### setcol

#### Settler workers are still settlers – the 1ac grounds their politics in a defense of indigenous dispossession and necessitates settler expansion.

Englert 20 Sai Englert (lecturer @ Universiteit Leiden), 2020, “Settlers, Workers, and the Logic of Accumulation by Dispossession,” Antipode, Vol. 0, No. 0, doi:10.1111/anti.12659

The history of settler colonialism underscores the conspicuous absence of involvement by settler working classes (as opposed to individuals or limited networks) in mass, sustained challenges against the process of settlement and indigenous dispossession.3 In fact, more often than not, settler labour movements fought for the intensification of settler expansion and racial segregation (see “An Alternative Reading: Settler Colonies and the Exploitation of the Native” above), through colour bars, boycott campaigns and demands for expulsion. In the process, bitter confrontations emerged between settler labour and capital, when the latter attempted to increase its profit margins through the exploitation of indigenous labour—for example in the context of the white labour movements in Australia and South Africa.4 Yet these conflicts can be resolved, especially while the settler colony continues to expand, by intensifying the dispossession of indigenous populations in order to improve the material conditions of settler workers (see “Case Studies” below). Here, the question of accumulation by dispossession returns to the fore. If settler workers are exploited as workers within the settler colony, they remain settlers. As such they participate in the processes of accumulation by dispossession through the occupation of lands, the elimination or exploitation of indigenous peoples, and the extraction of expropriated resources. For example, at a very basic level, their houses, workplaces, and basic infrastructure such as roads, railways, etc., are all premised on the capture and control of indigenous land. Settler workers are both exploited by settler bosses and their co-conspirators in the dispossession of indigenous peoples. As such, class struggle within a settler society has a dual character: it is waged over the distribution of wealth extracted from their labour as well as over the colonial booty. In the case of Zionism in Palestine, the current associated with the publication Matzpen (“Compass”) developed a class analysis of Israeli society. They came to the conclusion that because the Israeli economy was heavily subsidised from the outside (first primarily by Britain, then by the US) and that this subsidy was not simply going into private hands but was used by the Labour Zionist bureaucracy to organise the development of the Israeli economy and infrastructure, class antagonisms were diverted within its society. Hangebi et al. (2012:83) wrote: The Jewish worker in Israel does not receive his share in cash, but he gets it in terms of new and relatively inexpensive housing, which could not have been constructed by raising capital locally; he gets it in industrial employment, which could not have been started or kept going without external subsidies; and he gets it in terms of a general standard of living, which does not correspond to the output of that society ... In this way the struggle between the Israeli working class and its employers, both bureaucrats and capitalists, is fought not only over the surplus value produced by the worker but also over the share each group receives from this external source of subsidies. If this analysis was essentially correct, it underplayed, however, the consequences of an important aspect of Israeli wealth creation (which Matzpen otherwise recognised): the Israeli state, its infrastructure, and its economy were made possible by colonial expansion, land confiscation, the expulsion of Palestinians and the expropriation of their wealth and property. Affordable housing, for example, an issue discussed further below, was not only possible because of the subsidies the Israeli state received from abroad. It was possible because the land on which new houses were built, as well as existing Palestinian houses, had been confiscated by the Israeli army, Palestinians had been expelled in their hundreds of thousands, and the spoils were re-distributed amongst settlers. It was—and remains—the collective dispossession of the indigenous population by the Israeli population as a whole, which ties the settler community together, despite internal class, ethnic, and political divisions. The settler class struggle is fought over the distribution of wealth extracted from settler labour power as well as over the share each group receives from the process of accumulation by dispossession. This dual class and colonial relationship helps explain the relative absence of settler workers’ resistance against settler colonial expansion or alliances with Indigenous peoples.5 This tendency can be understood as “settler quietism”: even if working-class settlers are exploited by their ruling classes, overthrowing the settler state would mean overthrowing a system in which they share, however unequally, in the distribution of the colonial loot. Participating in the process of dispossession and fighting for a greater share of the pie leads to more important and immediate material gains. It also follows, as many anti-colonial thinkers and activists, not least among them Fanon (2001) in the Wretched of the Earth, have argued that indigenous people face the settler population as a whole in their struggle for de-colonisation. This is not to say that individual settlers or specific settler organisations cannot or have not supported struggles for decolonisation. It is however to point out that this is not the case for the majority of the settler working class, while it continues to depend on the continued dispossession of the natives for the quality of its living standards. Whether the settler colony is organised on the basis of an eliminatory or an exploitative model, what remains constant is that the entirety of the settler polity will participate in the process of accumulation by dispossession, and that the different settler classes will struggle both against the natives to impose and maintain this dispossession, as well as amongst themselves in order to determine the nature of its internal distribution. More than that, the specific structural forms of settler rule over the indigenous population is best understood as the outcome of struggle, both between settler classes and between settlers and indigenous populations. This paper now turns to two brief case studies demonstrating this process in the context of Zionism in Palestine.

#### That cannot be delinked from settler institutions – the settler state is driven by the logic of elimination – the primal drive to expansion that materializes native land dispossession, displacement, and genocide.

Rifkin 14 – Associate Professor of English & WGS @ UNC-Greensboro [Mark, ‘Settler Common Sense: Queerness and Everyday Colonialism in the American Renaissance,’ pp. 7-10] mp

If nineteenth-century American literary studies tends to focus on the ways Indians enter the narrative frame and the kinds of meanings and associa- tions they bear, recent attempts to theorize settler colonialism have sought to shift attention from its effects on Indigenous subjects to its implications for nonnative political attachments, forms of inhabitance, and modes of being, illuminating and tracking the pervasive operation of settlement as a system. In Settler Colonialism and the Transformation of Anthropology, Patrick Wolfe argues, “Settler colonies were (are) premised on the elimination of native societies. The split tensing reflects a determinate feature of settler colonization. The colonizers come to stay—invasion is a structure not an event” (2).6 He suggests that a “logic of elimination” drives settler governance and sociality, describing “the settler-colonial will” as “a historical force that ultimately derives from the primal drive to expansion that is generally glossed as capitalism” (167), and in “Settler Colonialism and the Elimination of the Native,” he observes that “elimination is an organizing principle of settler-colonial society rather than a one-off (and superceded) occurrence” (388). Rather than being superseded after an initial moment/ period of conquest, colonization persists since “the logic of elimination marks a return whereby the native repressed continues to structure settler- colonial society” (390). In Aileen Moreton-Robinson’s work, whiteness functions as the central way of understanding the domination and displacement of Indigenous peoples by nonnatives.7 In “Writing Off Indigenous Sover- eignty,” she argues, “As a regime of power, patriarchal white sovereignty operates ideologically, materially and discursively to reproduce and main- tain its investment in the nation as a white possession” (88), and in “Writ- ing Off Treaties,” she suggests, “At an ontological level the structure of subjective possession occurs through the imposition of one’s will-to-be on the thing which is perceived to lack will, thus it is open to being possessed,” such that “possession . . . forms part of the ontological structure of white subjectivity” (83–84). For Jodi Byrd, the deployment of Indianness as a mobile figure works as the principal mode of U.S. settler colonialism. She observes that “colonization and racialization . . . have often been conflated,” in ways that “tend to be sited along the axis of inclusion/exclusion” and that “misdirect and cloud attention from the underlying structures of settler colonialism” (xxiii, xvii). She argues that settlement works through the translation of indigeneity as Indianness, casting place-based political collectivities as (racialized) populations subject to U.S. jurisdiction and manage- ment: “the Indian is left nowhere and everywhere within the ontological premises through which U.S. empire orients, imagines, and critiques itself ”; “ideas of Indians and Indianness have served as the ontological ground through which U.S. settler colonialism enacts itself ” (xix).

#### All contemporary neoliberal violence, from the global war on terror to domestic racialized policing, borrows from a plethora of settler colonial techniques of social control based on the settler’s right to control surplus populace

Wolfe & Lloyd 16 – historian & professor @ UC Riverside

(Patrick & David, ‘Settler colonial logics and the neoliberal regime,’ *Settler Colonial Studies*, Vol. 6, Issue 2)

It is often assumed that while both capitalism and the modern state may originate in processes such as primitive accumulation, imperialism and colonialism, and conquest, modernization in both the political and economic spheres gradually leaves those stages behind, allowing for some form of cosmopolitan transnational globality to emerge. In particular, settler colonialism and primitive accumulation have been understood to belong to early stages of capital expansion and accordingly to be formations lodged in the past. This introduction argues that the ongoing history of settler colonialism forms a crucial terrain through which to understand military occupation and the formations and practices of the neoliberal state that has emerged to regulate and promote a new regime of accumulation. It also explores the ways in which the formations of the contemporary state, whether military, economic, political, legal or cultural, may remain grounded in apparently peripheral or outmoded modes of domination. Understanding the neoliberal regime of accumulation in terms of its continuing debt to such histories will have a crucial bearing on the organization and articulation of resistance and dissent in the present. We live in an epoch that is witnessing the transformation of the state and its governmental institutions. The so-called global war on terror, which has been used to legitimate an inordinate increase in the development of surveillance technologies and their deployment against the citizenry, has coincided with global regimes of austerity. Increased state expenditure on armaments and security devices produced by private corporations goes along with cuts to, and the privatization of, state-furnished public services, from fundamental utilities such as power and water to schooling, healthcare and social welfare. This new mode of accumulation generates the requirement for a new form of state. In this still-emergent state formation, which we may call neoliberal, the state's role is being redrawn to furnish a conduit for the more rapid distribution of what were once public goods into the hands of corporations. This new mode of accumulation is effectively a renewed movement of enclosure, this time of a ‘second commons’ – that is, of those public goods historically wrested from the state by social movements in compensation for the original loss of commons: social security, public utilities, education and, in the form of both urban and national parklands, even the remnants of public space. These public patrimonies of the modern liberal state that emerged from an earlier moment of enclosure and dispossession represent vast storehouses of capital, resources, services and infrastructure. Held in common for generations, these are now targeted for expropriation and exploitation. The crisis of profitability that confronted capitalism in the early 1970s led to economic restructuring on a vast scale, from the off-shoring of manufacture, enabled by post-Fordist modes of ‘flexible’ production and by containerization, to the sustained assault on the welfare state. In the so-called ‘industrialized world’, such measures took place mostly piecemeal and therefore over an extended period. Elsewhere, the transformation was concerted, violent and totalizing in its ambitions, requiring the establishment of fascist (or, in the State Department's euphemism, ‘authoritarian’) regimes. Famously, Salvador Allende's Chile was the first state to be subjected to the kind of make-over that would furnish the model, sometimes partial, sometimes wholesale, for what was required to impose the emerging neoliberal mode of governance: a violent coup, the disposal of political opponents, the rapid privatization of the economy, the suppression of trades unions and other democratic social movements, and the installation of a severe and permanent regime of policing in the name of public order. Naomi Klein has termed the principles that guide such radical transformations of whole societies ‘the shock doctrine’ and suggested that the right-wing dictatorships of Latin America furnished the ‘laboratories’ for the emerging legal and political institutions that neoliberalism, initially dubbed ‘monetarism’ or ‘Thatcherism’, would seek to install. Later, she argues, such naked interventions as military coups would be less frequently required, economic crisis itself being sufficient pretext for the imposition of capitalist ‘reforms’ that had been tested in the violent laboratories of the global south.1 Even then, however, the necessity for the increasing deployment of intensified policing remains: part of the ‘shock’ that economic crisis administers, like natural disasters and the artificial disasters of war and occupation that have proven peculiarly profitable to capitalist corporations, is the large-scale destruction of older productive forces and the unemployment of large numbers of people, many of whom are consigned to a permanent class of the redundant or under-employed. The increasing reliance on automation in production as well as the extortion of higher rates of productivity from workers faced with precarious employment in deindustrializing economies have made redundant populations seem likely to become a constant feature of neoliberal states. Elsewhere, in the former colonial world, huge subaltern segments of the populace are unlikely ever to be absorbed into the labor market in a meaningful way. Faced with the prospect of disaffected, unincorporable masses, both internationally and domestically, the problem for the neoliberal state – for which this surplus population is a condition of its economic regime – is how to manage and contain the threat it poses. The paramilitarization of the police domestically and the deployment of the actual military in the operations of permanent war redefined as policing have become the norm, lately under the alibi of the war on terror and homeland security. In this asymmetrical warfare of the entitled against the disenfranchised, the deadly if preposterous situation emerges that the most highly armed states in the world assure their populations that they (or their interests) are under a permanent state of siege, diffusely threatened by rag-tag platoons of the dispossessed who, despite the considerable differences between them, uniformly qualify for the indiscriminate designation ‘terrorists’. To note this is neither to endorse the kaleidoscopic variety of ideologies and religious beliefs that motivate such groups, nor to collapse into a single framework of resistance the very diverse phenomena they represent. It is, rather, to problematize a narrative that, for over a decade, has legitimated the violent rise of the neoliberal state, with its multiplying encroachments on the civil liberties that were, at least in name, the hallmark of liberalism; its endless conduct of war in the name of peace and freedom; its inhuman treatment of refugees and asylum seekers internationally; its infliction of austerity, incarceration and police brutality on growing segments of its populations domestically; and its arbitrary and lethal interventions globally in the name of humanitarianism. From the hard right to the liberal center, from the faux frontier bluster of George W. Bush to the moralizing condescension of Barack Obama, the same rhetoric of defensive and pre-emptive action against enemies that externally surround or internally infest the nation reigns. At the same time, anti-immigrant scare-mongering conflates migrants, whether driven by economic or political necessities, with terrorist enemies, militarizing the borders of states in the name of security. Never has Walter Benjamin's aphorism that, from the perspective of the oppressed, ‘the “state of emergency” in which we live is not the exception but the rule’2 seemed to express so general a condition. It is highly significant that the distinctive characteristics of this emergent global regime have been locally prefigured in modes of repression developed internally by settler colonial states. As Israeli architect and specialist on urban warfare, Eyal Weizman, has argued, for instance, the West Bank can be seen as an extreme model – perhaps a laboratory – of a territorial and urban conflict that can take place in other places. Globalization takes the periphery straight to the center, the frontier between the First and Third worlds starts running through the middle of world cities.3 Weizmann's phrasing signals a genealogy for contemporary transformations in the longer history of colonialism as a repertoire of both tropes and practices of social control, brought together today in Israel's operations as a settler colonial state, anomalous only in that its project of expansion remains unfinished.4 The notable convergence of Israel and the USA (together with an ever-compliant Australia), expressed as much in their political solidarity as in their military and security collaborations, suggests to us a wider historical affinity between states that share a settler colonial history, one that continues to impress itself on both psychic and institutional formations. In this respect, to Weizmann's invocation of the first and third worlds, we should add the histories of dispossession and resistance through which Indigenous peoples of the ‘fourth world’ have shaped our understanding of the dynamics of settler colonialism and its lessons for the present. We suggest that the fundamental continuity between the historical development of European settler colonialism and the present-day development of the neoliberal world order resides in the exigencies of managing surplus populations. So far as settlers have been concerned, the salient surplus has, of course, been the Native population, whose refractory presence has prompted a range of techniques of elimination – from outright homicide to various forms of removal and/or confinement, and, once their numbers have been appropriately reduced in the post-frontier era, to Natives’ assimilation into settler society – techniques that have met with mixed success in the face of Native modes of resistance which have varied as creatively as the settlers’ own repertoire of strategies. In this overall historical process, the key shift is the ending of the frontier, which generally coincides with the consolidation of the settler state, and which is typically marked by intensified programs of Native assimilation, so many mopping-up exercises for civilization. Thus it is consistent that Israel, which remains bogged down in an incomplete expansion of its frontier, should rigorously eschew any semblance of Native assimilation, insisting instead on the sharpest of distinctions between Palestinians, who may or may not be citizen/residents of the Israeli state, and members of the so-called ‘Jewish nation’ wherever they may live. The exclusion of the Palestinian population is particularly apparent in the ease with which shifting economic and demographic circumstances – especially the large-scale immigration of Arab-Jews (Mizrahim) and Russians – have transformed what was once a reserve Palestinian labor force into a largely unemployed surplus. Bereft of potential productive utility, and with pauperization attenuating its value as a market, the Palestinian population has become subject to policies of removal and confinement that recall those adopted by other settler states while the expansion of their frontiers remained incomplete. Locally, therefore, Israel is straightforwardly settler colonial and bears comparison in important respects to the respective histories of settler societies such as Australia or the USA in the eras before these societies had completed the initial seizure of Native peoples’ land and inheritances. Globally, however, the twenty-first century context in which Israel is seeking to complete the seizure of what remains of Mandate Palestine differs crucially from the nineteenth-century context in which settlers in Australia and North America completed their seizure of the Native estate. Globally, the dispossession of Indigenous peoples in Australia and North America took place in the context of (and formatively enabled) the titanic growth of industrial capitalism. As Karl Polanyi observed, doing scant justice to Marx, an unprecedented feature of the emergence of industrial society was the sheer scale of the investment that was involved in factories. Not even shipbuilding had previously come close to the financial input required by the establishment of factories, with their heavy plant and infrastructure. Nor had any previous investment required maintenance for the length of time that it took factories to become profitable. To vouchsafe these investments, and to project factories’ viability forward through generations, required the total reorganization of society, complete with novel forms of surveillance, policing and war-making, that marked industrialization in the nineteenth century.5 This much is hardly novel. For our purposes, the crucial feature of the great nineteenth-century transformation is that it did not necessarily conduce to permanently superfluous populations. Rather, working populations grew dramatically. In addition to providing capital with its labor, the industrial proletariat provided a market for the fruits of its own alienated production. True, temporary labor surpluses were generated in the course of the periodic slumps and depressions that overtook the capitalist economy, especially after the 1870s, but this labor could be re-employed, even if only for warfare, once industrial demand was reinstated. Moreover, throughout this period, colonial settlement provided an outlet for the Malthusian excess, industrial society's surplus poor, who departed their Dickensian slums for Indigenous people's stolen homelands. The present situation is entirely different from the socially expansive context of nineteenth-century industrial capitalism. As many have noted, in the phenomenon of automation, capitalism has, as it were, over-succeeded, not only freeing itself from dependence on troublesome human labor but thereby simultaneously generating a population that, in contrast to waged labor, is not even much use as a market. As distinct from resistant Natives, this human surplus is produced within capitalism rather than external to it. In common with Natives, however, it obstructs rather than enables capitalist expansion. It is in relation to this community of redundancy, we believe, that settler colonialism's inventory of local strategies is becoming increasingly congenial to neoliberalism's emergent world order. As we have noted elsewhere, in relation to Black people in the contemporary USA, the blatant racial zoning of large cities and the penal system suggests that, once colonized people outlive their utility, settler societies can fall back on the repertoire of strategies (in this case, spatial sequestration) whereby they have also dealt with the Native surplus.6 In this connection, we might view the phenomenon of warehousing, characterized by Klein, Jeff Halper and, above all, by Mike Davis,7 as prefigured in the late-nineteenth-century Indian reservation. The comparison may also serve to qualify the pessimism that consideration of this topic understandably engenders. Territorial concentration is both confining and enabling. From the settlers’ point of view, Indian reservations may have originated as holding pens for conquered peoples, but they also constitute unsurrendered, albeit diminished, repositories of Native sovereignty, focal points for survival and renewal.

#### The alternative is total refusal. That means rejecting fantasies of institutional benevolence and quick-fix solutions.

Grande 18 – Sandy Grande, Professor of Education and Director of the Center for the Critical Study of Race and Ethnicity at Connecticut University, 2018 (“Refusing the Settler Society of the Spectacle,” Handbook of Indigenous Education, Published by Springer, Edited by Elizabeth Ann McKinley and Linda Tuhiwai Smith, ISBN 978-981-10-1839-8, pp. 1-17)

Indigenous Refusal and the Twenty-First-Century Ghost Dance

As articulated by Indigenous scholars, Julian Brave NoiseCat and Anne Spice, “At Standing Rock, the audacious vision for an indigenous future, handed down from Wounded Knee and global in force, is alive and well.” In order for this “audacious vision” to be fully realized, it is up to all of us to see and work past the glimmer of spectacle, to resist the cult of the immediate, and to do the more deliberative work of history, earnestly connecting past with present. This requires a collective refusal to participate in the theater of cruelty and choose instead to dismantle the settler consciousness that enables it. Such efforts entail working beyond and below the surface, keeping an eye toward the process by which relations of mutuality are either abandoned or eroded by relations of capital – to in effect, decolonize.

Within this struggle, Indigenous nations, peoples, and knowledge are crucial, not because they hold any magic or “ancient wisdom” but because they represent the most enduring and resilient entities that present a competing moral vision to the settler order. Despite myriad struggles, Native peoples have maintained their autonomy and political sovereignty for centuries, confounding the infamous Thatcherism, “There is No Alternative.” And insofar as current patterns of thinking and being have contributed to the existing political, economic, and environmental crises of our time, it is incumbent upon all of us to protect the complex ecologies that sustain Indigenous communities. That said, I want to be clear that by “protect” I do not mean appropriate, mimic, exploit, or put on display. I mean to create and sustain the conditions under which such communities continue to survive and thrive.

Settlers desiring to be accomplices in the decolonial project need to assume the stance of advocate (not spectator) for Indigenous rights and perhaps more importantly, for whitestream transformation. Within activist spaces this means demonstrating a willingness to stand on the front lines to help contain the metastasizing neoliberalism. As argued by Glen Coulthard (2014), “For Indigenous nations to live, capitalism must die” (p. 173). This also necessarily demands a prior rejection of liberalism. Particularly now, as pundits and scholars begin to dissect the “success” of #NoDAPL, it is important to register the long-understood failures of liberal politics and belief in reform – of the liberal subject, of capital, of the state – through “peaceful” action and “rational” discourse. Any movement that does not first recognize the irrationality and violence of the settler state and its envoys is by definition anti-Indian.

It means recognizing that “the movement” is not (only) about the present but rather demands both history and a ground(ing) that is both literal and metaphoric. The guiding vision is not human centered or derived but rather comes from land and all that sustains it. The less quoted, second half of Coulthard’s (2014) assertion is, “for capitalism to die, we must actively participate in the construction of Indigenous alternatives to it” (p. 173). The Indigenous project is not defined by liberal or juridical notions of justice. Indeed, liberalism’s reliance on the fantasy of the benevolent state and its refusal to relinquish the idea of a “new social order, built in the shell of the old,” ultimately solidifies the settler state. The so-called progressive movements built on liberal ideas give rise to organizing strategies held captive to the “reign of the perpetual present.” Such politics were epitomized by the Occupy Wall movement – its never-ending process of agenda building, leaderless and lateral structure and non-prescriptive slogan, “What is Our One Demand?” – all suggest an allegiance to the liberal ideal of freedom as individual liberty.

In contrast, Indigenous struggle is built on history and ancestral knowledge. It is informed by original teachings and the responsibility to uphold relations of mutuality. Attention to these teachings requires resistance and refusal of the fast, quick, sleek, and spectacular in favor of the steady, tried, consistent, and intergenerational. It is the replacement of “to each his own” and “may the best man win” with “we are all related.” As Debord observes, the spectacle is “the reigning social organization of a paralyzed history, of a paralyzed memory, of an abandonment of any history founded in historical time” and, thus, “is a false consciousness of time” (158). We must refuse this false consciousness.

In the end, refracting liberal, social justice movements through an Indigenous lens compels us to be attentive to both the larger ontological and epistemic underpinnings of settler colonialism; to discern the relationship between our struggles and others; to disrupt complicity and ignite a refusal of the false promises of capitalism. This level of clarity removes the messy and participatory work of agenda setting that liberal movements insist upon, because, the agenda has already been set – a long time ago. It is about land and defense of land. Land is our collective past, our present, and our future. This is our one demand.

### Fwrk

#### The role of the ballot should be the team who best deconstructs and combats settler colonialism.

#### You should view the 1ac as a research project, in which we test the represenatations of the aff and the epistemology of the aff.

#### Its better for debate – the aff will never actually happen in the real world, and testing the actual education and representations of the 1ac changes our views of the realworld and allows us to get more education.

#### The role of the ballot is to vote for who best centers indigenous scholarship and resistance-- Any ethical commitment requires that the aff place themselves in the center of Native scholarship and demands.

Carlson 16 (Elizabeth Carlson, PhD, is an Aamitigoozhi, Wemistigosi, and Wasicu (settler Canadian and American), whose Swedish, Saami, German, Scots-Irish, and English ancestors have settled on lands of the Anishinaabe and Omaha Nations which were unethically obtained by the US government. Elizabeth lives on Treaty 1 territory, the traditional lands of the Anishinaabe, Nehiyawak, Dakota, Nakota, and Red River Metis peoples currently occupied by the city of Winnipeg, the province of Manitoba, (2016): Anti-colonial methodologies and practices for settler colonial studies, Settler Colonial Studies, DOI: 10.1080/2201473X.2016.1241213) // recut SJ DL

Arlo Kempf says that ‘where anticolonialism is a tool used to invoke resistance for the colonized, it is a tool used to invoke accountability for the colonizer’.**42** Relational accountability should be a cornerstone of settler colonial studies.I believe settler colonial studies and scholars should ethically and overtly place themselves in relationship to the centuries of Indigenous oral, and later academic scholarship that conceptualizes and resists settler colonialism without necessarily using the term: SCT may be revelatory to many settler scholars, but Indigenous people have been speaking for a long time about colonial continuities based on their lived experiences. Some SCTs have sought to connect with these discussions and to foreground Indigenous resistance, survival and agency. Others, however, seem to use SCT as a pathway to explain the colonial encounter without engaging with Indigenous people and experiences – either on the grounds that this structural analysis already conceptually explains Indigenous experience, or because Indigenous resistance is rendered invisible.43 Ethical settler colonial theory (SCT) would recognize the foundational role Indigenous scholarship has in critiques of settler colonialism. It would acknowledge the limitations of settler scholars in articulating settler colonialism without dialogue with Indigenous peoplesand take as its norm making this dialogue evident. In my view, it is critical that we not view settler colonial studies as a new or unique field being established, which would enact a discovery narrative and contribute to Indigenous erasure, but rather take a longer and broade\_r view. Indigenous oral and academic scholars are indeed the originators of this work. This space is not empty. Of course, powerful forces of socialization and discipline impact scholars in the academy. There is much pressure to claim unique space, to establish a name for ourselves, and to make academic discoveries. I am suggesting that settler colonial studies and anti-colonial scholars resist these hegemonic pressures and maintain a higher anti-colonial ethic. As has been argued, ‘the theory itself places ethical demands on us as settlers, including the demand that we actively refuse its potential to re-empower our own academic voices and to marginalize Indigenous resistance’.44 As settler scholars, we can reposition our work relationally and contextually with humi- lity and accountability. We can centre Indigenous resistance, knowledges, and scholarship in our work, and contextualize our work in Indigenous sovereignty. We can view oral Indigenous scholarship as legitimate scholarly sources. We can acknowledge explicitly and often the Indigenous traditions of resistance and scholarship that have taught us and pro- vided the foundations for our work. If our work has no foundation of Indigenous scholarship and mentorship, I believe our contributions to settler colonial studies are even more deeply problematic.

## Case

#### Vote neg on presumption – mere recognition solves nothing

Mathilde Dorcadie 18 [Mathilde Dorcadie is editor of the French version of Equal Times. For several years she worked as a correspondent for French-language media in Brazil and the Middle East. As a freelance journalist, she worked for Agence France Presse as well as various television channels, magazines and newspapers. “New Index Shows Rising Influence of Giant Firms in Repressive Labor Policies” Equal Times, JUNE 11, 2018 https://inequality.org/research/big-corporations-growing-role-in-regressive-labor-laws-around-the-world/]

“Workers’ right to strike is recognized in virtually every country in the world. The right is even enshrined in the national constitutions of some 90 countries,” notes ITUC deputy president Karl-Petter Thorwaldsson. And yet, according to the Global Rights Index, violations of the right to strike were recorded in 87 percent of the countries studied in 2017.

#### Their Bogage card flows neg – the aff literally does nothing because employers will ignore any laws or regocgnition anyway

#### Their gourevitch evidence is ABOUT CLASS OPPRESSION – I want to make it perfectly clear that it makes no claims about the increase in movements rather makes the claim that you can do more strikes ig and that can fight some forms of domination – don’t let them claim it’s a link turn

#### Moreover – gourevitch doesn’t even say that it can destroy capitalism – only says that it can give workers more power in capitalism

#### Illegal strikes solve better – legal strikes get co-opted – Oklahoma proves

Eric Blanc 20 ["Breaking the law: Strike bans and labor revitalization in the red state revolt." Labor Studies Journal 45.1 (2020): 74-96.]

#### With the major schools of thought on union revitalization at an impasse, a decidedly minoritarian current of organizers and scholars have put forward a more controversial argument: revitalizing the labor movement will require a willingness to take illegal strike action. These authors note that successes of the big private sector upsurge in 1930s, as well as the public sector strike wave in the late 1960s and early 1970s, frequently depended on breaking the law. Particularly given the further restriction of the right to strike in the ensuing decades, they argue that prospects for organized labor will remain bleak until workers and unions begin breaking out of the confines of U.S. labor law (see, for example, Burns 2011, 2014; McAlevey 2017). To quote Joe Burns, “it is not conceivable that the labor movement will be revived in any meaningful way without workers violating labor law, as their counterparts half a century ago did” (Burns 2014, 10). Given the obvious risks of illegal workplace action, the top union officialdom in the United States has been unsurprisingly hesitant to either advocate or test this strategic option. Yet the public education strike wave that swept so-called red states in early 2018 has the potential to thrust this political question back to the fore of the labor movement’s strategic debates. The following article provides a comparative analysis of how the early 2018 statewide education strikes in West Virginia, Oklahoma, and Arizona confronted the legal barriers to workplace action.2 I show that, under the initiative of radical rank-and-file leaders, the two most successful strikes—West Virginia and Arizona—consciously ignored their states’ legal prohibitions on public sector work stoppages. By systematically organizing school sites, and winning the support of students and parents, activists were able to help school employees overcome their fears about being fired or being subjected to other forms of legal intimidation. Eventually, educators struck and stayed out until they won major concessions from their Republican state governments. In the process, they also took major steps toward revitalizing their labor movements. Dense networks of rank-and-file activists were established, and formerly disconnected union members became active. Moreover, roughly 2,000 new members joined West Virginia’s public education unions and about 2,500 joined the Arizona Education Association (AEA) over the course of the struggle. In contrast, Oklahoma’s walkout attempted to remain within legal parameters. Rather than build up workplace power in the direction of an unlawful strike, Oklahoma’s educator leaders—both among the rank-and-file and the union— sought to keep their walkout legal by relying on the sanctioning of the action by superintendents. The upshot was that Oklahoma educators placed themselves in a more u Collective bargaining is harmful to excluded workers which leads to racial inequality and discrimination

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In addition to the direct impact of union discrimination, union power had many indirect effects that harmed black (as well as other nonunion) workers. Unionization of American’s “core” industries (such as autos and steel) ultimately reduced employment, reducing black opportunities to rise from the lower-paid “periphery” to the good core jobs. When unionization drove up labor costs in the coal-mining industry, for example, owners substituted capital for labor, and black workers bore the brunt of this “technological unemployment” (Woodrum 2007). Organized labor lobbied for higher minimum wage laws, which further increased black unemployment. (The black unemployment rate, previously about the same as the white rate, became regularly twice as high after World War II.) When they unionized unskilled jobs, unions made these jobs more attractive to white workers, who often took them though they possessed greater skills than the jobs required. While the impact of union power was clearer in the structure of job lines, promotion, seniority, and training, union leaders often claimed that discrimination in hiring—an employer prerogative—was the real culprit. But unionization raised the cost of labor and thus reduced the number of jobs, which was just the obverse way to control the labor supply (Simons 1944). Labor economist W. H. Hutt had seen the power of white workers to transfer employment and income from excluded minorities to themselves in South Africa. He noted that “majorities under union protection are notoriously unconcerned about the harm wrought to those excluded, or the reduction caused in the aggregate income of the community” (Hutt 1973: 54).

#### Legal protections for strikes hurts excluded black workers twice – they’re unable to benefit either from strikes or from strikebreaking

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Although most black workers did not gain industrial employment as strikebreakers, and although most strikebreakers were not black, the image of the “black scab” was powerful (Whatley 1993, Arnesen 2003). Contrary to the image depicted by union supporters (see Noon 2004), black strikebreakers were neither villains nor dupes; strikebreaking was a rational and effective choice. “Black strikebreaking was nothing less than a form of working-class activism designed to advance the interests of black workers and their families,” a labor historian recently observed. “In many instances a collective strategy as much as trade unionism, strikebreaking afforded black workers the means to enter realms of employment previously closed to them and to begin a long, slow climb up the economic ladder” (Arnesen 2003: 322). The Union Quest for Legal Privilege Black strikebreaking could be effective because the American law of labor relations protected the right of employers to hire whomever they pleased, and protected the right of workers to work for whomever they pleased. Unless workers had some peculiar skill or occupied some strategic place in the economy where the withdrawal of their services would cost employers dearly, their unions were weak. The strongest unions were among the workers who already had economic power. But it was virtually impossible for easily replaced, unskilled workers to win their demands by striking. The skilled railroad workers who formed the “brotherhoods”—the engineers and conductors, for example—had some of the earliest strong unions. They excluded blacks by explicit constitutional provision until the 1960s. They did not participate in the 1894 Pullman strike, led by the less skilled railway workers in Eugene V. Debs’ American Railway Union. The ARU excluded blacks as well, and black workers formed an “Anti-Striker Railway Union” and helped break the strike. But the most significant factor in the failure of the Pullman strike was the injunction issued by a federal court, forbidding the strikers from interfering in the railroads’ right to carry on their business, and their right to do so with replacement workers. For the next 40 years, the AFL would campaign to change labor law so that its strikes could succeed. The legend continues to be perpetuated that the AFL was committed to “voluntarism.” Unlike earlier labor federations that became absorbed in larger social and political movements or parties, the story goes, the AFL simply wanted to be left alone, to focus on “bread and butter’ issues of wages, hours, and working conditions. This was never the case. The federation supported a number of laws that would reduce competition in the labor market—immigration restriction, limitations on the labor of women and children, and a host of licensing and other regulatory barriers to entry into the labor market (see Bernstein 2001). As UMW President John Mitchell put it in 1903, “The trade union movement in this country can only make progress by identifying itself with the state” (Mitchell 1903: 219). Little by little in the Progressive Era, the federal and state governments began to empower labor unions, and this increased their power to discriminate against black workers. But for the most part these laws helped already-powerful workers, like the railroad brotherhoods and construction trades. Blacks continued to make inroads in unskilled industrial employment, and this accelerated as the “Great Migration” out of the South began just before the First World War. As during the Civil War draft riots, job competition during the war set off some of the worst race riots in American history, in East St. Louis in 1917 and Chicago in 1919. As the war came to a close and the federal government withdrew its pressure on American employers to bargain with unions, blacks played a significant role in the movement to return to the “open [nonunion] shop,” which unionists resisted in a campaign for “industrial democracy.”

nfavorable relationship of forces with district and statewide employers, facilitating the April walkout’s inability to continue after superintendents began withdrawing their support midway through the action. Although Oklahoma educators were able to wrest a considerable raise from Republican legislators, Oklahoma’s walkout—unlike in West Virginia and Arizona—was not felt by educators to be a clear-cut victory. Nor did the action in Oklahoma lead to an increase in the strength of organized labor: no rank-and-file networks were established and the Oklahoma Education Association (OEA), the state’s main educators’ union, did not increase its membership numbers. In this paper, I rely on various data sources. I was on the ground in West Virginia, Oklahoma, and Arizona as a researcher during the strikes. In each of these states, the main rank-and-file leaders gave me access to their internal organizing meetings and closed Facebook groups. To supplement my personal observations and the abundant primary sources embodied in these Facebook forums, I subsequently interviewed over a hundred teachers, service personnel, organizers, students, union staffers and top officials, and superintendents. To corroborate their recollections, and fill in gaps, I have also made extensive use of the local press.

#### Non – u – they already literally have the legal right to strike

#### This only justifies a freedom to strike not a right to strike

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Legal regulation of strikes comes in many forms, depending on the country and the times. Sometimes there is only a freedom to strike, in that no criminal sanctions in the form of fines or imprisonment are imposed, though the possibility of contractual liability remains. Today, however, there is more often than not a right to strike, with the result that except in certain circumstances, the employer cannot invoke a strike as a legal basis for breaking off an employment contract or for taking other reprisals. Strikes may be a means of action open only to trade unions (as in Sweden), or they may be recognized as a right of individual workers (as in France). Sometimes they are treated as an exceptional measure that workers can invoke when the employer does not fulfil its obligations. Sometimes strikes are allowed only in their classic form, and at other times the right to strike may extend to slow-downs, rotating stoppages, work-to-rule, boycotts and other kinds of direct action.

#### A right and a freedom to strike are distinct; the former creates obligations on the employer

Emily O'Neill 11 [J.D., American University Washington College of Law "The Right to Strike: How the United States Reduces it to the Freedom to Strike and How International Framework Agreements can Redeem it." Am. U. Labor & Emp. LF 2 (2011): i. https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?referer=https://scholar.google.com/&httpsredir=1&article=1047&context=lelb]

The Mackay doctrine, permitting permanent replacement of strikers renders the right a mere privilege, or freedom, because it removes meaningful protection of the right by stripping employers of a duty to refrain from interference with striking.125 Wesley Hohfeld’s famous account of legal rights provides a useful analytical framework for distinguishing between the colloquial uses of the “rights” and their implications.126 Under this framework, rights are distinguished from what he calls privileges, or freedoms, by the existence or inexistence of a corresponding duty. All rights have a corresponding duty, or a legal obligation to respect the legal interest of the right-holder and refrain from interfering with it.127 In the example of the right to strike, the correlative is the employer’s duty to not interfere with the employees’ right.128 On the other hand, a ‘freedom’ is the liberty to act, but without the imposition of a duty upon others.129 When one has the freedom to act, others simply do not have a right to prevent her from acting.130 In the strike context, if employees enjoy the freedom to strike, an employer does not have the right to stop the employees from striking, but does not have a duty to not interfere with the act of striking.131

#### Hold the line on 1AR redefinition – they ceded their right by not defining the terms in the 1AC which means you automatically accept reasonable neg definitions or else they become a moving target making it impossible to formulate a 1N strategy