## 1AC R5 UH

### 1AC – Plan

#### Plan – The appropriation of outer space through the production of space debris by private entities is unjust.

#### Revising the Outer Space Treaty curbs the impact of space debris – timeframe is crucial.

Shah 20 – Sachin, 8/30/20, [“Aug 30 The International Legal Regulation of Space Debris,” CORNELL UNDERGRADUATE LAW & SOCIETY REVIEW, Administrative, Policy, Technology, <https://www.culsr.org/articles/the-international-legal-regulation-of-space-debris>] Justin

In this article, I have demonstrated that the existing laws and regulations pertaining to space debris are best captured in the Outer Space Treaty of 1967. While many scholars do believe that Articles VII and IX of the Treaty does provide basic accountability for space debris, many also agree that its vague, non-technical legal language creates problems in mitigating the ever-growing problem of space debris in orbit around Earth. Despite this lack of legal clarity, some scholars have proposed solutions to the space debris issue. Some have simply called for a revised, specific version of the Outer Space Treaty. Others have recommended implementing an entire regulatory regime with the authority to create laws which specifically pertain to holding actors accountable for space debris production. While lawmakers have yet to update the existing regulations regarding space debris, more effective space debris mitigation techniques lie in the private sector. The profit-based incentives of private satellite companies ensure their responsibility in and around Earth's orbit. In the example of SpaceX, the loose legal regulations of satellite use by the FCC and the ITU have allowed the company to send thousands of satellites into orbit. We live in a different world today than we did in 1967. In order to maintain our current safety and our future ability to voyage outer space, stronger legal frameworks must be created to prevent the uncontrollable expansion of space debris around Earth. Used effectively, legal action can accomplish these goals, but lack thereof may result in disaster.

#### Private entities are non-governmental.

Dunk 11 – Frans G. von der Dunk, 2011, [“The Origins of Authorisation: Article VI of the Outer Space Treaty and International Space Law,” University of Nebraska] Justin

4. Interpreting Article VI of the Outer Space Treaty One main novel feature of Article VI stood out with reference to the role of private enterprise in this context. Contrary to the version of the concept applicable under general international law, where “direct state responsibility” only pertained to acts somehow directly attributable to a state and states could only be addressed for acts by private actors under “indirect,” “due care”/“due diligence” responsibility,18 Article VI made no difference as to whether the activities at issue were the state’s own (“whether such activities are carried on by governmental agencies” . . .) or those of private actors (. . . “or by non-governmental entities”). The interests of the Soviet Union in ensuring that, whomever would actually conduct a certain space activity, some state or other could be held responsible for its compliance with applicable rules of space law to that extent had prevailed. However, the general acceptance of Article VI as cornerstone of the Outer Space Treaty unfortunately was far from the end of the story. Partly, this was the consequence of key principles being left undefined.

#### Exemptions destroy the coercive power of legal regimes – causes circumvention across the board.

Hickman and Dolman 2 – John and Everett, 2002, Associate professor in the Department of Government and International Studies at Berry College in Mt. Berry, [“Resurrecting the Space Age: A State–Centered Commentary on the Outer Space Regime,” Volume 21 Number 1, <https://doi.org/10.1080/014959302317350855>] Elmer Recut Justin

Thus a state party need merely announce its intention to withdraw and then wait one year. Withdrawal of a single state party to the treaty, however, would not necessarily terminate the treaty between the other state parties. Yet, the decision of an important state not to be bound by a regime–creating treaty obviously endangers the entire treaty. The decision of the United States or China to withdraw from the OST would have far greater implications for the survival of the international space regime than the same decision by Bangladesh, Burkina Faso, or Papua New Guinea—the equality of states under international law remains nothing more than a useful  ction. For the OST to remain good international law, it must be accepted as such by the major space faring states of the 21st Century: the United States, Russia, the European Union, Japan, and China. One defection from the regime by a member of this group would no doubt lead to its effective collapse, as the remaining space faring states are unlikely to use the kind of coercion necessary to enforce the regime. A more likely response to such a defection is a scramble to make similar claims to sovereignty, based on historical precedent and effective occupation. Similar rushes to stake claims for territory sovereignty in other celestial bodies might follow.

### 1AC – Advantage

#### The advantage is Debris:

#### Privatization of space is unsustainable and increases debris – triggers the Kessler Syndrome

Thompson 21 – Clive, 11/17/21, Clive Thompson is a contributing writer for the New York Times Magazine, a columnist for Wired and Smithsonian magazines, and a regular contributor to Mother Jones. He’s the author of Coders: The Making of a New Tribe and the Remaking of the World, and Smarter Than You Think: How Technology is Changing our Minds for the Better. He’s @pomeranian99 on Twitter and Instagram, [“Get Ready for the “Kessler Syndrome” to Wreck Outer Space,” OneZero, <https://onezero.medium.com/get-ready-for-the-kessler-syndrome-to-wreck-outer-space-7f29cfe62c3e>] Justin

Back in 1978, the astrophysicist Donald Kessler made an alarming prediction: Space junk could wreck our ability to keep satellites aloft. In a fascinating paper, Kessler noted that “low earth orbit” — a region between 99 miles and 1,200 miles up — was getting pretty crowded. In 1978 there were already 3,866 objects being tracked in space. That included satellites used by scientists (say, to monitor weather) or spy agencies. It also included a lot of debris: Every time a rocket launches a satellite into orbit, it tends to leave stray bits of material. The thing is, when objects are zooming through space about 2 km/s, even something as tiny as a chip of paint can smash through glass or steel. Pieces of debris become bullets. What Kessler predicted is that sooner or later, objects in low-earth orbit would start colliding, and produce chain effects, like billiard balls colliding on a crowded pool table. If a piece of debris hit a satellite, it would produce more debris, which would to increase the risk of other collisions … and so on, and so on. At some point, you could reach a tipping point. There’d be so many chunks of debris that collisions would be inevitable, leaving low-earth orbit a junkyard where no satellites could survive. Remember the scene in Wall-E where they blast off Earth, and the planet is utterly ringed with crap? That’s what Kessler worried about. Except in our situation the pieces of junk could be quite small — billions of objects the size of grains of sand, which is actually a lot harder to deal with, because you can’t see it coming. In essence, Kessler predicted we could create an artificial asteroid belt of junk: The result would be an exponential increase in the number of objects with time, creating a belt of debris around the earth. This process of mutual collisions is thought to have been responsible for creating most of the astroids from larger planetlike bodies. Space folks began calling this the “Kessler Syndrome”. It was hard to predict when this might start happening. Kessler worried that conditions could be ripe by as early as 2000. Thankfully, that estimate turned out to be premature. But wow, it looks like it might happen soon. What’s happened recently that makes the “Kessler Syndrome” more likely? A couple of things: Way more satellites are going up The pace at which satellites are going up in the sky is simply exploding. Back when Kessler wrote his paper in 1978, we humans were launching about 53 new satellites a year. Going to space was hard. But now launches are an order of magnitude more common, and they’re increasing in pace rapidly. SpaceX in particular is launching oodles of satellites as it builds its orbital Internet-access service Starlink. In the last two years, it has put 1,740 satellites in low-earth orbit, with plans to eventually shoot 30,000 up there. This is part of a larger trend, which is … The privatization of outer space The private sector is rapidly becoming the dominant actor in space. There’s a huge demand for satellite data — everyone wants better info about weather, crops, traffic patterns, tree coverage, emissions, you name it, on top of the explosive use of satellites for communication and Internet. SpaceX’s remarkable innovations in rocketry (the leading folks, though others are following in their footsteps) have made it cheaper than ever to get a satellite into orbit. It is unlocking a huge pent-up demand for near-earth-orbit tech. More launches mean not only more intentional objects in orbit but unintentional ones — bits of rocket parts and detritus from launches.

#### Privatization exponentially increases the curve but ending dangerous missions prevents it.

Bernat 20 – Pawel, 2020, Military University of Aviation, [“ORBITAL SATELLITE CONSTELLATIONS AND THE GROWING THREAT OF KESSLER SYNDROME IN THE LOWER EARTH ORBIT,” SAFETY ENGINEERING OF ANTHROPOGENIC OBJECTS, Volume 4, PDF] Justin

5. Orbital satellite constellations and the growing threat of the Kessler syndrome Space 2.0 – the new era of space exploration that we witness now in the 21st century means, in words of Buzz Aldrin, “moving human enterprise into space” (Pyle, 2019, p. xiv). The process of commercialization of outer space has already begun and is not limited to private companies providing technologies and services for national or international space agencies, as it was in the past. On the contrary, private companies from the space sector have now matured to carry out their own independent projects. As for 2020, SpaceX is a company that serves as the best example – it launches satellites to the orbit, both for state and private contractors, it successfully realized two crew missions to the International Space Station, and is in the process of constructing Starlink satellite constellation that will provide high-speed internet access across the planet. Each satellite weighs around 260 kg, is equipped with an ion propulsion system, autonomous collision avoidance system, and orbits Earth at approximately 540-560 km altitude (Starlink, 2020). At the beginning of November 2020, more than 860 Starlink satellites were orbiting the Earth (Jewett, 2020). Immediate plans include launching 12,000 satellites, but they assume a potential later extension to 42,000 (Henry, 2019a). Of course, SpaceX has employed, at least declaratively, all necessary measures to keep the space clean – the satellites are equipped with the deorbiting system, and in the event of inoperability of the propulsion system (Starlink, 2020). The orbital collisions are, however, inevitable. As it was shown before, the possibility of collisions grows with the number of orbital objects. Bastida Virgili with the team compared (2016, p. 154-155) orbital debris environment development without and with a large hypothetical constellation consisting of merely 1080 satellites, distributed across 20 orbital planes at 1,100 km altitude (Fig. 5).

Chart, line chart

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It has to be noted that although SpaceX’s Starlink is the only constellation that is being built in orbit, it is not the only one planned. There are at least a few initiatives aiming at the same goal – to construct internet infrastructure at the Earth’s orbit. The planned Kuiper Systems LLC, which is a subsidiary of Amazon and intends to place 3,236 broadband satellites in the LEO, is one of Starlink’s biggest competitors (Henry, 2019b). Now, there is even a rivalry between the two companies because Kuiper’s lowest orbital shell is planned to be 590 km, with a tolerance of 9 km either above or below (Cao, 2020), which is the altitude of Starlink satellites. Moreover, the race for space in orbit is now at the beginning. The outer space is vast. It increasingly becomes more cluttered with both operational satellites and space debris. The threat of collisions increases and no institution or body has enough power to license, coordinate and regulate what is sent to the orbit. The UNOOSA has not such power. National states decide what the companies from the space industry can launch to space. In the United States, which is most advanced in the area of private constellations, it is the Federal Aviation Administration (FAA) that issues the appropriate approvals. The race to put broadband internet satellites bears similarities to the gold rush – there are no rules, at the global level, apart from first-come, first-served.

#### Debris causes nuclear war---Noko, Iran, and China.

Beauchamp 14 – Zack, 4/21/14, Zack Beauchamp is a senior correspondent at Vox, where he covers global politics and ideology, and a host of Worldly, Vox's podcast on foreign policy and international relations. His work focuses on the rise of the populist right across the West, the role of identity in American politics, and how fringe ideologies shape the mainstream. Before coming to Vox, he edited TP Ideas, a section of Think Progress devoted to the ideas shaping our political world. He has an MSc from the London School of Economics in International Relations and grew up in Washington, DC, where he currently lives with his wife, daughter, and two (rescue) dogs [“How space trash could start a nuclear war,” Vox, <https://www.vox.com/2014/4/21/5625246/space-war-china-north-korea-iran>] Justin \*Brackets added for ableist language

If debris from a Chinese test destroys a US military satellite, the US could mistake it as a preemptive strike against its space capabilities — some of which are designed to detect nuclear missile launches. If the US thinks China is trying to take out its ability to detect a nuclear launch, things could get very bad, very quickly. Accidents aren't the only concern. Zenko also worries about intentional space attacks, either during peacetime or a crisis. Here, Iran and North Korea are probably bigger threats, though their ASAT capabilities are far from proven. North Korea has a pattern of ~~crazy~~ [irrational] military moves designed to extort concessions from South Korea and the West; it could extend that behavior to space. Iran, according to Zenko, "already views space as a legitimate arena in which to contest US military power." He worries that Iran might fire missiles into space "during a major crisis, especially if it believes war is imminent — an assessment that could have self-fulfilling consequences."

#### Any nuclear war causes extinction – ice age and famine.

Steven Starr 15 [Director of the University of Missouri’s Clinical Laboratory Science Program, as well as a senior scientist at the [Physicians for Social Responsibility](http://www.psr.org/). He has worked with the Swiss, Chilean, and Swedish governments in support of their efforts at the United Nations to eliminate thousands of high-alert, launch-ready U.S. and Russian nuclear weapons. “Nuclear War: An Unrecognized Mass Extinction Event Waiting To Happen.” Ratical. March 2015. <https://ratical.org/radiation/NuclearExtinction/StevenStarr022815.html>] TG

A war fought with 21st century strategic nuclear weapons would be more than just a great catastrophe in human history. If we allow it to happen, such a war would be a mass extinction event that [ends human history](https://ratical.org/radiation/NuclearExtinction/StarrNuclearWinterOct09.pdf). There is a profound difference between extinction and “an unprecedented disaster,” or even “the end of civilization,” because even after such an immense catastrophe, human life would go on. But extinction, by definition, is an event of utter finality, and a nuclear war that could cause human extinction should really be considered as the ultimate criminal act. It certainly would be the crime to end all crimes. The world’s leading climatologists now tell us that nuclear war threatens our continued existence as a species. Their studies predict that a large nuclear war, especially one fought with strategic nuclear weapons, would create [a post-war environment in which for many years it would be too cold and dark to even grow food](http://climate.envsci.rutgers.edu/pdf/RobockToonSAD.pdf). Their findings make it clear that not only humans, but most large animals and many other forms of complex life would likely vanish forever in a nuclear darkness of our own making. The environmental consequences of nuclear war would attack the ecological support systems of life at every level. Radioactive fallout, produced not only by nuclear bombs, but also by the destruction of nuclear power plants and their spent fuel pools, would poison the biosphere. Millions of tons of smoke would act to [destroy Earth’s protective ozone layer](https://www2.ucar.edu/atmosnews/just-published/3995/nuclear-war-and-ultraviolet-radiation) and block most sunlight from reaching Earth’s surface, creating Ice Age weather conditions that would last for decades. Yet the political and military leaders who control nuclear weapons strictly avoid any direct public discussion of the consequences of nuclear war. They do so by arguing that nuclear weapons are not intended to be used, but only to deter. Remarkably, the leaders of the Nuclear Weapon States have chosen to ignore the authoritative, long-standing scientific research done by the climatologists, research that predicts virtually any nuclear war, fought with even a fraction of the operational and deployed nuclear arsenals, will leave the Earth essentially uninhabitable.

#### Shallow disavowals of the nation state creates a pessimism trap – this card ends the debate.

Lightfoot 20—Associate professor in First Nations and Indigenous Studies and the Department of Political Science, University of British Columbia, Ojibwe (Sheryl, “The Pessimism Traps of Indigenous Resurgence,” *Pessimism in International Relations*, Chapter 9, pp 162-170, SpringerLink, dml)

Pessimism Trap 2: The State is Unified, Deliberate and Unchanging in Its Desire to Dispossess Indigenous Peoples and Gain Unfettered Access to Indigenous Lands and Resources In other words, colonialism by settler states is a constant, not a variable, in both outcome and intent. Further, the state is not only intentionally colonial, but it is also unifed in its desire to co-opt Indigenous peoples as a method and means of control. In 2005’s Wasase, Alfred presents the state as unitary, intentional and unchanging in its desire to colonise and oppress Indigenous peoples noting, ‘I think that the only thing that has changed since our ancestors first declared war on the invaders is that some of us have lost heart’.22 Referring to current state policies as a ‘self-termination movement’, Alfred states, ‘It is senseless to advocate for an accord with imperialism while there is a steady and intense ongoing attack by the Settler society on everything meaningful to us: our cultures, our communities, and our deep attachments to land’.23 Alfred’s Peace, Power, Righteousness (2009) also argues that the state is deliberate and unchanging, stating quite plainly that ‘it is still the objective of the Canadian and US governments to remove Indians, or, failing that, to prevent them from benefitting, from their ancestral territories’.24 Contemporary states do this, he argues, not through outright violent control but ‘by insidiously promoting a form of neo-colonial self-government in our communities and forcing our integration into the legal mainstream’.25 According to Alfred, the state ‘relegates indigenous peoples’ rights to the past, and constrains the development of their societies by allowing only those activities that support its own necessary illusion: that indigenous peoples today do not present a serious challenge to its legitimacy’.26 Linking back to the aim of co-option, Alfred argues that while the state’s desire to control Indigenous peoples and lands has never changed, the techniques for doing so have become subtler over time. ‘Recognizing the power of the indigenous challenge and unable to deny it a voice’, due to successful Indigenous resistance over the years, ‘the state has (now) attempted to pull indigenous people closer to it’.27 According to Alfred, the state has outwitted Indigenous leaders and ‘encouraged them to reframe and moderate their nationhood demands to accept the fait accompli of colonization, (and) to collaborate in the development of a “solution” that does not challenge the fundamental imperial lie’.28 In a similar vein, Coulthard’s central argument is centred on his understanding of the dual structure of colonialism. Drawing directly from Fanon, Coulthard finds that colonialism relies on both objective and subjective elements. The objective components involve domination through the political, economic and legal structures of the colonial state. The subjective elements of colonialism involve the creation of ‘colonized subjects’, including a process of internalisation by which colonised subjects come to not only accept the limited forms of ‘misrecognition’ granted through the state but can even come to identify with it.29 Through this dual structure, colonial power now works through the inclusion of Indigenous peoples, actively shaping their perspectives in line with state discourses, rather than merely excluding them, as in years past. Therefore, any attempt to seek ‘the reconciliation of Indigenous nationhood with state sovereignty is still colonial insofar as it remains structurally committed to the dispossession of Indigenous peoples of our lands and self-determining authority’.30 Concerning the state in relation to Indigenous peoples on the international level, Corntassel argues that states and global organisations, for years, have been consistently framing Indigenous peoples’ self-determination claims in ways that ‘jeopardize the futures of indigenous communities’.31 He claims that states frst compartmentalise Indigenous self-determination by separating lands and resources from political and legal recognition of a limited autonomy. Second, he notes, states sometimes deny the existence of Indigenous peoples living within their borders. Thirdly, a political and legal entitlement framing by states deemphasises other responsibilities. Finally, he claims that states, through the rights discourse, limit the frameworks through which Indigenous peoples can seek self-determination. Like Alfred and Coulthard, Corntassel has concluded that states are deliberate and never changing in their behaviour. With this move, Corntassel limits and actually demeans Indigenous agency, overlooking the reality that Indigenous organisations themselves chose the human rights framework and rights discourse as a target sphere of action precisely because, as was evident in earlier struggles like slavery, civil rights or women’s rights, these were tools available to them that had a proven track record of opening up new possibilities and shifting previous state positions and behaviour. Indigenous advocates also cleverly realised, by the 1970s, that the anti-discrimination and decolonisation frames could be used together against states. States did, in no way, nefariously impose a rights framework on Indigenous peoples. Rather, Indigenous organisations and savvy Indigenous political actors deliberately chose to frame their self-determination struggles within the human rights framework in order to bring states into a double bind where they could not credibly claim to adhere to human rights and claim that they uphold equality while simultaneously denying Indigenous peoples’ human rights and leaving them with a diminished and unequal right of self-determination. But, because he is caught in the pessimism trap of seeing the state only as unified, deliberate and unchanging, Corntassel overlooks and diminishes the clear story of Indigenous agency and the potential for positive change in advancing self-determination in a multitude of ways. Pessimism Trap 3: Engagement with the Settler State is Futile, if Not Counter-Productive Since the state always intends to maintain, if not expand, colonial control, and is seeking to co-opt as many Indigenous peoples as possible in order to maintain or expand its dispossession and control, it is therefore futile, at best, and actually dangerous to Indigenous existence to engage with the state. Furthermore, all patterns of engagement will lead to co-optation as the state is cunning and unrelenting in its desire to co-opt Indigenous leaders, academics and professionals in order to gain or maintain control of Indigenous peoples. Alfred argues, in both his 2005 and 2009 books, that any Indigenous engagement with the state, including agreements and negotiations, is not only futile but fundamentally dangerous, as such pathways do not directly challenge the existing colonial structure and ‘to argue on behalf of indigenous nationhood within the dominant Western paradigm is self-defeating’.32 Alfred states that a ‘notion of nationhood or self-government rooted in state institutions and framed within the context of state sovereignty can never satisfy the imperatives of Native American political traditions’33 because the possibility for a true expression of Indigenous self-determination is ‘precluded by the state’s insistence on dominion and its exclusionary notion of sovereignty’.34 Worst of all, according to Alfred, when Indigenous communities frame their struggles in terms of asserting Aboriginal rights and title, but do so within a state framework, rather than resisting the state itself, it ‘represents the culmination of white society’s efforts to assimilate indigenous peoples’.35 Because it is impossible to advance Indigenous self-determination through any sort of engagement with the state, Coulthard also advocates for an Indigenous resurgence paradigm that follows both his mentor Taiaiake Alfred but also Anishinaabe feminist theorist Leanne Simpson.36 As Coulthard writes, ‘both Alfred and Simpson start from a position that calls on Indigenous peoples and communities to “turn away” from the assimilative reformism of the liberal recognition approach and to instead build our national liberation efforts on the revitalization of “traditional” political values and practices’.37 Drawing upon the prescriptive approach of these theorists, Coulthard proposes, in his concluding chapter, five theses from his analysis that are intended to build and solidify Indigenous resurgence into the future: 1. On the necessity of direct action, meaning that physical forms of Indigenous resistance, like protest and blockades, are very important not only as a reaction to the state but also as a means of protecting the lands that are central to Indigenous peoples’ existence; 2. Capitalism, No More!, meaning the rejection of capitalist forms of economic development in Indigenous communities in favour of land-based Indigenous political-economic alternative approaches; 3. Dispossession and Indigenous Sovereignty in the City, meaning the need for Indigenous resurgence movements ‘to address the interrelated systems of dispossession that shape Indigenous peoples’ experiences in both urban and land-based settings’38; 4. Gender Justice and Decolonisation, meaning that decolonisation must also include a shift away from patriarchy and an embrace of gender relations that are non-violent and refective of the centrality of women in traditional forms of Indigenous governance and society; and 5. Beyond the Nation-State. While Coulthard denies that he advocates complete rejection of engagement with the state’s political and legal system, he does assert that ‘our efforts to engage these discursive and institutional spaces to secure recognition of our rights have not only failed, but have instead served to subtly reproduce the forms of racist, sexist, economic, and political confgurations of power that we initially sought…to challenge’.39 He therefore advocates expressly for ‘critical self-refection, skepticism, and caution’ in a ‘resurgent politics of recognition that seeks to practice decolonial, gender-emancipatory, and economically nonexploitative alternative structures of law and sovereign authority grounded on a critical refashioning of the best of Indigenous legal and political traditions’.40 Corntassel also demonstrates the third pessimism trap, that all engagement with the state is ultimately futile. For the most part, however, Corntassel’s observation is that the UN system operates like a reverse Keck and Sikkink ‘boomerang model’ and ‘channels the energies of transnational Indigenous networks into the institutional fiefdoms of member countries’, by which an ‘illusion of inclusion’ is created.41 He argues that, in order to be included or their views listened to, Indigenous delegates at the UN must mimic the strategies, language, norms and modes of behaviour of member states and international institutions. Corntassel fnds that ‘what results is a cadre of professionalized Indigenous delegates who demonstrate more allegiance to the UN system than to their own communities’.42 In his final analysis, he charges that the co-optation of international Indigenous political actors is highly ‘effective in challenging the unity of the global Indigenous rights movement and hindering genuine dialogue regarding Indigenous self-determination and justice’.43 Finding that states deliberately co-opt and provide ‘illusions of inclusion’ to Indigenous political actors in UN settings, Corntassel comes to the same conclusion as Alfred concerning the futility of engagement, arguing that because transnational Indigenous networks are ‘channeled’ and ‘blunted’ by colonial state actors, ‘it is a critical time for Indigenous peoples to rethink their approaches to bringing Indigenous rights concerns to global forums’.44 Imagining a Post-Colonial Future: Pessimistic ‘Resurgence’ Versus the Optimism and Tenacity of Indigenous Movements on the Ground All of these writers advocate Indigenous resurgence, through a combination of rejecting the current reconciliation politics of settler colonial states, coupled with a return to land-based Indigenous expressions of governance as the only viable, ‘authentic’ and legitimate path to a better future for Indigenous peoples, which they refer to as decolonisation. While inherently critical in their orientation, these three approaches do make some positive and productive contributions to Indigenous movements. They help shed light on the various and subtle ways that Indigenous leaders and communities can become co-opted into a colonial system. They help us to hold leadership accountable. They also help us keep a strong focus on our traditional, cultural and spiritual values as well as our traditional forms of governance which then also helps us imagine future possibilities. As I have pointed out here, however, all three theorists are also caught in the same three pessimism traps: authenticity versus co-option; a vision of the state as unified, deliberate and never changing in its desire to colonise and control; and a view of engagement with the state as futile, if not dangerous, to Indigenous sovereignty and existence. When combined, these three pessimism traps aim to inhibit Indigenous peoples’ engagement with the state in any process that could potentially re-imagine and re-formulate their current relationship into one that could be transformative and post-colonial, as envisioned by the UN Declaration on the Rights of Indigenous Peoples. The pessimism traps together work to foreclose any possibility that there could be credible openings of opportunity to negotiate a fairer and just relationship of co-existence with even the most progressive state government. This pessimistic approach is not innocuous. By overemphasising structure and granting the state an enormous degree of agency as a unitary actor, this pessimistic approach does a remarkable disservice to Indigenous resistance movements by proscribing, from academia, an extremely narrow view of what Indigenous self-determination can and should mean in practice. By overlooking and/or discounting Indigenous agency and not even considering the possibility that Indigenous peoples could themselves be calculating, strategic political actors in their own right, and vis-à-vis states, the pessimistic lens of the resurgence school unnecessarily, unproductively and unjustly limits the field of possibility for Indigenous peoples’ decision-making, thus actually countering and inhibiting expressions of Indigenous self-determination. By condemning—writ large—all Indigenous peoples and organisations that wish to seek peaceful co-existence with the state, negotiate mutually beneficial agreements with the state, and/or who have advocated on the international level for a set of standards that can provide a positive guiding framework for Indigenous-state relations, the pessimistic lens of resurgence forecloses much potential for new and improved relations, in any form, and is very likely to lead to deeper conflicts between states and Indigenous peoples, and potentially, even violent action, which Fanon indicated was the necessary outcome. The pessimism traps of the resurgence school are therefore, likely self-defeating for all but the most remote and isolated Indigenous communities. Further, this approach is quite out of step with the actions and vision of many Indigenous resistance movements on the ground who have been working for decades to advance Indigenous self-determination, both domestically and globally, in ways that transform the colonial state into something more just and may eventually present creative alternatives to the Westphalian state form in ways that could respect and accommodate Indigenous nations. Rather, it aims to shame and blame those who wish to explore creative and innovative post-colonial resolutions to the colonial condition. The UN Declaration on the Rights of Indigenous Peoples (the Declaration or UN Declaration) was adopted by the General Assembly in 2007 after 25 years of development. The Declaration is ground-breaking, given the key leadership roles Indigenous peoples played in negotiating and achieving this agreement.45 Additionally, for the first time in UN history, the rights holders, Indigenous peoples, worked with states to develop an instrument that would serve to promote, protect and affirm Indigenous rights, both globally and in individual domestic contexts.46 Many Indigenous organisations and movements, from dozens of countries around the world, were involved in drafting and negotiating the UN Declaration and are now advocating for its full implementation, both internationally and in domestic and regional contexts. In Canada, some of the key organisational players—the Grand Council of the Crees (Eeyou Istchee), the Assembly of First Nations, and the Union of British Columbia Indian Chiefs, or their predecessor organisations—were involved in the drafting and lengthy negotiations of the UN Declaration during the 1980s, 1990s and 2000s. In the United States, organisations like the American Indian Law Alliance and the Native American Rights Fund have been involved as well as the Navajo Nation and the Haudenosaunee Confederacy, who represent themselves as Indigenous peoples’ governing institutions. From Scandinavia, the Saami Council and the Sami Parliaments all play a key role in advancing Indigenous rights. In Latin America, organisations like the Confederación de Nationalidades Indígenas del Ecuador (CONAIE) and the Consejo Indio de Sud America (CISA) advocate for implementation of the UN Declaration. The three, major transnational Indigenous organisations— the World Council of Indigenous Peoples, the International Indian Treaty Council and the Inuit Circumpolar Council—were all key members of the drafting and negotiating team for the UN Declaration, and the latter two, which are still in existence, continue their strong advocacy for its full implementation. Implementation of the UN Declaration on the Rights of Indigenous Peoples requires fundamental and significant change, on both the international and domestic levels. Because implementation of Indigenous rights essentially calls for a complete and fundamental restructuring of Indigenous-state relationships, it expects states to enact and implement a signifcant body of legal, constitutional, legislative and policy changes that can accommodate such things as Indigenous land rights, free, prior and informed consent, redress and a variety of self-government, autonomy and other such arrangements. States are not going to implement this multifaceted and complex set of changes on their own, however. They will require significant political and moral pressure to hold them accountable to the rhetorical commitments they have made to support this level of change. They will also require ongoing conversation and negotiation with Indigenous peoples along the way, lest the process becomes problematically one-sided. Such processes ultimately require sustained political will, commitment and engagement over the long term, to reach the end result of radical systemic change and Indigenous state relationships grounded in mutual respect, co-existence and reciprocity. This type of fundamental change requires creative thinking, careful diplomacy, tenacity, and above all, optimistic vision, on the part of Indigenous peoples. The pessimistic approaches of the resurgence school are ultimately of little use in these efforts, other than as a cautionary tale against state power, of which the organisational players are already keenly aware. Further, by dismissing and discouraging all efforts at engagement with states, and especially with the blanket accusations that all who engage in such efforts are ‘co-opted’ and not ‘authentically’ Indigenous, the resurgence school actually creates unnecessary negative feelings and divisions amongst Indigenous movements who should be pooling limited resources and working together towards better futures

### 1AC – Framing

#### Thus, the standard is maximizing expected wellbeing. Pleasure and pain *are* intrinsic value and disvalue – everything else *regresses* – robust neuroscience.

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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.

#### Prefer:

#### 1] Actor spec—governments must use util because they don’t have intentions and are constantly dealing with tradeoffs—outweighs since different agents have different obligations—takes out calc indicts since they are empirically denied.

#### 2] Death is bad and o/w—ontologically destroys the subject.

Paterson 1 – Department of Philosophy, Providence College, Rhode Island. (Craig, “A Life Not Worth Living?”, Studies in Christian Ethics, <http://sce.sagepub.com>)

Contrary to those accounts, I would argue that it is death per se that is really the objective evil for us, not because it deprives us of a prospective future of overall good judged better than the alter- native of non-being. It cannot be about harm to a former person who has ceased to exist, for no person actually suffers from the sub-sequent non-participation. Rather, death in itself is an evil to us because it ontologically destroys the current existent subject — it is the ultimate in metaphysical lightening strikes.80 The evil of death is truly an ontological evil borne by the person who already exists, independently of calculations about better or worse possible lives. Such an evil need not be consciously experienced in order to be an evil for the kind of being a human person is. Death is an evil because of the change in kind it brings about, a change that is destructive of the type of entity that we essentially are. Anything, whether caused naturally or caused by human intervention (intentional or unintentional) that drastically interferes in the process of maintaining the person in existence is an objective evil for the person. What is crucially at stake here, and is dialectically supportive of the self-evidency of the basic good of human life, is that death is a radical interference with the current life process of the kind of being that we are. In consequence, death itself can be credibly thought of as a ‘primitive evil’ for all persons, regardless of the extent to which they are currently or prospectively capable of participating in a full array of the goods of life.81  In conclusion, concerning willed human actions, it is justifiable to state that any intentional rejection of human life itself cannot therefore be warranted since it is an expression of an ultimate disvalue for the subject, namely, the destruction of the present person; a radical ontological good that we cannot begin to weigh objectively against the travails of life in a rational manner. To deal with the sources of disvalue (pain, suffering, etc.) we should not seek to irrationally destroy the person, the very source and condition of all human possibility.82

#### Extinction outweighs:

#### A] Structural violence- death causes suffering because people can’t get access to resources and basic necessities

#### B] Comes before value-to-life.

Tännsjö 11 (Torbjörn, the Kristian Claëson Professor of Practical Philosophy at Stockholm University, “Shalt Thou Sometimes Murder? On the Ethics of Killing,” <http://people.su.se/~jolso/HS-texter/shaltthou.pdf>) //BS 1-27-2018

\*\*Bracketed to avoid triggers

I suppose it is correct to say that, if Schopenhauer is right, if life is never worth living, then according to utilitarianism we should all [die] commit suicide and put an end to humanity. But this does not mean that, each of us should commit suicide. I commented on this in chapter two when I presented the idea that utilitarianism should be applied, not only to individual actions, but to collective actions as well.¶ It is a well-known fact that people rarely commit suicide. Some even claim that no one who is mentally sound commits suicide. Could that be taken as evidence for the claim that people live lives worth living? That would be rash. Many people are not utilitarians. They may avoid suicide because they believe that it is morally wrong to kill oneself. It is also a possibility that, even if people lead lives not worth living, they believe they do. And even if some may believe that their lives, up to now, have not been worth living, their future lives will be better. They may be mistaken about this. They may hold false expectations about the future.¶ From the point of view of evolutionary biology, it is natural to assume that people should rarely commit suicide. If we set old age to one side, it has poor survival value (of one’s genes) to kill oneself. So it should be expected that it is difficult for ordinary people to kill themselves. But then theories about cognitive dissonance, known from psychology, should warn us that we may come to believe that we live better lives than we do.¶ My strong belief is that most of us live lives worth living. However, I do believe that our lives are close to the point where they stop being worth living. But then it is at least not very far-fetched to think that they may be worth not living, after all. My assessment may be too optimistic.¶ Let us just for the sake of the argument assume that our lives are not worth living, and let us accept that, if this is so, we should all kill ourselves. As I noted above, this does not answer the question what we should do, each one of us. My conjecture is that we should not [die] commit suicide. The explanation is simple. If I [die] kill myself, many people will suffer. Here is a rough explanation of how this will happen: ¶ ... suicide “survivors” confront a complex array of feelings. Various forms of guilt are quite common, such as that arising from (a) the belief that one contributed to the suicidal person's anguish, or (b) the failure to recognize that anguish, or (c) the inability to prevent the suicidal act itself. Suicide also leads to rage, loneliness, and awareness of vulnerability in those left behind. Indeed, the sense that suicide is an essentially selfish act dominates many popular perceptions of suicide. ¶ The fact that all our lives lack meaning, if they do, does not mean that others will follow my example. They will go on with their lives and their false expectations — at least for a while devastated because of my suicide. But then I have an obligation, for their sake, to go on with my life. It is highly likely that, by committing suicide, I create more suffering (in their lives) than I avoid (in my life).

#### C] Mathematically outweighs.

MacAskill 14 [William, Oxford Philosopher and youngest tenured philosopher in the world, Normative Uncertainty, 2014]

The human race might go extinct from a number of causes: asteroids, supervolcanoes, runaway climate change, pandemics, nuclear war, and the development and use of dangerous new technologies such as synthetic biology, all pose risks (even if very small) to the continued survival of the human race.184 And different moral views give opposing answers to question of whether this would be a good or a bad thing. It might seem obvious that human extinction would be a very bad thing, both because of the loss of potential future lives, and because of the loss of the scientific and artistic progress that we would make in the future. But the issue is at least unclear. The continuation of the human race would be a mixed bag: inevitably, it would involve both upsides and downsides. And if one regards it as much more important to avoid bad things happening than to promote good things happening then one could plausibly regard human extinction as a good thing.For example, one might regard the prevention of bads as being in general more important that the promotion of goods, as defended historically by G. E. Moore,185 and more recently by Thomas Hurka.186 One could weight the prevention of suffering as being much more important that the promotion of happiness. Or one could weight the prevention of objective bads, such as war and genocide, as being much more important than the promotion of objective goods, such as scientific and artistic progress. If the human race continues its future will inevitably involve suffering as well as happiness, and objective bads as well as objective goods. So, if one weights the bads sufficiently heavily against the goods, or if one is sufficiently pessimistic about humanity’s ability to achieve good outcomes, then one will regard human extinction as a good thing.187 However, even if we believe in a moral view according to which human extinction would be a good thing, we still have strong reason to prevent near-term human extinction. To see this, we must note three points. First, we should note that the extinction of the human race is an extremely high stakes moral issue. Humanity could be around for a very long time: if humans survive as long as the median mammal species, we will last another two million years. On this estimate, the number of humans in existence in the The future, given that we don’t go extinct any time soon, would be 2×10^14. So if it is good to bring new people into existence, then it’s very good to prevent human extinction. Second, human extinction is by its nature an irreversible scenario. If we continue to exist, then we always have the option of letting ourselves go extinct in the future (or, perhaps more realistically, of considerably reducing population size). But if we go extinct, then we can’t magically bring ourselves back into existence at a later date. Third, we should expect ourselves to progress, morally, over the next few centuries, as we have progressed in the past. So we should expect that in a few centuries’ time we will have better evidence about how to evaluate human extinction than we currently have. Given these three factors, it would be better to prevent the near-term extinction of the human race, even if we thought that the extinction of the human race would actually be a very good thing. To make this concrete, I’ll give the following simple but illustrative model. Suppose that we have 0.8 credence that it is a bad thing to produce new people, and 0.2 certain that it’s a good thing to produce new people; and the degree to which it is good to produce new people, if it is good, is the same as the degree to which it is bad to produce new people, if it is bad. That is, I’m supposing, for simplicity, that we know that one new life has one unit of value; we just don’t know whether that unit is positive or negative. And let’s use our estimate of 2×10^14 people who would exist in the future, if we avoid near-term human extinction. Given our stipulated credences, the expected benefit of letting the human race go extinct now would be (.8-.2)×(2×10^14) = 1.2×(10^14). Suppose that, if we let the human race continue and did research for 300 years, we would know for certain whether or not additional people are of positive or negative value. If so, then with the credences above we should think it 80% likely that we will find out that it is a bad thing to produce new people, and 20% likely that we will find out that it’s a good thing to produce new people. So there’s an 80% chance of a loss of 3×(10^10) (because of the delay of letting the human race go extinct), the expected value of which is 2.4×(10^10). But there’s also a 20% chance of a gain of 2×(10^14), the expected value of which is 4×(10^13). That is, in expected value terms, the cost of waiting for a few hundred years is vanishingly small compared with the benefit of keeping one’s options open while one gains new information.

#### D] Apocalyptic images challenge power structures to create futures of social justice

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.¶

#### E] Existential threats and potential solutions within debate iteratively fractures settler colonialism.

--CHN = Council of the Haida Nation, government of the peoples of the Haida Gwaii, an archipelago claimed by Canada

--FYI about the Haida People / Council of the Haida Nation: used courts, human blockades to prevent logging in the forests of “Haida Gwaii,” other progressive approaches => winning support of Canadian citizens, government officials, and judges, eventually led to the Supreme Court of Canada recognizing their absolute title to their land---along the way explicitly rejected violent action

Joseph J. Z. Weiss 15. Ph.D. candidate, Anthropology, University of Chicago. December 2015. “Unsettling Futures: Haida Future-Making, Politics and Mobility in the Settler Colonial Present.” p.216-232, https://knowledge.uchicago.edu/bitstream/handle/11417/1121/Weiss\_uchicago\_0330D\_13139.pdf?sequence=1&isAllowed=y

Conclusion: “What’s next? Just guess.” Signs of the Future One of the more recent additions to the socio-landscape of Old Massett, which I noticed on a return visit in 2014, was a series of blue signs that had appeared in many of the lawns on reserve and a good few uptown. The sign was a good two feet high and emblazoned with capitalized text: UNITED AGAINST ENBRIDGE. Below the text was a picture of a salmon. The salmon and the first word, “UNITED,” were in stark, attention-grabbing white, while the other text was in black. The signs, I later discovered, were distributed for five dollars each by the “Friends of Wild Salmon,” a coalition of northern British Columbia residents – including both First Nations and non-First Nations members – working together to oppose the Enbridge Gateway Pipeline Project.1 Perhaps appropriately, then, I noticed the sign on the lawns of both Haida and non-Haida, in Old Massett, (New) Masset, and out by Towtown. The signs may have been new, but their message is one that should have become familiar to us at this point: The people of Haida Gwaii oppose “Enbridge;” that is, The Enbridge Northern Gateway Pipelines Project. The project, first proposed in the mid-2000s, seeks to construct two pipelines to transport crude oil and condensate from northern Alberta to Kitimat on the coast of British Columbia.2 The oil would then be transported via “super-tanker” from the coast, through the Hecate Straight that passes between the west coast and the islands of Haida Gwaii before being exported to other nations (particularly China). Enbridge has received heavy support for the project from Canada’s current Conservative government, headed by Prime Minister Stephen Harper, and in 2013 the Enbridge Joint-Review Panel – despite the words of hippies and Haida alike, alongside fierce opposition from all over the northwest coast - approved the pipelines, albeit with 209 required conditions.3 As a partnership between Canadian federal and corporate interests, the Enbridge Pipelines Project promises a future horizon of economic prosperity, one that unequivocally justifies any environmental risk in the present. On Haida Gwaii, Enbridge presages a rather different future, one in which the unpredictable waters of the Hecade Straight all but guarantee a tanker spill. Such a spill would devastate the waters and lands of the islands and the neighbouring coastline of British Columbia, destroying the fish and poisoning the plants that currently draw on ocean waters and the animals that feed thereon. Neither eagles nor ravens could survive, living as they do on a diet that consists primarily of marine life, a fact which all but guarantees the disappearance of Eagles and Ravens, the Haida people whose lifeways as such are so fundamentally tied to the islands of Haida Gwaii. Haida Gwaii could no longer be home. A song recorded in protest again Enbridge by Aboriginal artist Kinnie Starr and animated as a music video by Haidawood, a team of Haida and non-Haida stop-motion artists and animators, makes this threat explicit, asking in its opening lines “Who will save these waters, save them for our great granddaughters, save them for our great grand-daughter’s sons, […] save them before all is dead and gone?”4 This nightmare future, this future that is no future, is one that looms large over the whole of this dissertation. It is familiar because it is a reiteration of the horror of ecological cataclysm that the CHN formed itself in opposition against, that the “hippies” risk metonymically bringing about by taking from the lands and waters without respect. But it is also familiar because in a broader sense it is the future that settler colonialism attempted to give to Native peoples; indeed, to render as their already given destiny. This is the future of indigenous erasure, of ultimate disappearance, of a closed temporality which can only end in “all dead and gone.” As I have also hopefully shown in each of my chapters, however, the future of “no future” is never taken as inevitable or already determined by Haida people. The work of future-making instead always acts to ward off the nightmare future of Haida erasure, always puts in its place instead multiple possible futures in which Haida people continue. Take the blue signs on the lawns of the Masset(t)s, Old and New, implicitly answering Kinnie Starr’s question with the bold declaration that the islands (will) stand “UNITED” against Enbridge. But the social significances of these futures are never encompassed solely by the ways in which they respond to the threat of nightmare futures. As we saw in Chapter 3, for instance, the production of a future of Haida and non-Haida unity is considerably more complicated than the declaration of shared solidarity, speaking back to a particular history of Haida and settler relations and fantasy schemas, looking forward towards finding productive ways in which non-Haida can be integrated into Haida systems of sociality and responsibility. To speak of a future united against Enbridge is thus necessarily to speak of many other things, just as it is the case when speaking of a future of Haida return, a future of care-full leadership, or a future of traditional authority. Larger social worlds unfold out of the constitution of particular futures. This is why, more than anything, I want to make clear in the final, concluding chapter of this dissertation that the political (if not the existential) significance of Haida future-making does not lie simply in the specific ways in which individual futures respond to particular dilemmas of the settler colonial present. Rather, what is most crucial about future-making as a way of thinking out from within the temporal brackets of settler colonialism’s deferred erasure is simply the fact of future-making itself. What matters the most is the capacity to say, as Haida rapper Ja$e ElNino does in a guest appearance in Starr’s song, “Now expect the best from the northwest/ What’s next? Just guess.” ElNino asserts the openness of the future, challenging his listeners to even attempt to predict the field of possibilities still to come. This does not mean, though, that this openness is unmoored. Quite the opposite, ElNino asks us to “expect the best of the northwest,” in response to the threat of Enbridge and, I think, more generally. In this spirit, in what follows I highlight the significance of location to indigenous futurity, exploring how Old Massett, its neighbouring communities along Masset Inlet, and the lands and waters of Haida Gwaii act as locations around which the very openness of Haida futures can be articulated. My discussion will be largely synthetic, reading together my previous chapters to attempt to arrive at a few conclusions for this dissertation at a whole. I begin with a discussion of Haida Gwaii, once again, as “home,” asking what it means to consider the islands as a Haida homeland (and one that requires “care” as such) in the light of the futures I have sketched out. I then draw on this to pose a few suggestions for the political anthropology of indigenous peoples and its abiding contemporary concern with sovereign rights and territoriality. Finally, I conclude by drawing out the multiple meanings of my titular phrase, “unsettling futures,” in the context of Haida futuremaking. Homeland Haida Gwaii is in at least some sense at the center of each of the futures I have discussed in this dissertation. It is the home to which Haida are expected (and expect) to return, the “cornucopia” of off-the-grid fantasy, the ongoing historical space of complex social and material relations that these fantasies elide, the perpetually at risk ecological landscape which demands (and authorizes) the CHN’s care and respect. And, as we have seen, these various futures for the islands are not isolated from one another. Quite the opposite, futures proliferate in response to each other. The potential for non-Haida homing necessitates strategic forms of future-oriented social integration to bring these new arrivals into respectful relations with the Haida world, the nightmare non-future of ecological collapse is warded off by the attempt to constitute care-full futures under Haida control. What all these Haida futures have in common – at least as they relate to the islands - is that they work to preserve Haida Gwaii, and the community of Old Massett in particular, as spaces in which Haida futures remain possible. This fact, as I have already begun to suggest in Chapter 2, might help us to resolve some of James Clifford’s dilemmas in relation to indigenous mobility. As I pointed towards then, the notion that “place” is significant to indigenous peoples – politically, socially, affectively, culturally – has become one of the essential components of how “indigeneity” is understood as a global phenomenon and a strategic identity from which rights claims can be advanced. Take Article 25 of the Universal Declaration of the Rights of Indigenous Peoples: Indigenous peoples have the right to maintain and strengthen their *distinctive spiritual relationship* with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard (Assembly 2007:10, emphasis mine). But what precisely does it mean to have a “distinctive, spiritual relationship” to a place, and who determines what might constitute that relationship? Here one of the perils of Povinelli’s “cunning of recognition,” as indigenous rights to territory become conflated with - and evaluated against - essentialized settler notions of Native ecological spirituality and/or emplacedness (cf: Raibmon 2005; Nadasdy 2003). If indigeneity thereby takes on the significance of being “rooted” in a particular place, of having certain identifiably “distinctive” cultural relationships to that place that others might lack, then the fact of indigenous mobility would indeed pose a profound dilemma for the category of indigeneity on the one hand and the capacity to make claims to territorial rights *qua* one’s indigeneity on the other. But there is a remarkable temporal shallowness to all this. To give a representative example, the Australian state criteria for what constitutes “cultural rights to territory” that Povinelli interrogates function solely in the past and the present, mandating that Aboriginal people show continuity of occupation and of the cultural practices associated with “Aboriginal occupation” in the mind of the court in order to be recognized as possessing a rightful claim to their home territories (Povinelli 2002). Erased in this is the possibility that a territory could be the site of departure and return, that it could have a future horizon that is flexible, subject to transformation alongside the transformations of the people(s) who call it home, without thereby necessarily losing its integrity as a rightful space of indigenous occupation. Such a possibility is not controversial for my Haida interlocutors. Rather, it has the status of an already-given certainty, community common sense - though there is without doubt much social work that goes into the production of that certainty. What makes indigenous mobility fraught, then, might have rather more to do with the constitution of settler polities than it does with the actual practices of indigenous peoples. Consider the various ways in which we have already seen colonial authorities attempt to control Haida movement, from the forced expulsions of 19th century Victoria to the removal of Haida children from the islands for residential schools less than a century later. Consider too the manufacture of the reserves themselves, the fixing of two Haida “Bands” with their own federally determined territories, beyond which Haida people could claim no rights over land, waters, or resources (cf: Harris 2002). This is a logic of containment, of isolation. In leaving their assigned spaces, Native peoples were assumed by colonial authorities to be leaving the space of their Nativeness behind, assimilating into settler society on its terms. Indeed, this was the motivating logic of the residential schools program, which took as its premise the idea that “Indians” could always “backslide” into “savage customs” as long as they remained in their homes and with their families. Aboriginal children thus had to be brought somewhere else to learn how to join “civilized,” that is, white Christian, society (Miller 1996). Reserves could thus be rendered as the last bastions of a “weird and waning race,” to quote Scott, their inhabitants temporally foreclosed and spatially fixed. The notion that indigenous people could move without ceasing to be (or ceasing to fight for their rights to self-determination and Title to their lands) unsettles this narrative, just as does the intertwined possibility of indigenous futurity. The relationship to Haida Gwaii that we’ve seen sketched out by the Haida futures explored in this dissertation does not preclude the possibility of “distinctive spiritual relationships” between Haida and their home territories. Quite the opposite, the ineffable quality of homing alone suggests that many of my interlocutors feel a connection to their home that goes beyond the kinds of practices that are only possible on the islands, their beauty or their history. Indeed, when considered as home, when considered as a site that requires care, there is little doubt that Haida Gwaii can encompass a wide range of phenomenological, affective, social, and cultural ways of relating to its lands and waters by Haida people (and their neighbours, at times for good, at times for ill). But it is not these relations as such that encompass the totality of Haida Gwaii’s significance. Rather, what is of greatest concern to my interlocutors is the continuing future possibility that relations like that *could be* formed, that people *could continue* to be called home to Haida Gwaii once they’ve fully explored the world off-island, that the qualities that precisely *make* Haida Gwaii home *could* be preserved. This is what it means, I think, to “take care” of Haida Gwaii, to allow it to continue as a homeland for uncounted future generations. Though they certainly emphasize the need for Haida Gwaii to be maintained as a location for Haida futurity, this does not mean that the futures we have seen expend all the possible ways in which such future forms of Haida social, material, ecological, and relational life could be formed. Recall Ja$e ElNino’s challenge of a future so open that its possible contents can only be guessed at. What Haida future-making demonstrates is that there are a set of potentialities which are worth protecting so that Haida people can continue to access them, to come home to them, even as continuing forms of mobility and political processes can also shape and reshape Haida social and cultural life on and off the islands. Homeland is not a regimented place where Haida people *must* always live in order to be authentically Haida. Rather, it is a location where they should always be able to, in their own (necessarily multiple, often contested, sometimes even contradictory) terms. Sovereignty At the same time, there is an inescapably political dimension to the attempt to render Haida Gwaii as the homeland of a still open Haida future. The assertion of the (located) openness of the future does not necessarily make it so. As I noted in the first part of this dissertation, the flow of Haida departures and returns unfold in the broader context of the settler, capitalist state; indeed, they are made necessary in part by the current absence of economic opportunity on island, just as the arrival of potentially threatening strangers is a result of their privileged position in the very capitalist economy they seek to escape. Constituting futures in which Haida people have the freedom to engage with that economy (and settler society more generally) as they see fit while retaining the capacity to come home (complicated as that process might be) also reiterates the inescapability of some form of engagement with that socio-economy. Likewise, the notion of Haida Gwaii as Haida homeland cannot be separated from current Haida struggles to assert their rights to the lands and waters of Haida Gwaii, the resources found therein, and their sovereign capacity to govern themselves and the islands in the ways they find appropriate. This is, recall, the very crux of the CHN’s own commitment to the assurance of futurity, as it is only by positioning itself as the rightful, sovereign government of the Haida Nation and its homeland of Haida Gwaii that it can adequately care for the islands and protect them from external threat. And the continuing advance of the Enbridge project despite fierce opposition from CHN, the Old Massett Village Council, their Haida constituents, and the non-Haida actors with whom they are “united against Enbridge” (and this alongside protest all over the northwest coast) gives the nightmare futures of environmental collapse – pushed through by corporate interests and Canadian politicians - a frightening immanence. The assertion of the openness of the future is made, in short, in (and against) a context in which closures remain endemic. And yet, something has changed in this landscape from the initial erasures of Native futurity we drew out in the first chapter. In the narratives of colonial actors like Duncan Campbell Scott, it was absolutely clear that “Indians” were disappearing because their social worlds were being superseded by more “civilized” ways of living and being, ones that these Native subjects would also, inevitably, in the end, adopt (or failing that, perish outright). There was a future. It was simply a settler one. But the nightmare futures of that my Haida interlocutors ward against in their own future-making reach beyond Haida life alone. Environmental collapse, most dramatically, threatens the sustainability of all life; toxins in the land and the waters threaten human lives regardless of their relative indigeneity, race, or gender (e.g. Choy 2011; Crate 2011). Put another way, the impetus for non-Haida (and non-First Nations subjects more generally) to be “united against Enbridge” with their indigenous neighbours comes in no small part because an oil spill also profoundly threatens the lives and livelihoods of non-Aboriginal coastal residents, a fact which Masa Takei, among others, made clear in Chapter 3. Nor is the anxiety that young people might abandon their small town to pursue economic and educational advantage in an urban context limited to reserve communities. Instead, the compulsions of capitalist economic life compel such migrations throughout the globe. The nightmare futures that Haida people constitute alternative futures to ward against are not just future of indigenous erasure under settler colonialism. They are erasures of settler society itself. There is thus an extraordinary political claim embedded in Haida future-making, a claim which gains its power precisely *because* Haida future-making as we have seen it does not (perhaps cannot) escape from the larger field of settler-colonial determination. Instead, in Haida future-making we find the implicit assertion that Haida people can make futures that address the dilemmas of Haida *and* settler life alike, ones that can at least “navigate,” to borrow Appadurai’s phrasing, towards possible futures that do not end in absolute erasure. If Povinelli and Byrd are correct and settler liberal governance makes itself possible and legitimate through a perpetual deferral of the problems of the present, then part of the power of Haida future-making is to expose the threatening non-futures that might emerge out of this bracketed present, to expose as lie the liberal promise of a good life always yet to come and to attempt to constitute alternatives. It is no coincidence that we find this in the midst of a struggle over sovereignty. And this not just in the sense of the Council of the Haida Nation’s ongoing assertion of its sovereign right to govern the lands and waters of Haida Gwaii on behalf of all Haida people, as we saw in Chapter 5. Rather, as Joanne Barker has argued, over the course of the latter half of the twentieth century sovereignty has emerged as a: particularly valued term within indigenous scholarship and social movements and through the media of cultural production. It [is] a term around which analyses of indigenous histories and cultures were organized and whereby indigenous activists articulate their agendas for social change (Barker 2005:18). Through the assertion of sovereignty, indigenous political leaders, activists and scholars refute “the dominant notion that indigenous people [are] merely one among many ‘minority groups’ under the administration of state social service and welfare programs.” Instead, “sovereignty defines indigenous people with concrete rights to self-government, territorial integrity, and cultural autonomy under international law” (18). The trouble is, of course, that indigenous claims to sovereignty are always made within the context of colonial nation-states, ones whose own legitimacy is put at considerably risk both by the prospect of self-determining indigenous Nations (re)-emerging within their boundaries and the troubling of their own historical narratives of sovereign rights (cf: Comaroff and Comaroff 2003b). (One of these narratives, which reinterpreted indigenous lands as *terra nullius* and thus open to occupation, we’ve encountered already in Chapter 3). Thus, while sovereignty might indeed “define” indigenous peoples with concrete rights to territorial Title and self-determination, in theory equal under international law to the states who also lay claim to their territories, that definition does not in and of itself make possible the *practice* of this sovereignty. In this regard settler states such as Canada have shifted in their response to First Peoples’ sovereignty claims from outright rejection to a set of policies of selective recognition,5 but even the latter still positions Native nations as being subject to the authority and oversight (if not the structural forms) of the state. This means, as we have seen in Chapter 5, that indigenous governments such as the Council of the Haida Nation are in a precarious position, attempting to constitute their own sovereign authority without access to many of the conventional means of sovereignty in Western political thought – e.g., the monopoly on legitimate violence (Weber 1946), decisive authority to make and enact law (Schmitt 2005), or exclusive territorial control (Brown 2010; cf: Hobbes 1994). Alongside this precarity is the equally anxious question of whether or not sovereignty is even an appropriate analytical to center indigenous rights around precisely because it is historically a Western concept, one that had been drawn on to dispossess indigenous peoples over the course of settler colonial history (Barker 2005:18–19). (Indeed, the very next essay in Barker’s edited volume, by Mohawk scholar Taiake Alfred, categorically rejects sovereignty as an inappropriate tool for indigenous political assertions for these reasons and, also, because it draws attention away from developing and furthering “genuinely” Aboriginal political modes of thought (Alfred 2005; cf: Alfred 2009). The fact that sovereignty remains such a preeminent concept in the struggle for indigenous rights even though it is both epistemologically problematic and politically constrained has meant that there has been a recent push in both anthropology and indigenous studies to “widen” the definition of sovereignty, so that it might encompass multiple forms of indigenous social, political and legal practice outside of the conventional purview of “sovereign power” (e.g. Cattelino 2008; Richland 2011; Simpson 2000; Simpson 2014). Or, as Joanne Barker puts it: There is no fixed meaning for what *sovereignty* is – what it means by definition, what it implies in public debate, or how it has been conceptualized in international, nation, or indigenous law. Sovereignty – and its related histories, perspectives, and identities – is embedded within the specific social relations in which it is invoked and given meaning. How and when it emerges and functions are determined by the “located” political agendas and cultural perspectives of those who rearticulate it into public debate or political document to do a specific work of opposition, invitation, or accommodation. It is no more possible to stabilize what *sovereignty* means and how it matters to those who invoke it than it is to forget the historical and cultural embeddedness of indigenous peoples’ multiple and contradictory political perspectives and agendas for empowerment, decolonization, and social justice (Barker 2005:21, emphasis original). The opening up of sovereignty as flexible, multiple, and subject to all manner of diverse rearticulations carries particular weight (and, perhaps, ambiguity) since, as a historical concept in Western political theory, sovereignty was overwhelmingly concerned with closure. As Wendy Brown argues in her Walled States, Waning Sovereignty, the classic vision of sovereign power rests in the capacity to divide the inside from the outside, to make borders around a people – a “nation” – and separate that people from those outside it. Thus Schmitt’s “friend-enemy” distinction, for instance, or even John Locke’s consistent preoccupation with fences as a way of marking the existence of territory (Brown 2010; cf: Schmitt 1996; Locke 1988). The historical conditions of indigenous sovereignty claims in the context of settler colonialism make such absolute closures impossible for indigenous peoples. We might add, though, that their persistent presence also challenges the closure of the settler nation-state. Indeed, this is part of Brown’s point. The very fact that we see ever more spectacular performances of sovereign power on the part of contemporary nation-states – e.g., the titular “walls” that are being constructed along the borders of an increasing number of states - is a sign of the very insecurity of their political authority (Brown 2010).6 The conditions of settler colonial sovereignty, in other words, may be rather more “open,” and thus closer to those of indigenous “nation-within-nations,” then they may at first appear. If this means, in turn, that the future of settler political life is becoming as uncertain as the future for indigenous life has always been since the advent of settlement, then this means only what we have already begun to see: the dilemmas that Haida people confront in their future-making practices are also the dilemmas facing settler society. Take Chapter 4, in which the absence of any “one” definitive governing entity compels the constitution of an aspirational framework of accountability which could, were it realized, render navigable Haida relations to the many governments that claim their loyalties. As I hinted at there, such dilemmas are not restricted to the Haida sociopolitical world; rather, they may in fact be endemic to contemporary democratic societies and the multiple forms of governance (licit and otherwise) that emerge therein. In suggesting that there are Haida ways of refiguring a shared Haida-settler set of contemporary problematics, we might think of Haida future-making as simultaneously an instantiation of the multiple, flexible and always contingently located practices of sovereignty to which Barker points and a different way of thinking about indigenous political potentiality. In the former sense, Haida future-making is without doubt concerned with carving out spaces in which Haida existence can continue, expand, and change without losing the capacity to reproduce itself as, precisely, Haida existence. Thus the processes of homecoming we explored in Chapter 2, or Chapter 5’s explicitly political attempts to establish control over the islands for future generations. If the absence of indigenous sovereignty is the absence of the capacity of an indigenous people to (self)-determine their own futures, then the constitution of Haida futures can be seen exactly as sovereign work, whether in the overt sense of the Council of the Haida Nation’s assertions or the somewhat more implicit mode of Alice Stevens’ proposed mass adoptions. Significant here, though, is the fact that these acts of future-making carry meanings beyond their status as “responses” to the social and political dilemmas of contemporary Haida life. Thus Alice Stevens’ adoptions bring “hippie” children into the framework of Haida kinship relations, in one sense neutralizing their potential threat, but also constituting a complex new network of social relations between Haida and non-Haida whose potential significances go well beyond the protection of Haida territory and resources; thus the Council of the Haida Nation emerges as a “state-like” governing entity through its authorizing promise to “take care” of the islands, but in so doing takes on a series of new roles in Haida political life whose full consequences remain to be seen. If it is a sovereign action to envision an opening of possible futures for Haida people, then this very openness might also exceed the boundaries of sovereignty as a problematic for indigenous people even as it responds to them. Which is also, perhaps, why Haida futures seem so consistently to sketch out social, ecological, and political fields that encompass non-Haida; more, that are futures for Canada as well as for the Haida people living within the nation-state’s borders. Or, at least, futures that have the capacity to be so. What would it mean to figure an indigenous sovereignty that speaks beyond itself, one that promises to invert the order of settler domination through reconfiguring the shared futures of indigenous and settler peoples? This would not be a sovereignty premised on territorial closure, or even absolute political autonomy. It would, however, decisively overturn any settler colonial anticipations of the inevitable erasure of Native peoples. Quite the opposite, it would position indigenous practices of anticipation, aspiration, certainty, and anxiety at the forefront of contemporary modes of political imagination. Unsettling Futures A question remains, however. Could such a refiguring of the temporal and political horizon of settler and indigenous relationships remain possible even if the futures that indigenous people work to constitute remain unrealized in the settler colonial present? Or, put another way, we must always be careful not to conflate a capacity *to* form new futures for settler nation-states with the actual materializations of these futures. The Haida futures that I have discussed, even as they promise possible ways of navigating – of restructuring, even – the settler-Haida present, remain firmly bound by the colonial constraints of this present. But perhaps the stakes here have never been about overthrowing the Canadian colonial order outright. Rather, what I hope this dissertation has shown is that Haida future-making has the capacity to *unsettle* the settler colonial present, to challenge its received categories and demonstrate how, slowly, gradually, Haida people are reconfiguring its terms through the work of producing the future. Certainly, the sheer fact of Haida futurity should put to the lie any further notion that Haida people exist only to replicate their past or live only in the deferral of their eventual disappearance. The future is alive and well in Old Massett, although this does not meant that it is not also a site of profound anxieties. In working to ward off those anxieties through the juxtaposition of nightmare futures against their more desirable alternatives, then, Haida people unsettle the epistemological foundations of the forms of settler colonialism and liberalism against which Byrd and Povinelli write. At the same time (if you’ll pardon the pun), I think we can see the social work that futuremaking does iteratively, as a gradual reshaping of the actual conditions of Canadian society. Here I borrow Judith Butler’s suggestion, following Foucault, that the regulatory norms of society function only through their consistent and unstable reiteration (and materialization) in everyday social life.7 From this perspective, the ways in which Haida people work within and even reiterate the constraints and demands of Canadian settler mainstream society can also slowly and strategically *shift* those very constraints and demands, materializing a HaidaCanadian future that might in fact be quite different from the present even as it does not ever fully “escape” from its dilemmas. Perhaps the most unsettling potential of all here lies simply in the ways in which Haida people incorporate the conditions of the settler colonial present as being paths towards Haida futures. Not vanished, or vanquished. Ongoing.

### 1AC – Underview

#### 1] 1AR theory is legit – anything else means infinite abuse – drop the debater, competing interps, and the highest layer – 1AR are too short to make up for the time trade-off – no RVIs – 6 min 2NR means they can brute force me every time.

#### 2] Procedural fairness is a voter and outweighs a] it’s an intrinsic good – debate is a game and equity is necessary to sustain the activity, b] probability – debate can’t alter subjectivity, but it can rectify skews, c] internal link turns every impact – a limited debate promotes research and engagement d] All your arguments concede fairness since you assume they will be evaluated fairly.

#### 3] Non-governmental action is a voting issue for reciprocity and prep skew- I defend the government taking an action so the negative should do. That’s key to reciprocal ground otherwise they get access to a ton of state bad and legalism bad turns that are functional nibs in the 1ar. We additionally can’t predict near infinite non-governmental actors while they just have to prep one; outweighs on sequencing since we need prep to debate. Turns and outweighs the K since it indicts our ability to test the truth value of their theory of power.

### 1AC – Method

#### Totalizing understandings of colonialism make indigenous liberation impossible – answers their links.

Busbridge 18 [Busbridge, Rachel, Research Fellow at the Centre for Dialogue, La Trobe University. “Israel-Palestine and the Settler Colonial ‘Turn’: From Interpretation to Decolonization,” Theory, Culture & Society, Vol 35, Issue 1, 2018.] MT

The prescription for decolonisation—that is, a normative project committed to the liberation of the colonised and the overturning of colonial relationships of power (Kohn & McBride, 2011: 3)—is indeed one of the most counterhegemonic implications of the settler colonial paradigm as applied to IsraelPalestine, potentially shifting it from a diagnostic frame to a prognostic one which offers a ‘proposed solution to the problem, or at least a plan of attack’ (Benford & Snow, 2000: 616). What, however, does the settler colonial paradigm offer by way of envisioning decolonisation? As Veracini (2007) notes, while settler colonial studies scholars have sought to address the lack of attention paid to the experiences of Indigenous peoples in conventional historiographical accounts of decolonisation (which have mostly focused on settler independence and the loosening of ties to the ‘motherland’), **there is** nevertheless **a ‘**narrative deficit’ when it comes to imagining settler decolonisation. While Veracini (2007) relates this deficit to a matter of conceptualisation, it is apparent that the structural perspective **of the paradigm** in many ways closes down possibilities of imagining the type of social **and** political transformation **to which the** notion of decolonisation aspires. In this regard, there is a worrying tendency (**if not** tautological discrepancy) **in settler colonial studies, where the** only solution to settler colonialism is decolonisation**—which a faithful adherence to the paradigm** renders largely unachievable**, if not** impossible**.** To understand why this is the case, it is necessary to return to Wolfe’s (2013a: 257) account of settler colonialism as guided by a ‘zero-sum logic whereby settler societies, for all their internal complexities, uniformly require the elimination of Native alternatives’. The **structuralism** of this account has immense power as a means of mapping forms of injustice and indignity as well as strategies of resistance and **refusal**, and Wolfe is careful to show how transmutations of the logic of elimination are complex, variable, discontinuous and uneven. **Yet, in** seeking to elucidate the logic of elimination as the overarching historical force guiding settler-native relations there is an operational weakness in the theory, whereby such a logic is simply there, omnipresent and manifest even when (and perhaps especially when) it appears not to be; the settler colonial studies scholar need only read it into a situation or context. It thus hurtles from the past to the present into the future, never to be fully extinguished until the native is, or until history itself ends. There is thus a powerful ontological (if not metaphysical) dimension to Wolfe’s account, where there is such thing as a ‘settler will’ that inherently desires the elimination of the native and the distinction between the settler and native can only ever be categorical, founded as it is on the ‘primal binarism of the frontier’ (2013a: 258). It is here that the differences between earlier settler colonial scholarship on Israel-Palestine and the recent settler colonial turn come into clearest view. While Jamal Hilal’s (1976) Marxist account of the conflict, for instance, engaged Palestinians and Jewish Israelis in terms of their relations to the means of production, Wolfe’s account brings its own ontology: the bourgeoisie/proletariat distinction becomes that of settler/native, and the class struggle the struggle between **settler**, who **seeks to** destroy and replace the native**, and native**, who can only ever push back. Indeed, **if the settler colonial paradigm views history in** similar **teleological terms** to the Marxist framework, **it** does not offer **the same hopeful vision of** a liberated future. After all, **settler colonialism has** only one story to tell—‘either total victory or total failure’ (Veracini, 2007). Veracini’s attempt to disaggregate different forms of settler decolonisation is revealing of the difficulties that come along with this zero-sum perspective. It is significant to note that beyond settler evacuation (which may decolonise territory, he cautions, but not necessarily relationships) the picture he paints is a relatively bleak one. For Veracini (2011: 5), claims for decolonisation from Indigenous peoples in settler societies can take two broad forms: an ‘anticolonial rhetoric expressing a demand for indigenous sovereign independence and self-determination… and an “ultra”-colonial one that seeks a reconstituted partnership with the [settler state] and advocates a return to a relatively more respectful middle ground and “treaty” conditions’. While both, he suggests, are tempting strategies in the struggle for change, though ‘ultimately ineffective against settler colonial structures of domination’ (2011: 5), it is the latter strategy that invites Veracini’s most scathing assessment. As he writes, under settler colonial conditions the independent polity is the settler polity and sanctioning the equal rights of indigenous peoples has historically been used as a powerful weapon in the denial of indigenous entitlement and in the enactment of various forms of coercive assimilation. This decolonisation actually enhances the subjection of indigenous peoples… it is at best irrelevant and at worst detrimental to indigenous peoples in settler societies (2011: 6-7). The ‘primal binarism of the frontier’ plays a particularly ambivalent role in Veracini’s (2011: 6) formulation, where the categorical distinction between settler and native obstructs the ‘possibility o**f a genuinely decolonised relationship**’ (by virtue of its lopsidedness) **yet is** a necessary political strategy to guard against the absorption of Indigenous people into the settler fold, which would represent settler colonialism’s final victory. **The battle here is between a ‘settler colonialism [that] is designed to produce a fundamental discontinuity as its “logic of elimination” runs its course until it actually extinguishes the settler colonial relation’ and an anti-colonial struggle that** ‘must aim to keep the settler-indigenous relationship going’ (2011: 7). In other words, **the categorical distinction produced by the frontier** must be maintained in order to struggle against its effects. Given the lack of options presented to Indigenous peoples by Veracini (2014: 315), his conclusion that settler decolonisation demands a ‘radical, post-settler colonial passage’ is perhaps not surprising – although he has ‘no suggestion as to how this may be achieved and [is] pessimistic about its feasibility’.

Scholars have long reckoned with the ambivalence of the settler colonial situation, which is simultaneously colonial and postcolonial, colonising and decolonising (Curthoys, 1999: 288). **Given the generally dreadful** Fourth World **circumstances facing many Indigenous peoples** in settler societies, **it** could be argued that **there is good reason for** such pessimism. The settler colonial paradigm, in this sense, offers an important caution against celebratory narratives of progress. Wolfe (1994), it must be recalled, wrote the original articulation of his thesis precisely against the idea of ‘historical rupture’ that dominated in Australia post-Mabo, and was thus as much a scholarly intervention as it was a political challenge to the idea of Australia having broken with its colonial past. Nonetheless**, the** fatalism **of the settler colonial paradigm**—whereby decolonisation is by and large put beyond the realms of possibility—**has** seen it **come** under considerable critique for reifying settler colonialism as a **transhistorical meta-structure where colonial relations of domination are** inevitable (Macoun & Strakosch, 2013: 435; Snelgrove et al., 2014: 9). Not only does Wolfe’s **ontology** erase contingency**,** heterogeneity **and (crucially) agency** (Merlan, 1997; Rowse, 2014), **but its polarised framework** effectively ‘puts politics to death’ (Svirsky, 2014: 327). In response to such critiques, Wolfe (2013a: 213) suggests that ‘the repudiation of binarism’ may just represent a ‘settler perspective’. However, as Elizabeth Povinelli (1997: 22) has astutely shown, it is in this regard that **the** totalising logic **of** Wolfe’s **structure of invasion** rests on a disciplinary gesture where ‘any discussion which does not insist on the polarity of the [settler] colonial project’ is assimilationist, worse still, genocidal in effect if not intent. Any attempt to ‘explore the dialogical or hybrid nature of colonial subjectivity’—which would entail working beyond the bounds of absolute polarity—is disciplined as complicit in the settler colonial project itself, leaving ‘the only nonassimilationist position one that adheres strictly and solely to a critique of [settler] state discourse’. This gesture not only disallows the possibility of counter-publics and strategic alliances (even limited ones), but also comes dangerously close to ‘resistance as acquiescence’ insofar as the settler colonial studies scholar may malign the structures set in play by settler colonialism, but only from a safe distance unsullied by the messiness of ambivalences and contradictions of settler and Native subjectivities and relations. Opposition is thus left as our only option, but, as we know from critical anti-colonial and postcolonial scholarship, opposition in itself is not decolonisation.

#### Gains are limited but they are still gains—denouncing action because we are on stolen land is scholarly lazy

NoiseCat 16. Julian Brave NoiseCat, enrolled member of the Canim Lake Band Tsq'escen in British Columbia and a graduate of Columbia University and the University of Oxford, “The Indigenous Revolution,” Jacobin, November 26, 2016, https://www.jacobinmag.com/2016/11/standing-rock-dakota-access-pipeline-obama/

Many Americans, Canadians, Australians, and New Zealanders believe that indigenous people are long gone and defeated. Inheritors of the imperial myth of “Manifest Destiny,” they presume the colonizers’ victory was inevitable and even [predetermined](https://books.google.com/books?id=5AaRo8c2-JYC&pg=PA83&lpg=PA83&dq=arthur+samuel+atkinson+killing+maori&source=bl&ots=GMsXrn6JNH&sig=tMvg8D1knMq2knttH3w4YyRvuJM&hl=en&sa=X&ved=0ahUKEwjCze3M_6PQAhWmsFQKHfmZAfsQ6AEIITAB#v=onepage&q=arthur%20samuel%20atkinson%20killing%20maori&f=false). This racist myth has led empires and states to underestimate indigenous power.¶ Global histories of indigenous resistance, survival, and resurgence tell another story. On these Oceti Sakowin plains in 1876, a cocksure General Custer rushed into the Battle of the Little Bighorn only to be soundly defeated by allied Lakota, Cheyenne, and Arapaho forces. Dalrymple appears poised to repeat Custer’s mistake.¶ Countless indigenous communities, nations, and confederacies from the Americas to Australasia, and South Africa to Siberia, including Aboriginal Australians, Apache, Arapaho, Cherokee, Cheyenne, Chukchi, Comanche, Cree, Creek, Diné, Hawaiian, Haudenosaunee, Kiowa, Maori, Modoc, Nez Perce, Pueblo, Salish, Sauk, Seminole, Shawnee, Tasmans, Tlingit, Ute, Xhosa, Yakima, Zulu, and others have resisted imperial powers and industrial states and prevailed.¶ Before defeating Custer, the Oceti Sakowin had a long history of settler handling. In 1862, the Dakota pushed thousands of settlers off the Minnesota frontier. Six years later, the Lakota defeated the United States Army in Red Cloud’s War.¶ Retribution followed many indigenous victories. In California, entire communities were [hunted like animals](http://www.nytimes.com/2016/05/29/books/review/an-american-genocide-by-benja.html?_r=0). After taking dozens of Dakota men as prisoners of war following the uprising of 1862, Abraham Lincoln signed an order to execute [thirty-eight](http://www.startribune.com/dec-26-1862-38-dakota-men-executed-in-mankato/138273909/) of them — the largest mass execution in American history. Later in 1890, the United States Army gunned down three hundred Lakota at [Wounded Knee](https://www.jacobinmag.com/2016/09/standing-rock-dakota-access-pipeline-protest/).¶ This history continues to devastate. Indigenous people remain the poorest of the poor and the [most likely](http://www.cjcj.org/news/8113) to be killed by law enforcement. Four of the fifteen most impoverished counties in the United States [include](https://www.census.gov/did/www/saipe/data/statecounty/data/2014.html) Lakota reservations in South Dakota. The two poorest, Oglala Lakota and Todd County, lie entirely within the Pine Ridge and Rosebud reservations, where half of all residents live in poverty. In Ziebach County, which includes parts of the Standing Rock and Cheyenne River reservations, 45 percent of the population lives at or below the poverty line.¶ Elsewhere in the United States, Canada, Australia, and New Zealand, indigenous people are among the poorest, most oppressed, and least visible. They are overrepresented in prisons and underrepresented in universities. Their economic realities are bleak. Their pain is intergenerational.¶ In short, colonialism endures.¶ Yet these same communities are uniquely positioned to resist unjust systems and force them to retreat. We must hold these two seemingly contradictory realities of devastation and resilience in our minds at the same time. The Fourth World lives in devastation. The Fourth World is unconquered and on the rise.¶ Since the 1970s, indigenous people in the United States, Canada, Australia, and New Zealand have danced impressive victories. They have compelled states to forego assimilationist policies like the involuntary removal of indigenous children to abusive residential schools and the relocation of indigenous workers to cities. Overtly coercive policies have been slowly and steadily replaced with policies that recognize indigenous rights to land, jurisdiction, and sovereignty. Gains are limited, but they are still gains.¶ At certain times over the past thirty years, indigenous claims have prevented corporations from exploiting natural resources. In New Zealand in the 1980s, Maori claims under the Treaty of Waitangi stopped a state drive to privatize [fisheries](http://vup.victoria.ac.nz/maori-and-the-state-crown-maori-relations-in-new-zealand-aotearoa-1950-2000/) and [hydroelectric power](http://duwaterlawreview.com/new-zealand-maori-council/). In [Canada](https://books.google.com/books?id=9v3HZDKUlG4C) and [Australia](https://www.dukeupress.edu/the-cunning-of-recognition), from the 1990s to the present, aboriginal claims have increased risk for prospective investors in extractive industries.¶ But the dance with the state can be perilous. In recent decades, some indigenous groups mistook [neoliberals](http://www.uhpress.hawaii.edu/p-5513-9781869692865.aspx) who denounced “big government” for allies. They [accepted](https://www.upress.umn.edu/book-division/books/red-skin-white-masks) land claims settlements, [treaty agreements](https://www.theguardian.com/commentisfree/2015/aug/03/canada-first-nation-land-rights), and business deals that enabled states to slash social services for the most vulnerable while restructuring indigenous communities as junior corporate partners in the global economy.¶ As Trump prepares to take power in the US and Brexit changes the economic calculus in Britain and across the world, it is clear that the dance with the state is entering a [new age](https://www.jacobinmag.com/2016/11/trump-victory-clinton-sanders-democratic-party/).¶ The New Colonialism¶ The new age has [precedents](http://www.history.ac.uk/reviews/review/895).¶ Any Howard Zinn reader knows that the United States is built on stolen land with stolen labor. However, this is an observation too imprecise to help us understand and predict the trajectory of a global political economy steered and shaped by the likes of Trump and Nigel Farage. If you squint hard enough, Jack Dalrymple might look like a young George Custer, but that does not make him so.¶ To prevail, indigenous people and the Left must fully understand the precise ways that emerging systems will dispossess indigenous communities. In the nineteenth century, the United States Army incarcerated indigenous people on reservations, claimed land for homesteaders, protected prospectors, and cleared the way for railroad barons. In the 1960s, a different set of historical, political, and economic forces erected the [Lake Oahe Dam](http://www.msnbc.com/interactives/geography-of-poverty/nw.html) on the Missouri River, flooding two hundred thousand acres of the Standing Rock reservation to provide power to suburban homeowners.¶ Today, the drive for independence from OPEC sees a solution in hydraulic fracturing technology. North American oil fields and infrastructure are funded by a financial system that encourages speculation, drives massive inequality, and fails to account for costs associated with human and environmental risks — passing these very real risks and consequences on to communities, workers, and indigenous nations. Inherently unaccountable capitalists are paid big money for being even more unaccountable, and indigenous dispossession continues on new frontiers.¶ Preliminary post-election forecasts indicate that Trump’s victory and Brexit will redirect capital back toward the American West and the British [Commonwealth](http://www.express.co.uk/news/politics/691826/Brexit-what-mean-for-Commonwealth-Britain-leaves-EU-impact-new-trade-deals-migration).¶ In particular, Trump — a [DAPL investor](https://www.theguardian.com/us-news/2016/oct/26/donald-trump-dakota-access-pipeline-investment-energy-transfer-partners) himself — will expedite completion of DAPL and similar projects. He will push to reopen and complete the [Keystone XL Pipeline](https://www.washingtonpost.com/news/energy-environment/wp/2016/11/09/now-that-trump-has-won-transcanada-wants-to-give-keystone-xl-pipeline-another-try/). If he keeps his campaign promises, he will support infrastructure projects and extractive industries, including [coal and fracking](http://www.wsj.com/articles/oil-coal-seen-as-winners-with-trump-victory-1478693338), in indigenous homelands across the American hinterlands.¶ At the same time, a conservative Supreme Court, an Interior Department [led by](http://www.reuters.com/article/us-usa-trump-interior-idUSKBN13G2C0) Sarah Palin or oil baron Lucas Forrest, and a Justice Department led by Jeff Sessions means limited but hard-won Native rights will be rolled back. If this gang of reactionary appointees can’t figure out how to dismantle complex legal precedents, they can just cut funding to essential services like housing, schools, and health care that are already woefully underfunded, putting tribes in a stranglehold of austerity. Native resistance will be policed by [Orwellian surveillance systems](https://www.theguardian.com/commentisfree/2016/nov/09/president-trump-national-security-nuclear-arsenal) finely tuned by the Obama administration. Militarized law enforcement will find reinforcements in the booming private security and [prison industries](https://www.washingtonpost.com/news/wonk/wp/2016/11/10/the-private-prison-industry-was-crashing-until-donald-trumps-victory/).¶ Surveillance, state law enforcement, and private security will drive mass arrests, as we’re seeing at Standing Rock. Law enforcement will have more power than ever to quash protesters and silence dissent.¶ In the former British Wests of Canada, Australia, and New Zealand, where the right-wing populist revolution has yet to take hold in the same way, suppression of indigenous resistance may be less visibly coercive — perhaps with the exception of [skyrocketing](https://www.theguardian.com/australia-news/2016/aug/24/indigenous-prison-rate-soars-52-in-decade-report-reveals) policing, incarceration, and deaths-in-custody of indigenous people, particularly Aboriginal Australians (the “[most imprisoned people in the world](https://www.washingtonpost.com/world/asia_pacific/in-australian-state-aboriginal-kids-53-times-more-likely-to-be-in-jail-than-others/2016/03/05/210dadc4-e15a-11e5-8c00-8aa03741dced_story.html)”).¶ Politicians in the Commonwealth will look to roll back or restructure indigenous rights won over the last three decades in ways that are favorable to capital.¶ Governments, like Justin Trudeau’s Liberals in Canada, are already [abandoning](https://www.theguardian.com/environment/true-north/2016/sep/19/justin-trudeaus-lofty-rhetoric-on-first-nations-a-cheap-simulation-of-justice) campaign promises to indigenous people, opting instead to grab land and resources (as seen in the ham-fisted effort to force through the [Site C Dam](http://www.cbc.ca/news/canada/british-columbia/first-nations-site-c-challenge-denied-1.3830441) against [indigenous opposition](http://bc.ctvnews.ca/thousands-protest-kinder-morgan-pipeline-expansion-in-vancouver-1.3168634)). Trudeau’s minister of natural resources has already stated that Canada will no longer ask First Nations for consent before going forward with lucrative natural resource projects like Kinder Morgan’s Trans Mountain Expansion project and Enbridge’s Northern Gateway [pipelines](http://www.ubcic.bc.ca/consent).¶ In Australia, the government is steamrolling the Wangan and Jagalingou peoples’ Native Title claims in order to move forward with the massive Carmichael Coalmine in Queensland.¶ With the Commonwealth clamoring to [cash in](https://www.theguardian.com/world/2016/oct/18/britain-and-new-zealand-agree-to-start-regular-trade-talks-in-wake-of-brexit) on opportunities created by Brexit, [new free trade deals](http://www.telegraph.co.uk/news/2016/08/31/brexit-brings-the-chance-to-build-a-new-and-better-commonwealth/) with the United Kingdom will be struck, resuscitating and rebuilding the capital networks of the former British Empire, previously weakened by globalization and the European Single Market. The Tory dream of a revived [Anglosphere](http://www.newstatesman.com/politics/2015/02/rise-anglosphere-how-right-dreamed-new-conservative-world-order), long derided as fanciful, nostalgic, and bad business by [Liberals](http://www.nybooks.com/articles/2000/05/11/the-anglosphere/), may even emerge as a legitimate principle and framework of international relations and trade. It will compete with increasingly powerful Chinese and Indian capital throughout the Commonwealth, as already witnessed in the Canadian [tar sands](https://www.theguardian.com/business/2010/feb/14/canada-china-investment-oil-sands), [Australian coalmines](https://www.theguardian.com/australia-news/2015/mar/26/aboriginal-group-fights-to-stop-16bn-carmichael-coalmine), and [New Zealand real estate and dairy](https://www.kpmg.com/NZ/en/IssuesAndInsights/ArticlesPublications/Documents/KPMG-Foreign-Direct-Investment-analysis-August-2015.pdf).¶ Combined with the rise of China and India, this will bring new waves of exploitive capital into indigenous homelands, along with increased policing and the dismantling of indigenous rights.¶ Renewed colonial and capitalist pressure on indigenous people means that the Fourth World’s adversarial relationship with the state will become more central to the struggle to transform political and economic systems for all. If the history of the indigenous dance with the state is any indication, the Fourth World will suffer tremendously while at the same time standing athwart the forces of capitalism and exploitation.¶ The Left must stand with the Fourth World in our collective struggle.¶ The Fourth World and a Fourth Way¶ On November 14, the Army Corps of Engineers temporarily halted DAPL’s progress, stating that “the history of the Great Sioux Nation’s dispossessions of lands” and the United States’ “government-to-government” relationship with indigenous nations demanded that the route of the proposed pipeline be reassessed. The Army told Energy Transfer Partners (ETP), the company building DAPL, that construction beneath the Missouri River required explicit approval, and asked the Standing Rock Sioux to negotiate conditions for the pipeline to cross tribal territory. Faced with a momentary victory for Standing Rock, Kelcy Warren, Dallas [billionaire](http://www.wsj.com/articles/SB10001424052748704141104575588721155904524) and CEO of ETP, denounced the decision as “motivated purely by politics at the expense of a company that has done nothing but play by the rules.”¶ Warren was right. Had it not been for thousands of people mobilizing behind an indigenous-led coalition, DAPL would have been business as usual. ETP would have desecrated the graves of Standing Rock ancestors unimpeded. Workers, lured by relatively high wages, would have taken on [toxic and insecure](https://www.jacobinmag.com/2016/10/standing-rock-dakota-access-pipeline-labor-trumka/) work. The tribe’s hunting and fishing grounds would have been jeopardized, and if the pipeline leaked, Standing Rock and its downstream communities would have been poisoned. Environmental degradation and runaway climate change would have pressed ahead unabated. Carbon dependency would have become even more deeply engrained in our political economy. Eventually, ETP and their investors would have cashed out, and future generations would have been robbed.¶ And all of this still will happen if President Obama doesn’t heed the water protectors and instead sides with ETP.¶ ETP spent [$1.2 million](http://www.opensecrets.org/pacs/lookup2.php?strID=C00438754) over the last five years paying politicians to legislate in its favor. Warren personally donated [$103,000](https://www.theguardian.com/us-news/2016/oct/26/donald-trump-dakota-access-pipeline-investment-energy-transfer-partners) to the Trump campaign. But when indigenous people organized, turning to direct action and the law to pressure elected officials and government systems, they wrested power from ETP’s hands.¶ DAPL is just one chapter in a much longer story of indigenous resistance to, and victories against, pipelines across North America. In 2015, the Obama administration nixed the Keystone XL Pipeline, yielding to pressure from the [Cowboy Indian Alliance](http://rejectandprotect.org/). In Minnesota, Enbridge shelved plans for the Sandpiper pipeline, after encountering tribal opposition. The Unist’ot’en camp in northern British Columbia has held out against numerous proposed pipelines through their territory, building a space where indigenous sovereignty stands tall on lands defined by industry as an “energy corridor.”¶

#### Psychoanalysis is infinitely regressive, not falsifiable, and too abstract

Gordon 1 – Paul Gordon, accomplished psychotherapist, “Psychoanalysis and Racism: The Politics of Defeat,” RACE & CLASS v. 42 n. 4, 2001, pp. 17-34.

But in the thirty years since Kovel wrote, that attempt to relate mind and society has been fractured by the advent of postmodernism, with its subsumption of the material/historical, of notions of cause and effect, to what is transitory, contingent, free-¯oating, evanescent. Psychoanalysis, by stepping into the vacuum left by the abandonment of all metanarrative, has tended to put mind over society. This is particularly noticeable in the work of the Centre for New Ethnicities Research at the University of East London, which purports to straddle the worlds of the academy and action by developing projects for the local community and within education generally.28 But, in marrying psychoanalysis and postmodernism, on the basis of claiming to be both scholarly and action oriented, it degrades scholarship and undermines action, and ends in discourse analysis a language in which metaphor passes for reality. Cohen's work unavoidably raises the question of the status of psycho- analysis as a social or political theory, as distinct from a clinical one. Can psychoanalysis, in other words, apply to the social world of groups, institutions, nations, states and cultures in the way that it does, or at least may do, to individuals? Certainly there is now a considerable body of literature and a plethora of academic courses, and so on, claim- ing that psychoanalysis is a social theory. And, of course, in popular discourse, it is now a commonplace to hear of nations and societies spoken of in personalised ways. Thus `truth commissions' and the like, which have become so common in the past decade in countries which have undergone turbulent change, are seen as forms of national therapy or catharsis, even if this is far from being their purpose. Nevertheless, the question remains: does it make sense, as Michael Ignatieff puts it, to speak of nations having psyches the way that individuals do? `Can a nation's past make people ill as we know repressed memories sometimes make individuals ill? . . . Can we speak of nations ``working through'' a civil war or an atrocity as we speak of individuals working through a traumatic memory or event?' 47 The problem with the application of psychoanalysis to social institutions is that there can be no testing of the claims made. If someone says, for instance, that nationalism is a form of looking for and seeking to replace the body of the mother one has lost, or that the popular appeal of a particular kind of story echoes the pattern of our earliest relationship to the maternal breast, how can this be proved? The pioneers of psychoanalysis, from Freud onwards, all derived their ideas in the context of their work with individual patients and their ideas can be examined in the everyday laboratory of the therapeutic encounter where the validity of an interpretation, for example, is a matter for dialogue between therapist and patient. Outside of the consulting room, there can be no such verification process, and the further one moves from the individual patient, the less purchase psychoanalytic ideas can have. Outside the therapeutic encounter, anything and everything can be true, psychoanalytically speaking. But if everything is true, then nothing can be false and therefore nothing can be true. An example of Cohen's method is to be found in his 1993 working paper, `Home rules', subtitled `Some re¯ections on racism and nation- alism in everyday life'. Here Cohen talks about taking a `particular line of thought for a walk'. While there is nothing wrong with taking a line of thought for a walk, such an exercise is not necessarily the same as thinking. One of the problems with Cohen's approach is that a kind of free association, mixed with deconstruction, leads not to analysis, not even to psychoanalysis, but to . . . well, just more free association, an endless, indeed one might say pointless, play on words. This approach may well throw up some interesting associations along the way, connections one had never thought of but it is not to be confused with political analysis. In `Home rules', anything and everything to do with `home' can and does ®nd a place here and, as I indicated above, even the popular ®lm Home Alone is pressed into service as a story about `racial' invasion.

#### Queer violence is a sliding scale – refuse their false choice between contingent engagement and their framing.

Wieringa 14, Saskia E, honorary professor @ UAmsterdam, holding the chair of women’s cross-cultural same-sex relations. "Symbolic Subversion." Transgender Studies Quarterly 1, no. 1-2 (2014): 210-12. Accessed August 19, 2017. http://tsq.dukejournals.org/content/1/1-2/50.full.pdf.

Heteronormativity is imposed with the help of a sliding scale of violence: from material (economic and legal), structural, and physical to symbolic. Symbolic violence refers to the almost unconscious, internalized modes of cultural of social domination (Bourdieu 1991). Gender relations is a prime field of symbolic power (Butler 1990). Heteronormativity refers to a system in which sexual conduct and kinship relations are organized in such a way that a specific form of heterosexuality becomes the culturally accepted ‘‘natural’’ order. Thus biological sex, sexuality, gender identity and expression and normative gender roles are aligned in such a way that a dominant view on sexual and gender relations, identities, and expressions is produced. The forms of resistance to the effects of heteronormativity can likewise be located on a sliding scale of subversion. The forms of subversion range from struggles for sexual rights (political struggles for legal reform and social policies) to material (economic) resistance and to symbolic forms of subversion. Symbolic subversion extends from self-defeating strategies, via various forms of adaptation, to more or less public forms of rebellion. Along its path we find secrecy, partial acceptance of the codes of normalcy, denial of one’s own needs, and the secret search for sexual pleasure, but we also find hard work, sacrifice, and defiance. In a comparative research project on three categories of abjected women in India and Indonesia (widows/divorced women, sex workers, and lesbians; some individuals were included who identified as transgender and were in a same-sex relationship), we found that far from being passive victims of heteronormative (symbolic) violence, they demonstrated multiple forms of resistance ranging from outright defiance to more subtle accommodations (Wieringa 2012). Just as cultural and religious norms determine the particular construct of heteronormativity in a given society, they also shape the salience of particular types of resistance and make certain forms of subversion intelligible. Subversions may be divided into manifest rebellions and symbolic forms of subversion; the latter range from self-defeating yet defiant actions of (self ) destruction to ostensible adaptations to the current heteronormative model. Open, physical, and visible struggles include outright rejection of the model and the claims of sexual agency and citizenship. In situations where transgender people are stigmatized, lonely, and legally, economically, and psychologically vulnerable, searches for economic stability, social respect, friendship, and/or sexual partners constitute forms of symbolic subversion of the dominant gender order. Even if they ostensibly or publicly accept its hegemony, their very actions and search for accommodation within the system reveal subversion, or what James C. Scott (1990: 137) referred to as the ‘‘hidden transcripts, the disguised ideological resistance’’ to the dominant order. Symbolic subversion can be seen as a continuum, its form ranging from outright resistance to (partial) compliance and even to defiant defeat. In the case of a double suicide of a lesbian couple, when they publicly go to their death together, usually because they are denied the possibility of staying together, the ultimate unmasking of heteronormativity is acted out. The myth of the ‘‘harmonious patriarchal family’’ is uncovered for what it means to those who are unable to live by its norms: a cruel power ploy that may end in death for those who experience this form of ‘‘happiness’’ as a travesty of the bliss they had found for themselves. Some transgender people may perform their masculinity or femininity so convincingly that they are seen to be ‘‘normal’’ men or women, which is often also how they prefer to see themselves. Others are more likely to be perceived as rupturing the sex-gender nexus and subverting heteronormative norms, even though they may embrace certain aspects of them. The subversion of heteronormativity covers a wide range from open forms of defiance and rebellion to more covert methods, rooted in daily practices and more or less subconscious strategies for survival. There is often a thin line between defiance and defeat. The risks of defeat are multiple. A certain amount of defiance is needed to survive— socially, economically, emotionally, and even physically. But too much defiance carries enormous risks such as social isolation, economic hardship, or physical and psychological violence. Subversion should be seen as a continuum of practices and motivations—from visible, physical forms of resistance to more invisible, symbolic forms.