# 1NC

## 1

### 1NC – P

#### Interpretation: The affirmative debater must specify the type of strikes they defend in a delineated text in the 1AC.

#### Violation: they didn’t

#### Standards –

#### 1] Topic lit – strikes are the core question of the topic and there’s no consensus on normal means so you must spec.

Law Library

[“Strike”, N.D., <https://law.jrank.org/pages/10554/Strike-Status.html>, Law Library, This law and legal reference library provides free access to thousands of legal articles, covering important court cases, historical legal documents, state laws & statutes, and general legal information. Popular articles include Landlord and Tenant Relationship, Health Insurance Law and Employment Law. The legal reference database also covers historically important court cases such as the Ulysses obscenity trial, Plessy vs. Ferguson, Roe vs. Wade and many others. All of the legal information on this website was professionally written and researched, and each law article has been carefully selected -- all to create the most comprehensive legal information site on the web. Read more: Law Library - American Law and Legal Information - JRank Articles <https://law.jrank.org/#ixzz6yOIvCHj7>] [SS]

**Strikes can be divided into** two basic types: **economic and unfair labor practice**. An economic strike seeks to obtain some type of economic benefit for the workers, such as improved wages and hours, or to force recognition of their union. An unfair labor practice strike is called to protest some act of the employer that the employees regard as unfair. A Lexicon of Labor Strikes Over the years different types of labor strikes have acquired distinctive labels. **The following are the** most common **types of strikes, some of which are illegal**: **Wildcat strike** A strike that is not authorized by the union that represents the employees. Although not illegal under law, wildcat strikes ordinarily constitute a violation of an existing collective bargaining agreement. **Walkout** An unannounced refusal to perform work. A walkout may be spontaneous or planned in advance and kept secret. If the employees' conduct is an irresponsible or indefensible method of accomplishing their goals, a walkout is illegal. In other situations courts may rule that the employees have a good reason to strike. **Slowdown** An intermittent work stoppage by employees who remain on the job. Slowdowns are illegal because they give the employees an unfair bargaining advantage by making it impossible for the employer to plan for production by the workforce. An employer may discharge an employee for a work slowdown. **Sitdown strike** A strike in which employees stop working and refuse to leave the employer's premises. Sitdown strikes helped unions organize workers in the automobile industry in the 1930s but are now rare. They are illegal under most circumstances. **Whipsaw strike** A work stoppage against a single member of a bargaining unit composed of several employers. Whipsaw strikes are legal and are used by unions to bring added pressure against the employer who experiences not only the strike but also competition from the employers who have not been struck. Employers may respond by locking out employees of all facilities that belong to members of the bargaining unit. Whipsaw strikes have commonly been used in the automobile industry. **Sympathy strike** A work stoppage designed to provide AID AND COMFORT to a related union engaged in an employment dispute. Although sympathy strikes are not illegal, unions can relinquish the right to use this tactic in a COLLECTIVE BARGAINING agreement. **Jurisdictional strike** A strike that arises from a dispute over which LABOR UNION is entitled to represent the employees. Jurisdictional strikes are unlawful under federal LABOR LAWS because the argument is between unions and not between a union and the employer.

#### **This acts as a resolvability standard. Debate must make sense and be comparable for the judge to decide which means it’s an independent voter and outweighs.**

#### 2] Prep skew – I don’t know what they will be willing to clarify until CX which means I could go 6 minutes planning to read a disad and then get screwed over in CX when they spec a different type of strike. This means that CX can’t check because the time in between is when I should be formulating my strat and waiting until then is the abuse. Key fairness because I won’t be able to use the strat I formulated if you skewed my prep and will have a time disadvantage

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

#### Competing interps – [a] reasonability is arbitrary and encourages judge intervention since there’s no clear norm, [b] it creates a race to the top where we create the best possible norms for debate.

#### No RVIs – a] illogical, you don’t win for proving that you meet the burden of being fair, logic outweighs since it’s a prerequisite for evaluating any other argument, b] RVIs incentivize baiting theory and prepping it out which leads to maximally abusive practices

## 2

### 1NC – K

#### Settler colonialism is a structure, not an event – the aff’s call to [contextual] is premised upon Indigenous erasure. Their protection of the laborer structurally excludes Natives and furthers the colonial marketplace. Workers are still settlers – concepts of “workers’ rights” are only coherent by making Native genocide the norm.

Baker ‘17 [W. Oliver Baker; Assistant Professor of English and African American Studies @ PennState; “Democracy, Class, and White Settler Colonialism”; Public, Volume 28, Number 55, June 2017, pp. 144-153(10); https://doi.org/10.1386/public.28.55.144\_1; Accessed 10-16-2021] AK

In recent years, settler state policies have shifted away from a strategy of direct violence and forced assimilation—mostly in response to the political threat posed by the anticolonial nationalisms of the mid-twentieth century—and toward what Glen Coulthard describes as a politics of “colonial recognition,” in which settler societies promise greater accommodation and recognition of Indigenous groups but only to the extent that claims of sovereignty or demands for decolonization go unheard and remain disavowed.7 A politics of colonial recognition also calls for reconciliation and healing between settlers and Indigenous peoples as a way to mend what is believed to be a racial or cultural conflict rather than a struggle over land and sovereignty. While settler societies might affirm the diversity of Indigenous cultures or even lament past incidents of colonial violence, centuries-old structures and institutions of dispossession remain in place. These can be witnessed today in the underdevelopment of tribal economies that encourages the privatization of (or the attempt to dissolve) tribally-held land and resources; neoliberal policies that slash public services and deregulate predatory credit and loan industries, while funding entrepreneurial “self-help” initiatives in Indian country; the use of state and police violence to brutalize, incarcerate, and murder unsheltered and working poor Indigenous peoples whose presence “off the reservation” in border towns is seen as a threat and danger to the property and flows of capital of settler society; extraction industries that destructively seek to unearth and/or transport fossil fuels on or through tribal lands; and the ongoing refusal of federal governments to honour the treaties, land claims, and rights to self-determination of the Indigenous nations of North America.

A second key analytic of settler colonial studies and Indigenous critical theory is the concept of Indigeneity. Although defined in various ways, for this essay’s purposes Indigeneity can be described as the social category of persons whose ways of life, forms of knowing, and modes of being depend upon originary relationships to land bases that Euro-American settlers have enclosed and continue to occupy. Because Indigenous peoples claim originary ties to these land bases, their presence or attempt to live on and through them challenges the legitimacy of settler society. As a social category constituted through elimination and genocide, Indigeneity should be understood as distinct from, for example, the category of the wage labourer that is structured by proletarianization and hegemony. If wage labourers, whether employed or unemployed, are structurally included in the marketplace where their labour power is exploited, the marketplace itself and the liberal state form that upholds it are nonetheless premised on the elimination of Indigenous peoples altogether.

The ideological framework that mediates, legitimates, and reproduces Indigenous dispossession and its category of Indigeneity is the colonial and racial grammar of what Jodi Byrd calls “Indianness.”8 The Indian came to be a social ontology in which Indigenous peoples were understood as savage, ancient, living fossils of early humanity, stuck outside of time and space in a state of nature. The Indian was and continues to be both abjected and romanticized in settler culture as a person who exists in a state of natural warfare, instability, and conflict, while also appearing liberated from the constraints and alienation of modern life. In this state of nature, the Indian is understood to lack the capacity to labour productively, possess property, or enter into social contracts. Through such meanings, the Indian emerges as the outside or Other to Euro-American forms of liberal democracy, selfhood, and civil society.9 As Byrd emphasizes, “European modernity hinges upon Indians as the necessary antinomy through which the New World—along with civilization, freedom, sovereignty, and humanity—comes to have meaning, structure, and presence.”10 The Indian, in short, became the figure of the un-sovereign through which it was understood that the Indian might occupy but could never possess the ability or right to own lands or possess selfhood.11 The dispossession of Indigenous lands, resources, and bodies thus came to be seen less as a form of theft than the natural transition from “savage” communalism to civilized market society.

Today, Indianness continues, as Byrd puts it, to “transit U.S. empire,” or put into motion, facilitate, and cohere the United States' settler imperial project that reaches around the world.12 It is through Indianness that settlers come to view the lands, resources, and bodies of the earth as spaces and objects of a barren wilderness (terra nullius) freely available for expropriation. The current and future populations living in spaces of the lands and controlling the resources that US settler imperialism attempts to seize or control are, as Byrd explains, made “Indian” or abjected as mindless terrorist-savages whose confrontation with the agents of enclosure is understood not as an attempt to resist and survive colonization, occupation, and genocide, but an irrational attack against society, civilization, humanity, and the forces of modern progress. In short, Indianness is what legitimates the process of primitive accumulation or what David Harvey calls "accumulation by dispossession," which is central to the formation, expansion, and dominance of global finance capitalism.13

What an understanding, then, of settler colonialism, Indigeneity, and Indianness demonstrates concerning the question of alliance-building among oppressed groups today is that political organizing through the spaces of the democratic commons or the identity of the settler wage labourer supports rather than disrupts the colonization of Indigenous peoples of North America. In the case of the democratic commons, calls for preserving and expanding the public institutions and spaces of liberal democracy in order to cultivate more radical and progressive forms of democracy is a demand not to undo or transform but to uphold the settler colonial state. As Byrd argues, “one reason why a ‘post racial’ and just democratic society is a lost cause in the United States is that it is always already conceived through the prior disavowed and misremembered colonization of Indigenous lands that cannot be ended by further inclusion or more participation.”14 Coulthard echoes this point, showing that “in liberal settler states...the ‘commons’ not only belong to somebody...they also deeply inform and sustain Indigenous modes of thought and behavior.”15 While it should be acknowledged that the democratic commons historically has served an important role in cultivating and producing emancipatory modes of analysis and forms of social belonging, such gains have nonetheless always depended upon the colonization of Indigenous peoples. Any defence, then, of the democratic commons today must at the same time defend Indigenous sovereignty. This means rethinking how groups relate in the spaces of the commons in ways that do not perpetuate liberal democracy's colonial project of building public institutions and democratic spaces through the seizure, theft, and colonization of Indigenous lands, bodies, and resources.

Class-first models of a renewed workers’ movement also risk reproducing colonial dispossession when they fail to recognize that the Indian and the settler wage labourer are structurally distinct categories of oppression. The former is constituted by dispossession through elimination, while the latter is structured by exploitation through hegemony. Even though exploited, settler wage labourers nonetheless come to experience their status in settler colonialism as a place of refuge and protection from dispossession and abjection. The role of the settler state is to ensure and safeguard the settler wage labourer’s right not only to possess but not to be dispossessed of property, even if the only property the wage labourer possesses is labour power. In fact, possessing labour power as a commodity to sell on the market indexes the settler wage labourer’s right and ability to enter the social contract and find security from the forms of structural exclusion naturalized in the position of the Indian. Such a status explains why, when neoliberal forms of precarious labour and exclusions from waged life increasingly target settler wage labourers, they are felt and represented as abnormal, undeserving, and, more importantly, grievable occurrences. The dispossession of settlers challenges the symbolic and material consistency of settler societies that are premised on dispossessing colonial peoples in order to reward and advantage settlers of all classes. Settler society retains and reproduces its coherence as the promised site of settler sovereignty, possession, and rights by figuring the neoliberal dispossession of settlers as the exception to be overcome if only because Indigenous dispossession remains the norm to be reproduced and repeated. The grievability of neoliberal dispossession, heard today in the refrain that globalization has “abandoned the white working class,” depends upon the ungrievability and normalization of Indigenous dispossession that, in the narratives not only of manifest destiny but also the democratic commons and normative socialist futures, is depicted and accepted as a natural, inevitable, and necessary process. One of the limits, then, of calling for solidarity through the political identity of the wage labourer is that, in settler colonialism, what organized settler wage labourers demand is not necessarily an end to exploitation but the freedom, protection, and refuge from structural dispossession and exclusion that are normalized and naturalized in the social and racial ontologies of the Indian. Movements on behalf of settler labourers risk ending in reform rather than revolution precisely because they do not so much seek to confront capital as they seek refuge and protection within and through it.

#### The failure of the settler subject to come to grips with the death drive dooms their politics to totalitarianism. Force them to confront the reliance of workers’ strikes on indigenous genocide. They don’t make society more equitable. They make it more equitable for settlers.

Young ’17 [Bryanne; Ph.D Student, College of Arts and Sciences, Department of Communication, University of North Carolina at Chapel Hill; “Killing the Indian in the Child: Materialities of Death and Political Formations of Life in the Canadian Indian Residential School System”; Last Modified 3/22/19; Published August 2017; University of North Carolina Digital Repository; <https://doi.org/10.17615/zkyc-q417>; Accessed 7/24/20; NT]

This racist ideology disguised as Darwinism id driven to a homeostasis that contains difference within it is, to a very large extent, a more viable state project than the attempt to holistically eradicate the difference of the other. In nineteenth and twentieth-century Canada—an epoch shaped by colonial politics and emerging forms of nation-building centered on a collective futurity—the chronopolitical we/other opposition was fundamentally racialized: we indicated whiteness, while other indicated racial difference. Racial difference is here understood as “a class of people” (Scott 55) unified through their morphological similarities and perceived shared traits, and who, together, presumably were unable to stand “outside the body politic” (ibid, emph. added). The metaphor of standing “outside” the body politic is, I point out, as inherently temporal as it is spatial. The temporality of the body politic here convoked is a temporality of the here/now that also claims linear progress towards the future. The temporality of the Indian—whose position is distinctly outside the here/now—is a circular time that, in the colonial imagination, repeats itself in a closed loop. Not only is Indigenous time perceived to be circular and outside the body politic, it is outside of history. The interpellative call to die with which the Canadian Indian Residential School System legitimizes its objectives and ethos, therefore, recapitulates a subjectivity that has been trapped, already, temporally, within the field of signification, and the dense network of intersubjective relations these ideological structures suture and render legible. As a way of elaborating upon this, perhaps abstract, argument, pointing both to the materializing force of language, as well as the structural mechanism(s) whose circularity produces the effect of subject as ideological misrecognition, I offer the following story:

In 1942 government researchers visiting a number of remote reserve communities in northern Manitoba, found people who were hungry, “beggared by a combination of the collapsing fur trade and declining government support” (Mosby 147). They also found a demoralized population marked by, in the words of the researchers, “shiftlessness, indolence, improvidence and inertia” (ibid). In a potentially paradigm shifting moment that must have come close to epiphany, the researchers suggested those problems—“so long regarded as inherent or hereditary traits in the Indian race” (ibid, emph. added)—were in fact the results of malnutrition.”53 Importantly, and vividly illustrative of my argument in this chapter, and the project overall, instead of recommending an immediate increase in support, the researchers determined that isolated, dependent, already malnourished people would be ideal subjects for tests on the effects of different diets and nutritional interventions. Plans were developed for a longitudinal study to be conducted “on a limited number of Indians” (ibid) including Aboriginal children in residential schools in British Columbia, Ontario, Nova Scotia, and Alberta—tests which, through large-scale and coordinated efforts, greatly exacerbated already existing conditions of starvation and malnourishment by further withholding much-needed nutrition. Thus, “hereditary traits” in the “Indian race” were, through mechanisms of biopolitics, further inscribed in both bodily and discursive practices—concretized more immutably into Indian-ness with every rotation of the circular reasoning that characterizes ideological misrecognition.

This kind of strategic, repeated exposure to prolonged conditions of near or actual physical death marks the indigenous body for inevitable decline and erasure. Cultural theorist Lauren Berlant describes this as a condition of “slow death,” which she defines as, “the physical wearing out of a population and the deterioration of people in that population that is very nearly a defining condition of their experience and historical existence” (754). Thus, through material and signifying practices, Indianness is laminated more concretely onto death and finality. Correspondingly, the Indigenous body is marked as anachronistic, a relic, an embodiment out of time whose configuration of experience is slow death. Simultaneously, Indianness is renewed continually in the field of signification, performatively reproduced as “shiftless”, “indolent”, and “inert.” Through biopolitical techniques of control and regulation, the socalled Indian race was trapped simultaneously in two temporalities: slow death and circularity, neither of which afforded it a future—through a strategy of control that is fundamentally chronopolitical.

Whiteness, the Child, and the Logics of Futurity

Against the politicized topographies and temporalities of indigeneity and race, I now move into a consideration of the contributions of psychoanalytic theory to the questions of politics and time presented thus far. The kinds of questions psychoanalysis is interested in asking, the registers upon which it performs analysis, and its unique emphasis on temporality, language, and difference provide an excellent conceptual apparatus through which we might begin to trouble/problematize stable, taken-for-granted oppositions between psychic and social, personal and political, self and other. Freud’s interest in time is evident in his work on the uncanny, and in his inaugural work on what we might now call trauma studies and conditions we now call post-traumatic stress disorder (PTSD). For Freud, this theory of hysteria introduces a provocative temporality in which traumatic events reoccur, flashing up in perfect replication of themselves, as though happening again and again. In his diagnosis of so-called shell-shocked soldiers returning from World War I, Freud was keenly aware that time did not always progress along an even plane. Though Freud’s analysis of trauma is captivating and critically rich, it is not within my purview here to take on the full extent of this scholarship. Instead, what is most salient to my analysis are the capacities of psychoanalytic theory to move critique outside and beyond prevailing notions of time and narratives of progress that only mean moving forward. This chapter writes from a stance that views it as imperative that scholarship reaches beyond, and thinks outside, the paradigms that invented it. Psychoanalytic theory, with its idiosyncratic temporal logics—particularly in conjunction with Foucauldian theory—offers a productive and robust way to critique the continuing primacy of normative disciplines whose chronologics have historically warranted a politics that kills in the name of life. Such an approach allows us to hold in productive tension any definition of “the political” as stable and finite, with—as in the case of liberal political philosophy—the legally constructed “person” as its primary epistemological unit. This conceptual capacity of psychoanalysis, in turn, allows us to politicize a form of life and modality of corporeal personhood hitherto constructed as what, in Bataillean parlance, we might call colonialism’s accursed share—colonialism’s pure waste. Additionally, psychoanalytic notions of the death drive, whose proper movement is explicitly circular, allows us to begin to locate the child within logics of futurity, onto which is laminated a kind of indelible whiteness. For the purpose of my analysis I engage Lacanian psychoanalysis, limiting myself to a consideration of the structure of the drives and to a Lacanian conceptualization of language, and its role in the formation of self and the suturing of the psyche to sociality.

Freud, as Teresa De Lauretis (2008) emphasizes, elaborated the death drive between the First and Second World Wars, in a Europe living “under the shadow of death and the threat of biological and cultural genocide” (1). Situating her analysis of the death drive in the contemporary moment, De Lauretis points to this contextual, historical darkening, writing: “I wonder whether our epistemologies can sustain the impact of the real … If I return to Freud’s notion of an unconscious death drive, it is because it conveys the sense and the force of something in human reality that resists discursive articulation as well as political diplomacy, an otherness that haunts the dream of a common world” (9). Using psychoanalysis as reading practice, Freud’s suspicion that human life, both individual and social, is compromised from the beginning by something that undermines it, works against it, is (darkly?) generative. The death drive indicates a tension bordering psychic and libidinal relations, which marks Freud’s radical break with Cartesian rationality and points to a negativity that counteracts the optimistic affirmations of human perfectability. This dimension of radical negativity cannot be reduced to an expression of alienated social conditions, nor is it entirely something the body does on its own. Theorized as the destruction drive, the antagonism drive, or sometimes, simply “the drive,” it is impossible to escape. In psychoanalytic theory, therefore, particularly in the clinical setting, the objective is not to overcome the drive, but rather to come to terms with it, in what Slovenian Lacanian psychoanalytic theorist Slavoj Žižek (1989) calls “its terrifying dimension” (4). It is a fundamental axiom of Lacanian psychoanalytic theory that attempts to abolish the drive antagonism are precisely the source of totalitarian temptation. Žižek writes: “The greatest mass murders and holocausts have always been perpetrated in the name of man as harmonious being, of a New Man without antagonistic tension” (5). So it is that one of Canada’s greatest atrocities— the genocide of its First Peoples—took place in the name of Canada itself, that sought progress and unification as a single body politic with claims on a shared futurity. The fulfillment of this destiny relied upon the negation of the other, the bad race, the dangerous race, the race that stood outside the purview of the norm and had no share in its time-zone, the ones called to live in the between space—as nobody. As the relatively more benign civilization policies failed to convert Aboriginal forms of life into separate but civilized, Christian communities on reserves, the federal government intensified its tactics. Policies became more aggressive. As these more aggressive policies (such as enfranchisement) also failed, the federal government intensified its tactics once again, escalating the stakes and the strategies towards the horizon of assimilation. This ‘doubling down’ in the face of failure is a primary trace effect of the death drive, and indeed, it is not unreasonable to argue that the federal government Indian policy has, since confederation, been death driven. Because the aim of fully eradicating the otherness of the other can only fail—in Freudian parlance, it cannot be mastered—the trajectory of the aiming turns in a circularity, orbiting around that which can never be had: perfection. Caught in death drive circularity, the aiming towards the objective (i.e. a unified body politic) authorizes, and indeed recruits, escalating violence in the interest of—finally—closing the open. For Žižek, this compulsive ‘doubling-down’ in the face of failure to arrive at the impossible horizon of perfection tips towards totalitarian temptation, which, he tells us, is implicated in the drive to unify a singular body politic, a new man without antagonistic tension.

The drive aims for the return to a moment of unity before the intrusion of language and the entrance of the subject into what Lacan calls the Symbolic—the universe of symbols in which all human subjects share. Because this economy of signifiers operates through a modality of difference by association, on the premise that language does not reflect or carry within it universal a priori meaning, spirit, or Truth, signifiers are always and already sliding along a chain of signification that is never truly fixed. Rather, for Lacan, meaning is constructed through quilting points, durable concepts that affix ideas to their signifiers and which, in their durability, structure entire fields of meaning. For Lacan, subjects are formed by their entrance into this system of sliding difference from a pre-linguistic state retroactively constructed through nostalgic affective associations with unity, perfection, and completion. The loss or lack occurs in the imaginary, the order of presence and absence, and is formalized in the symbolic. This is experienced by the subject as a loss of that to which she/he can never again return, but for which she/he perpetually yearns, and toward which she/he perpetually moves. The circularity of movement toward this impossible horizon is precisely the movement of the drive. It is my argument that the concept of “the Indian” is a quilting point through which the field of politics in Canada is sutured into signification, a durable concept that organizes the meaning of nation, citizen, sovereignty, and subjecthood. Further, the hypoxic vision of national unity and a harmonious white(ned) citizenry is a movement propelled by the drive, a circularity impelled by the belief that what is lacking in the present can be made good in the future—an imaginary that activates/harnesses a kind of libidinal energy that is, by its very nature, inexhaustible.

It matters, in the instance of the Canadian Indian Residential Schools and their mandate, that before child subjects enter into the structuration of language/the Symbolic, their bodies are already marked as disprized, abject, inscribed into the signification for, and, I argue, as, loss itself. As I have argued above, reading through psychoanalytic theory facilitates a conceptualization of subject-formation that includes the role of signification in the contouring of subject/ivities. This analytic rubric is importantly brought to bear in my analysis of “the child” the Canadian Indian Residential School System announces into presence: a child fundamentally and constitutively tied to a death whose temporal structure is always deferred, always impartial, always unfolding, and yet always still to be. Indeed, even in circumstances in which her/his mode of being in the world is not a deliberate practice of making spectral, “the child” remains a notoriously ambivalent, slippery signifier. This plasticity—differently stated, this over-abundant availability of “the child” as concept—takes on an interesting significance within political thought, functioning not as that which is politicized, but as the signifier in whose name the political mobilizes itself. In this way, the child functions as the absolute outside to political thought and the logics of its temporality, functioning instead to condition its possibilities and organize, from beyond its borders, its spatial and temporal limits. An example of this conceptualization of the child as signifier—and certainly one of the more provocative articulations of this phenomena in the contemporary neoliberal moment—is the polemic Lee develops in his monograph No Future: Queer Theory and the Death Drive. For Edelman, the Child—in its conflation with the kind of futurity toward which the teleology of (neo)liberal discourse is mobilized—is not simply important to contemporary politics, but is that which “serves to regulate political discourse [itself]” (ii). Indeed, as Edelman points out, “the figural Child alone embodies the citizen as ideal, entitled to claim full rights to its future share in the nation’s good, though always at the cost of limiting the rights ‘real’ citizens are allowed. For the social exists to preserve for this universalized subject, this fantasmatic Child, a national freedom more highly valued than the actuality of freedom itself” (ii).

#### Settlerism ensures a paradigm of perpetual war. Settlers will always prioritize themselves over the “racialized other” to ensure their future which results in infinite violence.

Torres ‘8 (Nelson; associate professor of comparative literature at Rutgers; 2008; “Against War: Views from the Underside of Modernity”; AH)

In this work I have attempted to make explicit the subtle complicities between dominant epistemological and anthropological ideals and the exercise of violence. The works of Levinas, Fanon, and Dussel oppose what I have called a paradigm of **violence and war**. This dominant paradigm is characterized by making invisible or insignificant the constitutive force of inter human contact for the formation of subjectivity, of knowledge, and of human reality in general. The relation with objects, whether practical or theoretical, takes primacy over the relation between human beings. The first motivation for this way of thinking is to attain knowledge, truth, comprehension, or adequate understanding. The self is thereby taken to be primarily **a monad**, a transcendental ego, or an autonomous and free human being for whom the relation with the Other tends to represent only an undesirable detour in the project of adequately representing the world. The self becomes **allergic to the Other**, and the intersubjective contact is then accounted for either in epistemological categories or in concepts tied to a theoretical approach. This philosophical anthropology ends up legitimating the **superiority of theory over praxis** and contemplation over liberation. One of my central points is that once a civilization begins to conceive the humanity of the human in these terms it will either commit violence with good conscience, find itself incapable of opposing violence, or legitimize ideals of peace that are complicit with violence. I trace dominant themes surrounding the discussion of the crisis or so-called malaise of Europe back to the allegiance of Western civilization to practices that obey the logics opened up by a skewed vision of the human. Such a vision combines claims for autonomy and freedom with the production of the color line or the systematic differentiation between groups taken as the norm of the human and others seen as the exception to it. The so-called **discovery of the New World** became a crucial point in the establishment of this vision: it **oriented Western humanism** in a radically dehumanizing direction. From then on, Western humanism argued for the glory of Man and the misery of particular groups of human beings simultaneously. Indeed, Man became the most glorious as he was able to claim relative independence from God and superiority over the supposedly less than human others at the same time. The relationship between (imperial) Man and God has been ambiguous for the most part, but not so the relation between Man and his inferior sub-others. It is as if the production of the "less than human" functioned as the anchor of a process of autonomy and self-assertion. The **paradigm of war**, at first reconciled to and to some extent **promoted by imperial Christendom**, legitimates war against God, nature, and, particularly, the less than human others. The relationship with God and nature, however, can vary. What typically remains constant for the warring paradigm is the **assertion of the color line**. The distinction between God, Man, and the non-human precedes the reduction of subjectivity to a totality or its naturalization. And it was the **colonized and the modern slave** who experienced the systematic negation of her and his subjectivity, long before positivism, naturalism, or philosophies of history subsumed subjectivity in larger frameworks or anonymous mechanisms. In modernity, the racialized others **take the place of enemies in a perpetual war** out of which modern ideals of freedom and autonomy get their proper sense. This is the **foundation of modernity as a paradigm of war** and the source of many of its pathologies, crises, and evils.

#### The alternative is to adopt an ethic of incommensurability. You must reject compromise and coalitions in favor of positing material decolonization as prior.

Tuck & Yang ‘12 [Eve Tuck, Associate Professor of Critical Race and Indigenous Studies, Ontario Institute for Studies in Education, University of Toronto, Canada Research Chair of Indigenous Methodologies with Youth and Communities, William T Grant Scholar and former Ford Foundation Postdoctoral Fellow, is Unangax and an enrolled member of the Aleut Community of St. Paul Island, Alaska, and K. Wayne Yang, University of California, San Diego, “Decolonization is not a metaphor,” Decolonization: Indigeneity, Education & Society, 1(1), 2012, <http://decolonization.org/index.php/des/article/download/18630/15554>]

Conclusion An ethic of incommensurability, which guides moves that unsettle innocence, stands in contrast to aims of reconciliation, which motivate settler moves to innocence. Reconciliation is about rescuing settler normalcy, about rescuing a settler future. Reconciliation is concerned with questions of what will decolonization look like? What will happen after abolition? What will be the consequences of decolonization for the settler? Incommensurability acknowledges that these questions need not, and perhaps cannot, be answered in order for decolonization to exist as a framework. We want to say, first, that decolonization is not obliged to answer those questions decolonization is not accountable to settlers, or settler futurity. Decolonization is accountable to Indigenous sovereignty and futurity. Still, we acknowledge the questions of those wary participants in Occupy Oakland and other settlers who want to know what decolonization will require of them. The answers are not fully in view and can’t be as long as decolonization remains punctuated by metaphor. The answers will not emerge from friendly understanding, and indeed require a dangerous understanding of uncommonality that un-coalesces coalition politics moves that may feel very unfriendly. But we will find out the answers as we get there, “in the exact measure that we can discern the movements which give [decolonization] historical form and content” (Fanon, 1963, p. 36). To fully enact an ethic of incommensurability means relinquishing settler futurity, abandoning the hope that settlers may one day be commensurable to Native peoples. It means removing the asterisks, periods, commas, apostrophes, the whereas’s, buts, and conditional clauses that punctuate decolonization and underwrite settler innocence. The Native futures, the lives to be lived once the settler nation is gone these are the unwritten possibilities made possible by an ethic of incommensurability. when you take away the punctuation he says of lines lifted from the documents about military-occupied land its acreage and location you take away its finality opening the possibility of other futures -Craig Santos Perez, Chamoru scholar and poet (as quoted by Voeltz, 2012) Decolonization offers a different perspective to human and civil rights based approaches to justice, an unsettling one, rather than a complementary one. Decolonization is not an “and”. It is an elsewhere.

## Case

### Democracy

#### Public pressure means democracies are more likely to initiate war. Prefer longitudinal studies.

Velasco ‘18 [Emily; writer for the American Journal of Political Science and Caltech; 7-18-2018; "Democracies More Prone to Start Wars – Except When They're Not"; California Institute of Technology; https://www.caltech.edu/about/news/democracies-more-prone-start-wars-except-when-theyre-not-82879; Accessed 3-30-2021; AH]

Leaders of democratic nations actually have **stronger incentives** to **start and exacerbate conflicts** with other countries than their **autocratic counterparts**, suggests a new study published by the **American Journal of Political Science.** The difference boils down to **public pressure**, say the study's authors, Michael Gibilisco of Caltech and Casey Crisman-Cox of Texas A&M University. Because of **pressure from voters** to not back down and appear weak, democratic leaders tend to act **more aggressively in international conflicts**. An autocrat, on the other hand, is **answerable to no one** and can back down from a conflict without facing **personal consequences**. "If an elected leader **makes a threat** during a conflict with another country and the threat **isn't followed through,** they may face a **decrease in approval ratings**, or they may lose an election," says Gibilisco, assistant professor of political science. In democracies, he notes, voters can punish their leaders for appearing weak—these punishments or consequences are known as "audience costs" in political science parlance. To avoid those costs, leaders in representative governments become more aggressive during disputes. In their study, Gibilisco and Crisman-Cox, who is also an assistant professor of political science, first developed a **mathematical model** of **dispute initiation** between countries and then **fit the model** to data of actual conflicts that occurred among **125 countries between 1993–2007**. They also estimated audience costs for the countries in their sample using existing databases containing country-by-country information on levels of democracy and press freedom. In general, they found that audience costs are highest in democracies with strong protections for a free press. However, they also found that audience costs are much lower in democracies that have a rival that threatens their existence. (For example, South Korea's existential rival is North Korea.) One reason, the researchers say, is that a nation's voters will give their leader more leeway in deciding how to resolve a conflict with an existential rival, because survival is more of a concern than saving face. In contrast to democracies, dictatorships tend to have **low audience costs**, but here, too, Gibilisco and Crisman-Cox found an exception. Dictatorships that provide a legal mechanism for removing a leader—as was the case in China before it abolished term limits this past March—have higher audience costs. Once the researchers produced an audience-cost estimate for each country, they considered how changing a country's audience costs affects its willingness to engage in conflict. Overall, they found, increasing a country's audience costs, perhaps by strengthening democratic institutions, makes it more likely to start a conflict. However, Gibilisco and Crisman-Cox found that other dynamics are at play that create more nuanced international dynamics. For example, while democratic leaders may be **less likely to back down** during a crisis, they can also be **more aggressive and prone to initiate conflict**, because they know their opponent **won't want to get in a fight** against a country that will **hold its ground**, even if it leads to war. Alternatively, a democratic leader may be less likely to initiate a conflict in the first place, as they know that they won't be able to easily stand down from it.

#### Aff gets circumvented.

Lanard 17 [Noah Lanard, editorial fellow. Donald Trump just took another swipe at the labor unions that helped elect him, Mother Jones, 7-19-2017, Accessible Online at http://www.motherjones.com/politics/2017/07/trumps-labor-board-appointments-are-another-blow-for-unions/]

Trump’s NLRB nominees are expected to create further challenges for workers seeking to unionize. Emanuel is a shareholder and longtime lawyer at Littler, the world’s largest management-side employment law firm. Sen. Elizabeth Warren (D-Mass.) has called it is one of the nation’s “most ruthless” union-busters. Emanuel’s clients include Uber and other companies accused of violating workers’ rights, according to his ethics disclosure form.

Outside of his legal practice, Emanuel has decried California’s “terrible climate for job creation,” citing the state’s generous overtime and break requirements for employees.

Kaplan was previously an attorney for the House education and labor committee. In that role, he drafted a bill to reverse an NLRB rule, dubbed the “ambush election rule” by conservative critics, that allowed workers to vote on unionization as soon as 11 days after a petition was submitted. The bill, which did not pass, would have also reversed the board’s recognition of micro-unions.

At Emanuel and Kaplan’s nomination hearing last week, Sens. Al Franken (D-Minn.) and Warren were particularly concerned by Emanuel’s record of defending the mandatory arbitration agreements that Carlson and many others have signed. Pressed by Franken, Emanuel declined to criticize arbitration agreements that prevent women who are sexually harassed from suing their employers in court. In theory, the legality of the arbitration agreements is now in the Supreme Court’s hands. But Ronald Meisburg, a former NLRB board member, has said it’s possible the NLRB could revisit the decision before the court decides. Emanuel told Warren he does not expect to recuse himself if the issue comes up.

The committee’s approval of both nominees along party lines on Wednesday follows other moves under Trump that are less than friendly to labor. Trump’s nominee for deputy labor secretary, Patrick Pizzella, was criticized last week for working with disgraced lobbyist Jack Abramoff to advocate for what was compared to sweatshop labor in the Northern Mariana Islands, a US commonwealth, in the early 2000s. The goods, which were often made by Chinese and Filipino workers, had the advantage of being stamped “Made in the USA.”

Neil Gorsuch, whom Trump appointed to the Supreme Court, has a long record of siding with employers in labor disputes. In the court’s upcoming term, Gorsuch will hear arguments in a case that will decide whether mandatory arbitration agreements violate the National Labor Relations Act.

#### Government recognition doesn’t involve policy action or any change – this is terminal defense to the aff’s solvency since they don’t actually cause strikes or even protect it.

Law Dictionary ‘ND [The Law Dictionary; Featuring Black's Law Dictionary Free Online Legal Dictionary 2nd Ed.; No Date; “What is RECOGNIZE?”; https://thelawdictionary.org/recognize/; Accessed 10-28-2021] AK

To try; to examine in order to determine the truth of a matter. Also to enter into a recognizance.