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#### International space law has been constructed to facilitate capitalist expansion by constructing key provisions in incomplete ways rife with social inequality.

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By the mid-1970s the use of and benefit from this orbit was highly uneven. At that time, the International Telecommunication Union (ITU), the body that allocates orbital slots and frequencies, allocated slots when they were requested by any state that requested them. Non-space powers viewed this negatively as a “first come, first served” process, in which those states with the technical capacity to do so would dominate the geostationary orbit before those without the capacity gained the ability to have their own satellite in that orbit. The number of satellites in the GSO justified this fear. By 1977, the number of satellites in that orbit had reached 100, with 15–20 more planned to be launched per year from 1978 to 1981 (United Nations. General Assembly. Committee on the Peaceful Uses of Outer Space [“COPUOS”], 1977). Of the 81 satellites scheduled to be launched through 1982, 71 were from the US (33 satellites), USSR. (16), European Space Agency (12), Canada (3), Japan (3), Belgium (1), Scandinavian countries (1), or joint US–ESA–Canada ventures (2). The other ten satellites were from Brazil (3), China (2), Columbia (2), India (2) and ASTO (Arabsat) (1) (COPUOS, 1977, 13–14). These numbers indicate that the economically and technologically developed countries used the GSO to a much greater extent than economically developing countries. On December 3, 1976, in protest of the construction of orbits as “global” natures, representatives of Brazil, Colombia, Congo, Ecuador, Indonesia, Kenya, Uganda, and Zaire, meeting outside of the United Nations, adopted the “Bogota Declaration.” The equatorial countries declared: the geostationary synchronous orbit is a physical fact linked to the reality of our planet because its existence depends exclusively on its relation to gravitational phenomena generated by the earth, and that is why it must not be considered part of the outer space. Therefore, the segments of geostationary synchronous orbit are part of the territory over which Equatorial states exercise their national sovereignty. The geostationary orbit is a scarce natural resource, whose importance and value increase rapidly together with the development of space technology and with the growing need for communication; therefore, the Equatorial countries meeting in Bogota have decided to proclaim and defend on behalf of their peoples, the existence of their sovereignty over this natural resource. (Declaration of the First Meeting of Equatorial Countries [“Bogota Declaration”], 1976). In one paragraph, these states claimed that the material gravitational forces of Earth made Earth orbits possible; therefore, the GSO was part of Earth – not part of outer space – and, as such, was subject to states’ claims of territorial sovereignty. Moreover, the Equatorial states reiterated their opposition to the customary construction, asserting, “There is no valid or satisfactory definition of outer space which may be advanced to support the argument that the geostationary orbit is included in outer space” (Bogota Declaration, 1976). The Equatorial states also claimed that the negotiations of the OST were unjust. The OST could not be considered the final solution to the problems of activities in and use of space, particularly when “the international community is questioning all the terms of international law which were elaborated when the developing countries could not count on adequate scientific advice and were thus not able to observe and evaluate the omission, contradictions and consequences of the proposals which were prepared with great ability by the industrialized powers for their own benefit” (Bogota Declaration, 1976). To these states, the uneven outcomes of the use of the GSO could be traced back to the negotiation of the OST. For the Equatorial states, alleviating disparities in the use of the GSO would be made possible by the construction of the GSO as a resource subject to states’ claims instead of a “global” resource free for any state to use. The segments of the orbit above the oceans would remain “global.” They maintained that even though they would hold sovereign control over their segments of the GSO, they would use the orbit for their benefit and for other countries’ benefit as well, which they did not feel the space powers had been doing or the UN or ITU had been achieving. States, especially the space powers, would no longer have free access to the valuable orbital locations above Equatorial states in this alternate construction. Unsurprisingly, this construction met resistance in the Legal Subcommittee meetings three months later. The delegate from the United States issued a strong criticism of the Bogota Declaration and the alternate construction of outer space. The US delegate contended: While the geostationary orbit was a natural phenomenon of particular importance with respect to communications and other applications, there was no scientific or legal basis for a unilateral claim to exclusive national sovereignty over that orbit. Geostationary and other orbits of artificial earth satellites lay in outer space, and [according to the OST] were ‘not subject to national appropriation by claim of sovereignty . . .’ . . . [The] characteristics of the orbit were dependent to a substantial degree not only on the gravitational field of the earth but also on the velocity, altitude and azimuth of insertion of the satellite. The gravitational field around the earth was derived from the total mass of the earth, and except for small effects, was independent of the detailed characteristics of the earth’s surface. It was utterly unaffected by political boundaries. He continued this argument with reference to scientific knowledge of materialities: In geostationary and other orbits, a satellite’s path through space was determined not by any single factor [as argued in the Bogota Declaration], but by a combination of factors, including the energy imparted by the launching vehicle, the mass and altitude of the space craft, the forces of gravity of the earth, the moon and the sun, and the radiation pressure of the sun... There was no causal relationship between orbital mechanics and the earth’s current rotational velocity on the one hand and locations on the earth’s surface on the other: the geostationary orbit depended on properties of the earth as a whole. With respect to this matter, he concluded: “it could not reasonably be argued that the geostationary orbit did not lie in outer space” (Legal Subcommittee, 1977, 2–3). Other states, such as Canada, Australia, the Soviet Union, Sweden, Japan, and the Federal Republic of Germany, all echoed these arguments, and some other countries, such as Argentina, expressed their respect for some of the US delegate’s argument. What these arguments attempted to do was to challenge the science of the Bogota Declaration that the GSO was related to the gravity of Earth by asserting that the science of the GSO involved more material (and techno-social) components than the effect of gravity alone, and therefore, that the GSO was not just related to Earth’s gravitational forces, but to gravitational forces of Earth and other celestial bodies and to technological specificities of the satellite as well. The declaration’s alternative construction of outer space was widely rejected and not recognized by most countries, especially by those that had the most to lose from its adoption. Simultaneously, the existing construction in which all orbits were considered part of “outer space” and available for use by all countries was reproduced through its continued performance. Through the construction of outer space as a “global” nature, economically and technologically developed countries could continue the uneven access in practice and the uneven benefits that resulted. Despite the lack of a formal legal (or agreed-upon scientific) boundary ensconced in a treaty, the informal (possibly “customary”) boundary was reproduced: outer space, beginning at an altitude around 100 km, included orbits. The general rejection of the Bogota Declaration and the establishment of any line demarcation by the space powers remains today, largely because space powers have not wanted to restrict any future activities with a legal boundary, and at the same time, the non-space powers have not been in any position to exercise pressure (Lyall & Larsen, 2009, 162; Su, 2013, 363). States also have performed this “global” scalar construction over the past several decades by continuing to regulate outer space and orbits through inter-state organizations. The Bogota Declaration was successful in one particular way, however: it highlighted the continued disparities in the use of and benefit from the GSO (Gorove, 1979, 455). In the years that followed, concern over these disparities and the ITU’s “first-come, firstserved” orbital allocation system increased. These disparities and concerns led to the development, during the ITU’s World Administrative Radio Conferences of the 1980s, of a new orbital allocation system that ostensibly took into account the needs of developing countries. Conclusion: “global” space The question of the definition and delimitation of outer space was a question of the socionatural construction of outer space and Earth. It was a debate over the scientific knowledge of astro/ geophysical properties and scale of nature. Any potential definition or delimitation would distinguish between “outer space” and “air space.” The general rejection of the Bogota Declaration and its construction of outer space and Earth further entrenched the existing construction of orbits as part of outer space, which has possibly become part of general international law, even without a legal definition enshrined in a treaty. Examining the physical materialities and scalar politics through a production of nature approach has revealed how political and economic disparities shaped the production of a “global” socionature. Outer space in general and orbits in particular are not inherently “global” natures; they were and have been made so through negotiations rife with structural and social power imbalances that favored economically developed space-faring states. Economically and technologically advanced states have extended their power through the volumetric outer space by navigating various mobile and static physical materialities of Earth and outer space that challenge planar conceptions of borders and territory and by constructing outer space in such a way so as to allow all states, as equals, to use and benefit from it. This construction allows uneven use and uneven benefit to persist through continued access to distant, “global” natures that might otherwise be constructed as sovereign, “national” natures. As such, economically and technologically advanced states have secured a construction of outer space favorable to their continued political and economic interests and to the structures that support those interests. This outcome directly challenges the notion that the construction of nature as “global” is entirely progressive or cosmopolitan. Recognizing this tension between the discursive and performative constructions has important implications for further research on outer space. Research into the political–economic operation of specific existing space-based technologies, such as communications, remote sensing, weather forecasting, and satellite-based navigation, should bear in mind the legal constructions and the power dynamics that made those activities possible. Further analyzing outer space as a dynamic, heterogeneous volume, as Steinberg and Peters (2015) propose for oceans and seas, may also deepen our understanding of territory and how “power is simultaneously projected on, through, in, and about [geographic] space” (Steinberg & Peters, 2015, 261). Moreover, the political–economic outcomes of future space activities come into question as well. Speculators are already anticipating the mining of the Moon, asteroids and other celestial bodies; some geoengineers are scheming ways to use mirrors to reflect sunlight to cool the Earth while others are scheming ways to capture sunlight to power activities on Earth; and space enthusiasts are pushing for the colonization of Mars to escape the terrestrial climate change the geoengineers are trying to stop. In whose interest all of these activities will be conducted runs up against how the nature of outer space is and has been defined and constructed. This case has shown that it is insufficient to simply treat “global commons” or “global resources” as a de facto incongruence between material natures and terrestrial jurisdictions. Those materials – static, rhythmic, or chaotic – define and are defined by science and other constructions that cannot be extracted from their political, economic, and social contexts. “Global” resources and natures exist as such because they are made so. This applies to other “global resources,” such as the high seas, Antarctica, carbon, genes, water, or forests, and to resources of other scalar construction as well. Similarly, we might also consider these intersections in cases, such as that of the Arctic, in which the construction of “state” resources wins out over the construction of “global” natures. The geopolitical struggle in the Arctic is based upon the definition and boundaries of the continental shelf according to the Law of the Sea treaties, which proclaimed that states had sovereign rights to the nature extending for a certain distance beyond their adjacent continental shelf. The result, of course, has been the division of Arctic natures into state-sovereign spaces. In any case, by examining the process by which political–economic interests, scalar politics, and biophysical materialities swirl together to construct natures as “global” (or “state”), we can further illuminate how these natures are being constructed to achieve potentially uneven political–economic outcomes.

#### These hegemonic legal formations create new forms of empire BUT emancipatory readings exist. Material arrangements are necessary to amplify these readings. Ideological expression is not enough.

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As Americans celebrate the monumental semi-centennial of the Apollo 11 landing, the commemorations should also invite reflection on the troubled history of spaceflight and the laws that govern it. Two years before Neil Armstrong and Buzz Aldrin stepped onto the moon, the Outer Space Treaty of 1967 had ensured that no nation could declare sovereignty in space; planting an American flag on the lunar surface, US officials knew, did not amount to a national claim. But while this “anti-imperial” element of the Space Treaty has received deserved attention, it by no means represents the history of spaceflight and outer-space law as practiced by countries and corporations in the Global North—a point upon which I elaborate in the Columbia Journal of Transnational Law. While the recent spate of billionaires cashing in on spaceflight points to the inequalities that shape its development, these inequalities are hardly new. The postcolonial unrest in French Guiana is not an isolated incident. Because of its proximity to the equator, territory in developing countries is particularly valuable for launching into space, communicating with spacecraft, and monitoring orbit. This March, Jair Bolsonaro signed a deal with Donald Trump to open Brazil’s Alcântara Launch Center to the US space industry. This has revived concerns about the land rights of the quilombola, indigenous black, and poor communities in Brazil. In the 1980s, the Brazilian government displaced the quilombolas when it established the space center, promising economic development that has yet to be realized. Recent scholarship has pointed to the contingencies of launch-site territory, nationalism, and self-determination in India and Kenya. Recently, protesters in Hawaii have attempted to prevent the construction of a telescope on a mountain sacred to indigenous peoples. Meanwhile, the US Global Positioning System (GPS) has established communication bases on numerous islands where America claims territory, disrupting communities that live there. Similarly, the US Air Force’s Lockheed Martin–commissioned Space Fence, which will monitor spacecraft and debris in orbit, will run 80 percent of its capabilities out of a military base in the Marshall Islands, a continuing subject of US empire. In these histories, spaceflight relies upon and continues imperial claims over territory and resources. Within the United States, launch sites can exploit marginalized populations as well. For instance, industry and government agencies in the Mojave Desert region—one of the nation’s oldest sites for space activities—employ locals as manufacturers and engineers and teach students about spaceflight. But these developments do not seem to have improved the economy in Mojave, where the median income is below the national median. The population is predominantly black and Latino. The US Department of Interior’s long history of imperial expansion even includes plans for a lunar colony and the use of satellites to survey resources on indigenous lands in the United States and abroad. Moreover, the massive technological feats of spaceflight rely on imperial claims over natural resources. Luxembourg, a recent hub for commercial space, accumulated wealth by virtue of its history of mining, but marginalized communities with valuable raw materials have fallen prey to the “resource trap” common to imperial encounters. For instance, the fact that Mojave was a key manufacturing and mining site for the Southern Pacific Railroad implicates the region in a longer history of indigenous violence and economic difficulty. Similarly, amid the advent of aerial technology and the Space Age, the US military-industrial complex funded mining projects throughout the Caribbean, extracting bauxite (aluminum) with which to construct US aerospace vehicles. Likewise, the Ball Corporation, famous for its subsidiary Ball Aerospace, is predominantly an aluminum, steel, and packaging company. Over the last decade, China has sought to instrumentalize its space capabilities to grow a network of soft power and economic resources, offering telecommunications satellites to several states, including Nigeria, Venezuela, and Bolivia, in exchange for access to natural resources like oil, raw materials, and agriculture. Spaceflight almost invariably involves activities that directly subjugate marginalized peoples. Space provides a strategic military position from which to continue postcolonial violence on Earth, exacerbating inequalities between spacefaring countries and the so-called “Third World.” Space is critical for surveilling and enacting violence upon communities throughout the Third World, from Moroccan spy satellites over occupied Western Sahara, to remote sensing of Afghanistan and other strategic regions, to monitoring of the US-Mexico border: The United States spends $10 billion per year on publicly known space projects, but $15 billion on classified military activities. Moreover, drones and most other military technologies that harm and surveil marginalized communities depend on global positioning technology and space-based communications. Significant advances in space technology developed in the context of US intervention in the Middle East and Latin America: Remote sensing and GPS developed in the Gulf War, and, decades earlier, the first US telecommunications satellites were used to communicate with troops in Saigon. More recently, consider the US Air Force’s aforementioned Space Fence or Boeing’s Space Based Space Surveillance satellite constellation and X-37B orbital drone, which has orbited Earth several times over the past decade. These claims over territory, resources, and populations highlight the enormous accumulation of capital necessary to access space. The US government and its corporate entities can afford the cost of spaceflight because it is but a fraction of their annual budgets. But for developing countries and marginalized communities, that cost is prohibitive: Spending on space is contingent on accumulated wealth. As with access to the sea or air, access to outer space, then, is not solely about obtaining resources, services, and other benefits in areas that exist outside of what are perceived as “conventional” borders. It is also about drawing on resources—capital, labor, raw materials, territory, intellectual property, expertise—from “back home,” Earth, that make those activities possible in the first place. In this way, the history of spaceflight is the story of powerful nations consolidating power against marginalized communities within their borders and throughout the Third World. In 2017, the Department of Defense announced that it would no longer treat space as a “sanctuary,” supplementing uses of force on the ground via surveillance, communications, and global positioning. Instead, DoD would treat space as a “warfighting domain,” in which states exercise force in space itself. This shift signals that a significant number of US officials believe in the need to secure the American economy’s most recent dependency: its space infrastructure. Then, last June, Donald Trump proposed the Space Force, a sixth military branch, to a room of government contractors, legislators, and policy-makers. In response, some argued that the Space Force would violate the Outer Space Treaty of 1967; it probably does not. Others dismissed it as ludicrous: The Trump administration, entertaining a fantasy of battling other countries, or even extraterrestrials—in space! This is also probably incorrect. If there is violence in space, it will be a fight about who dominates the infrastructure that asserts violence, surveillance, and economic control over activities on Earth itself. Some thinkers on the left, on their part, regard the Space Force as woefully out of touch with fundamental questions of justice. They argue that the government should spend resources in more meaningful directions: What about Flint, Puerto Rico, climate change, police brutality? This response echoes critiques of many space ventures since the 1960s. Consider Gil Scott-Heron’s Whitey on the Moon, Andrew Russell and Lee Vinsel’s contemporary update, “Whitey on Mars,” or environmentalist critiques of space futures like Interstellar’s. Even Garrett Hardin, a decade before he popularized the phrase “tragedy of the commons” in 1968, cast doubt on the idea of solving problems of population growth and limited resources by leaving Earth behind (although his racist legacy should moderate how his claims are read). This line of thinking must go further and acknowledge that the Space Force is not just a matter of “exploration” but the most recent instance of spaceflight’s postcolonial legacies that facilitate surveillance, military strikes, media, communication, resource surveying, disaster relief, and climate science. As most space advocates will rebut, spacecraft are essential to the infrastructure of modern life. A 2012 World Economic Forum panel concluded that “a day without satellites” would instigate a global economic catastrophe by taking out communications and media, GPS, disaster relief, meteorological observations, and monitoring of key resources like crops and water. Scientists’ understanding of climate change relies on data collected by weather satellites, and satellite observations of agriculture have aided sustainable development projects across the world, from the American Corn Belt to Morocco and elsewhere throughout Africa. Likewise, exploring other planets and stars can help scientists better understand Earth. And space activities produce trickle-down effects, such as novel, even life-saving technologies like heart pumps and prosthetics on Earth. To that point, Danielle Wood’s Space Enabled research group at the MIT Media Lab collaborates with marginalized communities to create space technologies that serve their interests. Consider also Erika Nesvold and Lucianne Walkowicz’s JustSpace Alliance. In this sense, the Space Force is not a superficial proposal. It matters for reasons of national security and political economy—hence the DoD’s new position on space as a “warfighting domain.” While military activities in space are not new, this explicit position signals that such activities might soon take unprecedented forms. Viewed against the histories of spaceflight, the Space Force is an attempt to secure American empire, to defend the high-tech infrastructure of the “haves” against the “have-nots.” In 1975, Indalecio Liévano Aguirre, the Colombian Minister of Foreign Affairs, declared to the UN General Assembly in New York City that the UN must pursue a new and more satisfactory balance between the affluent and the impoverished worlds, between the rich peoples and the vast pauperized masses of the planet, on whose discontent one cannot build a lasting international order. Let us hope that no one will yield to the temptation of thinking that power and force constitute effective instruments for the perpetuation of old policies of privilege. These words concluded a speech in which Liévano made legal claims over geostationary orbit. Arthur C. Clarke had famously proposed the concept of geostationary satellites in 1945: If a satellite were placed above the equator at an altitude of about 35,786 km, it would orbit at the same rate as Earth’s rotation, such that the satellite hovered above a specific point on the ground. Because of this convenient physics, segments in this orbit were more valuable than others for remote sensing and, most importantly, for the nascent telecommunications satellite industry. Based on this physics, Liévano argued that international law must divide sovereignty in geostationary orbit according to the equatorial territory below. In other words, equatorial countries’ sovereignty included geostationary orbital segments above their territories. A year later, Liévano’s country gathered leaders from seven other equatorial nations—Congo, Ecuador, Indonesia, Kenya, Uganda, and Zaire, with Brazil as observer—to sign the Bogotá Declaration of 1976. These countries not only claimed sovereignty over geostationary orbital segments above their territories but argued that segments hovering above the “high seas” were the “common heritage of mankind” and ought therefore to be collectively governed by all nations. Access to those segments would have to be distributed equitably among the “universal community” by keeping in mind developing countries’ interests. The signatories also proclaimed that American and Soviet dominance of space amounted to de facto claims of sovereignty—a “technological partition” of orbit. Today, the Colombian Constitution still contains a provision claiming sovereignty over the orbital segment above the country’s territory. The Bogotà Declaration is one piece of a bigger story. Historically, Third World lawyers and diplomats have long sought to reshape international law to equitably reorder barriers to access in extraterritorial or transnational domains like space, the sea, and the electromagnetic spectrum (for telecommunications). They articulated these claims by portraying US and Soviet or Russian extraterritorial activity as a unique form of empire. They saw global inequality as a perpetuation of older, more formal colonial orders, and they argued that the “Great Powers” exploited such inequality as they shaped the laws that governed extraterritorial domains. It is often forgotten that the Outer Space Treaty of 1967—the first and, to this day, most influential treaty governing spaceflight—arrived on the heels of decolonization. Article II of the Space Treaty, which famously proscribes “national appropriation by claim of sovereignty, by means of use or occupation, or by any other means” in space, is frequently interpreted by US, Soviet, and European lawyers as an artifact of a Cold War compromise between the United States and USSR. But during its drafting, developing countries had recently declared independence or were continuously staving off foreign intervention. In light of this historical context, the treaty’s ban on claims of sovereignty has probably meant something different to the majority of the 107 state parties to the treaty which might be considered developing countries. Meanwhile, the treaty came to ban only weapons of mass destruction in space, not militarization as a whole. While the treaty, like the moon landing’s “one giant leap for mankind,” famously opened by declaring space “the province of mankind,” lawyers disagreed about what that principle meant. When the Brazilian delegation added language to this phrase clarifying that spaceflight must benefit all countries “irrespective of their degree of economic or scientific development,” the US and Soviet delegations ensured that this would not amount to strong collective property rights. Instead, US lawyers argued that this much-lauded provision was not, legally speaking, a strong one. It was a general statement of the “spirit” of the text, not a formal, legal demand for equitable distribution of resources and access to space, particularly for developing countries. These claims were part of a broader mid-20th century movement to decolonize international law. From the 1950s to ’70s, Third World leaders initiated transnational projects like the Non-Aligned Movement and the New International Economic Order, aiming to redistribute markets and natural resources to repay developing countries for their economic strife in the aftermath of imperialism. In international laws on the sea, space, and intellectual property, Non-Aligned countries proposed concepts like “common interest” or the “common heritage of mankind.” By these theories, all states would collectively govern extraterritorial domains, such that property rights over scientific information in those domains, technologies used to access them, and economic benefits derived from them would be equitably shared with developing countries. These countries were concerned that American and Soviet technology, made possible with postcolonial violence and inequitable accumulations of capital and expertise, would deplete valuable extraterrestrial resources before the rest of the world could “catch up.” Anti-imperial notions of collective sovereignty were preceded by Latin American and Caribbean lawyers’ positions on space law. Even before the Space Treaty of 1967, lawyers in the Inter-American Bar Association signed the “Magna Carta of Space” at Bogotá in 1961 and at San Juan, Puerto Rico in 1965. In part, the document aimed to establish space as res communis—in other words, collectively owned by the international community. Decades later, in the Moon Agreement of 1984, several developing countries declared lunar resources to be the common heritage of mankind, attempting to establish a system for equitably distributing property rights for lunar mining. But subsequent efforts to get the international community to consider spaceflight itself as a resource that ought to be redistributed—and, in the process, restructure global inequality—mostly failed. Spacefaring countries have refused anti-imperial legal moves via explicit official statements or simply through technological practice. If outer space is a “global commons” or res communis at all—those terms’ legal meanings are controversially ambiguous—it is only insofar as space provides a domain not for collective sovereignty or property ownership but, rather, the free and uninhibited exercise of commercial and military might. Outer space governance thus represents a unique kind of postcolonial order. Space law encodes an empire that is not about colonizing peoples, as in the relations between spaceflight and postcolonial violence, territorial claims, and resource extraction on Earth. Rather, spacefaring states have shaped space law, or at least its effect, by exploiting global inequality. They have taken advantage of their political weight around when negotiating international law, or merely exercised superior technological capabilities without regard for consensus. Last year in the UN General Assembly, delegates from several developing nations, self-identified as Non-Aligned countries, responded to the Trump Administration’s proposed Space Force. They advocated for the total demilitarization of space, reasoning that militarization would increase the probability of producing more space debris. This would pose barriers to access, which was anathema to the legal status of space as, in their view, the “common heritage of mankind” and “a common asset for humanity.” Decades earlier, the signatories of the Bogotá Declaration had made similar arguments about debris, access, and collective governance with respect to the commercial exploitation of geostationary orbit. While the history of anti-imperial legal claims in space is largely a history of failure, they have affected subsequent legal developments by destabilizing the appearance of consensus among the so-called “international community.” For instance, the Bogotá Declaration may have “failed,” but it also influenced the ensuing decade of debates at the UN. Such perspectives have also shaped national legislation in industrialized countries. Even if these changes are minimal, understanding the history of these claims helps complicate the reasons “failures” are considered as such. Understanding the historical construction of dominant readings of space law might open the door for alternative, redistributive interpretations to take hold. In the meantime, activism might fill those gaps. As French Guiana showed us, spaceflight might seem distant, but it becomes “local” where it requires territory and mineral resources on Earth. Organized protest movements might exploit these vulnerabilities. In the case of Brazil, protests about the conditions of the Alcântara Launch Center might force Brazilian officials—not to mention their friends in the Trump administration—to grapple with the conflicts between their views on international law (which have more recently turned neoliberal) and the conditions of the quilombolas in Alcântara. The history of spaceflight is the story of technological and legal counterrevolutions against calls for global redistribution. We now know spaceflight is essential to the accomplishment of worthy ends—environmental justice, water and agriculture management, humanitarian relief, freedom of information—and to their undoing—resource extraction, surveillance, military strikes, displacement, corporate media. And it is this entanglement of technology, law, and inequality to which the left should direct its critical efforts. No doubt, Armstrong’s “giant leap for mankind” was a technological marvel. But in order to truly realize spaceflight as a benefit for “mankind”—in order to install this abstract principle as something more concrete than a vague promise that paves over inequality—this technological audacity must find its equal in the legal and political imagination.

#### Capitalist domination of the cosmos is imminent and cements inequality and exploitation. Forging new democratic distribution of space resources can revolutionize the global economy for emancipatory ends

Nick Levine 15, MPhil candidate in history of science at the University of Cambridge, 3-21-2015, "Democratize the Universe," Jacobin, https://jacobinmag.com/2015/03/space-industry-extraction-levine

The privatization of the Milky Way has begun. Last summer, the bipartisan ASTEROIDS Act was introduced in Congress. The legislation’s aim is to grant US corporations property rights over any natural resources — like the platinum-group metals used in electronics — that they extract from asteroids. The bill took advantage of an ambiguity in the United Nations’ 1967 Outer Space Treaty. That agreement forbade nations and private organizations from claiming territory on celestial bodies, but was unclear about whether the exploitation of their natural resources would be allowed, and if so, on what terms. The legal framework governing the economic development of outer space will have enormous effects on the distribution of wealth and income in the Milky Way and beyond. We could fight for a galactic democracy, where the proceeds of the space economy are distributed widely. Or we could accept the trickle-down astronomics anticipated by the ASTEROIDS Act, which would allow for the concentration of vast amounts of economic and political power in the hands of a few corporations and the most technologically developed nations. Given the pressing problems of inequality and climate change on Earth, the US left has been understandably uninterested in or largely dismissive of any space pursuits. For this reason, it remains unprepared to organize around extraterrestrial economic justice. The Left’s rejection of space has effectively ceded the celestial commons to the business interests who would literally universalize laissez-faire. Organizing around extraterrestrial politics wasn’t always treated as an escapist distraction. In the 1970s, fighting for a celestial commons was a pillar of developing countries’ struggle to create a more equitable economic order. Starting in the 1960s, a coalition of underdeveloped nations, many recently decolonized, asserted their strength in numbers in the United Nations by forming a caucus known as the Group of 77. In the early 1970s, this bloc announced its intention to establish a “new international economic order,” which found its expression in a series of UN treaties governing international regions, like sea beds and outer space, that they hoped would spread the economic benefits of the commons more equitably, with special attention to less developed nations. For these countries — as well as for the nervous US business interests that opposed them — their plan to “socialize the moon,” as some put it at the time, was the first step toward a more egalitarian distribution of wealth and power in human society. It will be years before the industrialization of outer space is economically viable, if it ever is. But the legal framework that would shape that transition is being worked out now. The ASTEROIDS Act was submitted on behalf of those who would benefit most from a laissez-faire extraterrestrial system. If we leave the discussion about celestial property rights to the business interests that monopolize it now, any dream of economic democracy in outer space will go the way of jetpacks, flying cars, and the fifteen-hour workweek. As Below, So Above Left critics of space proposals make the same mistakes as the most techno-utopian starry-eyed industrialists. From the point of view of the latter, celestial development will provide ultimate salvation to the human race by making us a multi-planetary species; the former see outer space as an infinite void essentially antagonistic to human life, interest in which is only orchestrated for cynical political ends. Each side misconceives extraterrestrial pursuits as qualitatively different from economic activities on Earth. Venturing into space may be a greater technical challenge; it may cost more, be more dangerous, or be a mistaken use of resources. But to understand these prospects in existential terms rather than as a new episode in the familiar history of industrial development and resource extraction — with all the political-strategic dangers and organizing opportunities that come with them — is to be blinded by the space romanticism that is a peculiar vestige of Cold War geopolitics. Whether and how we should go to space are not profound philosophical questions, at least not primarily. What’s at stake is not just the “stature of man,” as Hannah Arendt put it, but a political-economic struggle over the future of the celestial commons, which could result in a dramatic intensification of inequality — or a small step for humankind toward a more egalitarian state of affairs on our current planet. Undoubtedly, there are good reasons to be skeptical about going to space. Some have argued that it shifts attention away from solving the difficult problems of economic and environmental justice on Earth — think of Gil Scott-Heron’s spoken-word poem “Whitey on the Moon,” which juxtaposes the deprivation of the American underclass with the vast resources diverted to space. Scott-Heron’s critique is powerful, but it’s important to remember that he was denouncing an unjust economic system. He wasn’t issuing a timeless condemnation of space pursuits as such. Whether the aims of providing for all and developing outer space are mutually exclusive depends on the political forces on the ground. We might also question whether mining asteroids would be detrimental to our current planet’s environment in the medium term. If we don’t find a renewable way to blast off into outer space, the exploitation of these resources could lead to an intensification of, not a move away from, the fossil-fuel economy. If the environmental impact of space mining turns out to be large, it would be analogous to fracking — a technological development that gives us access to new resources, but with devastating ecological side effects — and ought to be opposed on similar grounds. On the other hand, some speculate that mining the Moon’s Helium-3 reserves, for example, could provide an abundant source of clean energy. The terrestrial environmental impact of space activity remains an open question that must be explored before we stake our hopes on the economic development of outer space. Philosophers have suggested that we might have ethical duties to preserve the “natural” states of celestial bodies. Others fear that our activities might unknowingly wipe out alien microbial life. We should remain sensitive to the aesthetic and cultural value of outer space, as well as the potential for extinction and the exhaustion of resources misleadingly proclaimed to be limitless. But if the Left rejects space on these grounds we abandon its fate to the will of private interests. These concerns shouldn’t cause us to write off space altogether — rather, they should motivate us even more to fight for the careful, democratic use of celestial resources for the benefit of all. There is also reason to be cautiously optimistic about extending economic activity to outer space. For one, the resources there — whether platinum-group metals useful in electronics, or fuels that could be central to the semi-independent functioning of an outer space economy — have the potential to raise our standards of living. Imagine, a superabundance of asteroid metals that are scarce on Earth, like platinum, driving the sort of automation that could expand output and reduce the need to work. Of course, there’s nothing inevitable about the benefits of productivity gains being distributed widely, as we’ve seen in the United States over the past forty years. This is a problem not limited to space, and the myth of the “final frontier” must not distract us from the already existing problems of wealth and income distribution on Earth. While the industrialization of the solar system isn’t a panacea for all economic ills, it does offer a significant organizing opportunity, since it will force a confrontation over the future of the vast celestial commons. The democratic possibilities of such a struggle have been recognized before: one conservative American citizens’ group in the 1970s called a progressive UN space treaty a “vital component of Third World demands for massive redistribution of wealth so as ultimately to equate the economic positions of the two hemispheres.” Many in the 1970s identified the egalitarian potential in the development of outer space, and the Left must not overlook it today. Back to the Future One of the Group of 77’s major goals was to apply some of the redistributive functions of the welfare state on a global scale. In 1974, that coalition issued a “Declaration on the Establishment of a New International Economic Order,” which called for a fairer system of global trade and resource distribution, one that could alleviate historical inequality. One of the battlegrounds for the Group of 77 was the negotiation over extraterrestrial property rights. The Outer Space Treaty of 1967, signed by over ninety countries in the heat of the first sprint to the moon, rejected the notion that celestial bodies fell under the legal principle of res nullius — meaning that outer space was empty territory that could be claimed for a nation through occupation. It forbade the “national appropriation by claim of sovereignty, by means of use or occupation, or by any other means” of outer space. But the treaty was not just restrictive. It also had a positive requirement for extraterrestrial conduct: “The exploration and use of outer space,” it declared, “shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind.” However, nobody knew what this would mean in practice: was it a call for egalitarian economics, or an empty proclamation of liberal benevolence? Complicating matters, it was unclear whether the extraction and sale of natural resources from outer space fell under the category of “appropriation,” which had been forbidden. And what exactly was this benefit to all countries that our outer space pursuits were supposed to bring? How would its distribution be enforced? Which interpretation would win out was more a question of political power than of esoteric legal maneuvers. The Group of 77 took an activist approach to these issues, proposing amendments to the Outer Space Treaty regime that would spread the economic benefits of the celestial commons to less developed countries that did not have the resources to get to space, let alone mine it. Thus in 1970, the Argentine delegate to the UN Committee on the Peaceful Uses of Outer Space proposed to legally designate outer space and its resources “the common heritage of mankind.” First applied in negotiations over maritime law a few years earlier, the “common heritage” concept was intended to give legal grounding to the peaceful international governance of the commons. As an alternative to the laissez-faire approach advocated by many private interests, the “common heritage” principle also provided a legal framework for the democratic distribution of revenues derived from the international commons. In 1973, the Indian delegation to the Committee on the Peaceful Uses of Outer Space tried to put this idea into celestial practice, proposing an amendment to the Outer Space Treaty that called for equitable sharing of space benefits, particularly with developing countries. The Brazilian delegate to the committee summarized the group’s position: “It does not seem justifiable . . . that space activities . . . should evolve in a climate of total laissez-faire, which would conceal under the cloak of rationality new ways for an abusive exercise of power by those who exert control over technology.” Despite opposition from both the Soviet Union and the United States, the final draft of this new outer space agreement included a version of the “common heritage of mankind” doctrine. When the finalized treaty was brought to the US in 1979 for ratification, business groups balked. The vision of egalitarian galactic democracy suggested by the document was rightly seen as contrary to narrow American interests. The United Technologies Corp­oration, a designer and manufacturer of aircrafts and other heavy machinery (including the Black Hawk helicopter) took out a large advertisement in the Washington Post and a number of other newspapers, warning that the treaty would establish an “OPEC-like monopoly, require mandatory transfer of technology, and impose high international taxes on profits as a way of shifting wealth from the developed to the less developed countries.” The president of the corporation, Alexander Haig, also testified against the treaty in Congress in 1979, warning that “the common heritage concept expressed in the treaty underlies Third World efforts directed at a fundamental redistribution of global wealth.” Haig was hired as Ronald Reagan’s secretary of state in 1981, and political opposition to the bill forced NASA’s chief counsel to abandon defense of the treaty. In the end, the Moon Treaty, as the 1979 document came to be known, failed to gain more than a few signatories, leaving open the question of how the benefits of outer space were to be shared. In 1988, a different coalition of developing countries added the question of space benefits to the UN outer space committee’s agenda. But they failed to gain traction, and by 1993 they had to concede, as two long-time delegates to the outer space committee put it, that “their attempt [at] a redistributive revolution in international space cooperation had failed.” The conversation had shifted from the distribution of economic benefits to a narrower emphasis on international scientific coordination and development aid. This retreat culminated in a 1996 declaration that limited the interpretation of the “benefit” clause of the Outer Space Treaty to vague promises to help less developed countries improve their space technologies. The ultimate failure of the Moon Treaty was representative of broader developments in international politics, as the influence of the Group of 77 declined. The fact that the structural adjustment policies of the Washington Consensus won out over the Third World’s redistributive goals was the result of contingent factors — the oil shock’s exacerbation of debt crises, for instance — but it also indicated the limits of the power the Group of 77 had wielded in the first place. In October 2014, the UN outer space committee issued a press release summarizing its most recent session. Its headline: “Outer Space Benefits Must Not Be Allowed to Widen Global Gap between Economic, Social Inequality, Fourth Committee Told.” Despite paying lip service to its past concerns, the outer space committee now emphasizes equal access, voluntary technology transfers, and modest development aid over the direct redistributive approach it took in the 1970s. This shift from struggling for equality of outcome to equality of opportunity, with no accountability mechanism in place to ensure even the latter, represents a striking regression. The egalitarian dreams of the “revolution of the colonized” in the UN, as it was called at the time, have been forgotten. The Empire Strikes Back Recent US plans for outer space development, shaped overwhelmingly by Silicon Valley’s intuitions and capital, stand in stark contrast to the futuristic democratic dreams of the Group of 77. The most prominent of these entrepreneurial visions has been Elon Musk’s plan to colonize Mars. For now, international law seems to unequivocally forbid territorial claims on Mars and other celestial bodies. The legal status of resource extraction, on the other hand, remains an open question. A vocal group of entrepreneurs is hoping to set a precedent for the private appropriation of natural resources from asteroids, without internationally redistributive obligations. Planetary Resources, an asteroid-mining company whose backers include Larry Page, Eric Schmidt, and James Cameron, plans to launch satellites to prospect for valuable asteroids in the next two years. Another US firm, Deep Space Industries, will launch exploratory satellites as soon as next year. These entrepreneurs hope to extract the valuable platinum-group metals, essential for manufacturing electronics, that are rare on Earth. Sensationalist articles on space mining will tell you about an asteroid worth $20 trillion. Investors also believe that asteroids might provide water that could be broken down into oxygen and hydrogen in space, yielding air for astronauts and fuel for their ships. This could facilitate a dramatic acceleration in the economic development of outer space. The CEO of Deep Space Industries said he hopes asteroids near Earth will be “like the Iron Range of Minnesota was for the Detroit car industry last century — a key resource located near where it was needed. In this case, metals and fuel from asteroids can expand the in-space industries of this century. That is our strategy.” Another entrepreneur called the industrialization of outer space the “biggest wealth-creation opportunity in modern history.” Before this value can be generated, however, the legal wrinkles have to be ironed out. And so in the summer of 2014, the ASTEROIDS Act was introduced in the House of Representatives to “promote the right of United States commercial entities to explore and utilize resources from asteroids in outer space, in accordance with the existing international obligations of the United States, free from harmful interference, and to transfer or sell such resources.” The legislation was intended to clarify US interpretations of international space law, explicitly granting American companies the right to extract asteroid resources and bring them to market. The conclusion of Congress’s last session means that the bill will have to be reintroduced for it to move forward, and it is uncertain exactly when and how this will happen. But its appearance marked another clear attempt to unilaterally push international norms toward the free extraction of outer space resources, with limited democratic responsibilities attached — and it will not be the last. Joanne Gabrynowicz, editor emerita of the Journal of Space Law, said that an adviser to Planetary Resources had drafted the bill. Deep Space Industries also sent a letter supporting it directly to the space subcommittee of the House of Representatives. Moreover, Congressman Bill Posey, a cosponsor of the act, represents Florida, a state that Gabrynowicz pointed out has recently been forced to try to attract commercial space business — a direct response to the economic hardship caused by the decommissioning NASA’s space shuttle program. Such extraterrestrial special interests will no doubt continue to exert legislative pressure. In addition to asteroids, companies are investing millions in mining the moon, despite legal uncertainties. One such company, Moon Express, has already received a $10 million data-sharing contract from NASA. One of that company’s founders, a former dot-com billionaire, told the Los Angeles Times: There is strong legal precedent and consensus of “finders, keepers” for resources that are liberated through private investment, and the same will be true on the moon. You don’t have to own land to have ownership of resources you unlock from it. Moon Express will use existing precedents of peaceful presence and exploration set by the US government forty years ago. This redeployment of the finders-keepers principle is anathema to the redistributive regime imagined by the Group of 77. Private companies like Planetary Resources and Moon Express, with support from the federal government, are betting not only on the viability of space industrialization, but also on their ability to push through a legal regime that will validate their property claims on their terms. But the universalization of laissez-faire is not inevitable. Final Frontier Thesis The history of the Moon Treaty serves as a reminder that outer space is not just a screen onto which we project techno-utopian fantasies or existential anxieties about the infinite void. It has been, and will continue to be, a site of concrete struggle over economic power. The politics of the present are undoubtedly different from those of the 1970s. The egalitarian project of the Group of 77 has given way to BRICS-style market liberalism. Global capital has gained power where international labor efforts have stagnated. Domestic inequalities have skyrocketed. The rapid proliferation of information technologies has temporarily masked the reality that the future, to paraphrase William Gibson, is not being very evenly distributed. Without international political organization to challenge galactic market fundamentalism, a twenty-first century space odyssey could mean the concentration of even more wealth and income in the hands of a few powerful corporations and the most technologically advanced countries. At the same time, and for the same reasons, the prospect of preserving the final frontier as a celestial commons presents an opportunity to fight for a more democratic political economy. Sharing the benefits of the celestial commons is key to expanding democracy to a galactic scale. One time-tested means of distributing the benefits of natural-resource extraction universally is the sovereign wealth fund, which Alaska uses to deliver oil revenue to its residents. As an international commons, outer space offers an opportunity to experiment with such redistributive mechanisms beyond the traditional confines of the nation-state. Organizing around an issue of such scale may seem utopian, but it’s also necessary. From regulating capital to mitigating climate change, the problems that confront us are inherently global in scope and require commensurate strategies. At the very least, the global left ought to demand the creation of an independent Galactic Wealth Fund to manage the proceeds of outer space resources on behalf of all human beings. At first, it would amount to little, divided up among all of us. But as the space economy grows relative to the terrestrial one, social dividends from the Galactic Wealth Fund could provide the basis for a truly universal basic income. This is just one component of a broader platform for galactic democracy that must be developed collectively. Extraterrestrial economic justice — not just shiny technological advances — will be central to any truly egalitarian politics in the twenty-first century. It’s time to start building a democratic futurism.

#### Space capitalism is quantitively distinct—it will create a universe of misery exploiting trillions of humans.

Jordan Pearson 18, Motherboard senior editor, 5-10-2018, "American Capitalism Is Suffocating the Endless Possibilities of Space," Vice, https://www.vice.com/en\_us/article/59qmva/jeff-bezos-space-capitalism-outer-space-treaty

The possibilities of world-building in space are what the Outer Space Treaty of 1967 represented when it was signed by over 90 countries during the first international space race. The international agreement, which is still in force today, states that space exploration “shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind." It also states that signatories including the US shall be guided by the “principle of cooperation and mutual assistance.” This treaty, clearly open to interpretation, was a springboard for efforts by developing nations to forge a new society free of Earth’s gravitational pull, and potentially free of American-led capitalism—as it turns out, both are hard to escape. A 1970s push to clarify the treaty's terms and make outer space and its resources “the common heritage of mankind” was seen in the US as an attempt to bring socialist principles into space (it was) and it was crushed. The lesson: world-building outside of the realm of science fiction is corralled—often terminally—by powerful interests. Now, whatever possibility the Outer Space Treaty once represented for new ways of life to emerge on other planets is fading away. In late April, as The Outline noted, the US House of Representatives passed the American Space Commerce Free Enterprise Act. The Act states that its purpose is to “ensure that the United States remains the world leader in commercial space activities” and says that the US government will interpret its international obligations “in a manner that minimizes regulations and limitations” on private space companies. Moreover, it states that the government “shall not presume” that the Outer Space Treaty applies to private companies, allowing even more wiggle room. And if there were any lingering doubt about the Act’s intent, it further states: “Outer space shall not be considered a global commons." This declaration is a powerful form of world-building—the same kind of world-building that Cecil Rhodes, the British imperialist who founded Rhodesia and one of history’s most twisted grotesques, was doing when he sighed, “I would annex the planets if I could.” Rhodes sought to remake a whole people in the image of the white industrialist, and so it was only natural that he do the same with the heavens—if he could. Star Trek’s collectivist Federation, sparkling and joyous Afrofuturist visions, the anarchism of Ursula K. Le Guin’s The Dispossessed—all of these possibilities seem to buckle under the weight of unshackled industry forging a society for itself and its class interests with the help of the government. If you listen to the people who stand to benefit most from the American Space Commerce Free Enterprise Act, like Amazon and Blue Origin founder Jeff Bezos, American capitalism in space will have its own benefits. In a recent interview with Business Insider, Bezos imagined a “trillion humans” living in the solar system with “a thousand Einsteins and a thousand Mozarts.” In short, a new kind of intellectual and cultural renaissance will ring across the solar system, led by the US greenback. It sounds utopian in its own way—a thousand Mozarts?—but it belies a cruel calculus. As Buzzfeed recently pointed out, Bezos’s world-building doesn’t say that everyone will have the opportunity and ability in space to decide their own destiny, but seems to imply instead that a trillion people can prop up a cultural, intellectual, and undoubtedly economic upper class. One thousand gray planets, a universe of misery Bezos also said that humanity will have “unlimited, for all practical purposes, resources and solar power and so on.” This doesn't mean that everyone will have equal access to these resources, like those gleaned from asteroid mining, or that they are really unlimited. Oil is also often said by those with vested interests to be a practically unlimited resource—last month President Donald Trump tweeted that there are “record amounts of oil all over the place.” And yet untold human suffering and deprivation stems from the extraction, production, and consumption of oil and oil products, and the distribution of profits from these activities. And there is no equal access; everybody knows only those at the top can afford to use as much gas as they please on their boats, planes, and so on. And what will life look like for the trillion humans living in the solar system, many (if not most) under the yoke of American capitalism? It will look a lot like it does now, which is to say it will be a life of work while wealth flows up to an interstellar elite. And if this vision expands beyond our solar system? Trillions of humans; one thousand gray planets, one thousand petty plutocracies, a universe of misery.

#### The United States federal government should, with Russia and China, accede to The Agreement Governing the Activities of States on the Moon and Other Celestial Bodies.

#### International cooperation based around common benefit is key to sustainable futures in space—otherwise legal regimes will continue to be used to entrench inequality.

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This article presupposes that there is a dominant position in interpreting the freedom of outer space, which undervalues the idea of common benefit.1 With no clearly defined conception of common benefit, the debate around common benefit is exploited to protect individual benefits, as opposed to determining what the effort to use space collectively can generate for the common good. In other words, in line with the dominant conception of sustainable development, every nation is free to determine how to meet its own needs and accrue its own benefits as long as it does not prejudice the ability of future generations to do the same. This presents a problem on two levels: (1) legally and (2) socially. On the first level, the dominant position goes against the cardinal principle and intention of Article 1 of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, hereinafter Outer Space Treaty (OST), that exploration and use of outer space “must be carried out for the benefit and interests of all countries irrespective of their degree of economic or scientific development, and shall be the province of all mankind,” that freedom to explore and use outer space exists “without discrimination of any kind” and “on the basis of equality.” 2 In short, the dominant position, where it does not take into account common benefit, either amounts to a general breach of international law or to the proclamation of a legal regime that is unachievable and out of touch with reality. On the second level, socially speaking, the dominant position perpetuates the serious divide between states and gives rises to the perception that legal rules designed to promote equality and equity are simply disguises to ensure that forms of hegemony are maintained. As a result, we find it difficult to find an adequate answer to collective action problems, like achieving international stability, and there is a lack of trust in sharing space technology due to conflicting national goals. This is generally referred to as a quest for space sustainability when sustainability is understood as “Space Governance for Global Security.” Under this conception, all space actors seek “to secure the space domain for peaceful use; to protect space assets from all hazards; and to derive maximum value from space for security, economic, civil and environmental ends.” 3 Though space technology and space exploration systems are complex, the logic of the global space governance problem calling for space sustainability is relatively simple to describe. Acknowledging, but putting aside, the focus purely on technical risks, a review shows that the following issues constitute the greatest risk to space activities: (1) space debris and collisions; (2) lack of international space situational awareness; (3) purposeful interference, such as satellite jamming and unintentional harmful interference; (4) effects of space weather and radiation; (5) aggressive actions and behaviors, and their geopolitical causes; (6) human error and lack of capacity as a substantial cause of risk; and (7) failure to meet societal needs and reduced space budgets. This list of risks, however, belies the enormous complexity of devising a means of mitigating and adapting to their consequences. For instance, while there is broad consensus on the increasing importance of space debris, there are a number of uncertainties and complicating factors that restrict our ability to make straightforward policies to address the problem, and the sociopolitical obstacles to addressing the same can hardly be overestimated. A reason for this problem is that, contrary to the way man and outer space were envisaged to coexist toward the beginning of the spacefaring era with the adoption of OST, common benefit is constructed as a property claim (“give me my part”) instead of a distributive justice claim (access to an equitable share derived from a common pool resource). This is observable at both sides of the capabilities divide. One the one hand, a review of “Third World Approaches to International Law” reveals that the idea of common benefit leads to affirmation that those on the margins of space activity can make a claim upon the public good without reciprocity; and secondly, that equitable sharing means that any advantage derived for the hegemonic space powers is considered to bring advantages for the other states. What we find is that, despite increasing number of new entrants to space activities or usage, barriers to entry still exist, largely disguised as security constraints, and lack of enablement to increase capacity emerges through restricted international cooperation or technology transfer, even where commercial. This positions newer entrants unfairly, and they are disadvantaged because there exists a disproportionate accrual of benefits, and those capable of meeting common benefit obligation appear to view it as a soft, non-legally binding norm based on good intentions. The difficult question is what would proportionality look like? The goal of distributive justice is focused on common outcomes, while considering that some actors and users need more assistance on the way to achieving those common outcomes, paying close attention to the aspects of domination referred to earlier. This paves the way for an evolution in the general principles, allowing all actors to think more coherently and systematically about cooperation in outer space at a time when impacts asymmetrically affect aspirant states. Such an evolution is opportune at a time when cooperation is needed to produce greater capacity to share and manage collective goods. The effort to prompt an evolution in thinking, in turn, calls for undertaking an assessment of the range and organization of possible space benefits, taking account of where potential partners are in their development, what can be enabled through relationships and on a practical level, and how these participants are enabled. The framework of analysis for such an assessment brings hard and soft law together. Developing such a framework requires theory because we have to know something about how actors are involved in global space governance and about the role of benefit sharing. This article draws on a combination of insights from the writings of legal, political, and social theorists,4 and methodologies from critical legal schools, in order to contextualize the historical ideological debate about common benefits, the current understanding of the freedoms granted by the OST, and the issue of space sustainability. One main outcome of this work is to provide guidance to actors engaged in space exploration who attempt to fulfill their treaty obligations, while seeking space sustainability, and who are mindful of issues of concern to emerging space users and actors. Introduced herein is the argument that when the issue of benefit sharing is raised, the dominant position encounters a tension between established spacefaring nations and emerging and aspirant states, and the idea that “freedom” takes on a different meaning depending on where one is on the scale of development. It is therefore proposed to analyze on the basis of a cosmopolitan approach,5 which is grounded in Third World Approaches to International Law (TWAIL) mentioned earlier.6 While TWAIL is an interesting and useful starting point to understand issues from the perspective of a diverse range of actors, in the space context the approach must be infused with cosmopolitan ideas to ensure that all actors benefit. The hypothesis here is essentially that the existing emphasis on some topics of national or individual concern obscures the larger issues of international structural inequalities—lack of access, barriers to capacity building and technology transfer and absorption—while simultaneously magnifying issues related to market protectionism, which are actually disguised as security issues. I claim that it is possible to correct this distortion while safeguarding the focus on global issues, such as space sustainability. Tools designed with the “Cosmopolitan Approaches to International Law” (CAIL) express forms of cooperation that help to produce reciprocal obligations to enable all participants. Discussed as well is the advent of sustainability as a concept applicable to space activities. This discussion highlights the plurality of meanings to the concept and focuses on the position that ensuring continued operations for present space actors is the priority, with little emphasis on the issues of importance to emerging or aspirant space actors. The article concludes by proposing the need for a conceptual tool to analyze space sustainability initiatives achieved through cooperation based on the ability to address concerns relevant to all present and future space actors. Cosmopolitan approaches to international law CAIL, unlike classic cosmopolitism, is shaped by TWAIL, which seeks to bring the perspectives of marginalized actors to the foreground. There are, however, limits to TWAIL that CAIL addresses. While CAIL is not free from power asymmetries because polarity exists, it chooses to focus on possible middle grounds versus extremes. Importantly however, this article purposely does not delve specifically into a socio-legal assessment of Third World perspectives, but relies on a summary of the general sentiments expressed by marginalized emerging space nations at conferences and in writings. The goal is to trace how the official discourse can be shaped toward a cosmopolitan outcome. An important question emerges from this new lens. If the focus is on non-classic perspectives, what does one learn specifically from the space law context that prompts us to reorient the frame of analysis from TWAIL to CAIL? The reciprocity of relationships is not just about emerging nations wanting “in,” but also about modes of cooperation and forms of enablement that will be multidirectional. It does not seek to empower just one group, but acknowledges particular vantage points in regard to assure sustainable space resources. The CAIL test is whether international instruments enable participation. It is not a mechanical test, but one that takes account of different levels of capacity. The answer to the “so what” question sometimes put to space law is that the law helps to foster a deeper commitment to translating our common sentiments of wonder and forging common obligations of stewardship of the space domain. Everyone cannot be “in” in the same way, but bearing in mind the different places that actors come in, this article seeks to describe the processes through which enabling tools are produced. A CAIL perspective pays close attention to recognizing the effect of historical events on how space engagement and cooperation unfolds today. The space race of the 1950s and 1960s played to the whole world’s imagination. What began as fear ultimately subsided and is now remembered as hope and inspiration. While there are many vantage points upon the challenges of our times, space can help observe, overcome, and manage the effects of our growing collective impacts. The vantage point from space reveals four main priorities of all established or aspirant space actors: (1) the need to be connected; (2) the need to be data rich and to be informed; (3) the need to be respected; and (4) the need for security. The objective of deriving common benefit from any given space activity sets these four priorities in constant interaction. I refer to this as the “Space Benefits Constant.” However, when understood as a hierarchy of needs, the objective is to move up the needs hierarchy, going from a focus on meeting individual basic needs to the collective goal of common actualization, which is mainly understood around issues of global security.7 One can draw an analogy to the needs and priorities of an individual. At birth, we seek to meet basic needs and start on the path to self-actualization. As we develop and grow to become adults, and go on to get married and have children, we realize that individual needs and goals cannot be met or fulfilled without also the attempt to meet the needs of the collective narrowly or broadly defined: namely, as formed between spouses, with children, with aging parents, with friends, with co-workers, and with the wider community. The point is to help actors understand the logic behind cooperation and to switch from a debate between the “haves” and “have-nots” to a discussion of how best to enable space activity for all and to reduce barriers to cooperation for everyone.8 I approach the hypothesis stated earlier by questioning underlying philosophical and political assumptions; namely, the understanding of freedom of outer space for the benefit of all countries,9 and arguing that the provision of Article I of OST is flexible enough to allow an interpretation in accordance with the current needs of the international community. I identify that the real issue with the current interpretation of the common benefit principle under Article I is that it is viewed as a limitation to the freedom of outer space instead of as a condition of freedom. Some scholars, such as Hobe10 and Schrogl,11 stress the dominant understandings of this underexplored obligation without fully considering underlying nuances. There are five questions relating to general notions of freedom that are central to this article. (1) How are the freedoms of outer space used to gain benefits from space activities? (2) What can freedom mean when it is conjoined with common benefit? (3) What is the understanding of freedom granted from the perspective of both those exercising the freedom of outer space and those expecting that the freedom will be exercised for their benefits or interests? (4) Which issues of contention continue to block the effort to lend significance to the notion of common benefit? (5) What principles ought to govern the relationship of political units seeking to generate common benefit? Cooperation is at the heart of all these questions, yet any form of collective action is beset with problems of strategic behavior and free riding. It is therefore inherent in any attempt at cooperation to promote sustainability. The contemporary context provides relatively favorable conditions, listed as follows, for solidifying an obligation to cooperate. (1) The number and types of actors increased and diversified. With more actors, there is increased opportunity for forms of cooperative behavior, as there are more potential partners to collaborate with, leading to increased information sharing to address global issues, such as climate change. (2) Globalization and ascendancy of fast-developing states create a situation of more polycentric governance underscored by the broader availability of technology. New cooperative networks, such as the African Space Agency,12 are being proposed. The result is a gain for cooperation because it is easier to collaborate where there are central institutions that unite smaller actors. In the context where Africa and other emerging regions become space players, it makes sense to revisit the prospects of cooperation. Despite these potentially favorable conditions, one of the main ideas investigated in this article is that increasingly polycentric approaches to global space governance still require effective central institutions.13 Ineffective multilateral institutions bear some responsibility for the current inadequacy of global space governance and benefit sharing. In recent years, there has been opposition to the centralized, but stalemated, mega-multilateral process I refer to here as monocentricism.14 At the same time, the scale of certain problems is more amenable to one-off solutions in order to gather the resources to make a public good available. The idea is that, by specializing and breaking down tasks into manageable pieces, a more effective decentralized global response to many governance issues will emerge. For example, the perceived inadequacy of global institutions, like the United Nations Committee on the Peaceful Uses of Outer Space (UNCOPUOS), led to polycentrism, and it is important, in this regard, to see how networks can produce maximization of space benefits. So, is it polycentric or monocentric approaches that will address ongoing governance issues? Also, can one avoid the negative aspects of a regime complex15 whereby clusters of efforts are neither integrated nor fully fragmented, but rather loosely coupled and linked in a variety of ways, sometimes conflicting or mutually enforcing? Keohane and Victor underscore that such a regime complex arises from three generic forces that have led to the failure to govern sustainability and common benefit issues under one centralized authority: (1) distribution of interests; (2) uncertainty among countries about the benefits of action and compliance in the face of costly commitments; and (3) the struggle to find productive linkages among issue areas.16 The challenges involved in resolving these forces are compounded by problem diversity, political difficulties, and path dependence. This article seeks to make a case for the importance and benefits of both polycentric and monocentric governance approaches. It is proposed that this can only be achieved through a connection between strengthened global institutions and plural local initiatives through which all converge polycentrically upon a more CAIL-based approach. Pogge analyzes this possibility through his concept of institutional cosmopolitanism and the interplay of centralization and decentralization.17 The idea that people can be governed through a number of political units of various sizes without one being dominant is a version of sovereignty that, he argues, leads to peace and security, reduction of oppression, global economic justice, and respect for ecology and democracy. This understanding is instructive when new regional institutions, such as the African Space Agency, are proposed which seek to strengthen access to space and other goods inadequately addressed or protected at the global level that affect emerging space nations. Of consequence, the legal subcommittee of UNCOPUOS, where space governance issues are deliberated, finally recognized that it is in a state of flux and needs to re-invent itself. A new agenda on working methods of the committee is currently under discussion and proposals are in the process of development. However, according to its current chairman, this much-needed discussion engendered skepticism from the African group.18 There might indeed be some merit in skepticism, leading one to act with caution and question the ideas and motives of the powers that be. However, where a latecomer to the table attempts to contribute meaningfully to a system that appears flawed, the latecomer must answer the question, “what is the extent of my knowledge and what is the criterion for knowing?” If we do not know what we do not know, how can we meaningfully engage?19 It is suggested that one of the causes of this state of flux in global space governance, and particularly in implementing international space cooperation to the satisfaction of all, is that we do not know the scope and meaning of the “legal right” to benefit from space activities. An important question to ask, therefore, is what do we make of principles or obligations that on their face appear to be indeterminate? Does that place them outside the law or instead give broad resonance to the law? French recognizes three levels of uncertainty to global justice: indeterminacy of scope (to what is it relevant?), of content (what does it require?), and of application (is such a concept something that can even be understood at the global level?).20 These levels of indeterminacy give rise to additional questions concerning the means, methods, and operational principles that might otherwise comprise a framework of implementation. In the space law context, all three levels of indeterminacy are present. There is a relationship between justice and law, but law will never completely fulfill justice. This does not mean that law is not orientated towards justice; instead, the law will sometimes announce what it is seeking to do to contribute to justice. In other words, “while the recourse to principle in political and legal debate can never anticipate the attainment of justice, this should not marginalize the significance [or the] relevance of striving for fairness at the global level, particularly between economically divergent States.” 21 Article I (1) of the OST announces the form of justice that is sought and it is the aim that space benefits be available to all that orients the justice outcome of the law. Advent of sustainability as a concept applicable to space In this article, space sustainability is explored as a justice claim that unconditionally provides for the enablement of present and future others to ensure that benefits are shared from the use of space. Sustainability is now a widely invoked concept, but there is as yet no consensus on the precise meaning of the term. The ordinary meaning of the word “whereby” is to maintain or endure, and bearing in mind that all conceptions of sustainability consider the future, sustainability can be simply defined as “the ability to maintain or support an activity over the long term.” 22 In assessing the concept of sustainability, it must be realized that many bad programs, practices, and behaviors are sustainable, and the idea that present circumstances and their present societal arrangements might be sustained is in reality the unsustainable thought for the majority of the world’s people.23 Therefore, a Realpolitik position is that the concept of sustainability is simply a new label to hide for a number of reasons: (1) the imposition of the will of a particular state or small group of states on others24; (2) lowest common denominator dynamic whereby the minimum standards are laid down to ensure agreement25; (3) an attempt to erode and limit or elevate the powers of some states vis-à-vis others26; and (4) the legitimation and maintenance of the unequal structures and processes that manifest themselves in the growing north and south divide. 27 Marcuse calls the pursuit of sustainability a delusion, stating that getting to the “long run” entails conflicts, controversies, issues of power and redistribution of wealth; namely, conflicts that the sustainability slogan hides instead of revealing.28 Bell and Morse,29 however, note that flexibility to the meaning of the term is a strength in a diverse world, and that it is no surprise that there is still diversity in viewpoints regarding its meaning, despite the often-quoted World Commission on Environment and Development definition of sustainable development as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.” 30 They conclude, in agreement with Kidd, that there is no wrong definition and that the search for the “proper” definition of sustainability is futile. Kidd states that the key to avoiding controversy is for all who use the term to describe clearly what they mean by sustainability in the context of the specific problem being dealt with.31 That said, there are some broad underlying themes that cut across the sustainability literature such that some of the roots of sustainability are identified as producing a baseline definition. It is suggested that the ecological core of the concept of sustainability is crucial and permeates all other roots.32 The basis of the ecological root is the notion that an ecosystem contains a certain density of individuals because each individual utilizes resources in the system; too many individuals, overshooting the carrying capacity, results in overuse of the resources and eventual collapse in the population.33 As sustainable development involves a delicate balancing of competing environmental, social, and economic interests, the claim is that without ecology and carrying capacity at the core, environmental, social, and economic interests cannot share space. At the conceptual level, sustainability is represented by a change in a property referred to as “system quality.” 34 It equates a situation where quality either remains the same or increases, and if quality declines, the system is unsustainable. This is in line with its definition from one legal perspective whereby it is proposed that a deeper meaning of sustainability is systemicity.- 35 According to the systemic view, sustainability is the self-evident term for the dynamic equilibrium between man and nature and for the co-evolution of both within the “Gaia mega-system.” 36 The Gaia system is understood as a compound of the geosphere and biosphere. The Gaia theory proposes that all organisms and their inorganic surroundings on Earth are closely integrated to form a single and self-regulating complex system, maintaining the conditions for life on the planet. On a practical level, this can be understood as a requirement of “harmonization of all public policies and social practices and their convergence towards ensuring the co-evolution of manmade systems and ecosystems.” 37 It is this harmonization and convergence that makes it a modern conception of justice, “focused on social justice, justice towards nature and future generations and justice between private individuals.” 38 Definitions of space sustainability The Secure World Foundation defines space sustainability as “ensuring that all humanity can continue to use outer space for peaceful purposes and socioeconomic benefit.” 39 It is also described as “the ability of all humanity to continue to use outer space for peaceful purposes and socioeconomic benefit over the long term.” It is proposed that, read together, these broad definitions take as their premise that: (1) all humanity thus far is using space for peaceful purposes and for socioeconomic benefit; (2) this use is threatened; (3) measures must be taken to protect it; and (4) all humanity currently possesses the ability, in the sense of having a skill or the capacity, to ensure space sustainability for peaceful purposes. Under this conceptualization, the negative effect of not using space sustainably is primarily economic.40 Bearing in mind the governmental origins of space exploitation, where market economics did not play a primary role in decision making, the growing focus on the economic perspective in space affairs acknowledges Carolyn Deere’s opinion that problems emerge in the international domain from an absence of powerful economic interests.41 Of course, as more space applications are developed, economic interests become more prevalent in that market protectionism then underlies the rationales for many positions taken. Space sustainability is also conceptualized as defining good behavior, its boundaries, and disincentives for negative behavior in space.42 Space sustainability then becomes a much more limited political concept calling for specific measures to strengthen norms.43 Some notable examples follow: ● An International Code of Conduct—the European Union proposed a non-binding voluntary code whose purpose is “security, safety, sustainability” for all space activities providing for general measures on space operations and space debris.44 ● The Scientific and Technical Subcommittee of UNCOPUOS working group objective of establishing guidelines for the long-term sustainability of outer space activities. ● Proposed International Civil Aviation Organization for Space—the establishment of an international organization focused on space safety and the establishment of binding safety standards similar to the International Civil Aviation Organization.45 ● Industry efforts for a global space situational awareness database ● Group of Governmental Experts (GGE) on Transparency and Confidence Building Measures. Depending on the forum for discussion and in line with the previously mentioned initiatives, the concept of space sustainability is also used interchangeably with the following: (1) space security, which entails access to space and freedom from threats;46 (2) space stability addressing space situational awareness;47 (3) space safety, which is protection from all unreasonable levels of risk (primarily protection of humans or human activities);48 and (4) responsible uses of space.49 These all reflect the two components of space sustainability as described by the founder of Secure World Foundation: “the first is the physical environment, which includes management of space debris, electromagnetic and physical crowding and congestion, and space weather. . .. The second component is the political environment, and includes promoting stability and preventing conflict between nations.”- 50 Bearing this in mind and notwithstanding the potential confusion caused by the interchangeability of terms used, at the core of all proposals conceptualizing space sustainability or related concepts are the notions that: (1) space assets are kept safe and secure, and that the assets are not harmed or interfered with; (2) peaceful space activities continue as free from purposeful/intentional or unintentional harmful interference; (3) the space environment is preserved for peaceful uses; and (4) international cooperative efforts are required. These four points are understood to be the current core conditions for and of space sustainability. It must be acknowledged that space sustainability, in this context, is severed from the ecological roots of sustainable development. Rationale for space sustainability The proposed baseline conditions for the current conception for space sustainability coincide with Gallagher’s analysis of the logic for space cooperation as “Space Governance for Global Security” where all space actors seek “to secure the space domain for peaceful use; to protect space assets from all hazards; and to derive maximum value from space for security, economic, civil, and environmental ends.” 51 Based on this understanding, the current conception of and rationale for space sustainability ties more clearly to global security than to sustainable development. This logic emphasizes that “the more different countries, companies, and individuals depend on space for a growing array of purposes, the more they need equitable rules, shared decision-making procedures, and effective compliance mechanisms to maximize the benefits that they all can gain from space, while minimizing risks from irresponsible space behaviors or deliberate interference with legitimate space activities.” 52 While it is acknowledged that such a need exists, the difficulty in reaching agreement on how to bring it about is one reason why some states are more focused on producing a dialogue on long-term sustainability. This is seen in the proliferation of reports outlining best practices and options that enhance sustainability through increased information sharing, as well as a focus on technical issues rather than on the creation of any new legal regimes. To minimize some of the risks of non-sustainable space use, Weeden53 proposes a three-pillar technical approach to space sustainability: (1) debris mitigation; (2) debris removal; and (3) space traffic management. This is conjoined with an immediate need for data in support of conjunction assessment and collision avoidance. This emphasis on data sharing/collection includes enabling research into potential solutions to the problem of space debris, and enhancing transparency and cooperation among states. Weeden also suggests that this narrow approach to space sustainability serves both to educate space actors about the severity of the space debris problem and to provide stability to reduce the likelihood of conflict. A common approach to data also serves as verification for a potential code of conduct in space, setting the stage for future space governance models. These proposals follow the logic of sustainability for global security. While this logic is in line with the dominant conceptualization of benefit sharing and freedom of outer space, the position taken in this article is that it does not adequately speak to sustainability from the perspective of aspirant space states. To do so requires a significantly broader discussion and solutions aimed towards aligning space law and policy with the sustainable development paradigm, if understood as being an inclusive paradigm and not focused on the individualistic/self-interested nature of the current conception of sustainable development. A systemic, sustainable development law approach calls for a conscious engagement with the web of overlapping social, environmental, cultural, and legal frameworks, as well as cultural considerations, economic policies, expectations, players, and interests.54 Bearing in mind current U.S. space policy,55 such a broad overarching objective may not be achievable as part of the dialogue on the “Long Term Sustainability of Outer Space Activities,” but U.S. policy regarding preservation of the space environment nevertheless offers insights because international initiatives congruent with it are likely to garner the most support. Schrogl56 proposed that sustainability is rendered to threats and risks to satellite operations. This approach acknowledges the intersection of multiple issue areas: environment, security, mobility, knowledge, resources, and energy. This intersection of issue areas is more akin to the wider discourse of sustainability development of and on the Earth, and prompts a discussion of value to emerging and aspirant space actors. Otherwise, the dominant conceptualization of space sustainability removes any focus upon providing for the needs of those not among the most advanced space nations. This problem is highlighted in Peter and Rathgeber’s definition of space sustainability: Sustainable space activities can be seen as activities (in space, from space, through space and towards space) that meet the needs of the present space actors without comprising the ability of future generations to meet their own needs of performing space related operations safely.57 Peter and Rathgeber claim that the emergence of new institutional space actors, particularly from the south, is putting a greater pressure on the space environment and that the participation of the south in space sustainability efforts is unsatisfactory.58 Yet, the role of less-advanced nations in sustainability initiatives is more so on the receiving end in that advanced nations seek to engage newcomers to space during the early phase of the development of future directives and codes of conduct for sustainable space activities; that is, not really to seek their input, but to ensure compliance by the less-advanced nations.59 Their space activities are judged as either threats to or consistent with space sustainability, rather than as part of articulating the content of space sustainability.60 This indicates that, for national space programs of established space nations, a truly international focus on space sustainability is not a priority. It is interesting to note, at this juncture in the discussion, a fundamental provision proposed by a group of developing states during the development of the U.N. Space Benefits Declaration.61 (1) All States should pursue their activities in Outer Space with due regard to the need to preserve Outer Space, in such a way as not to hinder its continued utilization and exploration. (2) States should pay attention to all aspects related to the protection and preservation of the Outer Space environment, especially those potentially affecting the Earth’s environment. (3) States with relevant space capabilities and with programs for the utilization and exploration of outer space should share with developing countries on an equitable basis the scientific and technological knowledge necessary for the proper development of programs oriented to the more rational utilization and exploration of Outer Space.62 Paragraph 3 is fundamental and truly revealing when read in the light of the analysis of Schrogl.63 Schrogl claims that the declaration takes up the problem of space debris, which might endanger future space utilization to a significant extent. However, he also states that “the wish [of the Developing countries] to be informed about debris prevention measures voiced. . . is reasonable but actually needs no mentioning since these technological developments are discussions and documented publicly to the greatest extent.” 64 Andsell et al. suggested that, when forging an understanding of the rationale and development paths of all space actors, in particular emerging ones, it is critical to engaging these actors in the promotion of space sustainability;65 and Peter and Rathgeber proposed bridging the participatory gap through cooperation and other forms of exchange with the north and established space actors, including data sharing, knowledge transfer, and discussion fora and core groups.66 While such proposals open the door to a broader conception of space sustainability in the north, it is important to ask whether actors orient toward fulfilling the responsibility inherent in the existing space law regime. Are they holding themselves accountable for inadequacies of their own procedures? How well is a cooperation ethic internalized? After all, aspirational norms are best tested by the extent to which agents and legal subjects integrate them as part of their identity. In addition, Ellis67 argues for another topic on whether Article VI of the OST obligation for states to authorize and continually supervise national space activities is a useful responsibility to uphold in order to enable others? The rhetoric of inclusion is pervasive in that all actors purport to pursue it and can point to instances of adherence. Even positions articulated by developing states today are read to suggest that the status quo is adequate, since there are limits to what the law requires.68 Nesiah argues that, in the current landscape, a focus on what states can do for each other is misguided because it contributes to the production of legitimacy for empire.69 Further, Nesiah states that it is not enough to situate critique outside existing normative structures, suggesting that it is important to enable developing states to produce real change, taking account of the existing framework. In other words, how can the existing framework enable all countries to foster capabilities in a way that is of mutual benefit to all? Lopez succinctly offers insights on the space sustainability concerns and priorities of three emerging space nations in Latin America, asking how these actors define space sustainability, what actions they are taking to address it, and their views on space sustainability mechanisms under development. The common themes that emerge are threefold. Firstly that space sustainability has clear linkages with parallel concerns over sustainability on Earth namely the issue of access and that the need to ensure that the interests, needs and limitations of developing countries is duly recognized in sustainability discussions. Secondly, Lopez highlights that Involvement at the multilateral international level is an important priority shared by these actors. To this end, the discussion above about polycentricism vs mono centricism is more focused towards the perspective of current actors as these countries analyzed would prefer a focus on monocentric initiatives. This ties in with the third perspective that there is a strong preference for legally binding measures to address space sustainability issues. This preferences has surfaced largely as a result of criticisms of the process undertaken and lack of inclusiveness in development of some initiatives.70 One way to address this is through better understanding of the benefits of cooperation. The North American Aerospace Defense Command, a collaboration between Canada and the United States that conducts aerospace warning, aerospace control, and maritime warning in the defense of North America, provides an example of collaboration at the highest level which acts as a fruitful model for cooperation on space sustainability issues. The proposed pathway is for potential partners to start from sharing information to creating conditions of interoperability, to full integration of projects and, finally, partnership on mission goals. In order to get to this point, it is instrumental that there is an effort to enable partnerships where capacity differs. Bearing in mind these insights, Dennerley also highlights an important consideration from emerging nations perspective that is very relevant in the development of technology and responses to space sustainability, largely that what often occurs in the realm of international standard setting is that countries aim to embed their technology into international regimes, essentially making their technology the industry standard. This he highlights causes a potential inequality between emerging and established space nations which he suggests can be offset through education and capacity building in space law, establishing and maintain an increased international presence in various for a, thus becoming engaged at the standard setting table pushing for standards that are informed by principles of open access, interoperability and non-discrimination and increased cooperation.

#### Ratifying the Moon treaty is key because it was the radical follow up to the OST by developing countries. It restricts capitalist accumulation, creates mechanism for redistribution and creates new ethical frameworks to relate to outer space.

Luca Follis 18, political sociologist and Lecturer in the Law Department at Lancaster University, “The Province and Heritage of Humankind: Space Law’s Imaginary of Outer Space, 1967–79,” Limiting Outer Space pp 183-205

The conflation of the Moon Treaty’s common heritage provisions with the Law of the Sea framework likely doomed its reception by developed countries and private corporations. Unlike other space law documents, the agreement acknowledges existent power asymmetries among nation states and seeks to ensure that space exploration remains sensitive to equity principles. Yet, the emphasis in both the treaty negotiations and legal commentary on what impact the phrase ‘common heritage’ might have on resource exploitation has displaced the treaty’s central normative promise. One might read space exploration as a twentieth-century extension of nineteenth-century colonization processes as some developing states did. In this view, space law with its high-minded rhetoric – province of mankind, common heritage, envoys of mankind – merely provided ideological cover for the construction of new and similarly durable structures of global inequality. The corollary to this interpretation might be that the negotiation process stuttered when developed and newly constituted nations sought to transform these high-minded principles into legally binding commitments. Yet another reading might emphasize that the juridification of outer space was but one aspect of a wider and more extensive legal reaction to the prospect of a future dominated by science, technocracy and the increasing obsolescence of law. In this view, the possibility of outer space as a legal vacuum worked powerfully on the self-identity of the legal profession, generating an elaborate proliferation of legal scholarship on extraterrestrial questions that only abated when the gap between the promised future and existent capabilities was revealed to be a chasm.53 Yet, however one interprets the Moon Agreement, it did explicitly seek to transcend the historical status quo through establishing a normative high ground. Since the Outer Space Treaty in 1967, the international community has recognized a new subject of international law: mankind. If this is correct then the Outer Space Treaty and related treaties (in applying to ‘mankind’) represent the law of the human race as a whole; a concept that is both temporally (previous, current and future generations) and geographically (it comprises all peoples) inclusive. Thus, in their attempts to infect a set of humanist concerns within the fabric of international law, the space law treaties actively further a new legal entity: humankind.54 The Moon Treaty should be read in light of this broader project of codification begun with Article I of the Outer Space Treaty and legally elaborated through the concept of common heritage.55 In the view of Argentina, Brazil, India, Sweden and the United Arab Republic, the Moon Treaty had to be considered a rejection of the historical primacy of militarization, colonialism and capitalist exploitation in approaching the world and in structuring relationships between states. This would posit space as a novel post-national, post-sovereign, human community whose benefits should be in principle and practice equally shared by all humankind. Indeed, the treaty’s chief aim was to place human action in the universe under an international framework that would ensure that whatever occurred there would further, and remain subject to, principles of equitable distribution and mutual engagement. Such an approach would give legal and normative substance to the grand goals of exploration and discovery, parity and mutual benefit enumerated in the previous four space-related treaties; principles that seemingly intimate and prefigure a grander vision of space exploration – visible, for instance, in the formulation of astronauts as ‘envoys of mankind’ – than they in fact articulate.56 However, despite the multilateral nature of negotiations – many countries submitted drafts and comments – and the broad agreement the current form enjoys among all the negotiating parties, the Moon Treaty has to date been ratified by only 15 countries.57 In 1972 the Apollo program few its final mission, and both the United States and the Soviet Union shelved prospects for future lunar landings. By the close of the 1970s the expansive spacefaring future that the Apollo missions had helped evoke was refocused on more tangible aspirations. Reusable Space Shuttles and orbital space missions dominated the priorities of the United States and Soviet Union as well as the European Space Agency (ESA), which in 1979 marked its independent launch capability with the successful launch of Ariane 1 on 24 December. The lukewarm reception of the Moon Agreement (as indicated by its poor ratifcation record) dealt a powerful blow to the broad imaginary of outer space it outlined. It generated a normative vacuum within which more instrumental understandings of the uses and value of outer space have flourished.58 An important element in this interpretive shift was initiated by the United States. After supporting the common heritage phrase throughout the long negotiations, it withdrew support at the time of ratification under resistance from special interests and private enterprise in Congress.59 Much of this was prefgured in the 29–31 June 1980 Congressional testimony on the Moon Treaty of former General Alexander Haig (1924–2010), a former chief of staff at the White House and NATO Supreme Commander, then president of the armaments manufacturer United Technologies Corporation. During the hearing, Haig painted the Moon Treaty as an attack on the very core of the capitalist world system: The common heritage concept expressed in the treaty underlies third world efforts directed at a fundamental redistribution of global wealth. […] Third world countries have indicated they intend to gain control over critical raw materials and to gain access as a matter of right to technology needed to exploit them. […] Proceeding any sooner with signing and ratifcation is opposed by United Technologies, because it would doom any private investment directed at space resource exploitation.60 According to this broadly shared and revisionist view, the Moon Agreement’s poor ratification record should be read as a failure. Negotiators placed too many shackles on free enterprise and private entrepreneurship in an attempt to appease the revolutionary ambitions of the third world. If one could not profit from the investment made either directly through the exploitation of resources or indirectly through the development of technologies that might then have applications on earth, why would one want to go to the moon in the first place?61 The irony of this perspective is that it fails to register that the treaty was less concerned with the mining and harvesting of resources than it was with the preservation of equity and a shared understanding of space exploration. In this sense, the Moon Agreement should be interpreted as an imperfect attempt to anchor the meaning of space exploration in the human experience not as an inevitable process chained to the juggernaut of the market or scientific progress but as a shared repository for the transcendence of historically imposed and earthly limits. That this position was articulated by a developing world that had long been situated at the wrong end of the negotiating table only gave the treaty an authentically political and transformative character. IV The universe as negative space The perceived failure of the Moon Agreement exposed the limitations of the remaining four treaties. Together they set up a neither/nor framework that advanced an array of injunctions on sovereign appropriation while limiting the traction of a transnational space politics that might form the basis for resolving and transcending them. If outer space cannot be a zone of common property then, even under a modest interpretation of the corpus juris spatialis, it cannot be a zone of unrestrained free enterprise either. The capacities of sovereignty that might enable states to validate claims of ownership or lease sections of the moon or the celestial bodies for commercial purposes are similarly interrupted. On the other hand, space law recognizes that states remain the sole actors in outer space. It takes as given that domestic legal frameworks are the core instruments of legal import and relegates the regulation of what will happen in space to bilateral or multiparty agreements or individual emendation by nation states. The ad hoc legal framework suggested above dramatically limits the chances of considering space exploration as anything other than a means to some other end. What was at stake in the Moon Agreement was more than a disagreement over the future of private exploitation of space resources. It offered the possibility of recovering a universal understanding of what outer space is and how this should guide our actions in the universe. More importantly, it provided a positive corollary and normative supplement to the Outer Space Treaty and the vacuum generated by the latter’s powerful bans on sovereignty, appropriation and militarization. Thus, the Moon Agreement sought to preserve the possibility for conceiving and reserving (for future generations) outer space as a place of wonder and contemplation along the lines advocated by Arendt. And it involved the preservation of a platform for human action in the universe and the conditions for a space politics that could temper the empty trajectory of scientific progress or capitalist accumulation. This is what is most striking about the Moon Treaty: instead of focusing on the process by which resource exploitation should unfold, it attempted to articulate why the moon and the celestial bodies are important and valuable to the human race. In other words, the phrase ‘common heritage of mankind’ in the Moon Agreement serves as a normative and ethical compass as well as a principle of wealth redistribution. In its absence we are left with the profound irony of Arendt’s critique: from the perspective of universal science, knowing the secrets of the universe does not require us to go anywhere. The question then, of why we should go there at all cannot be understood from within this paradigm or that of capitalism, whose sole difference is that it replaces the quest for abstract knowledge with the relentless quest for profit. If space exploration and humanity’s role within it will remain untethered from its political and terrestrial premises then the universe will also inevitably be chained to a teleological trajectory whose endpoint is neither articulated nor conceptualized as inherently meaningful.62

#### The aff is anchored in a conception of the common heritage of humankind that is not focused on crude utility or efficiency maximizing, but amplifying the enabling conditions for human flourishing.

Kim Alaine Rathman 98, Berkeley Ethics and Social Policy PhD, Summer, “Sharing The Harvest Of The Skies: Outer Space Commercialization And Third World Development,” https://scholar.lib.vt.edu/ejournals/SPT/v3n4/rathman.html

This paper will investigate the new ethical challenges to international law and policy-making that the commercialization of outer space activities present to the nations of the world. More specifically, this paper will be examining (1) some of the benefits and problems that space commercialization is creating for both national and international political and economic institutions, (2) the growing controversy between First and Third World nations concerning the regulation of space activities and the allocation of space resources, and (3) whether current principles, policies and procedures of international space law are adequate to meet the new challenges that space commercialization presents. Little attention has been paid, from an ethical perspective, to the possible influence that the commercialization of space will have on U.S. foreign and economic relations with other nations, particularly in light of the developing nations' movements toward a new international economic order and their affirmation of the "Common Heritage of Mankind" principle in relation to space resources. In addition, when discussion is focused on the ethical issues involved in this debate, it is largely as a by-product of the legal arguments between the two schools of thought that dominate this body of literature: the natural law school championed by Andrew Haley and the positivist school led by Myres McDougal. The conflicting methodologies of these two schools characterize the debate between First and Third World countries as to whether there is a need to establish the rights and responsibilities of nations and private entities for space commercialization before extensive development of outer space resources has taken place. Within this literature, the debate is focused on the legal status and policy implications concerning the stipulations of the Moon Treaty as they relate to: (1) the geosynchronous orbit; (2) the legal status and commercialization of remote sensing data and mining rights on celestial bodies; and (3) the structure and function of the international outer space resources regulatory regime mandated by the United nations Moon Treaty. In both the primary and secondary literature concerning space commercialization, there is discussion of the importance of telecommunications for the global economy via international monetary and data flow systems, as well as the virtually invisible, societal dependence these new satellite systems are creating as they take over one vital service after another. It is this growing dependence on new space technologies that is particularly alarming for Third World countries whose economies have neither the capital nor the industrial infrastructure to support their own satellite systems. This leaves Third World countries vulnerable to First World economic and political power, and raises questions about the developing countries' ability to maintain any semblance of political and economic sovereignty or cultural integrity. As Jürgen Häusler and Georg Simonis point out, Third World countries failure to adjust to new space technologies will continue the cycle of underdevelopment and political and economic subservience (Häusler and Simonis 1985). Considering these problems further, Marvin Soroos notes that the growing legal, political and economic challenges generated for the global community by new space technologies cannot be solved by the usual policy approaches based purely on technical or engineering models of economics (Soroos 1987, 111). Yet, in all the above studies mentioned, if ethics is considered at all, it is only as a cursory by-product of the discussion and does not play an active role in the solution. None of these works have analyzed the above problems with an ethical perspective as the primary lens for critical interpretation and adjudication. But much of the debate between First and Third World nations is rooted in different cultural understandings of morality, making the application of ethical methodology and moral understandings of participation and the common good absolutely essential to finding viable solutions to this international debate. In particular, the use of ethics to broaden understandings of the common good and the need for participation by all nations will contribute to a more integrated perspective on outer space as a human domain where cooperation and appropriate resource development can be interconnected and intimately related to parallel developments here on earth. When discussing the legal problems of space commercialization, First World nations agree with the stipulations of the 1967 Outer Space Treaty that the moon and other celestial bodies cannot be expropriated exclusively by any one nation. However, space and its resources should, in accordance with free market forces, be open to all nations who wish to develop those resources. Developed countries, such as the U.S., therefore, have pushed for an interpretation of both the Outer Space and Moon Treaties that would allow a proposed international authority to grant, on a non-discriminatory basis, "qualified" nations and private entities the right to "exploit" and maintain ownership control of those space resources they are capable of developing. These nations argue that any other interpretation of an international space agency's regulatory authority would be a disincentive to space exploration and development, making the exploitation of space resources and subsequent technological innovations unprofitable for commercial investment (Dula 1979, 16-17). Their arguments on the legal status of space would resemble those of the "Positivist School" of space law which advocates that the current laws of air or sea cannot be translated to an area of exploration that is still virtually unknown. Consequently, space law must evolve gradually as the facts and needs dictate. The legal status of space most congruent with their arguments would be that of res nullius, i.e., space that belonged to no one (McDougall 1985). Addressing the issue of allocating space resources, Third World nations have presented to the U.N. General Assembly the "Common Heritage of Mankind" principle, affirming that the natural resources of space are held in common by all nations and should be distributed equitably for the benefit of all humankind, as also stated in the "Common Benefit" principle of the 1967 Outer Space Treaty. Following these principles, Third World nations question whether the allocation of benefits and wealth from a commonly held resource such as space should be determined solely on the basis of a nation's technological capability to exploit that resource. They call not only for an international regulatory structure that would "rationally manage" and "equitably share" the benefits of space resources, but also for the international sharing of appropriate technologies related to their development (United Nations 1979). Their arguments resemble most closely the "Natural Law School" of space law, which argues that law is based on the fundamental principles of morality found in the human community and derived from understandings of the nature of humankind. It is, therefore, important to plan for the future uses of space and its resources in order to insure not only an equitable distribution but also to prevent conflicts among nations as have occurred during earlier eras of exploration. This group would argue for one of three possibilities for the legal status of space: (1) res communis omnium, that is, space as a common heritage for humankind to be regulated and garnered by all nations; (2) res extra commercium, that is, space as a common heritage governed by an international organization such as the United Nations; or (3) res communis humanitatis, that is, space as a common heritage that is not owned by any nation but from which all nations may garner benefits (McDougall 1985, 7 and Cocca 1973, 174). Why are the issues of the legal status of space, its resources, and space technology transfers so important? For developed countries such as the U.S., the need to maintain technological leadership is inseparable from national security, making the sharing of technology an untenable demand. They see the commercialization of space as (1) forming the creative frontier of technological research and development; (2) developing those "economies of scale" essential to a country's economic growth on the global level; (3) enhancing industrial and educational capabilities, thus advancing a country's standing on the "learning curve" internationally; (4) enabling nations to acquire "hard currency" on the global market; and (5) promoting national pride and international prestige (Reynolds and Merges 1989, 230). Third World countries also see the economic importance of space industries. They therefore argue for the implementation of the common heritage principle and an international regulatory agency to (1) enable developing countries to reach economic and political parity with the developed countries, and (2) help establish a new, more stable, international economic order based on cooperation for the mutual benefit of all nations (Reynolds and Merges, 96). In the area of telecommunications, Third World nations see space technologies as enabling them to create clusters of smaller labor-intensive projects with satellite communications, enhancing the coordination of these projects and thereby improving their efficiency, particularly when these projects are located in isolated rural areas. Satellite telecommunications would also enable Third World nations to increase their domestic communications for the delivery of services such as health care and education to rural areas thus increasing skill formation within the country. In addition, satellite communications would help bridge the gap in service and trade between the domestic and international economy. Finally, Third World nations need stable industrial infrastructures and the capacity to generate hard currency to service their foreign debt, and, therefore, recognize the potential for large hard currency profits in satellite communications and space technology production. Two problems created by the ever-expanding use of satellite telecommunications are Transnational Data Flows and the even newer use of Direct Broadcast Satellites, that have the ability to by-pass a nation's ground stations. For Third World nations these innovations in information and communication services raise questions concerning the issues of sovereignty and privacy in relation to freedom of information (i.e., exactly what kinds of information are flowing in and out of the country, to whom, and for what purpose). Also, the fact that a nation's ground stations can be by-passed raises questions for Third World nations as to how to maintain their cultural integrity. A good example of the problems generated by these innovations in telecommunication, can be seen in the controversy between the United States and Cuba concerning the broadcasts of "TV Marti." TV Marti, operated by the U.S. government, broadcasts programs into Cuba against Cuba's wishes, and on the same frequency as one of Cuba's own TV stations. The U.S. government justifies these broadcasts under the freedom of information clauses stipulated in various U.N. declarations, while Cuba opposes these broadcasts as a violation of their national sovereignty (Villalobos 1994, 6-14). Finally, these new communication technologies raise important questions concerning the powerful centralizing and decentralizing effects that transnational data flows give to multinational corporations in information, employment, natural resources, and intellectual property. These rapid information services allow multinational corporations to control vast amounts of information from a centralized point, while, at the same time, these services allow them to decentralize or disseminate employment (or unemployment) to any nation they choose. A good example would be the new telecommunications system in Haiti that allows U.S. corporations to digitally send their secretarial work to Haitian typists, and back again, for substantially less than it would cost those U.S. companies to employ secretaries on-site. A number of rights claims are in conflict with one another in this debate between First and Third World nations concerning the allocation of space resources. If we are going to find some resolution to the international conflicts surrounding commercial space activities and the equitable distribution of outer space resources, we must look more closely at the conflicting rights claims and ethical perspectives employed by First and Third World countries in the debate. These conflicting claims have their origins in the differing cultural values of First and Third World nations and can be briefly described as follows: (1) Third World demands for equitable sharing and access to a common resource versus First World arguments for efficient usage that may restrict access to the most qualified developers, but which will eventually bring greater benefits to everyone; (2) First World support of private property rights versus Third World needs-based arguments for the equitable sharing of goods and services to meet the social needs of their populations; (3) Third World demands for sovereignty and privacy rights in relation to the access and transmission of important business information and resources data versus First World rights claims for freedom of information; and (4) First World concerns for national security in relation to space technology transfers and their misuse versus Third World desires for greater autonomy, both technically and economically, with the participation rights such autonomy engenders in the global community. These cultural and moral differences between First and Third World nations revolve around (1) different priorities for various needs, such as the physical needs of Third World nations for basic teleservices for communication, education, and health purposes, versus the ever expanding instrumental needs of First World economies for faster, more efficient services; (2) different understandings of fairness and equity in the distribution of property and entitlement benefits, such as the desire of Third World nations to meet the basic minimal standards of living for their populations by gaining an equitable or equal access to a "commonly held resource," versus a First World understanding of legal acquisition and transfer as the fairest form of property and entitlement distribution; and (3) different understandings of appropriate market systems and of government regulation and involvement in those systems, such as in Third World nations where the government should be involved to "rationally manage and equitably distribute" those resources available in the economy, versus that of First World nations where free-market forces and government non-interference are considered to be the most efficient method for proper resource management and development. What the above conflicting rights claims and controversies demonstrate is that the international legal system governing outer space, as it now stands, is not adequate for the new ethical and economic dilemmas that space commercialization presents. It is apparent that current regulatory agencies that use efficiency adjudicatory models based on utility can no longer make an accurate assessment of the conflicts occurring between First and Third World nations when the basis for these conflicts is to be found in the ethical and moral priorities of the various countries themselves. A model based solely on efficiency or utility, then, is no longer tenable given that it does not have the evaluative measures needed to appraise ethical conflicts generated by differing values and the needs those values prioritize within the various nations involved in the controversies concerning space commercialization. Consequently, there is a great need for innovative, consensus-based approaches to the development of outer space law and policy that combine ethical values and new understandings of both global interdependence and the common good, with the efficiency models already in use. In addressing the above conflicts between First and Third World nations, elements of contemporary Roman Catholic human rights theory would be particularly useful in that (1) it has its roots in the same natural law tradition that is used to formulate international law, and that furnish "the theoretical elaboration and underpinning for the political and social judgements of a large international community" (Boyle 1992, 115); (2) it recognizes the importance of participation and access to economic and political institutions if justice is to be achieved and maintained, a claim made by both First and Third World nations in this debate, albeit defined quite differently; (3) it takes seriously the notion of solidarity, co-responsibility and global interdependence, particularly as these influence human social relations and the minimal condition of human dignity within the community (Unites States Catholic Conference Administrative Board 1989, 310, par. 29): and (4) its tripartite understanding of commutative, distributive, and social justice provides a method for adjudicating various rights claims in relation to the common good, important for creating and maintaining international cooperation. Roman Catholic human rights theory begins its arguments for justice by expanding the understanding of moral membership and interdependence within the human community, holding that all peoples and nations are members of a global community with interdependent political and economic structures and thus all nations have duties or obligations to one another. This position is an enlarged understanding of agency-relative or relational-obligation. Therefore, because all nations are members of a global community, basic justice requires that all peoples be entitled to participate in the decision-making process of an "increasingly interdependent global economy," and those decisions in turn, must be judged in light of what they do for the poor, what they do to the poor, and what they enable the poor to do for themselves. The fundamental moral criterion for all economic decisions, policies, and institutions is this. They must be at the service of all people, especially the poor [italics in original] (National Conference of Catholic Bishops 1986, 12). This means not only that we must take the "transcendental worth of persons" into consideration when investigating the moral nature of global interdependence, but the socio-historical context within society must be examined in order to determine the concrete conditions necessary for human dignity. Both must be examined in order to determine the concrete conditions necessary for human dignity (Hollenbach 1979, 69-70). Hence, the standards by which human dignity and freedom are measured do not arise from some theoretical abstract, but rather are based on human "physical and biological needs realized in social interaction, and structured by the historically changing pattern of "national and international institutions" (Hollenbach, 94). Consequently, human rights are those minimal conditions necessary for creating and preserving human dignity. Thus, Roman Catholic human rights theory stresses that, in an interdependent world, the first priority of all nations and peoples must be to insure that everyone has "a decent standard of life "before others reap large profits" from society's economic structures (United States Catholic Conference Administrative Board 1989, 308, par.14). Human dignity in an interdependent society, therefore, requires that all social institutions strive toward respecting and meeting those minimal conditions necessary for achieving fundamental personal, political, and economic rights for all people (United States Catholic Conference Administrative Board 1989, 42, par. 80. See also Pope John Paul II, Sollicitudo Rei Socialis 416, 33.4). Given that the emphasis in Catholic human rights theory focuses on "the dignity of the human person, the unity of the human family," and "the need to pursue the international common good" (National Conference of Catholic Bishops 1986, 121, par. 251) in an interdependent society, the question remains as to how this interdependent society should be shaped to meet the demands of human dignity and human rights. What moral criteria or guidelines are needed to aid in the evaluation of the political and economic institutions that organize the policies and decisions that influence the well-being of peoples and nations throughout the world? Also, how should these economic and political institutions balance the competing rights claims between various groups and individuals within the community? This question is particularly important since societal structures are the "means by which power is distributed and" are highly significant in determining which claims will in fact be supported and which will not" (Hollenbach, 156). The above questions are answered within Roman Catholic human rights theory by balancing community interactions using the principles of tripartite justice and subsidiarity to form the basis for personal, social and instrumental rights within society. It is from this complex and mutually reinforcing framework of principles, justice norms, and rights that "strategic moral priorities" can be identified. These moral priorities, in turn, provide guidance for the institutionalization of a human rights policy that will promote human dignity within society for all its members. Therefore, in order to develop such a comprehensive human rights policy within society, the following strategic moral priorities must be taken seriously. The needs of the poor taken priority over the wants of the rich. The freedom of the dominated takes priority over the liberty of the powerful. The participation of marginalized groups takes priority over the preservation of an order which excludes them (Hollenbach, 204). However, it is important to note here that these priorities are merely "ethical standards" by which policies should be guided and do not provide the specific information necessary (such as historical and cultural context, or social, political and economic demographics, etc.,) to be considered discrete policies for social action in and of themselves (Hollenbach, 204-5). Therefore, if we are going to take the claims of Catholic human rights theory seriously and hope to apply them justly, it is important to elaborate further on the meaning and characteristics of participation. In addition, we need to articulate a method for identifying the appropriate information for translating ethical priorities and standards into viable policies. Amartya Sen, a political economist whose ethical works focus on the problems of development in the Third World, becomes useful here. Sen's ethical analysis of participation and its relevant characteristics is particularly illuminating for our debate because it promotes the importance of the capability for participation, i.e., the ability or advantage that individuals (or groups) possess for allocating primary goods to the achievement of justice in the distribution of economic resources or political rights. Sen favors the priority of capability or "primary powers" over the Rawlsian priority that takes note of the "most deprived group"in terms of the availability of "primary goods," because the latter does not take into account the variability of people's capabilities. With a priority of capabilities, however, "a person whose primary powers (or basic abilities) are less for the same level of income is entitled to get more income" (Sen 1984, 281-82). Sen points out that the failure of "traditional development economics" is the result of its focus on GNP and aggregate income as available primary goods to the neglect of the variability of needs in relation to distributed incomes or entitlements, i.e., the capacity or primary powers those entitlements or incomes give to people (Sen 1984, 496-97). The use of Catholic human rights theory for resolving policy problems such as the allocation of space resources presents an additional problem as it uses ethical categories that are quite distinct from those employed in economic theory and policy formation. These latter rely heavily on an engineering or logistics approach characterized by a concern with finding the appropriate means to serve a given utilitarian or efficiency related end. Again, Sen's analysis is useful. While not a utilitarian, he takes utility seriously as the theoretical basis for most current economic policy. Sen also recognizes the important contributions of the engineering approach to problems of economic development, but he insists on balancing that approach with an ethic-related view of human agency and social achievement that forces means oriented policy development beyond the ends of efficiency or utility to a broader view of what the good is for society (Sen 1987a, 4-7). Sen points out that within an engineering approach utility or efficiency is seen as the sole value for evaluating states of affairs and, as a result, limits the types of information it recognizes and characterizes (Sen 1985, 186). According to Sen, such a limitation in the use of information sources, particularly in the area of community values, means that this engineering approach reduces the diverse goods of society and individuals "into a homogeneous descriptive magnitude (as utility is suppose to be) and then the ethical evaluation simply takes the form of a monotonic transformation of that magnitude" (Sen 1987a, 61). The problem with utility, then, is that it oversimplifies human values and motivations to that of self-interest represented in a single numerical value (Sen 1985, 175). In order to correct this informational deficiency, Sen puts forth his "functioning approach," in which the notion of enhancing people's basic capabilities is seen as the primary goal to be achieved. For Sen, It is arguable that what is missing in all [these evaluative frameworks] is some notion of "basic capabilities": a person being able to do certain basic things, the ability to meet one's nutritional requirements, the wherewithal to be clothed and sheltered, the power to participate in the social life of the community. The notion of urgency related to this is not fully captured by either utility or primary goods, or any combination of the two (Sen 1987b, 160). The functioning approach that Sen proposes is inherently "information-pluralistic" and requires taking account of the various different aspects of well-being, as well as the plurality of human motivations related to social achievement. In this approach, a "functioning vector" is a set of functions a person actually achieves, and capability is "defined as the set of functioning vectors" within the person's "reach" (or a comparison of actual opportunities available to different people and groups) (Sen 1985, 201). In addition, the main aspect of well-being in this approach is seen as "the ability to achieve valuable functionings" (Sen 1985, 200) (which also can be translated into understandings of national well-being). Therefore, the information pluralism offered by Sen's approach is a more plausible view of well-being than utility, since functioning vectors refined by capability recognizes the variations that exist between groups and contexts and permits at least a partial ranking of states of affairs. Sen's capability approach also can be used to enhance and make more explicit the Bishops' definition of participation. The Bishops describe "basic justice [as demanding] the establishment of minimum levels of participation in the life of the human community for all persons" (National Conference of Catholic Bishops 82, #24). This focus by the Bishops on the minimum, while at the same time not defining what that minimum participation level might be, can detract from what really needs to be accomplished to improve both participation and the standard of living in a country, particularly for the most vulnerable members of the community. It also lets policymakers off at just achieving the minimum, without allowing people to gain the capability they actually may need to improve their well-being. Sen, however, sees the capabilities and functionings of people as the primary goods and the actual ends that policy should attempt to enhance. For Sen, the focus and emphasis of economic development policies should be on the bringing about of capabilities, or the enabling of the individuals to take advantage of those essential items available in society without necessarily referring to minimums at all. In this case, capability becomes absolute, instead of a relative measure of the enhancement of participation and the quality of life in the society at large (Dreze and Sen 1989, 269-70). In relation to economic development policies, this shift to the functioning approach has several important implications. First, this approach provides a clearer direction for the types of policies necessary to improve the standard of living for large sectors of a country's population (Dreze and Sen, 187-88). Second, examinations of the functioning approach in action have shown that while the fostering of economic growth, in the form of GNP, one prominent aspect of economic development for a nation, true improvements in the standard of living require the comprehensive use of public support and provisioning (through government planning and policies) to enhance the basic capabilities of all its citizens (Dreze and Sen, 268). Moreover, the functioning approach significantly changes not only the goals to be strived for, but also the means used for economic development policy. For example, if the public policy goal is to provide for basic needs and minimal living conditions, the focus will be oriented toward goods and services as a type of charity, and, therefore, limitations on participation might be imposed. If, however, the policy goal is to improve the capabilities of people (understood as opportunities to entitlements), then policies will be aimed differently and geared for greater participation. Consequently, using Sen's capability or functioning approach in the case of allocating outer space resources and technologies, the policy goal would be to expand the capabilities of nations to (1) function adequately in an interdependent global economy, (2) create an appropriate standard of living for the population at large, and (3) participate in international affairs without shame. As a result, this approach takes more accurate note of the fact that a capability failure in space technologies and skills means falling behind absolutely in the global economy (Sen 1984, 338 and Sen 1987c, 25). Finally, Sen's functioning approach may be employed within international regulatory institutions to ascertain the appropriate informational criteria needed for developing public policies, in our case, allocating and distributing outer space resources. In using such criteria, these organizations would need to look at the "capability variables," between the disputing nations involved in relation to the available primary goods (such as the slots in the geosynchronous orbit, or resulting profits from future space mining). Then, a determination would have to be made concerning which capabilities should be considered to have priority in the evaluation process. These important capabilities could be economic and financial, technical, personnel-related, or infrastructure-related. These economic measures, then, would need to be related to other quality of life indicators, such as a national populations' access to education, health care, employment, and nutrition, etc. Finally, the value of the proposed space development projects should be prioritized based on their affects on the above standard of living statistics. Therefore, in light of both the moral norms found in Catholic human rights theory, and the notions of capability, participation and the standard of living found in Sen's ethical framework, an international space regime would need to (1) design membership and committee procedures that insure the equitable participation of all nations needing or desiring space technologies for peaceful uses; (2) enable communication between concerned nations, intergovernmental organizations, and private entities; (3) encourage international cooperation and joint ventures in the development of space technologies and programs; (4) implement a broad range of policies and programs aimed at promoting the capability of all nations in the research and development of space technology to ensure equitable participation, global economic stability, and a decent standard of living for all people; and (5) develop a fair and feasible mechanism for the allocation and distribution of outer space resources and technologies, including an international code of ethics for the transfer of technologies by multinational corporations to Third World nations. Accordingly, membership and participation in these international legal regimes should not be based on the type of weighted vote related to capital investment, as suggested by First World policymakers, but rather on the formula found in the common heritage principle, where a nation's percentage of contribution to space activities and the needs that developing countries have related to building capacities in space technologies are both taken into consideration. I believe such a dual formula for measuring participation would help balance two of the most significant points of contention existing between First and Third World nations (i.e., that of concern for capital investments versus concern over economic underdevelopment). The rights and duties of membership within this organization also should be jointly developed and clearly stated in order to establish and make concrete the obligations that exist between governments and private entities concerning the commercial development of outer space resources. Finally, I believe these international regulatory institutions would require the power and authority to implement programs that would (1) develop a code of ethics for the transfer of technology and intellectual property to Third World nations; (2) encourage partnerships between Third World nations and multinational corporations on program development around independent satellite use and remote sensing; (3) promote incentives for multinational corporations to develop appropriate technologies (perhaps using the money collected from the rent/tax on space activities); and (4) provide funding for space development projects that guaranteed improvement in the living standards and basic capabilities of people in underdeveloped nations. Such programs would help insure the stable and equitable development of the global economy into outer space. In short, utilizing selected elements of Sen's ethical work enables Roman Catholic human rights theory to be extended into a realm it might otherwise not reach, thus advancing the development of space policy in a way that is both technically credible and ethically sound. Sen, therefore, provides a bridge between the political, legal, and economic arguments advance by policy-makers concerned with the allocation of space resources and the ethical and distributive justice arguments of Roman Catholic human rights theorists. Since much of this debate is rooted in the different cultural understandings of morality among the nations involved, an application of ethical methodology and of the moral understandings of participation and the common good is absolutely essential to the development of equitable international policies for the regulation of space. In particular, the use of ethics to broaden understandings of the common good and the need for participation by all nations will contribute to a more integrated perspective on outer space as a human domain where cooperation and appropriate resource development can be interconnected and intimately related to parallel developments on earth. The results of these current legal and ethical debates will be crucial to the future definitions of outer space law and policy and will have a direct effect on the conduct of nations and private corporations in the use and allocation of resources beyond the confines of this planet. Without changes in current legal and policy structures the possibility of growing instability between nations could inhibit the future peaceful development of space and space resources by both government and private enterprise.

#### This is the best method of anti imperialism. Alternatives are overly identarian and anti-Eurocentric. Those gloss over the way imperialism produces identity categories in complex ways. This removes them from their historical development and treats them as flat and static. That form of analysis calcifies imperial relations.

Christopher Murray 19, IR PhD candidate at London School of Economics and Political Science, “Imperial dialectics and epistemic mapping: From decolonisation to anti-Eurocentric IR,” European Journal of International Relations 1–24

A durable tendency of International Relations (IR) scholarship in the last 15 years has been to promote the addition of ‘non-Western’ ideas, practices and histories to correct disciplinary Eurocentrism.1 This article argues that this is not a solution, but a significant part of the problem. Rather than producing a global discipline, or a discipline more attuned to power in the production of knowledge, the addition of the non-Western as a distinct category of thought and practice contributes to an ethnification of world political inquiry. This reproduces a hierarchical imperial imaginary: a divided image of the world based on essentialised constructions of ethnic and cultural difference. The problem often begins with essentialised conceptions of empire and ‘the Western’. Reviving the critiques of some mid-20th century anticolonial nationalists, anti-Eurocentric critics tend to reduce empire to its oppressive, exclusionist or assimilationist practices. While empires could be all of these things, critics tend to ignore or diminish the productive role of empires in enabling the politics of identitarian difference (Cooper, 2005: 23). Rather than merely excluding, these politics formed the basis for elite postcolonial expertise and representation (Kelly and Kaplan, 2001; Muppidi, 2012; Said, 1979; Shaw, 2002). The conflation of empire with the West therefore obfuscates the designs and coexistence of non-Western empires and would-be empires. Critics also tend to accept an ahistorical and essentialist vision of the Western as representing secular rationalism. An image is, thus, produced of Western IR as lacking its cultural, spiritual or relational other half: a lack which the non-Western must be brought in to correct (e.g. Shahi and Ascione, 2016). While pointing out the limitations of the Western/non-Western binary is not new (e.g. Bilgin, 2008; Doty, 1996; Grovogui, 2006; Hutchings, 2011; Shilliam, 2010), many scholars still seem resigned to it as a necessary tool, which will eventually produce a more inclusive discipline somewhere down the line.2 The fundamental claim of this article is that adding ethnicised or culturalist representations of non-Western traits will never deliver a global or post-imperial IR. Adding ethnic and cultural variations on IR concepts such as sovereignty, agency or cosmopolitanism contributes to a world divided by imperial categories, and props up the subordinate power claims of local universalisms. A fuller and more complex picture of humanity is denied in favour of stereotypes. Transversal processes of co-constitution and strategic alliance-making are obscured by representations of autogenous difference. This article argues that projects to add the non-Western should be understood as a dimension of difference assertion internal to dialectical relations with hegemonic knowledge formations. By this I do not mean to redeploy the well-established and over-simplistic critique that any counter-hegemonic assertion of cultural difference is orientalist or an instance of self-imposed alienation (e.g. Chibber, 2013). Rather, that epistemic difference should be understood as part of a non-linear process of representation, which is not autonomous from the uneven political terrain on which global North and South, or ‘white’ and ‘non-white’ race relations take place. While many IR scholars now recognise the need to situate approaches to world politics in more historical and relational analysis, this article seeks to make a contribution to how more historical and relational analysis should be approached when it comes to legacies of imperial hierarchy. Developing an interpretive analysis of anti-imperial intellectual history and recent anti-Eurocentric IR scholarship, this article offers a critique of how the Western and non-Western are represented by our current scholarly discourse. Building out from this critique, I draw on the writing and political biographies of William Edward Burghardt (WEB) Du Bois and Frantz Fanon to advance two concepts: epistemic mapping and imperial dialectics. I approach Du Bois and Fanon comparatively, as two generations of theorists attempting to address the problems of an imperial world order. Like contemporary critics of Eurocentric IR, Du Bois and Fanon wrote from the global South against dominant Western knowledge formations. Their anti-imperial struggles sometimes elicited, what I call, epistemic mapping: a claimed ownership or close association between particular ways of thinking, seeing or knowing the world with particular places, imagined communities, or social identities and subjectivities. However, Du Bois and Fanon deployed these constructions of the non-Western as part of reflexive and changing tactics embedded in their evolving anti-imperial strategies. They each shifted from the politics of ethno-cultural particularism, precisely because of the inability of these politics to sustain anti-imperial momentum after the Second World War and African decolonisation. For Fanon, more explicitly, representations of difference were inextricable from imperial dialectics: historical social formations that result from imperial encounters and changing political conjunctures, and that should not be taken for universal, timeless or generic relations between coloniser and colonised. The significance of this for inquiry is that representations of the Western and non-Western are coconstituted, subject to social and political relations, which are multiaxial, and are strongly determined by historical developments. By contrast with Fanon and the later Du Bois, many contemporary scholars construct the non-Western as a concrete corrective to Eurocentrism. This is because knowledge institutions such as the modern university tend to incentivise the reification of different definable and coexisting knowledge genres (Mamdani, 2012; Said, 1979; see Berrey, 2015; Reus-Smit, 2017). Such a practice would have been recognisable to Fanon as either belonging to a particular moment of subaltern self-assertion, or the conservative cultural nationalist politics of the anti-colonial right. In arguing for the addition of the non-Western to the Western, in order to get the global or the post-imperial, contemporary scholars reproduce the ethnicised definitions and arguments for coexistence of cultural nationalists. Against the stated intentions of some anti-Eurocentric IR scholars,3 this results in conceptions of non-Western difference, which have historically serviced the interests of experts and national elites within an imperial world order. Thus, the practice of epistemic mapping in contemporary inquiry evinces a form of imperial dialectics, which exists in our own disciplinary ontologies and frames of analysis. The remainder of this article is composed of three sections and a conclusion. The first section situates Du Bois and Fanon within the context of the imperial ‘Black Atlantic’, and draws on their anti-imperial politics to reveal the production of a hierarchical and divided political imaginary. The second section shows how this imperial imaginary is reproduced in contemporary academic discourse. The third section draws on Du Bois’s and Fanon’s anti-imperial world politics: their concerns about identitarian politics and their advocacy of internationalism and cultural revolution. The article concludes by briefly suggesting alternative ways forward. The past decade and a half has seen major corrections to the ‘wilful forgetting’ of empire by what has traditionally been a Eurocentric or predominantly ‘American social science’.4 The ‘re-turn to empire in IR’ is now well underway, with a rich, growing literature on the various forms of connection between empire, world politics, international order and the discipline of IR itself (Bayly, 2014; e.g. Inayatullah and Blaney, 2004; Keene, 2002; Shilliam, 2010; Thakur et al., 2017; Vitalis, 2015). Yet, there remain limits to the extent to which the imperial frame of analysis can so far be construed as ‘reconstructive’ rather than simply ‘additive’ (see Pasha, 2010: 218). This is particularly the case when it comes to the question of how to conceptualise notions of identity, subjectivity and difference, which are historically rooted in imperial relations. While several scholars now call for inclusion of the non-Western to address Eurocentric erasures and violence, far fewer seem fully ready to acknowledge that such addition requires equal attention to the problem of representation in our scholarly practice. Representations of the non-Western in contradistinction to the Western are inherent to anti-Eurocentric IR scholarship, yet these representations also have origins in the imperial division of the world. The anti-imperial archive serves as a crucial yet still under-utilised resource in addressing these issues. While some critical IR scholars draw on specific works and concepts by certain anti-imperial thinkers, few studies read these through a longer historical trajectory of critical thought on empire and situate it in relation to its social world. As a consequence it becomes too easy to associate certain works, concepts or thinkers with a transhistorical, non-Western perspective. To be fair, it is only relatively recently that political theorists have begun to situate the writings of canonical Western thinkers in relation to their social world (see Valdez, 2017). What such an approach can reveal is that claims to epistemic difference are not entirely new, but have resonances with past political efforts to integrate ethno-culturally different societies into a connected and unequal world order. Thus, epistemic difference should not be seen simply as a reflection of an externally existing reality, but as a process of representation, which is power laden and dialectical. The categories that would eventually evolve into a rhetorical commonplace of West/ East or West/non-West were born bound up in contestation over the meaning of ethnocultural difference within a world order divided by empires (Aydin, 2007; Barkawi, 2010; Biswas, 2007; Doty, 1996; Go and Lawson, 2017; Said, 1979, 1993; Salter, 2002).5 The imperial division of the world was both discursive and material. Writing for a UNESCO conference in 1972, Amílcar Cabral argued that colonial social genesis and fragmentation were the result of ‘imperialist capital’, which imposed new kind of relations on the indigenous society, imparting to it a more complex structure, and engendered, fostered, sharpened, or resolved contradictions and social conflicts. . . it gave birth to new nations based on human groupings or peoples at different stages of development (2016 (1972): 160–161). The territories in Africa and the ‘new world’, which would become associated with pan-African and black radical politics, were differentiated by imperial capital and forced labour flows in various ways (e.g. Gilroy, 1993; Hopkins, 1973; Jones, 2005; Rodney, 1982; Shilliam, 2009; Williams, 1994). African territories were differentiated between coastal societies, which had centuries of engagement with outsiders, and inland societies, which were sometimes understood to have remained more traditionally African (Shumway, 2014). Within coastal and inland societies, there was further differentiation between tribal elites, the Western-educated middle classes and different segments of the masses. There were also differentiations between colonies, which reflected not only their respective European rulers, but their various uses and importance for imperial extraction, security and administration. Thus, the experiences of colonial subjects in Senegal and the Gold Coast differed from those of Jamaica, Martinique or St. Kitts. Though not colonial subjects nominally, the societies and politics of African Americans, linked as they were to the Atlantic slave trade, were also shaped by imperial-colonial structures of relation. The imperial politics of division were not either assimilationist or exclusionist. Rather, they worked to include different classes of ‘native’ populations in different ways (Anghie, 2007; Cooper, 2014; Getachew, 2019). For example, at the height of imperial confidence during the mid-19th century, Britain advanced policies to assimilate West Africans through ‘commerce and Christianity’, and train them in bureaucratic, military and legal professions as future leaders of a ‘civilised’ Africa to come (Zachernuk, 2000: 44). Later and in different contexts, empires implemented policies of non-intervention or indirect rule. These policies could provide alibis for the perceived futility of trying to convert and incorporate natives, or were designed to maintain control within a rationale of preserving indigenous culture (Crowder, 1964; Mamdani, 2012; Mantena, 2010). By the early 20th century, there existed a transnational class of colonial elites, lobbying for greater access to positions of authority and influence within the imperial network. When policies of indirect rule were established after the First World War, many of these elites were denied leadership roles on the grounds that they failed to authentically represent the cultures of their people. Meanwhile, representatives of ‘traditional’ culture, religion and politics could rule with relative autonomy over local communities. Colonial officials who believed themselves experts on native culture were often open to manipulation by these representatives (Parsons, 2014: 8, 20). These strategies of imperial division elicited different types of difference claim. The two categories of difference claim that frame the remainder of the discussion can be termed the particular as universal and the particular as particular. While the particular as universal asserts difference to both resist assimilation and emphasise shared humanity, the logic of the particular as particular is to emphasise essential difference to establish autonomy (cf. Paipais, 2011). Rather than necessarily sequential, or abstractly opposed or harmonious, these two types of claims are subject to processes of dialectical engagement between actors within connected and unequal social orders. This tension can be seen in the scholarship and activism of Du Bois and Fanon, and is reproduced in contemporary anti-Eurocentric scholarship. Epistemic mapping – self-definition against and for empire The image of Europe as a realm of material success, scientific discovery, democracy and secular rationalism could sustain a vision of non-Westerners as benefactors of white guidance, at best, or perennial children in need of intervention at worst. Obversely, European thinkers since the Enlightenment and counter-Enlightenment – such as Herder, Las Casas and Voltaire – had argued that Europe should respect, or even learn from, the spiritual and cultural essences of Eastern cultures or indigenous Amerindians (Bailey, 1992; Inayatullah and Blaney, 2004: ch. 2; Todorov, 1996). A typical tendency of anticolonial nationalist discourse in the late 19th and 20th centuries was to appropriate and reverse the tropes of spiritual richness, artistic sensibility or rootedness in communal values. These traits were used as a basis for arguments that non-Westerners – because of their distinct histories, practices, cultures and intellectual traditions – had the potential to become even better liberals, socialists, soldiers or moderns than Westerners (Chatterjee, 1986: 55, 138–139). Used to defeat the legitimation scripts of exclusion and imperial encroachment, these arguments further associated specific qualities with Western and non-Western ethnicity, culture and history.6 I call this practice epistemic mapping. Epistemic mapping is a representational practice based on the notion that different ideas, practices or thought systems have a single geographical provenance, or can be coded according to a set of particular social relations or embodied social subjectivities. Whereas epistemic difference was sometimes invoked in the late imperial context to reject the politics of assimilation and exclusion, epistemic mapping institutionalises particular representations of difference for purposes of comparison or critique. Comparing the arguments of Amitav Acharya – the leading proponent of ‘Global IR’ – with the early racial nationalist arguments of WEB Du Bois reveals continuity in the imperial structure of this practice. Acharya argues that the goal of Global IR is to ‘subsume, rather than supplant, existing IR theories and methods’ (Acharya, 2014b: 649, 2016: 6). Mainstream IR should not be reconstructed, but augmented in various ways by the insights of the non-West (Acharya, 2014b: 650). This means deeper incorporation of Area Studies to add empirical breadth and depth (Acharya, 2014b: 655), and drawing on ‘non-Western traditions’ such as ‘Hindu epic literature and Buddhist philosophy’ to augment methodological practice (Acharya, 2016: 8). Presenting himself as a representative of the ‘non-Western World’, Acharya claims that the desire for ‘relative autonomy and recognition’ within the existing international order is more representative of the global South than those politics that sought or seek to transform it (Acharya, 2014a: 16). Du Bois’s scholarship before 1940 was also marked by the assertion of non-Western cultural traits, and the promotion of non-Western contributions to the global democratic project. His arguments emerged in opposition to both white nativist rhetoric in the United States (Foley, 2010: 170), and the project of global white supremacy, which continued to legitimate imperial rivalry and Euro-American ‘stewardship’ of the colonies after the First World War (Getachew, 2019; Lake and Reynolds, 2008; Pedersen, 2015; Vitalis, 2015; Younis, 2017). Du Bois’s representations of blackness were consistent with Lamarckian evolutionism and the Boasian turn in American anthropology. These academic paradigms attributed difference to environment and history rather than biology, and were referenced by both racists and anti-racists to essentialise cultural traits as a basis for policy (Reed, 1997: 120; Vitalis, 2015: ch. 2). While more sophisticated than biological explanations, sociohistorical development still attempted to code whole groups of people according to generic traits. In 1924’s the Gift of Black Folk, Du Bois devotes each chapter to a different contribution made by the black race to the United States and to the democratic forces of the world. He explains black contributions with reference to the cultural development of the race in relation to its African setting. Du Bois writes that ‘[t]he Negro is primarily an artist. . .. [th]e only race which had held at bay the life destroying forces of the tropics, has gained therefrom in some slight compensation a sense of beauty, particularly for sound and color, which characterises the race’ (Du Bois, 2014 [1924]: 104). Du Bois’s criticism of European empire during this period presupposed that the fates of Europe and ‘darker peoples’ were linked through longstanding imperial relations (Du Bois, 2016 [1920]: 23–25). Writing in 1920, Du Bois attributed the greatness of Europe to its ability to capitalise on nonEuropean knowledge: ‘Why, then is Europe great? Because of the foundations which the mighty past have furnished her to build upon: the iron trade of ancient black Africa, the religion and empire-building of yellow Asia, the art and science of the “dago” Mediterranean shore’ (Du Bois, 2016 [1920]: 23, italics added). Although Du Bois argued that these different civilisations should follow their own particular historical and cultural lines of development, he also held that different civilisations should aspire to a world standard of civilisation. Consistent with one logic of imperial race development, ethnic and cultural categories such as black or non-Western must be preserved until the people they represent can make important civilisational contributions. In his pre-war and inter-war work, Du Bois appropriated the imperial challenge for races to prove themselves as races by re-establishing their own empires. Referring to pre-colonial African empires such as Songhai, Benin and Mali, Du Bois argued that the black race should avoid miscegenation until it has built ‘a great black race tradition of which the Negro and the world will be as proud in the future as it has been in the ancient world’ (cited in Wolters, 2003: 158). While Du Bois opposed the violence and exploitation of European empire, he also envisaged an integrated Pan-Africa, which would be built on modern standards of civilisation and guided by a black elite who could speak for an authentic black culture. Du Bois’s practice of both defending the potential of black populations to become civilised, as well as defending traditional African folkways and particularities, stemmed from the contradictions in engaging multiple audiences within a multiaxial social and political order. For Du Bois, civilisation was to take place with respect to inherent group traits – a sentiment that appealed to dominant ideas about authentic African difference within the American university (see Posnock, 1997: 336) – but ‘postulation of an exotic black particularity’ also demonstrated the need for a cultured, educated black elite as ‘spokespersons’, ‘keepers and translators of the culture’ with respect to a dominant white constituency (Reed Jr. 1997: 58). Representations of African exoticism would have also appealed to some audiences during a moment when concern with ‘overcivilisation’ was in vogue with affluent metropolitan whites. As we will see later, Du Bois eventually shifted away from epistemic mapping towards international class consciousness and strategic anti-imperial alliances. However, Du Bois’s pre-1940 cultural nationalism is illustrative of the imperial structure of the discourse. The continued prominence of cultural nationalist arguments in the period after the Second World War provides important context for Frantz Fanon’s aversion to the politics of imperial coexistence. Imperial dialectics and the lure of coexistence Empire maintained dehumanising hierarchies of race and culture, but also created overtures to multicultural coexistence, which could maintain imperial order by extending authority to colonial clients. Subverting and building on Hegel’s dialectics of reciprocal recognition, Fanon observed that late empire could extend formal equality and rights without dismantling the fundamental hierarchy of a master/slave relationship. ‘The White man is a master who allowed slaves to eat at his table’, Fanon wrote (Fanon, 2008 [1952]: 194). Recognition in the imperial context did not necessarily mean emancipation, but could imply the extension of imperial power in the form of ethnic and cultural inclusion (see Coulthard, 2014). Fanon’s imperial dialectics problematise the idea that a variety of different representations of difference can be sustained simultaneously and harnessed at will for different strategies (cf. Sabaratnam, 2011). This is because the deployment of ‘self and other’ representations helps construct the social and political reality of that ‘self and other’, while simultaneously negating other potentialities (Mamdani, 2012). Such representations are politically consequential and highly ambiguous, and so their reification as scholarly knowledge has to be avoided. Colonialism, in the sense that Fanon confronted it, was a specific kind of war, where the arrestment – not necessarily the death – of native culture is a tool of domination. Cultural and racial chauvinism are not the primary concern of empire. Rather, it is the ‘gigantic business’ of ‘colonial war’ that makes ‘the enslavement. . . of the native population’ the ‘prime necessity’. Colonial enslavement required that native populations’ cultural ‘systems of reference’ had to be ‘broken’. This is not initially chauvinism for its own sake, but a ‘condition’ that accompanies and legitimates ‘[e]xpropriation, spoliation, raids, objective murder’ (Fanon, 1980 [1956]: 33). Colonialism did not necessarily lead to the death of native culture. ‘On the contrary’, Fanon wrote, it takes a culture ‘once living and open to the future’ and renders it ‘closed, fixed in the colonial status, caught in the yoke of oppression’. Subverting Hegelian recognition, empire made it impossible ‘for a man to evolve otherwise than within the framework of a culture that recognizes him and that he decides to assume’ (Fanon, 1980: 34). Crucially, Fanon never advocated the reification of ethno-cultural difference as the best anti-imperial strategy amongst others, and he certainly did not advocate ontologising specific representations of difference as part of academic knowledge production. Because of the subjugation of non-Western cultures within the material and social hierarchy of empire, the mobilisation of groups that had been diminished by Europeans was a potent tool to reclaim power in colonised countries. However, in turning culture outward, the danger was that it becomes an inert celebration of itself and not drives towards its own transformation. The mobilisation of identity was not purely for the sake of national independence, but necessary for the Third World to seize power on the world stage and to chart a political and economic course between the West and the Soviet Union (Hudis, 2015: 80–81). Failing to overcome the particular as particular would mean that newly independent nations would likely fail to integrate into larger, unified federations, and, therefore, remain susceptible to new forms of colonialism and division. In a reply to his admirer, the Iranian political thinker, Ali Shariati, Fanon wrote, ‘I respect your view that in the Third World. . . Islam, more than any other social and ideological force, has had an anti-colonialist capacity and an anti-Western nature’. However, he concluded, ‘I, for one, fear that the fact of revitalizing the spirit of sectarianism and religion may result in a setback for a nation that is engaged in the process of becoming, of distancing itself from its future and immobilizing it in its past’ (cited in Hudis, 2015: 134). Race is also (ultimately) too thin to serve as the basis for a sustainable revolutionary political formation. In his final work before his death, Les Damnés de la Terre [the Wretched of the Earth], Fanon wrote that the ‘historical necessity in which the men of African culture find themselves to racialize their claims and to speak more of African culture than of national culture will tend to lead them up a blind alley’ (Fanon, 1963: 172, italics added). Race reaches a limit of its ability to unify, and becomes subordinated to the particularities of a new international political context (Fanon, 1963: 173– 174). It is at this stage that class politics become especially important, because without continued revolutionary momentum, the ruling class of the newly independent nation will simply reproduce the chauvinism and oppressive relations of the colonial administration (Fanon, 1963: 125–128). None of this was purely hypothetical. When Fanon was engaged with the revolutionary Front de Libération Nationale during the Franco-Algerian war, he was surrounded by native leaders who wished to make amends with the French Empire on culturalist terms. For example, the first president of Senegal, Léopold Sédar Senghor, wished for France to fully include its African territories as part of a multiracial, multicultural confederation (Cooper, 2014; Wilder, 2015). Like Du Bois, Senghor argued for African inclusion on the grounds that Africans had distinct cultural virtues and intellectual traits, which were complementary rather than antagonistic with those of Europeans (Howe, 1999: 26). This kind of argument was typical, though not exhaustive, of the mid-20th century literary and political movement, Négritude. During the Franco-Algerian war, Fanon took aim at Senghor and the ‘bards of Négritude’, who constructed an ‘inventory of particularisms’ out of ‘reified’, ‘custom’ and ‘tradition’ (cited in Wilder, 2015: 134). Demarcating the non-Western as a zone of difference to be devalued or mined for particularisms ultimately steals the right of the global South to its share of human history. Fanon’s answer to this is to assert the particular as universal by rejecting the notion that ideas, innovations and histories rightfully or exclusively belong to particular groups: ‘I am a man, and in this sense the Peloponnesian War is as much mine as the invention of the compass’ (Fanon, 2008: 175). Part of this means recognising that, although ethnocultural identity is crucial to the struggle against empire, it is secondary to the political struggle that creates other forms of identity and solidarity. ‘My black skin is not the wrapping of specific values’, Fanon writes (Fanon, 2008 [1952]: 177). ‘Every time a man has contributed to the victory of the dignity of the spirit, every time a man has said no to an attempt to subjugate his fellows, I have felt solidarity with his act’ (Fanon, 2008 [1952]: 176). One of the key takeaways from this analysis of Du Bois’s and Fanon’s representations of difference is the overlap, but fundamental difference, between representation for academic praxis and representation for political/activist praxis. In the process of political/ activist praxis, representation might take different forms depending on the strategic content of the dialectical response to hegemony. Essentialism might be condoned in these circumstances, or simply emerge as a reaction. However, it is not the role of academic praxis to condone essentialism, but to offer accounts for why or how it is possible for essentialism to take place. Yet, it is essentialism in academic praxis, which is sometimes produced by anti-Eurocentric IR. Redividing the world Epistemic mapping and anti-Eurocentric IR Like Senghor and the early Du Bois, anti-Eurocentric scholars often reproduce the imperial division of the world when invoking the non-Western. In emphasising difference, antiEurocentric scholars occlude access to the values, practices or political projects – good or bad – that cut across or have been shared by people in the global North and South. While essentialism of this kind might sometimes seem politically necessary – at least in the short term – its reliability as knowledge needs to be more closely interrogated. To an extent, the incentive structure to add alternatives in the form of non-Western alternatives is passed down by mainstream IR theorists. For example, mainstream realists who have essentialised the ‘character’ of non-Western nations as a limit on the expansion of Western universalism (e.g. Huntington, 1997; Kissinger, 2014; see ReusSmit, 2017) can provoke responses valorising non-Western universalisms. Or mainstream realists who argue that non-Western IR can offer nothing that Western IR does not already (e.g. Mearsheimer, 2016) can provoke a proliferation of exceptions in the form of ethnic and cultural particularisms. Though not all anti-Eurocentric IR scholars are equally incautious about epistemic mapping, it is broadly practised and seemingly difficult to avoid. Epistemic mapping is brought in to offer ‘global’ or ‘post-Western’ alternatives to IR’s ‘analytical bifurcations’ – such as West/East, theoretical/atheoretical, subjective/objective – but actually elaborates on these bifurcations.7 When Acharya points to constructivism’s role in ‘opening space for scholarship on the non-Western world’ because of its emphasis on ‘culture and Identity’ he is drawing on an older bifurcation based on the notion that while the West has ‘knowledge’, the non-West has ‘culture’ (Acharya, 2014b: 650). Similarly, Yaqing Qin (2018) reproduces a familiar stereotype about the West operating from a knowledge culture of ‘rationality’, whereas China operates from an epistemology of ‘relation’. Robbie Shilliam has been a foremost scholar in pointing out the different uses of the Western, and the inherent problems of representing an authentic non-Western removed from colonial history (2010). However, in his recent work, the Black Pacific, he claims the ability (though not unproblematic) to speak for the lived experiences and ‘living knowledge traditions’ of Maori and Pasifika peoples. These living knowledge traditions, Shilliam argues, provide access to an epistemic alternative to ‘Western modernity’, supposedly free of ‘Western’ hierarchy or violence (Shilliam, 2015: 7–12). These claims sometimes come with troubling assertions of a hegemonic national philosophy or religion as the basis for epistemic difference. For example, Confucianism is equated with Chinese in a manner that celebrates a particular representation of national identity and buries internal contestation and the myriad historical forces that shaped contemporary China. Note, for example, that Qin’s book on Chinese IR contains no reference to international communism or Mao Zedong as intellectual or cultural influences on modern China. Other varieties of epistemic mapping allow for ‘hybrid’ forms of social, political and economic organisation, but retain the essential origin of the individual components. For example, Agathangelou and Ling’s invocation of ‘Asian capitalism’, which they conceptualise as the result of ‘mater liberalism’s consummation with the Confucian worldorder’ creates a hybrid category out of two essentialisms (2004: 27). Contrast this with Fanon, who refused to concede rightful ownership of human knowledge to particular peoples, regions or civilisations. The way that the debate is structured around these divisions leaves it poorly guarded against the double-edged valence of difference. Reduction of difference to ethnic and cultural categories (including European) can lead to reduction of groups to their worst practices, to virtuous caricatures, or disable the critiques of anyone seen to be outside these groups. That different societies have produced different cultural particularities is not in doubt; however, the meanings that intellectual origin claims carry are ambiguous and can be put to many different uses. Ancient Greece, for example, provides some of the major foundations of dominant Western thought, but in its historical context it had more cultural, intellectual and political links with the civilisations of Asia Minor and Egypt. Both of these statements can be true, yet both can be emphasised in different ways for different effects (for example, see Duara, 1996: 40; Young, 2016; 33). Take the claim, sometimes obliquely made, that non-Western perspectives are distinct sources of cultural cohesion, spirituality or moral insight. For example, Arlene Tickner’s assertion that modern Western belief systems are based upon an instrumental relationship between human beings (subject) and nature (object) that translates into the instrumentalisation of knowledge or the view of knowledge as a commodity. Instead, many non-Western cosmogonies view the self, community and nature as interdependent parts of a single whole, with which their understanding of the relationship between knowledge and the natural world, and of the social function of knowledge in general, is markedly different (Tickner, 2003: 305). Such a claim is not only essentialist, but politically ambiguous. Imperial authorities made similar claims about non-Western worldviews in order to justify exclusion on the grounds that ‘natives’ were ill-adept for modernity, but also to cast doubt on the authenticity of ‘Westernised’ native critics. It is unlikely that Tickner means to essentialise; however, the characterisation of the non-Western as more attuned to communal values and the natural world emerges from the dialectical impetus to define the particular non-Western against the particular Western. The definition of the Western as rational and universalist is also constructed, and is complicated by any close inspection of the variety of communitarian religious beliefs, anti-modern sentiment and counter-Enlightenment philosophy within modern Europe and the West. On the other hand, many non-Westerners also see knowledge as a commodity. Commodification of knowledge is, therefore, not explicable purely in terms of ethno-cultural thought systems. This raises the related point that the non-Western alternatives being defined need not be insular or ‘communitarian’ in order to be essentialisms. The claim is not that the ‘nonWestern’ circumscribes too narrow a section of humanity, but that it carves up the world into separate realms, which are coded according to some ingredient that defines them in contradistinction to the Western. Arguments that non-Westerners have their own universalisms (Acharya, 2014b: 649–650), alternative sources of cosmopolitanism (Munro and Shilliam, 2010) or local humanisms (Nakano, 2010) demonstrate that political globalism is universal, regardless of whether or not its universality can be evaluated as serving progressive or conservative, emancipatory or oppressive political aims. However, attributing specific global visions to a particular social or historical experience supposedly shared by people with the same race and culture only makes sense within a politicised discourse where the value of the non-Western has been somehow challenged.8 Then there are definitions of epistemic difference based on ‘lived experience’. Although an improvement on territorial or raciological accounts, the ascription of cultural difference to a generic lived experience or social subjectivity can also reduce groups of people to stereotypes and monolithic value sets. This is evident in the work of some scholars who take Fanon primarily as a source of ‘epistemic blackness’, without fully addressing his concerns about racialisation and the geopolitical dimensions of decolonisation. For example, the philosopher Lewis R. Gordon writes that ‘Fanon’s body. . . is a subtext of all his writings. ... Anxiety over embodiment is a dimension of Western civilization against which Fanon was in constant battle. The body, he laments, is a denied presence, and black people are a denied people’ (Gordon, 2015: 8). Even in as sophisticated an analysis of Fanon as Gordon’s, there is a danger of essentialism through the association of black identity with a particular way of thinking. For Fanon, black people were not so much universally ‘denied’ as relegated to certain roles within a social hierarchy – the French empire most specifically. Blacks could be of higher or lower status, but race was the basis for social relegation, which alienated the subject from a full, dynamic humanity. For Fanon, every particular experience is an instantiation of the universal, and his analysis of his own experience is a demand to be recognised as a fellow human with an equal stake in humanity. Blackness is not a generalisable perspective from which we can derive a non-Western knowledge, but a reminder to pay attention to the social and historical specificity of relation.9 Embodiment arguments are usually the vehicle for Fanon’s presence in IR, and are often accompanied with the claim that non-Westerners have profoundly different ways of practising politics or being modern. For example, Vivienne Jabri (2014) invokes Fanon to theorise the ‘embodied presence’ of non-Western agency within international order. Anna Agathangelou (2016) links different aspects of Fanon’s revolutionary dialectics to his conception of the subjugated black body. She is particularly interested in how Fanon’s conception of racial experience might present alternatives or ‘different’ ways of doing politics (Agathangelou, 2016: 111; cf. Sekyi-Otu, 2009). In a similar argument, John M. Hobson contrasts the ‘different critique’ of ‘African-American Marxists’, including Du Bois, with ‘white Eurocentric institutional thinkers’ like Leonard Woolf (Hobson, 2012: 17, n. 20). However, the difference is not as stark as Hobson might hope. It is true that Woolf’s anti-racism was qualified by a belief in elite institutional development, but so was Du Bois’s anti-imperialism.10 Areas of overlap are, thus, obscured by the assumption that there are ‘black’ and ‘white’ ideas, which can be mapped onto generic ‘black’ and ‘white’ social realities. Aside from its dubious reliability, the problem with epistemic mapping is essentially the same as the problem with the ethnicised counter claims of Du Bois or Senghor: it is too amenable to the purposes of imperial ordering and elite representation. It creates and services the two worlds of Said’s orientalist divide, rather than building an agenda based on analytical approaches that constructively problematise the divide. Logics of epistemic coexistence Fanon’s concerns about imperial coexistence continue to have relevance in the way that anti-Eurocentric scholars represent the relationship between Western and nonWestern epistemes. Associations of Western and non-Western with specific traits are reinforced by scholarly prescriptions of how the two ought to interact. AntiEurocentrism is, therefore, an ethos as well as an analytical approach. Anti-Eurocentric scholars tend to make arguments both in favour and against peaceful integration of the non-Western and the Western. Claims that the non-Western must make itself autonomous from the Western (e.g. Mignolo, 2009), or that non-Western IR must be added as a complement to Western IR to produce a more ‘inclusive and diverse’ discipline (e.g. Acharya, 2014, 2016) both tend to presuppose that the Western and non-Western exist ‘out there’ as de-contested and fixed (or, at least, de-contestable and fixable) realms of social and political inquiry.11 Each in its own way can reproduce imperial coexistence and recognition, Fanon’s ‘seat at the master’s table’ and Said’s orientalist division of the world. Anti-Eurocentric coexistence reproduces an imperial image of the world based on a non-West, which is spiritually rich, radically pluralist and organically socialist, and a West, which is hierarchical, absolutist and secular. Anti-Eurocentric scholars sometimes essentialise the Western as a political and philosophical force that is chauvinistic at its root (e.g. Hobson, 2012; Maldonado-Torres, 2008; Mignolo, 2011). These approaches suggest a fundamental antagonism between Western and non-Western, but, in doing so, produce flattened images of each. It then follows that steps must be taken to rid or purify the non-Western of embedded Western traits. Calling this a promotion of coexistence may seem counter-intuitive. Mignolo, for example, is certainly very critical of the Western, and extrapolates from this a professed desire for a different world. However, his critique comes with the assumption that the Western cannot or should not be transformed in any fundamental way. Rather, the Western is fixed and essentialised as an object of binary opposition. New universalisms of pluralism and horizontality must be derived from non-Western thought systems, putting the Western in its place and leaving it alone (although, see Rojas, 2016). Alternatively, scholars who favour non-Western diversification of social and political inquiry sometimes argue that purportedly ‘non-Western’ traits, such as ‘relationality’, can be added to ‘the Western’ in order to act as a mediating force on ‘its’ violence. Coexistence here is not only the prescribed mode of interaction, but it is the contribution that non-Western culture is making to the discipline. These scholars recognise conflict between West and non-West, but often downplay or ignore the power dynamics and structural inequalities within representations of Western and non-Western. Take Ling’s Daoist dialectics, which, though it makes the valuable offer of liminal identities between East and West, nevertheless reinscribes the divide by assigning ownership of relational conceptions to non-Western thought systems. Ling writes that Western political ‘common sense’ offers only intellectual resources for violence towards difference, not for recognition and negotiation (Ling, 2013: 12, 15). Strategies for negotiation – perhaps for any constructive, mutually affirming political relations – must, therefore, be taken from non-Western thought systems, such as Daoism and the yin/yang. She does not convey ‘hegemony, hierarchy, and violence’ as endemic to many societies across space and time, but ‘enactments’ of the dominant Western picture of the world. But for its many evils, the Western should not be subsumed, but balanced by the ‘parity, fluidity, and ethics’ offered by ‘other worlds’ (Ling, 2013: 14). Here, war and peace become fundamentally questions of attitude towards cultural or racial difference, not structurally determined results of historical inequality within and between societies. Another potential pitfall of the ethos of coexistence is that it elicits an open-ended demand for a proliferation of ‘different’ perspectives, removed from the sociohistorical contexts wherein these perspectives gain meaning. The non-Western can, thus, become a kind of global ‘pick and mix’ for epistemic diversification or institutional strategy, and the specific, dialectical relations that elicit representations of the non-Western are broadly passed over. Unearthing different perspectives either becomes a virtue in itself – in the name of diversification – or as a means of retrieving perspectives, which will grant greater ‘openness’ (Bilgin, 2016: 137–138; e.g. Grovogui, 2009: 138). This is, of course, not to say that greater openness and diversity would necessarily be undesirable. However, without a complementary impetus to assess these perspectives for their ability to produce or impede a more just society, let alone whether they are that ‘different’ to begin with, the politics of pluralisation are obscured (see Eun, 2019; Paipais, 2016). There is, thus, a danger in depoliticising difference when making absolute virtues out of diversity and openness. While calls for diversity might be politically constructive, scholars should not advocate a plurality of representations of difference without rigorous critical analysis of those representations. Edward Said, in the same vein as Fanon, wrote from an analytical perspective, which was highly conscious of geopolitical imperialism, and thus critical of certain ‘non-Western’ perspectives – e.g. ‘nativism’ – which he saw as detrimental to the political project of decolonisation (1993: 275–278). While he acknowledged that the non-West could not be reduced to an inferior or ‘backwards’ reflection of the West, he also did not support the coexistence of analytical approaches, which reify non-Western difference (orientalism) and those that treat it as a discursive and material construct. This is because he knew that, while not the same as political praxis, academic knowledge has the power to shape the social world it studies, and can thus reproduce the imperial division of the world and attendant political agendas. Dynamic difference and strategic knowledge Not without reason, critics of Eurocentrism frequently call on Du Bois and Fanon as defenders of non-Western difference. However, as I have suggested, they tend to read them first as ‘non-Western’ thinkers, rather than as anti-imperial thinkers. In other words, they read them first as representatives of an ethnic or cultural perspective, rather than a political perspective. While culture and politics are not mutually exclusive, reduction of politics to culture can lead to flattened conceptions of the multiaxial and dynamic social worlds in which theory is produced. A correction to this can be made by emphasising the turn away from racialisation that both Du Bois and Fanon made in their later lives. Rather than an awakening to perspectives, which were abstractly ‘more correct’, shifts in Du Bois’s and Fanon’s thought were embedded in the changing dynamics of relation, which were part and parcel of the increasingly globalised confrontation with European empire. The takeaway here is not to abandon essentialised categories of ethno-cultural difference only to replace them with other political or identity categories, but to shift our analysis to the processes in which difference claims become viable and significant. Du Bois and Fanon engaged with empire and colonialism as a transnational field of political action. The early to mid-20th century saw what Branwen Gruffyd Jones calls an ‘emergence of connected struggles and shared consciousness’ (2010). Anti-imperial leaders learned from and contributed to a ‘global canon of anti-colonial and revolutionary thought and experience’, which included diaspora activists, nationalists, anarchists, Marxists, and many others from around the world (2010: 55, italics in original). After the Second World War, Du Bois and Fanon promoted internationalism and cultural revolution – not valorisation of the non-Western – as means to end imperialism. After 1940, Du Bois came to advocate an alliance of shared political aims over ethnic and cultural nationalism. Although Du Bois was never entirely blind to class, and he recognised the political potential of proletarian revolution earlier (Henderson, 2015; Horne, 1986), the global ‘colour line’ was his predominant focus throughout the pre-war and inter-war periods. However, from 1940 on, Du Bois gradually shifted the ethnocultural focus of his anti-imperialism towards a focus on international class consciousness and political unity. Rather than representative of a mainstream trend, the shift helped to marginalise Du Bois within the American Civil Rights movement and get him into trouble with the United States government (Gao, 2013: 64; Horne, 1986). Du Bois expanded his conception of ethno-cultural development to draw several different cultures and races together. He wrote that ‘physical’ kinship is ‘least’ significant, and ‘the badge of color relatively unimportant save as a badge’. ‘The real essence’ of racial kinship, he wrote, ‘is its social heritage of slavery; the discrimination and insult; and this heritage binds together not simply the children of Africa, but extends through yellow Asia and into the South Seas’ (Du Bois, 2007: 59). However, ‘the social heritage of slavery’ was not an invitation to flatten and codify the non-Western and promote its alternative universalisms. Following Japan’s defeat in the Second World War, Du Bois pointed to Japan’s imperialism in Asia as the cause of its downfall. He stressed the ‘structural limitations of racialist and nationalist opinion’ as giving oxygen to non-Western imperialism (Gao, 2013: 63).12 His advocacy of transnational and interracial solidarity based on anti-imperial democracy deepened following a visit to communist China in 1959. In his preface to the Chinese translation of the Souls of Black Folk in 1959, Du Bois intimated that ‘the color line was now less important than class consciousness’ (Gao, 2013: 75). This was not exclusively a clarion call to nonwhite multitudes, but promotion of a strategic alliance of anti-imperial forces. During his visit, Du Bois also called on China to align itself with the United States and Russia: states he saw as being forces for anti-colonialism and anti-imperialism in world politics (Gao, 2013: 63). That a closer or more detached assessment might have proved the United States and Russia unworthy of Du Bois’s endorsement is beside the point: political goals, at least in the current conjuncture, mattered more than ethno-cultural identity. Fanon, in some ways subsuming Du Bois, was even less ambiguous: ethnic and cultural foundations for politics are stumbling blocks to the revolutionary momentum needed to confront imperialism. Take a portion of a speech delivered by Fanon in 1958 at the All-African Peoples’ Conference in the newly independent Ghana: An African’s anticolonialism, even when already independent, cannot be reduced to staking out a moral position. Each African is an anticolonialist soldier and we well know that, in certain circumstances, we do not have the choice of arms. The African’s anticolonialism is a combatant anticolonialism and not a realm of ethnic awareness – the Belgian, English or French colonialists must get used to seeing each African as an unremitting enemy of their domination in Africa (Fanon, 2018: 636). National consciousness, which Fanon insists ‘is not nationalism’, is the vehicle for entry into a decolonised international (see also Jabri, 2013). National consciousness is not an expression of the ‘reified’, ‘traditional’ culture of indirect rule, but a new intercultural, inter-class identity formed out of empire’s collapse and anti-imperial resistance (Fanon, 1963: 190–199). It is through the process of organised resistance against dominant culture – both imperial and ‘native’ – that new emancipatory identities emerge. Fanon imagines that these processes will or should lead to the ‘break-up of the old strata of culture’ (1963: 197). They must also be driven by the popular will of the masses, and not by elite fiat (1963: 198). The anti-imperial struggle necessitated an image of the colonised sharing ‘the stage of history’ with the rest of the world, and not sanctifying a local perspective of history (1963: 199). Fanon argued that individual colonies in Africa and the Caribbean should retain their individual sovereignty until they can form ‘a confederation of mature states, determined to help each other and to defend each other’s freedom’ (2018: 589). Thus, the basis of ‘African-Negro’ national consciousness is not race politics, but the result of a geopolitical condition: ‘every independent nation in an Africa where colonialism is still entrenched is an encircled nation, a nation which is fragile and in permanent danger’ (1963: 199). The shared national consciousness of Kenya, Ghana, Senegal or Angola is not the unity symbolised by race, but the unity created by imperialist threat and anti-imperial resistance (1963: 170–174). This is fundamentally a multiracial project: ‘the concept of Africa for the Africans does not mean that other races are excluded. ... We struggle for the future of humanity and it is a most important struggle’ (Fanon, 2018: 656, italics added). Thus, Fanon’s anti-imperialism was not a valorisation of a particular universalism, but an assertion of the particular as universal. Fanon called the anticolonial struggle a ‘messy original idea propounded as an absolute’ (Fanon, 1961: 44). The original idea is the ideological current, which emerges from within the movement for the movement, but the movement takes place within a network of other movements all driven by the absolute demand for freedom from imperial rule (Gibson, 2011: xii). Of course, as in the case of a Senghor, freedom from empire was not a universally felt demand. Rather, Fanon’s appeal to the absolute is a political rallying cry, meant to mobilise a transnational cohort of freedom fighters. It is a theory meant to inspire political action across the globe, and not an academic elaboration of a particular episteme. Anti-imperial internationalism and cultural revolution continued to form the basis for political projects in Africa and beyond after the deaths of Fanon and Du Bois (e.g. Gibson, 2011).13 Amílcar Cabral’s revolt against the Portuguese colonial state was characterised by a call for African cultural renewal and an appeal to the international community to enshrine and enforce anti-imperial values (Cabral, 2016: 115–120; see Jones, 2010). Addressing the United Nations in 1962 as an ‘anonymous soldier for the United Nations’, Cabral urged ‘the United Nations and the anti-colonialist states and organisations – all forces of peace in the world’ to ‘take concrete action against the Portuguese state’ (cited in Shepard, 2014: 151). The Kenyan writer Ngũgĩ wa Thiong’o, an admirer of Fanon and Cabral, made a similar speech to the General Assembly of the United Nations in 2009. In it, he argued in favour of limited international intervention as long as it was not a front for imperialism (Ngũgĩ, 2009: 1–6). Ngũgĩ was previously incarcerated for his criticism of Jomo Kenyatta’s government in the late 1970s (see Ngũgĩ, 1981). Although Ngũgĩ remains a proponent of African language and culture to this day, his Marxist internationalism was at loggerheads with the post-colonial cultural nationalism, which still serves as a camouflage to ongoing imperial relations and designs. This reading runs contrary to readings, which characterise Fanon as ‘strategically ambivalent’ on questions of identity or nationalism (e.g. Bell, 2013b; Rao, 2017). Fanon’s strategy was not ambivalent, but dialectical. Certain conjunctures in the relationship between coloniser/colonised, white/non-white and West/non-West elicited certain representations, which appeared strategically necessary. To reiterate a point made earlier, Fanon never advocated strategic essentialism of non-Western culture as the best of a range of options. Essentialised self-representation emerges as a dialectical response to colonial domination, which must be surpassed. The role of the scholar should be to understand and explain these processes of representation, and not reproduce particular representations as flattened, transhistorical realities. Conclusion While not suggesting one path forward, these histories attest to the need to move beyond the Western/non-Western division of the world in our scholarly ontologies. If IR intends to become a ‘global’ discipline – whatever this might mean – it cannot do so at the risk of continuing to reproduce imperial stereotypes about human difference. Of course, the specific disciplinary, institutional and departmental contexts wherein ontologies are authorised and negotiated are unlikely to submit to an absolute, universal rejection of Western/non-Western. Incentives to diversify curricula and the persistence of imperial hierarchies in contemporary societies are likely to keep these categories around for a long time. This does not mean that scholars cannot run parallel programmes to disrupt essentialist representations of Western and non-Western. Instead of promoting ethnification, globalising the discipline could suggest a move towards different categories, which emphasise the different ways human groups intersect; for example, internationally connected processes, strategic or affective alliances, or the inter-societal co-constitution of ideologies, practices and social transformations (e.g. Barkawi and Lawson, 2017; Go and Lawson, 2017; Rosenberg, 2006). Such a shift would recognise the porousness of the institutions/society divide in order to keep in frame the political consequences of our categories. At the same time it would maintain the difference between academic praxis and political/activist praxis in order to keep analytical distance from the forms of representation elicited by social and political struggle.

#### Cooption and analogy arguments are wrong---international structures designed for the powerful are successfully used by the marginalized to enhance freedom from domination.

Stephen Krasner 81, UCLA political science professor, “Transforming International Regimes: What the Third World Wants and Why,” March, International Studies Quarterly, Vol. 25, No. 1, Wiley

The four most likely alternatives are labelled in Table 4. First, the power structure and regime may be congruent: The characteristics of the regime reflect the preferences of individual states (weighted by their national power capabilities) and do not affect capabilities. Second, there may be incongruence: The characteristics of the regime do not correspond with the preferences of individual states weighted by their national power capabilities, but the regime does not alter relative capabilities. Third, there may by dynamic stability between the power structure and the regime: The characteristics of the regime conform to the preferences of the strong and reinforce the existing power distribution. Fourth, there may be dynamic instability between the regime and the international structure: The characteristics of the regime do not correspond with the preferences of the strong and tend to undermine the position of more powerful states. Developments in the postwar system suggest that during periods of hegemonic decline, there is a propensity to move from congruence toward incongruence or even dynamic instability. For hegemonic powers there is a paradox, perhaps an inevitable dialectic, involved in the creation of international regimes-including international organizations. Regimes that the hegemonic power initially creates to serve its own interests can be seized and restructured by other actors in the system. Fully hegemonic powers are likely to establish a regime that is congruent rather than dynamically stable. Their national material dominance is so complete that they can ignore the impact of regimes on their relative power capabilities. They are likely to seek broad milieu goals. In contrast, a normal power is likely to attempt to create a dynamically stable regime. Since it lacks the slack resources possessed by hegemonic state, the normal power must be primarily concerned with enhancing its national power capabilities. However, a situation of congruence resulting from regime creation by a hegemonic state is likely to be transformed over time into one of incongruence or even dynamic instability. This pattern of change can be traced to several factors. First, from the outset the hegemonic power is compelled to provide institutional structures with autonomy. The regime's purpose is to legitimate hegemonic preferences. Legitimacy cannot be promoted if the regime is perceived as merely an appendage of the hegemonic state. In the present international system, the primary source of legitimacy for rules and norms is their voluntary acceptance by individual states. This practice ultimately rests upon the concept of sovereignty, the dominant political principle of the modern era. The sovereign territorial state is the only actor whose authority is fully accepted in the international community. Sovereignty is indivisible, and in principle, all sovereign states are equal. There is, then, a prima facie case for distributing votes equally in international organizations. When this norm is violated, as in the case of international financial institutions, the legitimating capacity of these organizations is weakened. Thus, there is a strong propensity for a modern hegemonic state to accept international organizations where voting power is equally distributed among all members. However, an equal division of votes opens the opportunity for weaker states to enhance their influence and control within these institutions. A second endogenous factor that prompts change in the relationship between regimes and power structure is the independent inertia that can develop within international organizations. An exceptionally rigorous analysis of the behavior of international organizations concludes that "Once established, organizations take on a life of their own and develop their own inner dynamics" (Cox and Jacobsen, 1973: 7). This process of independent growth is again facilitated by the behavior of a hegemonic power during periods of regime creation. For institutions to legitimate a new set of rules and norms, they must be given autonomy from the dominant power. Objective criteria must be established for the selection of staff. Goals must be stated in general terms. Once this is done, the organization can fend for itself. It may generate its own ethos. It can respond to different opportunity structures. It can welcome new clients. As with individuals, organizational maturation is influenced by both genetic characteristics and environmental pressures. Over time the preferences of the organization and those of the declining hegemonic power may drift apart. A third factor in the evolution of regimes from congruence to incongruence is the specific consequences for international organizations of a hegemonic power's decline. This is an exogenous consideration, which is generally independent of regime considerations. At the pinnacle of its power, the hegemonic state is prone to supply a disproportionate share of collective goods for the system, including international organization budgets (Olsen and Zeckhauser, 1966). However, as it drifts toward the status of a normal power it will become more reluctant to do this, providing an incentive for international organizations to search for new sources of support. The hegemonic power's influence on other states will also decline; they will be less likely to support its initiatives-within organizations as well as elsewhere. One recent study of UN voting and various economic measures of dependence on the United States concludes that "great U.S. economic advantage can no longer be used to generate voting support in the General Assembly" (Richardson, 1978: 177). Thus, international organizations can be seized by states whose national power capabilities are limited. In the postwar period, the Third World has made international organizations a centerpiece of its demands for regime change. The South has succeeded in dominating the agendas of all major multifunctional universal organizations. The North has been compelled to respond rather than initiate. Convening an international conference places an issue on the agendas of Northern states. Position papers have to be prepared. Voting positions must be determined (Wriggins, 1978: 113). Debates and resolutions presented at international forums have altered norms, rules, and procedures in a variety of ways favored by developing countries. Various resolutions have endorsed 0.7% of GNP as a target for concessionary capital transfers from the North to the South. While this norm is more honored in the breach, it is still held up as a goal that has been accepted by the North as well as the South. The percentage of concessional aid transferred by multilateral institutions has increased from 6% in 1962 to 27% in 1977 (Organisation for Economic Cooperation and Development, 1978: xii, xiii, 266-267). In the immediate postwar period there was no accepted international norm for the level of aid, and policies were unilaterally set by donors. In the area of trade, developing countries have used GATT to legitimate concessional treatment. During the 1960s, the industrialized countries agreed to institute a generalized system of preferences that would eliminate tariffs on some products from developing countries. The nontarrif barrier codes and revisions to the GATT Articles of Agreement negotiated during the Tokyo Round provide for special and differential treatment for developing countries, although more symmetrical behavior is expected as countries reach higher stages of development. These changes are a fundamental break with the two central norms of the postwar trading order: nondiscrimination and reciprocity. The South has enshrined new principles emphasizing development and equity, not just secured exceptions from the old liberal rules. Southern pressure exercised at international forums has secured acceptance of the principle that major parts of the global commons are the common heritage of mankind. Developing countries have made claims on radio frequencies and outer space, even though they do not now have the technical capability to utilize them. Mining activity in the deep seabed will be controlled by an international authority and revenues from the exploitation of manganese nodules will be taxed to provide assistance to the South. Some developing countries have called for the internationalization of Antarctica, although their ability to press this claim has been impeded by the lack of a suitable international forum (Petersen, 1980: 401-402). The common heritage of mankind is radically different from the prevailing principles before the 1960s, which recognized the right of a state to claim unutilized areas that it could occupy or develop. Even in the area of monetary affairs, that bastion of postwar conservatism, the South has had some success, at least within the regime's formal institutional manager, the IMF. While LDCs did not get an aid link with SDRs, they did get an allocation based on quotas. The industrialized nations had originally wanted virtually to exclude developing countries. The partial use of IMF gold sales to establish a Trust Fund (which makes loans to developing countries with few conditions at concessional interest rates) is a form of international taxation for aid. The Fund has begun to liberalize its conditions for stand-by agreements. In an international environment, in which the scope and growth of Fund activities will depend in part on continuing willingness of developing countries to use its resources, the organization has moved to change its rules and procedures if not its basic principles. In general the institutional structure has become more responsive to the South. By using its voting majority in the General Assembly, the South has been able to create new institutions, especially UNCTAD and UNIDO, which represent its interests. Even in established forums, where votes are not equally divided, the South has changed voting power and decision-making procedures. Mutual veto voting arrangements for major decisions now prevail in all international financial institutions, including the Fund. In the Inter-American Development Bank, the largest of the regional lending institutions, and in the United Nations Development Program the Third World has a majority of votes. In the newest international financial institution, the International Fund for Agricultural Development, votes are equally divided between OPEC countries, non-oil developing countries, and industrialized countries Thus, in a variety of issue areas the South has been able to alter principles, norms, rules, and procedures. It is difficult to imagine similar success in the absence of institutional structures that provided automatic access for developing countries. By taking advantage of the autonomy that the hegemonic power, the United States, was compelled to confer on international organizations during the period of regime formation at the conclusion of World War II, Third World countries have been able to alter regime characteristics during the period of American hegemonic decline. The relationship between underlying national power capabilities and regime characteristics has become increasingly incongruent. Belief Systems While vulnerabilities that arise from domestic and international weakness provide the impetus for Third World demands-and international organizations the opportunity to realize them-the form and unity of these goals have been shaped by the pervasive acceptance of dependency orientations. Most developing countries have explicitly accepted arguments that attribute their underdevelopment to the workings of the international economic system rather than the indigenous characteristics of their own societies. The belief system has been endorsed, not only by individual states, but by international organizations close to the Third World, such as UNCTAD and the UNDP, as well as by important groups with claims to speak for the North as well as the South.7 Individual states may reject dependency prescriptions in practice but even the most conservative lack a belief system to offer in its stead. The dependency orientation serves important functions for Third World states both internationally and domestically. At the international level, dependency arguments have provided a unifying rationale for disparate Southern demands. Calls for special and differential treatment are justified by the contention that the South has been treated unjustly in the past. Existing norms and rules are rejected as inherently exploitative. A coherent intellectual orientation has been particularly important because of the strategy of using international organizations to promote meta-political goals. In such arenas the ability to define issues and control the agenda is critical. Such initiatives are facilitated by a widely shared and internally consistent analytic framework. Dependency perspectives are also linked to domestic political conditions in Third World countries. Given the limitations on effective state action, foreign policy is an attractive way to build support. Prominence in universal coalitions can enhance a Third World leader's domestic position. Castigating the North can rally bureaucratic, military, and popular elements. The structure of international organizations affords Third World statesmen an opportunity to play on the world stage, a platform which they could not mount if they had to rely solely on the domestic power capabilities of their countries. Even if their activity is perceived as a minor walk-on part by more powerful countries, an effective leader may transform it into a major role for domestic political consumption (Wriggins, 1978: 40; Korany, 1976: 86; Good, 1962: 7). Third World leaders who follow such a course must find ideological arguments that resonate with their domestic populations. The most accessible themes reject existing international regimes. For most countries in Asia and Africa, if not Latin America, the central historical event is decolonization. Anticolonialism and nationalism are widely accepted values endorsed by virtually all groups in the Third World (Packenham, 1973: 41; Good, 1962: 5; Rothstein, 1977: 75-76, 110; Nettl, 1968: 591). Dependency arguments are widely diffused. A Third World leader who opts for enhancing support through international behavior will reject existing rules, norms, and institutions. The most vigorous support for Third World demands for regime transformation has come from countries where such policies contributed to domestic political legitimacy. External policy has helped to define the internal character of the regime for its own constituency. The belief system of dependency is a key factor in explaining the exceptional unity maintained by the Third World in its quest for a New International Economic Order. Despite the substantial diversity that exists among developing countries with respect to economic and political structures, there have been no outright defections from the Group of 77. This unity is not the result of log-rolling. The NIEO program would disproportionately benefit asmall number of countries heavily involved in the export of raw materials or manufactures. In some cases, such as policy toward OPEC, a strategy of alliance with the industrialized countries would be more in accord with Third World economic interests. However, attacking OPEC and pointing to differences among Third World states would contradicthe basic analytic conclusion of the dependency perspective. Since this viewpoint is widely accepted within developing countries, not just voiced at international forums, it is difficult for even highly developed Third World countries with conservative regimes to break with the rest of the South and endorse the liberal order. The attitude of Third World states toward calls for regime transformation has only ranged from strident advocacy to passive acquiescence. It has not included outright rejection or alliance with the North. Mexico: An Illustrative Case Perhaps no country better illustrates the dilemmas of the Third World and their consequences for foreign policy than Mexico. Mexico has experienced rapid growth in recent years. This was true even before the discovery of large new oil reserves. Between 1960 and 1965 the average annual rate of growth of GDP was 7.4%; between 1965 and 1973, 6.5%. Manufacturing paced this increase, growing at annual rates of 9.6% and 7.5% for the same periods. The share of manufactured products in Mexico's export earnings increased from 11.6% in 1961 to 31.8% in 1972. Despite an exceptionally high rate of population increase, per capita GDP increased at 3.8% annually for the period 1960 to 1965 and 2.9% for the period 1965 to 1973 (International Bank for Reconstruction and Development, 1976: Comparative Economic Data, Tables 1 and 8). However, this impressive economic performance did not dissuade Mexican leaders from acting as major critics of the existing order. Under the presidency of Luis Echeverria (1970-1976), Mexico took a leading position in formulating the New International Economic Order. At the 1971 UN General Assembly, Echeverrialigned Mexico with the Third World. This action broke with past policy, in which Mexico had generally taken a low profile on North-South issues. Echeverria first proposed what later became the Charter of Economic Rights and Duties of States at the 1972 UNCTAD meeting. During the initial years of his presidency, he travelled extensively, and these trips were greeted with enthusiasm within Mexico (Grant, 1977). Echeverria's behavior was deeply rooted in Mexico's international and domestic structural problems. Mexico's impressive economic development, at least before the exploitation of large oil reserves, did little to lessen her international structural dependency on the United States. In 1976, 55% of Mexico's exports went to the United States, while Mexico accounted for only 5% of American exports. Conversely, 60% of Mexico's imports came from the United States, while Mexico accounted for only 3% of U.S. imports. Mexican development has been partially financed with large foreign loans. Multinational corporations, mostly American, are heavily involved with the most dynamic export sectors of the Mexican economy. The United States now accounts for more than two-thirds of foreign direct investment in Mexico and the proportion has increased in recent years. The ratio of U.S. to Mexican GNP is about 25:1 (Sepulveda, 1979). Even in the area of petroleum, some Mexican policymakers see their country potentially subject to overwhelming American pressure. If there are further supply disruptions from the Middle East, the United States might look to Mexico to fill in the gap. If Mexico were unable to do this using her own resources, America might press for greater involvement by the international oil companies. Mexican resistance to such pressures could precipitate amajor crisis between the two countries. In such an eventuality, the economic if not the political leverage of the United States would be substantial. Such a scenario may be unlikely, but it is not one that Mexican policy-makers can ignore, given the international structural asymmetries between the the United States and Mexico.8 However, domestic conditions are a more proximatexplanation for Echeverria's Third Worldism. Although Mexico's colonial experience is far in the past, the country's political culture is shaped by its struggles with Spain and the United States, and the revolutionary egalitarian ideology that emerged from the Revolution of 1910. At the same time, there are deep cleavages between the elite and the masses. Income is maldistributed and the benefits of Mexican economic development have gone disproportionately tothe middle class. The revolutionary ideology offers a link between the masses and the regime but it also generates demands for social reform. Foreign policy has long offered Mexican politicaleaders a device for resolving some of the tensions inherent in their political system. During the 1960s Mexico adopted a positive policy toward Castro's Cuba and pursued traditional nationalist postures designed to maintain independence from American policy. By the 1970s, however, this stance was too conventional to lend much prestige to the Mexican regime. A new policy was needed that could reinvigorate the official ideology and consolidate ties between the executive and the intellectuals. Echeverria's Third Worldism served these purposes. His sponsorship of the Charter of the Economic Rights and Duties of States gave elements in the Mexican political system an opportunity to pledge their loyalty and support to the executive. Such pledges form a critical support for the stability of the Mexican political system (Pellicer, 1975: 52-53, 58-59; Sepulveda, 1979: 13ff., Purcell and Purcell, 1980). Echeverria's relationship with the left was particularly strained because as Minister of State Security he had been involved in the events leading to the shooting of 200 students before the 1968 Olympic games. Diaz Ordaz, the conservative president who governed from 1964-1970, had handpicked Echeverria as his successor. There was a high rate of abstention in the 1970 election, and in the Federal District (Mexico City) the opposition Partido Nacional Agrista received 32.9% of the vote, compared with a national total of 13.8% (Grant, 1977; 7-8; Fagan, 1977: 692-694). All of these factors inclined Echeverria toward a policy that could establish his ties with the left. Prominent advocacy of Third World demands could enhance domestic legitimacy because it resonated with traditional Mexican ideology. However, Echeverria hardly set Mexico along the path to radical international leadership of Third World demands. His successor, Lopez Portillo, pursued a more restrained policy. While reaffirming support for Cuba and keeping some distance from the United States, Mexico has projected a more positive image toward direct foreign investment. The government took care not to jeopardize the flow of loans from foreign banks. Domestically, Lopez Portillo strengthened the regime's ties with the business community, which had been strained by Echeverria's policies (Grant, 1977: 27). In fact, even under Echeverria Mexican policy was not entirely oriented to Third World internationalism. While the President was presenting ahighly visible attack on the existing global order, other institutions in the Mexican government, particularly the Ministry of Foreign Affairs, were encouraging discrete bilateral ties with the United States and maintaining Mexico's traditional role as an intermediary between the United States and the rest of Latin America. The Ministry of Industry and Commerce favored nationalization in principle but was very sensitive to the need for foreign investment (Pellicer, 1975: 55; Purcell and Purcell, 1980: 215-217). The vacillation and inconsistency in Mexican policy is not rooted in any failings of its bureaucratic structure or the contrasting personalities or belief systems of its political leaders. Rather, it reflects the profound countervailing pressures that emerge from a desire by LDCs to secure both independence and development. Mexican development is critically tied to relations with the United States, its major trading and capital partner. Development will provide Mexico with additional power capabilities. But these capabilities, even if they increase at a very rapid rate, will do little to alter the relative vulnerabilities inherent in MexicanAmerican relations. The absolute gap is already too large. If the United States grows at 2.5% annually for the next 25 years and Mexico at 5%, the absolute gap would double and the United States would still be 13 times larger than Mexico. This structural situation, which inclines Mexican leaders to seek international mechanisms for securing greater control of the external environment, including the United States, is reinforced by domestic political ideology. Especially in times of stress, foreign elements are blamed for Mexico's difficulties (Purcell and Purcell, 1980: 214-220). A radical foreign policy can enhance the legitimacy of a particular ruler with left-leaning domestic groups. Conclusion The countries of the Third World have not simply sought higher levels of resource transfer. They have wanted to restructure international regimes. In some cases they have succeeded. The New International Economic Order is the successor of SUNFED, and the First and Second Development Decades. It will be followed by other programs with different names but the same import-control, not just wealth. The NIEO, and its antecedents and probable successors, cannot be understood through analogies to reform efforts within national polities such as the labor union, consumer, welfare, and civil rights movements in the United States. These were movements based upon shared norms; the South rejects the liberal norms of the American-created postwar system. They were movements content to share power within existing structures; the South wants effective control over new structures. The demands of the South are a function of the profound international and domestic weakness of most Third World states. These demands may temporarily abate but they will not disappear. Since most states of the South cannot hope to garner the national resource capabilities needed to assert effective control in the international system, they will continue to press for international institutions and norms that can offer them some control over the international environment. In the pursuit of this goal, they will enjoy some success by taking advantage of institutional structures that were created by the powerful to serve their own purposes. In this, and other ways, the power of hegemonic states is dissipated by the very structures they have created.9