## 1

#### **Interp: The affirmative must eliminate private claims of ownership in outer space not merely restrict appropriation for particular uses.**

#### **This is the distinction between the non-appropriation principle and regulations on the use of space. Easy test – if the aff allows the same piece of space to be appropriated for a different use case, or under different conditions, it’s not topical.**

Wrench 19 [John G. Wrench, Non-Appropriation, No Problem: The Outer Space Treaty Is Ready for Asteroid Mining, 51 Case W. Res. J. Int'l L. 437 (2019) <https://scholarlycommons.law.case.edu/jil/vol51/iss1/11>]

The non-appropriation doctrine restricts parties from making sovereign claims over underlying land—the same restriction embedded in each of previous section’s legal regimes. Without violating the nonappropriation principle, those regimes grant parties the right to extract resources from land they do not own, transfer that right, and limit wasteful use. Each system similarly vests an entity with the authority to regulate and enforce those rules. With some tailoring, those rules could graft onto the uniqueness of outer space resource extraction. The property regimes explored in Part II do not provide answers for all claims likely to arise in cases involving outer space resource extraction. One looming issue is that some attempts at resource extraction are bound to straddle the line between use and sovereign claims over land. For example, in instances where parties continually seek extensions on mining permits (to the exclusion of others) or take blatant steps to unreasonably exclude other parties from nearby locations. Those seeking to preserve the line between use and ownership would be wise to police it. Answers to these granular regulatory questions will require some regulatory flexibility, but these issues are only different in scale from those addressed by our existing property regimes.

#### Prefer it -

#### Ground—To restrict private property rights in outer space they would have to create private property rights in space because there currently are none. All negative positions have to be based on private property rights being good so they can delink any disad. The most equitable division of ground is that the aff bans and the neg regulates

#### Shiftiness—The aff just defends restricting property rights in space so they become a moving target in the 1ar. If I say that they don’t solve because they don’t eliminate property rights, they will say that the restrictions are big and if I read a disad based on private property rights being good they will say that the restrictions will be tiny

#### Drop the debater to preserve fairness and education – they’re not reasonable bc of in round abuse. No RVIs – they don’t get to win for following the rules.

#### Drop the debater – a] deter future abuse and b] set better norms for debate.

#### Competing Interps:

#### [1] reasonability on t is incoherent: you’re either topical or you’re not – it’s impossible to be 77% topical, links to all limits offense

#### At preempts: Reciprocity doesnt make sense — we have to negate and they have to be topical - different burdens

#### some property rights good is bidirectional

#### Engagement— false focuses on bad substantive education which means less clash

## 2

#### Indigeneity connotates a state of non-ontology allowing for the construction of the human that legitimizes its self into a history of elimination, jettisoned from or assimilated into the national body to cohere settler temporality

Belcourt 16. Billy-Ray Belcourt is from the Driftpile Cree Nation. He is a 2016 Rhodes Scholar and is reading for an M.St. in Women’s Studies at the University of Oxford. He was named by CBC Books as one of six Indigenous writers to watch, and his poetry has been published or is forthcoming in Assaracus: A Journal of Gay Poetry, Red Rising Magazine, SAD Mag, mâmawi-âcimowak, PRISM International, and The Malahat Review. ("A POLTERGEIST MANIFESTO," 2016, *Feral Feminism*) vikas recut aaditg

Admittedly, the feral is a precarious space from which to theorize, sullied with an injurability bound up in the work of liberal humanism as such, an enterprise that weaponizes a set of moral barometers to distribute ferality unevenly to differently citizened and raced bodies—ones that are too close for comfort and must be pushed outside arm’s reach. Perhaps ferality traverses a semantic line of flight commensurate­ with that of savagery, barbarism, and lawlessness, concreting into one history of elimination: that is, a history of eliminating recalcitrant indigeneities incompatible within a supposedly hygienic social. The word savage comes from the Latin salvaticus, an alteration of silvaticus, meaning “wild,” literally “of the woods.” Of persons, it means “reckless, ungovernable” (“Savage”). In the space-time of settler states, savagery temporarily stands in for those subjectivities tethered to a supposedly waning form of indigeneity, one that came from the woods and, because of this, had to be jettisoned from or assimilated into the national body. Here is Audra Simpson on the history of Indian “lawlessness”: Its genealogy extends back to the earliest moments of recorded encounter, when Indians appeared to have no law, to be without order, and thus, to be in the colonizer’s most generous articulation of differentiation, in need of the trappings of civilization. “Law” may be one instrument of civilization, as a regulating technique of power that develops through the work upon a political body and a territory. (2014, 144) According to Simpson, the recognition of Indigenous peoples as lawless rendered them governable, motivating the settler state (here, Canada) to curate and thus contain atrophied indigeneities—and, consequently, their sovereignties, lands, and politics—within the borders of federal law (2014, 144-45). Similarly, in The Transit of Empire Jodi Byrd traces the epistemological gimmicks through which the concept of “Indianness” came to align with “the savage other” (2011, 27). For her, this alignment provided the “rationale for imperial domination” and continues to stalk philosophy’s patterns of thinking (ibid.). Simpson, writing about the Mohawks of Kahnawake, argues that “a fear of lawlessness” continues to haunt the colonial imaginary, thereby diminishing “Indigenous rights to trade and to act as sovereigns in their own territories” (2014, 145). We might take the following lyrics from the popular Disney film Pocahontas as an example of the ways indigeneity circulates as a feral signifier in colonial economies of meaning-making: [Ratcliffe] What can you expect From filthy little heathens? Their whole disgusting race is like a curse Their skin’s a hellish red They’re only good when dead They’re vermin, as I said And worse [English settlers] They’re savages! Savages! Barely even human. (Gabriel and Goldberg 1995) Savagery connotes a state of non-ontology: Indigenous peoples are forced to cling to a barely extant humanity and coterminously collapse into a putatively wretched form of animality. Savagery is lethal, and its Indian becomes the prehistoric alibi through which the human is constituted as such. Indigenous peoples have therefore labored to explain away this savagery, reifying whitened rubrics for proper citizenship and crafting a genre of life tangible within the scenes of living through that are constitutive of settler colonialism as such. These scenes, however, are dead set on destroying the remnants of that savagery, converting their casualties into morally compatible subjects deserving of rights and life in a multicultural state that stokes the liberal fantasy of life after racial trauma at the expense of decolonial flourishing itself. This paper is therefore interested in the subjectivities and forms of sociality that savagery destroys when applied from without, and the political work of appropriating that savagery in the name of decolonization. Ours is a form of indigeneity that hints at a fundamental pollutability that both confirms and threatens forms of ontology tethered to a taxonomized humanity built in that foundational episode of subjection of which Simpson speaks. I am suggesting that savagery always-already references an otherworld of sorts: there are forms of life abandoned outside modernity’s episteme whose expressivities surge with affects anomalous within the topography of settler colonialism. This paper is not a historicist or nostalgic attachment to a pre-savage indigeneity resurrected from a past somehow unscathed by the violence that left us in the thick of things in the first place. Instead, I emphasize the potentiality of ferality as a politics in a world bent on our destruction—a world that eliminates indigeneities too radical to collapse into a collective sensorium, training us to a live in an ordinary that the settler state needs to persist as such, one that only some will survive. This world incentivizes our collusion with a multicultural state instantiated through a myth of belonging that actively disavows difference in the name of that very difference. We are repeatedly hurried into a kind of waning sociality, the content and form of which appear both too familiar and not familiar enough. In short, we are habitually left scavenging for ways to go on without knowing what it is we want. Let’s consider Jack Halberstam’s thoughts on “the wild”: It is a tricky word to use but it is a concept that we cannot live without if we are to combat the conventional modes of rule that have synced social norms to economic practices and have created a world order where every form of disturbance is quickly folded back into quiet, where every ripple is quickly smoothed over, where every instance of eruption has been tamped down and turned into new evidence of the rightness of the status quo. (2013, 126) Where Halberstam finds disturbance, I find indigeneity-cum-disturbance par excellence. Halberstam’s “wild” evokes a potentiality laboured in the here and now and “an alternative to how we want to think about being” in and outside an authoritarian state (2013, 126-27). Perhaps the wild risks the decolonial, a geography of life-building that dreams up tomorrows whose referents are the fractured indigeneities struggling to survive a historical present built on our suffering. Ferality is a stepping stone to a future grounded in Indigenous peoples’ legal and political orders. This paper does not traffic in teleologies of the anarchic or lawless as they emerge in Western thought; instead, it refuses settler sovereignty and calls for forms of collective Indigenous life that are attuned to queerness’s wretched histories and future-making potentialities. Indigeneity is an ante-ontology of sorts: it is prior to and therefore disruptive of ontology. Indigeneity makes manifest residues or pockets of times, worlds, and subjectivities that warp both common sense and philosophy into falsities that fall short of completely explaining what is going on. Indigenous life is truncated in the biopolitical category of Savage in order to make our attachments to ourselves assimilable inside settler colonialism’s national sensorium. Settler colonialism purges excessive forms of indigeneity that trouble its rubrics for sensing out the human and the nonhuman. In other words, settler colonialism works up modes of being-in-the-world that narrate themselves as the only options we have. What would it mean, then, to persist in the space of savagery, exhausting the present and holding out for futures that are not obsessed with the proper boundary between human and nonhuman life? This paper now turns to the present, asking: what happens when indigeneity collides with queerness inside the reserve, and how might a feral theory make sense of that collision? Deadly Presents “I went through a really hard time… I was beaten; more than once. I was choked” (Klassen 2014). These were the words of Tyler-Alan Jacobs, a two-spirit man from the Squamish Nation, capturing at once the terror of queer life on the reserve and the hardening of time into a thing that slows down bodies and pushes them outside its securitized geographies. Jacobs had grown up with his attackers, attackers who were energized by the pronouncement of queerness—how it insisted on being noticed, how it insisted on being. When the dust settled, “his right eye [had] dislodged and the side of his faced [had] caved in” (ibid.). Settler colonialism is fundamentally affective: it takes hold of the body, makes it perspire, and wears it out. It converts flesh into pliable automations and people into grim reapers who must choose which lives are worth keeping in the world. It can turn a person into a murderer in a matter of seconds; it is an epistemic rupturing of our attachments to life, to each other, and to ourselves. It is as if settler colonialism were simultaneously a rescue and military operation, a holy war of sorts tasked with exorcising the spectre of queer indigeneity and its putative infectivity. I rehearse this case because it allows me to risk qualifying the reserve as a geography saturated with heteronormativity’s socialities. This is a strategic interdiction that destroys supposedly degenerative queer affect worlds, untangling some bodies and not others from the future. I don’t have the statistics to substantiate these claims, but there is an archive of heartbreak and loss that is easy to come by if you ask the right people. Indeed, what would such statistics tell us that we don’t already know? What would the biopolitical work of data collection do to a knowledge-making project that thinks outside the big worlds of Statistics and Demography and, instead, inside the smaller, more precarious worlds created in the wake of gossip? I worry about ethnographic projects that seek to account for things and theory in the material in order to map the coordinates of an aberration to anchor it and its voyeurs in the theatres of the academy. The desire to attach to a body is too easily energized by a biological reading of gender that repudiates the very subjects it seeks so desperately to know and to study. What about the body? I have been asked this question, again and again. A feral theory is something of a call to arms: abolish this sort of ethnography and turn to those emergent methodologies that might better make sense of the affects and life-forms that are just now coming into focus and have been destroyed or made invisible in the name of research itself. Queer indigeneity, to borrow Fred Moten’s description of blackness, might “come most clearly into relief, by way of its negation” (2014). Perhaps decolonization needs to be a sort of séance: an attempt to communicate with the dead, a collective rising-up from the reserve’s necropolis, a feral becoming-undead. Boyd and Thrush’s Phantom Past, Indigenous Presence thinks indigeneity and its shaky histories vis-à-vis the language of haunting, where haunting is an endurant facet of “the experience of colonialism” (Bodinger de Uriarte 2012, 303). But, for me, ghostliness is differentially distributed: some more than others will be wrenched into the domain of the dead and forced to will their own ontologies into the now. Perhaps the universalist notion that haunting is a metonym for indigeneity repudiates the very life-forms that it claims to include: those who are differently queered and gendered, and, because of this, haunt waywardly and in ways that cannot be easily predicted (Ahmed 2015). This paper thus takes an imaginative turn and proceeds with something of an incantation to summon the figure of the queer Indigenous poltergeist—the feral monster in the horror story of decolonization. Queer Indigenous poltergeists do not linger inaudibly in the background; we are beside ourselves with anger, we make loud noises and throw objects around because we are demanding retribution for homicide, unloved love, and cold shoulders. We do not reconcile; we escape the reserve, pillage and mangle the settler-colonial episteme. Our arrival is both uneventful and apocalyptic, a point of departure and an entry point for an ontology that corresponds with a future that has yet to come. Sometimes all we have is the promise of the future. For the queer Indigenous poltergeist, resurrection is its own form of decolonial love. The poltergeist is an ontological anomaly: a fusion of human, object, and ghost, a “creature of social reality” and a “creature of fiction” (Haraway 1991, 149). From the German poltern meaning “[to] make noise, [to] rattle” and Geist or “ghost,” it literally means “noisy ghost,” speaking into existence an anti-subjectivity that emerges in the aftermath of death or murder (“Poltergeist”). It is the subject of Tobe Hooper’s 1982 film Poltergeist, which tells a story of “a haunting based on revenge” (Tuck and Ree 2013, 652). The film’s haunting is a wronging premised on an initial wrong: the eponymous poltergeist materializes when a mansion is constructed on a cemetery—a disturbing of spirits, if you will. José Esteban Muñoz argues that “The double ontology of ghosts and ghostliness, the manner in which ghosts exist inside and out and traverse categorical distinctions, seems especially useful for… queer criticism” (2009, 46). In this paper, the poltergeist names the form which indigeneity takes when it brings queer matter into its folds. In other words, this essay evokes haunting as a metaphor to hint at the ways in which queerness was murderously absorbed into the past and prematurely expected to stay there as an effect of colonialism’s drive to eliminate all traces of sexualities and genders that wandered astray. The poltergeist conceptualizes the work of queer indigeneity in the present insofar as it does not presuppose the mysterious intentions of the ghost—an otherworldly force that is bad, good, and undetectable all at once. Instead, the poltergeist is melancholic in its grief, but also pissed off. It refuses to remain in the spiritual, a space cheapened in relation to the staunch materiality of the real, and one that, though housing our conditions of possibility, cannot contain all of us. We protest forms of cruel nostalgia that tether ghosts to a discarded past within which queer Indigenous life once flourished because we know that we will never get it back and that most of us likely never experienced it in the first place. We long for that kind of love, but we know it is hard to come by. I turn to the poltergeist because I don’t have anywhere else to go. Help me, I could say. But I won’t. Queer indigeneity, then, is neither here nor there, neither dead nor alive but, to use Judith Butler’s language, interminably spectral (2006, 33). We are ghosts that haunt the reserve in the event of resurrection. According to Indigenous and Northern Affairs Canada, a reserve is a “tract of land, the legal title to which is held by the Crown, set apart for the use and benefit of an Indian band” (“Terminology”). The “reserve system” is part of the dispossessory ethos through which the settler state reifies land as the sign of sovereignty itself, and thus effects the political death of indigeneity, decomposing it into nothingness, into contaminated dirt. Reserves are the products of imaginations gone wild; they are ruins that bear “the physical imprint of the supernatural” on arid land, on decaying trailers arranged like weathered tombstones (Tuck and Ree 2013, 653). They are borderlands that connote simultaneous possession and dispossession: they represent the collision between settler sovereignty (insofar as the Crown holds the legal title to the land) and indigeneity (pointing to a genre of life that is distinctly Indigenous). Reserves were—some might say they still are—zones of death that regulated and regulate the movements of Indigenous bodies, quarantining their putatively contaminated flesh outside modern life in order to preserve settler-colonial futurities. It is as if the reserve were a site of complete atrophy, where indigeneity is supposed to waste away or degenerate, where queerness has already bled out. Look at the blood on your hands! The queer Indigenous poltergeist, however, foregrounds what I call a “reserve consciousness” —an awareness of the deathliness of the reserve. A reserve consciousness might be a kind of critical phenomenology that, to use Lisa Guenther’s description of this sort of insurgent knowledge project, pulls up “traces of what is not quite or no longer there—that which has been rubbed out or consigned to invisibility” (2015): here, the so-called on-reserve Indian. It might be about becoming a frictive surface; by rubbing up against things and resisting motion between objects, we might become unstuck. Queer Indigenous poltergeists are what Sara Ahmed calls “blockage points”: where communication stops because we cannot get through (2011, 68). That is, queer indigeneity connotes an ethical impasse, a dead end that presents us with two options: exorcism or resurrection. If settler colonialism is topological, if it persists despite elastic deformations such as stretching and twisting, wear and tear, we might have to make friction to survive. I turn to the reserve because it is a geography of affect, one in which the heaviness of atmospheres crushes some bodies to death and in which some must bear the weight of settler colonialism more than others. The violence done to us has wrenched us outside the physical world and into the supernatural. Some of us are spirits—open wounds that refuse to heal because our blood might be the one thing that cannot be stolen. Does resistance always feel like resistance, or does it sometimes feel like bleeding out (Berlant 2011)? Feral Socialities I must leave the beaten path and go where we are not. Queerness, according to Muñoz, is not yet here; it is an ideality that “we may never touch,” that propels us onward (2009, 1). Likewise, Halberstam suggests that the presentness of queerness signals a kind of emerging ontology. He argues that failure “is something that queers do and have always done exceptionally well in contrast to the grim scenarios of success” that structure “a heteronormative, capitalist society” (2011, 2-3). For Muñoz, queer failure is about “doing something that is missing in straight time’s always already flawed temporal mapping practice” (2009, 174). We know, however, that this isn’t the entire story. Whereas Muñoz’s queer past morphs into the here and now of homonormativity’s carceral tempos, indigeneity’s queernesses are saturated with the trauma of colonialism’s becoming-structure. Queer death doubles as the settler state’s condition of possibility. Pre-contact queer indigeneities had been absorbed into colonialism’s death grip; however, this making-dead was also a making-undead in the enduring of ghosts (Derrida 1994, 310). If haunting, according to Tuck and Ree, “lies precisely in its refusal to stop,” then the queer Indigenous poltergeist fails to have died by way of time travel (2013, 642). Queer indigeneity might be a kind of “feral sociality”: we are in a wild state after escaping colonial captivity and domestication. When the state evicts you, you might have to become feral to endure. To be feral is to linger in the back alleys of the settler state. It is a refusal of settler statecraft, a strategic failing to approximate the metrics of colonial citizenship, a giving up on the ethical future that reconciliation supposedly promises. As an aside, I suspect that the settler state’s reconciliatory ethos is always-already a domesticating project: it contains Indigenous suffering within the spectacularized theatre of the Truth and Reconciliation Commission, building a post-Residential School temporality in which Indigenous peoples have been repaired through monetary reparations and storytelling. In the melodrama of reconciliation, the settler state wins its centuries-long war against Indian lawlessness by healing Indigenous peoples of the trauma that blocked them from becoming properly emotive citizens. Queer indigeneity, however, escapes discursive and affective concealment and therefore the category of the human itself, disturbing the binary clash between the living and nonliving by way of its un-humanity, a kind of “dead living” whereby flesh is animated through death. Perhaps we must become feral to imagine other space-times, to imagine other kinds of queerness. If settler colonialism incentivizes our collusion with the humanist enterprise of multiculturalism (and it does), what would it mean to refuse humanity and actualize other subject formations? In other words, how do the un-living live? Here, I want to propose the concept of “Indian time” to theorize the temporality and liminality of queer indigeneity as it festers in the slippage between near-death and the refusal to die. Indian time colloquially describes the regularity with which Indigenous peoples arrive late or are behind schedule. I appropriate this idiom to argue that the presentness of queer indigeneity is prefigured by an escape from and bringing forward of the past as well as a taking residence in the future. To be queer and Indigenous might mean to live outside time, to fall out of that form of affective life. Indian time thus nullifies the normative temporality of settler colonialism in which death is the telos of the human and being-in-death is an ontological fallacy. It connotes the conversion of queer indigeneity into non-living matter, into ephemera lurking in the shadows of the present, waiting, watching, and conspiring. Where Jasbir Puar argues that all things under the rubric of queer are always-already calculated into the state’s biopolitical mathematic, queer indigeneity cannot be held captive because it cannot be seen—we are still emerging in the social while simultaneously altering its substance (2012). If decolonization is, according to Tuck and K. Wayne Yang’s reading of Frantz Fanon, an “unclean break from a colonial condition,” perhaps the queer Indigenous poltergeist is feral enough to will a decolonial world into a future that hails rather than expels its ghosts (2012, 20). The queer Indigenous poltergeist might have nothing

**Descriptions of nuclear war as an apocalypse fuels an ongoing erasure of anti-Native nuclear warfare in the form of testing and contamination.**

**Kato 93**. Masahido Kato is a Hawaiian Studies Professor at the University of Hawaii: [“Nuclear Globalism: Traversing Rockets, Satellites, and Nuclear War,” 1993, *Alternatives: Global, Local, Political*]//vikas // recut akhileshp

The vigorous invasion of the logic of capitalist accumulation into the last vestige of relatively autonomous space in the periphery under late capitalism is propelled not only by the desire for incorporating every fabric of the society into the division of labor but also by the desire for "pure" destruction/extermination of the periphery.26 The penetration of capital into the social fabric and the destruction of nature and preexisting social organizations by capital are not separable. However, what we have witnessed in the phase of late capitalism is a rapid intensification of the destruction and extermination of the periphery. In this context, capital is no longer interested in incorporating some parts of the periphery into the international division of labor. The emergence of such "pure" destruction/extermination of the periphery can be explained, at least partially, by another problematic of late capitalism formulated by Ernest Mandel: the mass production of the means of destruction.27 Particularly, the latest phase of capitalism distinguishes itself from the earlier phases in its production of the "ultimate" means of destruction/extermination, i.e nuclear weapons. Let us recall our earlier discussion about the critical historical conjuncture where the notion of "strategy" changed its nature and became deregulated/dispersed beyond the boundaries set by the interimperial rivalry. Herein, the perception of the ultimate means of destruction can be historically contextualized. The only instances of real nuclear catastrophe perceived and thus given due recognition by the First World community are the explosions at Hiroshima and Nagasaki, which occurred at this conjuncture. Beyond this historical threshold, whose meaning is relevant only to the interimperial rivalry, the nuclear catastrophe is confined to the realm of fantasy, for instance, apocalyptic imagery. And yet how can one deny the crude fact that nuclear war has been taking place on this earth in the name of "nuclear testing" since the first nuclear explosion at Alamogordo in 1945? As of 1991, 1,924 nuclear explosions have occurred on earth.28 The major perpetrators of nuclear warfare are the United States (936 times), the former Soviet Union (715 times), France (192 times), the United Kingdom (44 times), and China (36 times).29 The primary targets of warfare ("test site" to use Nuke Speak terminology) have been invariably the sovereign nations of Fourth World and Indigenous Peoples. Thus history has already witnessed the nuclear wars against the Marshall Islands (66 times), French Polynesia (175 times), Australian Aborigines (9 times), Newe Sogobia (the Western Shoshone Nation) (814 times), the Christmas Islands (24 times), Hawaii (Kalama Island, also known as Johnston Island) (12 times), the Republic of Kazakhstan (467 times), and Uighur (Xinjian Province, China) (36 times).30 Moreover, although I focus primarily on "nuclear tests" in this article, if we are to expand the notion of nuclear warfare to include any kind of violence accrued from the nuclear fuel cycle (particularly uranium mining and disposition of nuclear wastes), we must enlist Japan and the European nations as perpetrators and add the Navaho, Havasupai and other Indigenous Nations to the list of targets. Viewed as a whole, nuclear war, albeit undeclared, has been waged against the Fourth World, and Indigenous Nations. The dismal consequences of "intensive exploitation," "low intensity intervention," or the "nullification of the sovereignty" in the Third World produced by the First World have taken a form of nuclear extermination in the Fourth World and Indigenous Nations. Thus, from the perspectives of the Fourth World and Indigenous Nations, the nuclear catastrophe has never been the "unthinkable" single catastrophe but the real catastrophe of repetitive and ongoing nuclear explosions and exposure to radioactivity. Nevertheless, ongoing nuclear wars have been subordinated to the imaginary grand catastrophe by rendering them as mere preludes to the apocalypse. As a consequence, the history and ongoing processes of nuclear explosions as war have been totally wiped out from the history and consciousness of the First World community. Such a discursive strategy that aims to mask the "real" of nuclear warfare in the domain of imagery of nuclear catastrophe can be observed even in Stewart Firth's Nuclear Playground, which extensively covers the history of "nuclear testing" in the Pacific: Nuclear explosions in the atmosphere . . . were global in effect. The winds and seas carried radioactive contamination over vast areas of the fragile ecosphere on which we all depend for our survival and which we call the earth. In preparing for war, we were poisoning our planet and going into batde against nature Although Firth's book is definitely a remarkable study of the history of "nuclear testing" in the Pacific, the problematic division/distinction between the "nuclear explosions" and the nuclear war is kept intact. The imagery of final nuclear war narrated with the problematic use of the subject ("we") is located higher than the "real" of nuclear warfare in terms of discursive value. This ideological division/hierarchization is the very vehicle through which the history and the ongoing processes of the destruction of the Fourth World and Indigenous Nations by means of nuclear violence are obliterated and hence legitimatized. The discursive containment/obliteration of the "real" of nuclear warfare has been accomplished, ironic as it may sound, by nuclear criticism. Nuclear criticism, with its firm commitment to global discourse, has established the unshakable authority of the imagery of nuclear catastrophe over the real nuclear catastrophe happening in the Fourth World and Indigenous Nations almost on a daily basis.

**The specter of extinction is a product of antiqueer, settler anxieties that arise not only from settlerism’s guilt for destroying the planet’s ability to sustain itself, but also from the settler’s need to strengthen solidarity and defer confrontation with native genocide**

**Dalley 16**. Hamish Dalley is an Assistant professor of English at Daemen College and techer in the areas of ancient and modern world literature [“The deaths of settler colonialism: extinction as a metaphor of decolonization in contemporary settler literature,” *Settler Colonial Studies*, Issue Number, No. 8]//vikas

**Considering the problem of futurity offers a useful foil to traditional analyses of settler colonial narrative**, which typically examine settlers’ attitudes towards history in order to highlight a constitutive anxiety about the past – about origins. **Settler colonialism**, the argument goes, **has a problem with historical narration that arises from a contradiction in its founding mythology.** In Stephen Turner’s formulation, the settler subject is by definition one who comes from elsewhere but who strives to make this place home. **The settlement narrative must explain how this gap** – which is at once geographical, historical, and existential – **has been bridged, and the settler transformed from outsider into indigene.** Yet the transformation **must remain constitutively incomplete, because the desire to be at home necessarily invokes the spectre of the native, whose existence** (which cannot be disavowed completely because it is needed to define the settler’s difference, superiority, and hence claim to the land) **inscribes the settler’s foreignness**, thus **reinstating the gap between settler and colony that the narrative was meant to efface.** Settler-colonial narrative is thus **shaped around its need to erase and evoke the native, to make the indigene both invisible and present in a contradictory pattern that prevents settlers from** ever **moving on from the moment of colonization.**2 As evidence of this constitutive contradiction, critics have identified in settler-colonial discourse symptoms of psychic distress such as disavowal, inversion, and repression.3 Indeed, the frozen temporality of settler-colonial narrative, fixated on the moment of the frontier, recalls nothing so much as Freud’s description of the ‘repetition compulsion’ attending trauma.4 As Lorenzo Veracini puts it, because: ‘settler society’ can thus be seen as a fantasy where a perception of a constant struggle is juxtaposed against an ideal of ‘peace’ that can never be reached, settler projects embrace and reject violence at the same time. The settler colonial situation is thus a circumstance where the tension between contradictory impulses produces long-lasting psychic conflicts and a number of associated psychopathologies.5 Current scholarship has thus focused primarily on settler-colonial narrative’s view of the past, asking how such a contradictory and troubled relationship to history might affect present-day ideological formations. Critics have rarely considered what such narratological tensions might produce when the settler gaze is turned to the future. Few social formations are more stubbornly resistant to change than settlement, suggesting that a future beyond settler colonialism might be simply unthinkable. Veracini, indeed, suggests that settler-colonial narrative can never contemplate an ending: that settler decolonization is inconceivable because settlers lack the metaphorical tools to imagine their own demise.6 This article outlines why I partly disagree with that view. I argue that **the narratological paradox that defines settler-colonial narrative does make the future a problematic object of contemplation.** But **that does not make settler decolonization unthinkable per se**; as I will show, **settlers do often try to imagine their demise** – but they do so **in a way that reasserts the paradoxes of their founding ideology, with the result that** the radical potentiality of decolonization is undone even as it is invoked. I argue that, notwithstanding Veracini’s analysis, there is a metaphor via which the end of settler colonialism unspools – **the** quasi-biological **concept of extinction**, which, when **deployed as a narrative trope, offers settlers a chance to consider and disavow their demise**, just as they consider and then disavow the violence of their origins. This article traces the importance of the trope of extinction for contemporary settler-colonial literature, with a focus on South Africa, Canada, and Australia. It explores variations in how the death of settler colonialism is conceptualized, drawing a distinction between historio-civilizational narratives of the rise and fall of empires, and a species-oriented notion of extinction that draws force from public anxiety about climate change – an invocation that adds another level of ambivalence by drawing on ‘rational’ fears for the future (because climate change may well render the planet uninhabitable to humans) in order to narrativize a form of social death that, strictly speaking, belongs to a different order of knowledge altogether. As such, **my analysis is intended to draw the attention of settler colonial studies toward futurity and** the **ambivalence of settler paranoia**, while highlighting a potential point of cross-fertilization between settler-colonial and eco-critical approaches to contemporary literature. That ‘extinction’ should be a key word in the settler-colonial lexicon is no surprise. In Patrick Wolfe’s phrase,7 settler colonialism is predicated on a ‘logic of elimination’ that tends towards the extermination – by one means or another – of indigenous peoples.8 This logic is apparent in archetypal settler narratives like James Fenimore Cooper’s The Last of the Mohicans (1826), a historical novel whose very title blends the melancholia and triumph that demarcate settlers’ affective responses to the supposed inevitability of indigenous extinction. Concepts like ‘stadial development’ – by which societies progress through stages, progressively eliminating earlier social forms – and ‘fatal impact’ – which names the biological inevitability of strong peoples supplanting weak – all contribute to the notion that settler colonialism is a kind of ‘ecological process’ 9 that necessitates the extinction of inferior races. What is surprising, though, is how often the trope of extinction also appears with reference to settlers themselves; it makes sense for settlers to narrate how their presence entails others’ destruction, but it is less clear why their attempts to imagine futures should presume extinction to be their own logical end as well. The idea appears repeatedly in English-language literary treatments of settler colonialism. Consider, for instance, the following rumination on the future of South African settler society, from Olive Schreiner’s 1883 Story of an African Farm: It was one of them, one of those wild old Bushmen, that painted those pictures there. He did not know why he painted but he wanted to make something, so he made these. […] Now the Boers have shot them all, so that we never see a yellow face peeping out among the stones. […] And the wild bucks have gone, and those days, and we are here. But we will be gone soon, and only the stones will lie on, looking at everything like they look now.10 In this example, the narrating settler character, Waldo, recognizes prior indigenous inhabitation but his knowledge comes freighted with an expected sense of biological superiority, made apparent by his description of the ‘Bushman’s’ ‘yellow face’, and lack of mental self-awareness. What is not clear is why Waldo’s contemplation of colonial genocide should turn immediately to the assumption that a similar fate awaits his people as well. A similar presumption of racial vulnerability permeates other late nineteenth century novels from the imperial metropole, such as Dracula and War of the Worlds, which are plotted around the prospect of invasions that would see the extinction of British imperialism, and, in the process, the human species. Such **anxieties draw energy from a pattern of settler defensiveness that can be observed across** numerous **settler-colonial contexts.** Marilyn Lake’s and Henry Reynold’s account of **the emergence of transnational ‘whiteness’ highlights the paradoxical fact that while white male settlers have been arguably the most privileged class in history,** they have **routinely perceived themselves to be ‘under siege’, threatened with destruction** to the extent **that their very identity of** ‘**whiteness was born in the apprehension of imminent loss**’. 11 The **fear of looming annihilation serves a powerful ideological function in settler communities, working to foster racial solidarity, suppress dissent, and legitimate violence against indigenous populations who**, by any objective measure, **are far more at risk of extermination than the settlers who fear them.** Ann Curthoys and Dirk Moses have traced this pattern in Australia and Israel-Palestine, respectively.12 This scholarship suggests that **narratives of settler extinction are acts of ideological mystification, obscuring the brutal inequalities of the frontier behind a mask of white vulnerability** – an argument with which I sympathize. However, this article shows how there is more to settler-colonial extinction narratives than bad faith. I argue that we need a more nuanced understanding of how they encode a specifically settler-colonial framework for imagining the future, one that has implications for how we understand contemporary literatures from settler societies, and which allows us to see extinction as a genuine, if flawed, attempt to envisage social change. In the remainder of this paper I consider extinction’s function as a metaphor of decolonization. I use this phrase to invoke, without completely endorsing, Tuck and Yang’s argument that to treat decolonization figuratively, as I argue **extinction narratives** do, is necessarily to **preclude radical change, creating opportunities for settler ‘moves to innocence’ that re-legitimate racial inequality.**13 The counterview to this pessimistic perspective is offered by Veracini, who suggests that progressive change to settler-colonial relationships will only happen if narratives can be found that make decolonization thinkable.14 This article enters the debate between these two perspectives by asking what it means for settler writers to imagine the future via the trope of extinction. Does extinction offer a meaningful way to think about ending settler colonialism, or does it re-activate settler-colonial patterns of thought that allow exclusionary social structures to persist? I explore this question with reference to examples of contemporary literary treatments of extinction from select English-speaking settler-colonial contexts: South Africa, Australia, and Canada.15 The next section of this article traces key elements of extinction narrative in a range of settler-colonial texts, while the section that follows offers a detailed reading of one of the best examples of a sustained literary exploration of human finitude, Margaret Atwood’s Maddaddam trilogy (2003–2013). I advance four specific arguments. First, extinction narratives take at least two forms depending on whether the ‘end’ of settler society is framed primarily in historical-civilizational terms or in a stronger, biological sense; the key question is whether the ‘thing’ that is going extinct is a society or a species. Second, biologically oriented extinction narratives rely on a more or less conscious slippage between ‘the settler’ and ‘the human’. Third, this slippage is ideologically ambivalent: on the one hand, it contains a radical charge that invokes environmentalist discourse and climate-change anxiety to imagine social forms that re-write settler-colonial dynamics; on the other, it replicates a core aspect of imperialist ideology by normalizing whiteness as equivalent to humanity. Fourth, **these ideological effects are mediated by gender**, insofar as **extinction narratives invoke issues of biological reproduction, community protection, and violence that function to differentiate and reify masculine and feminine roles** in the putative de-colonial future. Overall, my central claim is that extinction is a core trope through which settler futurity emerges, one **with crucial narrative and ideological effects that shape** much of the contemporary **literature emerging from white colonial settings.**

#### The alternative is refusal – a political depression that recognizes reconciliation will never be enough and creates harmful optimism to the political. Instead, embrace an affective pessimism that grounds alternative futures. The question is not whether Native people want the world, but if the world wants Native people

Belcourt 2016 (Billy-ray Belcourt is from the Driftpile Cree Nation. He is a 2016 Rhodes Scholar and is reading for an M.St. in Women's Studies at the University of Oxford. He was named by CBC Books as one of six Indigenous writers to watch,Political Depression in a Time of Reconciliation, Jan 15, 2016, <http://activehistory.ca/2016/01/political-depression-in-a-time-of-reconciliation/)//NotJacob//recut> anop

It’s tough: knowing that you might not get the world you want and the world that wants you back, that your bones might never stop feeling achy and fragile from the wear and tear of mere existence, from the hard labour of getting through the day. Ours are bodies that have been depleted by time, that have been wrenched into a world they can’t properly bend or squirm into because our flesh is paradoxically both too much and not enough for it. In the wake of both eventful and slowed kinds of premature death, what does it mean that the state wants so eagerly to move Indigenous bodies, to touch them, so to speak? Reconciliation is an affective mess: it throws together and condenses histories of trauma and their shaky bodies and feelings into a neatly bordered desire; a desire to let go, to move on, to turn to the future with open arms, as it were. Reconciliation is stubbornly ambivalent in its potentiality, an object of desire that we’re not entirely certain how to acquire or substantiate, but one that the state – reified through the bodies of politicians, Indigenous or otherwise – is telling us we need. In fact, Justice Murray Sinclair noted that the launch of the Truth and Reconciliation Commission’s final report on December 15, 2015, puts us at the “threshold of a new era in this country.”[1] I am interested in how life might be lived willfully and badly in the face of governmental forms of redress when many of us are stretched thin, how reconciliation, though instantiating a noticeable shift in the national affective atmosphere,[2] doesn’t actually remake the substance of the social or the political such that we’re still tethered to scenes of living that can’t sustain us. What I am trying to get at is: reconciliation works insofar as it is a way of looking forward to being in this world, at the expense of more radical projects like decolonization that want to experiment with different strategies for survival.[3] This way of doing things isn’t working and, because of that, optimism is hard to come by. According to cultural theorist Ann Cvetkovich, political depression emerges from the realization “that customary forms of political response, including direct action and critical analysis, are no longer working either to change the world or to make us feel better.”[4] It is the pestering sense that whatever you do, it won’t be enough; that things will continue uninterrupted, teasing you because something different is all you’ve wanted from the start. To be politically depressed is to worry about the temporal reach of neoliberal projects like reconciliation, to question their orientation toward the future because the present requires all of your energy in order to feel like anything but dying. Political depression is of a piece with a dispossessory enterprise that remakes the topography of the ordinary such that the labour of maintaining one’s life becomes too hard to keep up. We have to wait for the then and there in the here and now; how do we preserve ourselves until then? As Leanne Simpson points out, reconciliation has been reparative for some survivors, encouraging them to tell their stories, to keep going, so to speak.[5] But, what of the gendered and racialized technologies of violence that created our scenes of living, scenes we’ve been forced to think are of our own choosing? Optimism for the work of reconciliation disappeared in the face of multiple crises: of Missing and Murdered Indigenous Women and Girls, of HIV infection rates, of mass incarceration, of diabetes, of suicide. Reconciliation, at once a heuristic and a form of statecraft, fakes a political that doesn’t actually exist as such, one that not only presupposes that we – Indigenous peoples, that is – are willing to stay attached to it, but that we are already folded into it, that we’ve already consented to it. What does it mean, for example, to consent to a nation-to-nation relationship if there are no other options to choose from? Reconciliation wants so badly to be a keyword of sorts, to contain so much inside its semantic confines, to be “wide-reaching in its explanatory power.”[6] I’m not surprised things have started to leak all over the place. Decolonization might need something of an affective turn: I think there are ways of being attuned to our bodies such that we can gauge if our visceral responses are trained or not, parasitic or not. In short: what do our tears signal, what do his – Justin Trudeau’s – signal? We cry because pain holds our world together. I don’t want pain to hold our world together anymore. Perhaps admitting we are politically depressed is one of the most important things we could do in this day and age. When survival becomes radical and death becomes part and parcel of the ordinary itself, political depression might be our only point of departure. But, political depression is also about dreaming up alternatives that can sustain your attachments to life. Cvetkovich reminds us that we need “other affective tools for transformation” because hope and blind allegiance have failed too many of us too often.[7] I am interested in the generative work of pessimism, how being fed up propels us onward, and keeps us grounded in the now, such that we can make it to the future, even if that’s just tomorrow. As Kim TallBear put it, we’ve been living in a post-apocalyptic world (in its ecological ruins and in the face of its crisis-making politics) for quite some time,[8] one that exhausts our bodies to the point of depression and death and one that slowly removes us from the non-normative or the astray.[9] We are stuck in the thick of things, left clinging to an impasse without an exit strategy. We might need reconciliation today, but Indigenous peoples need a more capacious world-building project for tomorrow, one that can bear all of us and the sovereignties built into our breathing. We should not be asked: do you want the world today? Instead, we should be asking: does the world want us?

#### The counterinterpretation is that you should evaluate the 1AC as an object of study a Sociogeny – debate may not spill over to political change but it has the potential to reproduce affirmations and negations that trigger neurohcmeical responses via reward and punishment mechanisms privilege certain research methods as valuable in the way debaters view the world. b Objectivity  – consequence based  plan focus shifts the focus of debate from our investments in settler colonialism to a  plan text, which is incoherent because debate is a communicative activity and their inter sidesteps discussions of genocide.

## Case

### Uv

1ar theory is dta – anything else ends the debate at the 1ar and is bad for education

They say condo is a voting issue – no neg flex and reasonability under their justifications – it is one advocacy and 2 total off

### Solvency

#### Vote neg on presumption –

#### no private appropriation now, so the aff has zero impact. No time frame for when future appropriation will lead to anti-competitive practices which will undermine tech development. The risk that the aff will chill critical space innovation necessary to solve climate change o/ws random spec

#### No explanation of why private space appropriation key to monopolies in general means no link to impact scenarios.

#### No solvency

#### Their own cards talk about how other countries have moved to protect property rights in outer space, e.g. Luxemborg, and that countries can't come to an agreement on antitrust principles in outer space (WTO negotiations have gone nowhere). Forum shopping means no solvency

Dovey 21 [Ceridwen Dovey, “Space Exploration At What Price?,” Readers Digest Asia Pacific, 5/1/21. <https://www.pressreader.com/australia/readers-digest-asia-pacific/20210501/281487869174485>] CT

Lenient supervision. In 2017, Luxembourg – already a corporate tax haven, complicit in international investor tax avoidance and evasion – followed the US’s lead and passed a space-resources law that allows companies to claim resources they extract from space as private property. Guardian journalist Atossa Araxia Abrahamian recounted a chilling comment from an American space executive: “We just want to work with a government who won’t get in the way.” Companies anywhere in the world can stake resource claims in space under this new law; their only requirement is an office in Luxembourg. This sets a murky precedent of ‘regulatory forum-shopping’, where companies choose to incorporate in states where they’ll be most leniently supervised. In 2018, a Silicon Valley start-up called Swarm Technologies illegally launched four miniature satellites known as CubeSats into space from India. They’d been refused launch permission in the US due to safety concerns over whether the satellites could be tracked once in orbit. Fined US$900,000 by the US Federal Communications Commission, the company was subsequently given permission to start communicating with its satellites, and launched more CubeSats as part of a payload on a SpaceX rocket that November. In January 2019, the company raised $25 million in venture capital.

#### Their plan text just entails the US recognizing that private appropriation is unlawful, but doesn't enact any domestic laws to enforce that treaty.

Mulligan 18 [Stephen P. Mulligan is a legislative attorney. “International Law and Agreements: Their Effect upon US Law”. 09-19-20. Congressional Research Service. [https://sgp.fas.org/crs/misc/RL32528.pdf. Accessed 3-19-2022](https://sgp.fas.org/crs/misc/RL32528.pdf.%20Accessed%203-19-2022); MJen]

International law is derived from two primary sources—international agreements and customary practice. Under the U.S. legal system, international agreements can be entered into by means of a treaty or an executive agreement. The Constitution allocates primary responsibility for entering into such agreements to the executive branch, but Congress also plays an essential role. First, in order for a treaty (but not an executive agreement) to become binding upon the United States, the Senate must provide its advice and consent to treaty ratification by a two-thirds majority. Secondly, Congress may authorize congressional-executive agreements. Thirdly, many treaties and executive agreements are not self-executing, meaning that implementing legislation is required to render the agreement’s provisions judicially enforceable in the United States.

#### Just using the word "anti-competitive" in the plan text leaves loopholes a mile wide. US anti-trust enforcement is a joke, we have had barely any anti-trust enforcement for decades,