1995, our laboratory coined the term “Reward Deficiency Syndrome” (RDS) to describe genetic and epigenetic induced hypodopaminergia in the “Brain Reward Cascade” that contribute to addiction and compulsive behaviors [3,6,41]. Furthermore, ordinary “liking” of something, or pure pleasure, is represented by small regions mainly in the limbic system (old reptilian part of the brain). These may be part of larger neural circuits. In Latin, hedus is the term for “sweet”; and in Greek, hodone is the term for “pleasure.” Thus, the word Hedonic is now referring to various subcomponents of pleasure: some associated with purely sensory and others with more complex emotions involving morals, aesthetics, and social interactions. The capacity to have pleasure is part of being healthy and may even extend life, especially if linked to optimism as a dopaminergic response [42]. Psychiatric illness often includes symptoms of an abnormal inability to experience pleasure, referred to as anhedonia. A negative feeling state is called dysphoria, which can consist of many emotions such as pain, depression, anxiety, fear, and disgust. Previously many scientists used animal research to uncover the complex mechanisms of pleasure, liking, motivation and even emotions like panic and fear, as discussed above [43]. However, as a significant amount of related research about the specific brain regions of pleasure/reward circuitry has been derived from invasive studies of animals, these cannot be directly compared with subjective states experienced by humans. In an attempt to resolve the controversy regarding the causal contributions of mesolimbic dopamine systems to reward, we have previously evaluated the three-main competing explanatory categories: “liking,” “learning,” and “wanting” [3]. That is, dopamine may mediate (a) liking: the hedonic impact of reward, (b) learning: learned predictions about rewarding effects, or (c) wanting: the pursuit of rewards by attributing incentive salience to reward-related stimuli [44]. We have evaluated these hypotheses, especially as they relate to the RDS, and we find that the incentive salience or “wanting” hypothesis of dopaminergic functioning is supported by a majority of the scientific evidence. Various neuroimaging studies have shown that anticipated behaviors such as sex and gaming, delicious foods and drugs of abuse all affect brain regions associated with reward networks, and may not be unidirectional. Drugs of abuse enhance dopamine signaling which sensitizes mesolimbic brain mechanisms that apparently evolved explicitly to attribute incentive salience to various rewards [45]. Addictive substances are voluntarily self-administered, and they enhance (directly or indirectly) dopaminergic synaptic function in the NAc. This activation of the brain reward networks (producing the ecstatic “high” that users seek). Although these circuits were initially thought to encode a set point of hedonic tone, it is now being considered to be far more complicated in function, also encoding attention, reward expectancy, disconfirmation of reward expectancy, and incentive motivation [46]. The argument about addiction as a disease may be confused with a predisposition to substance and nonsubstance rewards relative to the extreme effect of drugs of abuse on brain neurochemistry. The former sets up an individual to be at high risk through both genetic polymorphisms in reward genes as well as harmful epigenetic insult. Some Psychologists, even with all the data, still infer that addiction is not a disease [47]. Elevated stress levels, together with polymorphisms (genetic variations) of various dopaminergic genes and the genes related to other neurotransmitters (and their genetic variants), and may have an additive effect on vulnerability to various addictions [48]. In this regard, Vanyukov, et al. [48] suggested based on review that whereas the gateway hypothesis does not specify mechanistic connections between “stages,” and does not extend to the risks for addictions the concept of common liability to addictions may be more parsimonious. The latter theory is grounded in genetic theory and supported by data identifying common sources of variation in the risk for specific addictions (e.g., RDS). This commonality has identifiable neurobiological substrate and plausible evolutionary explanations. Over many years the controversy of dopamine involvement in especially “pleasure” has led to confusion concerning separating motivation from actual pleasure (wanting versus liking) [49]. We take the position that animal studies cannot provide real clinical information as described by self-reports in humans. As mentioned earlier and in the abstract, on November 23rd, 2017, evidence for our concerns was discovered [50] In essence, although nonhuman primate brains are similar to our own, the disparity between other primates and those of human cognitive abilities tells us that surface similarity is not the whole story. Sousa et al. [50] small case found various differentially expressed genes, to associate with pleasure related systems. Furthermore, the dopaminergic interneurons located in the human neocortex were absent from the neocortex of nonhuman African apes. Such differences in neuronal transcriptional programs may underlie a variety of neurodevelopmental disorders. In simpler terms, the system controls the production of dopamine, a chemical messenger that plays a significant role in pleasure and rewards. The senior author, Dr. Nenad Sestan from Yale, stated: “Humans have evolved a dopamine system that is different than the one in chimpanzees.” This may explain why the behavior of humans is so unique from that of non-human primates, even though our brains are so surprisingly similar, Sestan said: “It might also shed light on why people are vulnerable to mental disorders such as autism (possibly even addiction).” Remarkably, this research finding emerged from an extensive, multicenter collaboration to compare the brains across several species. These researchers examined 247 specimens of neural tissue from six humans, five chimpanzees, and five macaque monkeys. Moreover, these investigators analyzed which genes were turned on or off in 16 regions of the brain. While the differences among species were subtle, **there was** a **remarkable contrast in** the **neocortices**, specifically in an area of the brain that is much more developed in humans than in chimpanzees. In fact, these researchers found that a gene called tyrosine hydroxylase (TH) for the enzyme, responsible for the production of dopamine, was expressed in the neocortex of humans, but not chimpanzees. As discussed earlier, dopamine is best known for its essential role within the brain’s reward system; the very system that responds to everything from sex, to gambling, to food, and to addictive drugs. However, dopamine also assists in regulating emotional responses, memory, and movement. Notably, abnormal dopamine levels have been linked to disorders including Parkinson’s, schizophrenia and spectrum disorders such as autism and addiction or RDS. Nora Volkow, the director of NIDA, pointed out that one alluring possibility is that the neurotransmitter dopamine plays a substantial role in humans’ ability to pursue various rewards that are perhaps months or even years away in the future. This same idea has been suggested by Dr. Robert Sapolsky, a professor of biology and neurology at Stanford University. Dr. Sapolsky cited evidence that dopamine levels rise dramatically in humans when we anticipate potential rewards that are uncertain and even far off in our futures, such as retirement or even the possible alterlife. This may explain what often motivates people to work for things that have no apparent short-term benefit [51]. In similar work, Volkow and Bale [52] proposed a model in which dopamine can favor NOW processes through phasic signaling in reward circuits or LATER processes through tonic signaling in control circuits. Specifically, they suggest that through its modulation of the orbitofrontal cortex, which processes salience attribution, dopamine also enables shilting from NOW to LATER, while its modulation of the insula, which processes interoceptive information, influences the probability of selecting NOW versus LATER actions based on an individual’s physiological state. This hypothesis further supports the concept that disruptions along these circuits contribute to diverse pathologies, including obesity and addiction or RDS.

#### Extinction outweighs –

#### 1 – Paternalism – taking everyones lives without their consent is actively violent and takes away people’s autonomy.

#### 2 – Suffering – warming dispropritionately hurts marginalized groups with less resources.

#### 3 – Objectivity – body count is the most objective way to calculate impacts because comparing suffering is unethical

#### 4 – Moral uncertainty – if we’re unsure about which interpretation of the world is true – we ought to preserve the world to keep debating about it

Doesn’t paper over we win probanlity

#### Apocalyptic images challenge dominant power structures by contesting the implausibility that inequitable structures can produce catastrophe – attempts to describe the world in its totality lock in the squo and close of revolutionary potentiality.

Jessica Hurley 17, Assistant Professor in the Humanities at the University of Chicago, “Impossible Futures: Fictions of Risk in the Longue Durée”, Duke University Press, https://read.dukeupress.edu/american-literature/article/89/4/761/132823/Impossible-Futures-Fictions-of-Risk-in-the-Longue

If contemporary ecocriticism has a shared premise about environmental risk it is that genre is the key to both perceiving and, possibly, correcting ecological crisis. Frederick Buell’s 2003 From Apocalypse to Way of Life: Environmental Crisis in the American Century has established one of the most central oppositions of this paradigm. As his title suggests, Buell tells the story of a discourse that began in the apocalyptic mode in the 1960s and 70s, when discussions of “the immanent end of nature” most commonly took the form of “prophecy, revelation, climax, and extermination” before turning away from apocalypse when the prophesied ends failed to arrive (112, 78). Buell offers his suggestion for the appropriate literary mode for life lived within a crisis that is both unceasing and inescapable: new voices, “if wise enough….will abandon apocalypse for a sadder realism that looks closely at social and environmental changes in process and recognizes crisis as a place where people dwell” (202-3). In a world of threat, Buell demands a realism that might help us see risks more clearly and aid our survival.¶ Buell’s argument has become a broadly held view in contemporary risk theory and ecocriticism, overlapping fields in the social sciences and humanities that address the foundational question of second modernity: “how do you live when you are at such risk?” (Woodward 2009, 205).1 Such an assertion, however, assumes both that realism is a neutral descriptive practice and that apocalypse is not something that is happening now in places that we might not see, or cannot hear. This essay argues for the continuing importance of apocalyptic narrative forms in representations of environmental risk to disrupt conservative realisms that maintain the status quo. Taking the ecological disaster of nuclear waste as my case study, I examine two fictional treatments of nuclear waste dumps that create different temporal structures within which the colonial history of the United States plays out. The first, a set of Department of Energy documents that use statistical modeling and fictional description to predict a set of realistic futures for the site of the Waste Isolation Pilot Plant in New Mexico (1991), creates a present that is fully knowable and a future that is fully predictable. Such an approach, I suggest, perpetuates the state logics of implausibility that have long undergirded settler colonialism in the United States. In contrast, Leslie Marmon Silko’s contemporaneous novel Almanac of the Dead (1991) uses its apocalyptic form to deconstruct the claims to verisimilitude that undergird state realism, transforming nuclear waste into a prophecy of the end of the United States rather than a means for imagining its continuation. In Almanac of the Dead, the presence of nuclear waste introjects a deep-time perspective into contemporary America, transforming the present into a speculative space where environmental catastrophe produces not only unevenly distributed damage but also revolutionary forms of social justice that insist on a truth that probability modeling cannot contain: that the future will be unimaginably different from the present, while the present, too, might yet be utterly different from the real that we think we know.¶ Nuclear waste is rarely treated in ecocriticism or risk theory, for several reasons: it is too manmade to be ecological; its catastrophes are ongoing, intentionally produced situations rather than sudden disasters; and it does not support the narrative that subtends ecocritical accounts of risk perception in which the nuclear threat gives rise to an awareness of other kinds of threat before reaching the end of its relevance at the end of the Cold War.2 In what follows, I argue that the failure of nuclear waste to fit into the critical frames created by ecocriticism and risk theory to date offers an opportunity to expand those frames and overcome some of their limitations, especially the impulse towards a paranoid, totalizing realism that Peter van Wyck (2005) has described as central to ecocriticism in the risk society. Nuclear waste has durational forms that dwarf the human. It therefore dwells less in the economy of risk as it is currently conceptualized and more in the blown-out realm of deep time. Inhabiting the temporal scale that has recently been christened the Anthropocene, the geological era defined by the impact of human activities on the world’s geology and climate, nuclear waste unsettles any attempt at realist description, unveiling the limits of human imagination at every turn.3 By analyzing risk society through a heuristic of nuclear waste, this essay offers a critique of nuclear colonialism and environmental racism. At the same time, it shows how the apocalyptic mode in deep time allows narratives of environmental harm and danger to move beyond the paranoid logic of risk. In the world of deep time, all that might come to pass will come to pass, sooner or later. The endless maybes of risk become certainties. The impossibilities of our own deaths and the deaths of everything else will come. But so too will other impossibilities: talking macaws and alien visitors; the end of the colonial occupation of North America, perhaps, or a sudden human determination to let the world live. The end of capitalism may yet become more thinkable than the end of the world. Just wait long enough. Stranger things will happen.¶ Realism and Risk in the Longue Durée¶ The nature of risk, as Ulrich Beck notes in his foundational Risk Society (1986, 72), is fundamentally anti-realist; in the risk society, “dangerous, hostile substances lie concealed behind the harmless façades. Everything must be viewed with a double gaze, and can only be correctly understood and judged through this doubling. The world of the visible must be investigated, relativized and evaluated with respect to a second reality, only existent in thought and yet concealed in the world.” The traumatic nature of living in a world of risk, exemplified in the canonical toxic-world novels White Noise (Don DeLillo, 1985) and Gain (Richard Powers, 1998), lies in the way that the real world is no longer accessible to perception.4 Risks become perceptible only when they are already no longer threats but events, a condition that makes risk itself appear in a fundamentally literary mode; as Susan Mizruchi (2010, 119) writes, “when improbable risks are actualized in catastrophe, the familiar becomes the uncanny.” What Mizruchi calls the uncanny, Laurence Buell (2001) describes as the gothic; in both cases, Beck’s description of a second, real-er world beneath the phenomenological one finds a strong descriptor and a place in literary history as critics connect risk fiction to more established genres that account for what we cannot perceive and cannot understand. No longer haunted by falling helmets or animate dolls, the risk novel tries instead to theorize the connections between tumors and the factory that closed down two generations ago, between what we know of bioaccumulation and what we feel when we look at a carrot.¶ For many critics, as for F. Buell, the gothic terror of a world of risk produces apocalypticism as a symptom and realism as a solution. 5 Even when apocalypse is recognized as a potentially valuable tool for approaching risk, as in Ursula K. Heise’s insight that in a world of world-threatening danger “apocalyptic narrative….can appropriately be understood as a form of risk perception” (2008, 141), the potential benefit of apocalypse is as the most realistic genre for representing a scenario that is genuinely apocalyptic (as in the exponentially increasing flood of contemporary apocalypse novels depicting climate change, for example).6 As Peter van Wyck has argued, however, the realist commitment to describing the totality of the world’s relations produces its own set of epistemic anxieties in a world defined by risk: contemporary ecological threats can come to make ecological thought itself look like a particularly advanced form of cultural paranoia. I mean this in the sense that once we say that everything is connected in this fashion, we mean that everything is, if not already, then at least potentially integrated into a framework of understanding. And it isn’t. To make everything connected is to see the fissures and cracks rendered by ecological threats—whether the threats posed by wastes or the threats retroactively discovered through accidents— as a kind of recompense for a failure to have properly understood the connections. The real punishing the epistemic for its sins of omission. (ix) Realism, in van Wyck’s account, becomes visible as itself a symptom of the paranoid mindset that the risk society tends to produce, a mindset that insists, as Eve Sedgwick writes concurrently with van Wyck, that “there must be no bad surprises” (2003, 130). In such a mode, comfort comes not from ameliorating the danger that produced the original discomfort, but rather from constructing a model of the world that can give an illusion of totality (ibid. 133-6). A realist approach to representing risk thus has real-world consequences in second modernity, “blotting out any sense of the possibility of alternative ways of understanding or things to understand” (131). Such consequences can be seen nowhere more clearly than in the government experiment with realism that goes by the unglamorous name of the Waste Isolation Pilot Plant (WIPP), where the realism is that of the settler colonial state and the alternative ways of understanding are those of the Native nations who are most vulnerable to the site’s dangers.7

## Case

### Framing

#### ROJ – Counter RoJ is to vote for the better debater, anything else is arbitrary and slef serving.

#### Giroux is wrong using the judge as an educator to enforce ideas strips educations value and turns their one dimentional thought args, Rickert 01

Thomas Rickert , 2001 "Hands Up, You're Free", <http://jaconlinejournal.com/archives/vol21.2/rickert-hands.pdf>

**An example of the connection between violence and pedagogy is implicit in the notion of being "schooled" as it has been conceptualized by Giroux and Peter McLaren.** They explain, "**Fundamental to the principles that inform critical pedagogy is the conviction that schooling for self- and social empowerment is ethically prior to questions of epistemology or to a mastery of technical or social skills that are primarily tied to the logic of the marketplace**" (153-54**). A presumption here is that it is the teacher who knows (best), and this orientation gives the concept of schooling a particular bite**: though critical pedagogy it presents itself as oppositional to the state and **the dominant forms of pedagogy** that serve the state and its capitalist interests, it **nevertheless reinscribes an authoritarian model** that is congruent with any number of oedipalizing pedagogies that "school" the student in proper behavior. As Diane Davis notes, radical, feminist, and **liberatory pedagogies** "often camouflage pedagogical violence in their move from one mode of 'normalization' to another" and "function within a disciplinary matrix of power, a covert carceral system, that **aims to create useful subjects for particular political agendas**" (212). Such oedipalizing pedagogies are less effective in practice than what the claims for them assert; indeed, the attempt to "school" students in the manner called for by Giroux and McLaren is complicitous with the malaise of postmodern cynicism. Students will dutifully go through their liberatory motions, producing the proper assignments, **but it remains an open question whether they carry an oppositional politics with them. The "critical distance" supposedly created with liberatory pedagogy also opens up a cynical distance toward the writing produced in class**.

#### No internal link between essentializing modes of thinking and not being open to other perspectives. We can say all types of murder and suffering is bad.

#### McLaren is nonunique it talks about how teachers and ppl in communities in picketlines and on the streets are where we should get education from, not debate. It also says we should improve lives given the world is on the brink of extinction which a] proves my impacts are probable and b] means its not reverse causal or stops extinction.

### Method

#### Futurism is bad — it fails to address concrete problems occurring now.

Matsuda 88(Mari, Associate Professor of Law, University of Hawaii, “When the First Quail Calls: Multiple Consciousness as Jurisprudential Method”, 11 Women's Rts. L. Rep. 7 1989)

The multiple consciousness I urge lawyers to attain is not a random ability to see all points of view, but a deliberate choice to see the world from the standpoint of the oppressed. That world is accessible to all of us. We should know it in its concrete particulars. We should know of our sister carrying buckets of water up five flights of stairs in a welfare hotel, our sister trembling at 3 a.m. in a shelter for battered women, our sisters holding bloodied children in their arms in Cape Town, on the West Bank, and in Nicaragua. The jurisprudence of outsiders teaches that these details and the emotions they evoke are relevant and important as we set out on the road to justice. These details are accessible to all of us, of all genders and colors. We can choose to know the lives of others by reading, studying, listening, and venturing into different places. For lawyers, our pro bono work may be the most effective means of acquiring a broader consciousness of oppression. Abstraction and detachment are ways out of the discomfort of direct confrontation with the ugliness of oppression. Abstraction, criticized by both feminists and scholars of color, is the, method that allows theorists to discuss liberty, property, and rights in the aspirational mode of liberalism with no connection to what those concepts mean in real people's lives. Much in our mainstream intellectual training values abstraction and denigrates nitty-gritty detail. Holding on to a multiple consciousness will allow us to operate both within the abstractions of standard jurisprudential discourse, and within the details of our own special knowledge. Whisperings at Yale and elsewhere about how deconstructionist heroes were closet fascists remind me of how important it is to stay close to oppressed communities. High talk about language, meaning, sign, process, and law can mask racist and sexist ugliness if we never stop to ask: "Exactly what are you talking about and what is the implication of what you are saying for my sister who is carrying buckets of water up five flights of stairs in a welfare hotel? What do you propose to do for her today, not in some abstract future you are creating in your mind?" If you have been made to feel, as I have, that such inquiry is theoretically unsophisticated, and quaintly naive, resist! Read what Professor Williams, Professor Scales-Trent, and other feminists and people of color are writing.' The reality and detail of oppression are a starting point for these writers as they enter into mainstream debates about law and theory.