### Setcol

#### The aff masks settler colonialsm – the idea that they can solve all of the issues with simply eliminating some IP laws based on indigenous knowledge is at best a settler move to innocence

**Tuck and Yang 12** [Eve and K. Wayne, Prof @ SUNY—New Paltz and Prof @ UC—San Diego, *Decolonization is Not a Metaphor*, Decolonization: Indigeneity, Education & Society 1(1), 2012, p. 1-40, tony]

Of course, dressing up in the language of decolonization is not as offensive as “Navajo print” underwear sold at a clothing chain store (Gaynor, 2012) and other appropriations of Indigenous cultures and materials that occur so frequently. Yet, this kind of inclusion is a form of enclosure, dangerous in how it domesticates decolonization. It is also a foreclosure, limiting in how it recapitulates dominant theories of social change. On the occasion of the inaugural issue of Decolonization: Indigeneity, Education, & Society, we want to be sure to clarify that decolonization is not a metaphor. When metaphor invades decolonization, it kills the very possibility of decolonization; it recenters whiteness, it resettles theory, it extends innocence to the settler, it entertains a settler future. Decolonize (a verb) and decolonization (a noun) cannot easily be grafted onto pre-existing discourses/frameworks, even if they are critical, even if they are anti-racist, even if they are justice frameworks. The easy absorption, adoption, and transposing of decolonization is yet another form of settler appropriation. When we write about decolonization, we are not offering it as a metaphor; it is not an approximation of other experiences of oppression. Decolonization is not a swappable term for other things we want to do to improve our societies and schools. Decolonization doesn’t have a synonym.

#### The AFF relies on nostalgic utopian imaginaries to preserve the settler monopoly on academia. This lends itself to becoming trapped within the neoliberal confined of the university, ultimately dooming the AFF to fail.

**Paperson 17** – who writes about decolonization and everyday epic organizing, often with frequent collaborator Eve Tuck [la, other “I” – K. Wayne Yang, “A Third University Is Possible”] Eagan – mads

The Second University Critiques The second world university, like Second Cinema, is marked by its investments in critical theory, that is, the diverse work of the Frankfurt School in critiquing media and capitalist systems in the “West” that emerged out of World War II. Two threads of critical theory run through academia in the arts and humanities, on one hand, and the social sciences, on the other. Literary critical theory focuses on the deconstruction of texts for their underlying meanings, whereas social theory focuses on domination within social systems, usually from a neo-Marxist frame.[15] At least ideologically, the second world university is committed to the transformation of society through critique, through a deconstruction of systems of power, and in this way offers fundamental analyses for any third world university curriculum. Yet its hidden curriculum reflects the material conditions of higher education—fees, degrees, expertise, and the presumed emancipatory possibilities of the mind—and reinscribes academic accumulation. Usually, when traditionalists speak with nostalgia for the idealized university of old, the library counter in the sky where Kant and Hegel and Freire study together, this is the second world university. We are familiar with it; in the United States, it often houses the Marxist scholars, the ethnic studies formations, women’s studies, gender studies, and American studies. To borrow some rhetoric from Gayatri Spivak, it is the house of the hegemonic radical, the postcolonial ghetto neighborhood within the university metropolis. One of the tautological traps of the second world university is mistaking its personalized pedagogy of self-actualization for decolonial transformation. When people say “another university is possible,” they are more precisely saying that “a second university is possible,” and they are often imagining second world utopias , where the professor ceases to profess, where hierarchies disappear, where all personal knowledges are special, and, in other words, none are. Their assumption is that people will “naturally” produce freedom, and freedom’s doppelganger is critical consciousness. They are rarely talking about a university that rematriates land, that disciplines scholar-warriors rather than “liberating” its students, that repurposes the industrial machinery, that supports insurrectionary nationalisms as problematic antidotes to imperialist nationalism, that acts upon financial systems rather than just critiquing them, that helps in the accumulation of third world power rather than simply disavowing first world power, that is a school-to-community pipeline, not a community-to-school pipeline. In short, “another university is possible,” so far, hasn’t made possible a third world university. The second world university announces itself through nostalgia. Sara Ahmed describes this as “an academic world [that] can be idealised in being mourned as a lost object; a world where dons get to decide things; a world imagined as democracy, as untroubled by the whims and wishes of generations to come.”[16] This nostalgia can be futuristic, indeed, the dons are imagining themselves a permanent future in a white academic pantheon. This is similar to settler futurity, which is always nostalgic for its own current power, fearful that it may come to pass. The second world university is a pedagogical utopia. Its horizons are still total in that its end goal is a utopia that everyone should and can attend. This liberal expansion rests materially on the continued accumulation of fees, debt, and land by its big baby turned big baby daddy, the first world university.

#### The affirmative’s articulation of colonization erases the distinct nature of settlerism and is bound to reproduce a liberal politics of inclusion

Byrd 11 (Jodi A., (Chickasaw), assistant professor of American Indian studies and English at the University of Illinois at Urbana-Champaign, The Transit of Empire: Indigenous Critiques of Colonialism, pg. xxiii-xxvii)

When these two historical processes are so enmeshed that racialization in the United States now often evokes colonization as a metonym, such discursive elisions obfuscate the distinctions between the two systems of dominance and the coerced complicities amid both.15 The generally accepted theorizations of racialization in the United States have, in the pursuit of equal rights and enfranchisements, tended to be sited along the axis of inclusion/exclusion as the affective critique of the larger project of liberal multiculturalism. When the remediation of the colonization of American Indians is framed through discourses of racialization that can be redressed by further inclusion into the nation-state, there is a significant failure to grapple with the fact that such discourses further reinscribe the original colonial injury.16 As Kanaka Maoli scholar J. Kehaulani Kauanui, White Earth Ojibwe scholar Jean M. O’Brien, and other indigenous scholars have noted, the conflation of racialization into colonization and indigeneity into racial categories dependent upon blood logics underwrites the institutions of settler colonialism when they proffer assimilation into the colonizing nation as reparation for genocide and theft of lands and nations.17 But the larger concern is that this conflation masks the territoriality of conquest by assigning colonization to the racialized body, which is then policed in its degrees from whiteness. Under this paradigm, American Indian national assertions of sovereignty, self-determination, and land rights disappear into U.S. terrioriality as indigenous identity becomes a racial identity and citizens of colonized indigenous nations become internal ethnic minorities within the colonizing nation-state. As civil rights, queer rights, and other rights struggles have often cathected liberal democracy as the best possible avenue to redress the historical violences of and exclusions from the state, scholars and activists committed to social justice have been left with impossible choices: to articulate freedom at the expense of another, to seek power and recognition in the hopes that we might avoid the syllogisms of democracy created through colonialism. Lisa Lowe provides a useful caution as she reminds us that “the affirmation of the desire for freedom is so inhabited by the forgetting of its condition of possibility that every narrative articulation of freedom is haunted by its burial, by the violence of forgetting.”18 The ethical moment before us is to comprehend “the particular loss of the intimacies of four continents, to engage slavery, genocide, indenture, and liberalism as a conjunction, as an actively acknowledged loss within the present.”19 In attempting to people the intimacies of four continents, Lowe activates the Chinese indentured laborer in the Caribbean just after Britain abolished the slave trade in 1807 as the affective entry point into “a range of connections, the global intimacies out of which emerged not only modern humanism but a modern racialized division of labor.”20 Her turn to the colonial racialized labor force in the Americas helps to reveal the degree to which intimacy—here tracked through the spheres of spatial proximity, privacy, and volatility—among Africa, Asia, and Europe in the Americas has served as the forgotten and disavowed constitutive means through which liberal humanism defines freedom, family, equality, and humanity. In fact, liberal humanism, according to Lowe, depends upon the “ economy of affirmation and forgetting’” n

ot just of particular streams of human history, but of the loss of their geographies, histories, and subjectivities.21 In the indeterminacies between and among freedom, enslavement, indentureship, interior, and exterior, the recovered Asian contract laborer, functioning as historical site for Lowe, can reveal the processes through which and sexuality) causes the primary violences of U.S. politics in national and international arenas, multicultural liberalism has aligned itself with settler colonialism despite professing the goal to disrupt and intervene in global forms of dominance through investments in colorblind equality. Simply put, prevailing understandings of race and racialization within U.S. postcolonial, area, and queer studies depend upon an historical aphasia of the conquest of indigenous peoples. Further, these framings have forgotten, as Moreton-Robinson has argued, that “the question of how anyone came to be white or black in the United States is inextricably tied to the dispossession of the original owners and the assumption of white possession.”24 Calls to social justice for U.S. racialized, sexualized, immigrant, and diasporic queer communities that include indigenous peoples, if they are not attuned to the ongoing conditions of settler colonialism o f indigenous peoples, risk deeming colonialism in North America resolved, if not redressed, two cents for 100 billion dollars.liberalism asserts freedom and forgets enslavement as the condition of possibility for what constitutes “the human.” “Freedom was,” Lowe stresses, “constituted through a narrative dialectic that rested simultaneously on a spatialization of the unfree as exteriority and a temporal subsuming of enslavement as internal difference or contradiction. The ‘overcoming’ of internal contradiction resolves in freedom within the modern Western political sphere through displacement and elision of the coeval conditions of slavery and indentureship in the Americas.”22 But what seems to me to be further disavowed, even in Lowe’s important figuration of the history of labor in “the intimacies of four continents,” is the settler colonialism that such labor underwrites. Asia, Africa, and Europe all meet in the Americas to labor over the dialectics of free and unfree, but what of the Americas themselves and the prior peoples upon whom that labor took place? Lowe includes “native peoples” in her figurations as an addendum when she writes that she hopes “to evoke the political economic logics through which men and women from Africa and Asia were forcibly transported to the Americas, who with native, mixed, and creole peoples constituted slave societies, the profits of which gave rise to bourgeois republican states in Europe and North America.”2'1 By positioning the conditions of slavery and indentureship in the Americas as coeval contradictions through which Western freedom affirms and resolves itself, and then by collapsing the indigenous Americas into slavery, the fourth continent of settler colonialism through which such intimacy is made to labor is not just forgotten or elided; it becomes the very ground through which the other three continents struggle intimately for freedom, justice, and equality. Within Lowes formulation, the native peoples of the Americas are collapsed into slavery; their only role within the disavowed intimacies of racialization is either one equivalent to that of African slaves or their ability to die so imported labor can make use of their lands. Thus, within the “intimacies of four continents,” indigenous peoples in the new world cannot, in this system, give rise to any historical agency or status within the “economy of affirmation and forgetting,” because they are the transit through which the dialectic of subject and object occurs. In many ways, then, this book argues for a critical reevaluation of the elaboration of these historical processes of oppression within postcolonial, critical race, queer, and American studies at the beginning of the twentyfirst century. By foundationally accepting the general premise that racialization (along with the concomitant interlocking oppressions of class, gender,vand sexuality) causes the primary violences of U.S. politics in national and international arenas, multicultural liberalism has aligned itself with settler colonialism despite professing the goal to disrupt and intervene in global forms of dominance through investments in colorblind equality. Simply put, prevailing understandings of race and racialization within U.S. postcolonial, area, and queer studies depend upon an historical aphasia of the conquest of indigenous peoples. Further, these framings have forgotten, as Moreton-Robinson has argued, that “the question of how anyone came to be white or black in the United States is inextricably tied to the dispossession of the original owners and the assumption of white possession.”24 Calls to social justice for U.S. racialized, sexualized, immigrant, and diasporic queer communities that include indigenous peoples, if they are not attuned to the ongoing conditions of settler colonialism of indigenous peoples, risk deeming colonialism in North America resolved, if not redressed, two cents for 100 billion dollars. Haksuba, Cacophony, and Other Headaches Given all these difficulties, how might we place the arrivals of peoples through choice and by force into historical relationship with indigenous peoples and theorize those arrivals in ways that are legible but still attuned to the conditions of settler colonialism? These questions confront indigenous peoples still engaged in anticolonial projects of resistance. Colonialism brought the world, its peoples, and their own structures of power and hegemony to indigenous lands. Our contemporary challenge is to theorize alternative methodologies to address the problems imperialism continues to create. The conflation of racialization and colonization makes such distinctions difficult precisely because discourses of humanism, enfranchisement, and freedom are so compelling within the smooth narrative curves through which the state promises increasing liberty through pluralization. Just as Indianness serves as a transit of empire, analyses of competing oppressions reproduce colonialist discourses even when they attempt to disrupt and transform participatory democracy away from its origins in slavery, genocide, and indentureship. One reason why a “postracial” 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.251 hope to disrupt this dilemma by placing indige-nous phenomenologies into conversation with critical theory in order to identify indigenous transits and consider possible alternative strategies for legibility.

#### Settler colonialism is both a both a structure and an event. The globalization of settler colonialism necessitates the 1AC as part of its attempt to complete the unfinished settler colonial project that converges symbiotically with militarism. The conditional imposition of debt repayment supplants this construction of settler de facto sovereignty that overcodes that of other nations.

Kim 18 [Jodi Kim Social Text 135 • Vol. 36, No. 2 • June 2018 Settler Modernity, Debt Imperialism, and the Necropolitics of the Promise] ChefDON//mads

This essay offers an investigation of US settler colonialism and military empire, a conjunction theorized as settler modernity, in the post–World War II era. It argues that settler modernity is an ensemble of relations significantly structured and continually reproduced through manifold regimes, relations, and forms of debt, and in particular through debt imperialism. Debt imperialism, as the essay elaborates, is a kind of temporal exception. It is a multiscalar process through which the United States imposes imperial power by rolling over its significant national debt indefinitely and not conforming to the homogeneous time of repayment that it imposes on others. This linking of debt and imperialism, indeed the ability to leverage great indebtedness into a form of imperialism, demonstrates how debt can function in such manifold and counterintuitive ways because it is not simply a financial economy. It is also crucially a figurative economy or narrative structure. The debt relation thus indexes something much broader than the sum of money owed. Indeed, it is a broader social relation, production of subjectivity, sleight of hand, and creation of a temporal exception through which US settler modernity functions and continually attempts to re-create itself. In this varied relation, debt curiously emerges in two seemingly antonymous forms: as a form of imperialism, on the one hand, and as a form of freedom, emancipation, or liberation, on the other. I focus on Asia and the Pacific as a crucial site where we witness a violent and specifically militarized convergence of these arrangements in the post–World War II conjuncture, when the US settler state also becomes a military empire. Transpacific connections within Asia, the Pacific, and the United States, the making of multiple Asian and Pacific Islander diasporas, subimperial dynamics and desires among Asian and Pacific regions and nations, and decolonial aspirations among the peoples of colonized territories are all animated by what might be called a colonial and gendered racial transpacific debt relation and militarism. I ask, moreover, how debt functions as a necropolitical regime for those impoverished, gendered racial, and colonized nations and subjects whose promissory notes must be fully repaid with interest. How has US settler modernity been constituted by this usurious necropolitics of the promise, even as it continually confers upon itself the temporal exception of debt imperialism, or the right not to keep its promises or even to evade the very need to promise? This analysis reveals that what is at stake in US settler modernity is not only the elision of conquest and genocide as the conditions of possibility for military empire, economic power, and the avowed defense of liberal democracy but also the attempt to possess metapolitical authority. Metapolitical authority, as distinct from mere political authority, is the ability to define and prescribe the very content and scope of “law” and “politics.”1 In invoking Asia and the Pacific as a site, it is not my intent to flatten the vast and complex heterogeneities and hierarchies within it, nor is it my intent to reproduce limitations in the frameworks of American studies, Asian American studies, Asian Pacific American studies, and Asian studies that are not sufficiently attentive to work in Native Pacific and Indigenous studies. Rather, my intent and hope are to interrogate the very production of the Asia-Pacific by the United States as a site of strategic interest. This geopolitical and geohistorical production calls for a relational analysis of distinct yet related forms of colonial domination — settler colonialism and military empire in particular — rather than a focus on one form that tends to elide the other. The United States as the literal testing ground for biopolitical tactics and technologies that are geopolitically and militarily projected abroad has produced and continues to produce Native displacement and dispossession, and that geopolitical and military projection abroad in Asia and the Pacific in turn produces Asian and Indigenous Pacific Islander migration. Indeed, as Jodi A. Byrd asks, “Given all these difficulties, how might we place the arrivals of peoples through choice and by force into historical relationship with indigenous peoples and theorize those arrivals in ways that are legible but still attuned to the conditions of settler colonialism?”2 In theorizing, then, the nexus of US settler colonialism and military empire in Asia and the Pacific as settler modernity, I also amplify Alyosha Goldstein’s contention that focusing exclusively on imperialism and empire can risk obscuring how territorial seizure, occupation, and expansion, differential modes of governance, and their attendant justifications remain the conditions of possibility for more indirect forms of rule, the vast network of military encampments, and global economies.3 Moreover, this essay understands settler colonialism and military empire as an ensemble of relations that continually need to re-create and renovate themselves, for they are incomplete and unexhausted projects.4 Indeed, the continual violence generated by settler colonialism and military empire is a mark or index of their very incompletion, as are the solidarities, oppositions, and continued survivals of communities and peoples against whom (and often ostensibly on behalf of whom) such violence is waged. I build on Patrick Wolfe’s important conceptualization of settler colonialism as a “logic of elimination” whose dominant feature is the acquisition of land (via the elimination of the Indigenous population and its replacement with the settler population) rather than the surplus value derived from mixing native labor with land. As such, for Wolfe, settler colonialism is a structure and not an event.5 Yet, insofar as settler colonialism is not a fait accompli but, rather, a process that requires continual renewal and renovation, I comprehend it as both a structure and an event. I link it, moreover, to military empire, observing how the United States is at once a settler state and an imperial power whose militarist logics condense in a particularly heightened form specifically in Asia and the Pacific. Yet still, as Iyko Day and others have importantly argued, we need to go beyond a binary theory of settler colonialism structured around a settler-Indigenous dialectic. Day maps out “the triangulation of Native, alien, and settler positions” in North America with an attentiveness to how divergent conditions of both forced and voluntary migration are significant features of US settler colonialism.6

**The alternative is unyielding decolonization—reject any and all attempts at reformism and assimilation**

**Walia ‘12** (Harsha, South Asian organizer and writer based in Vancouver Coast Salish Territories, “Moving Beyond a Politics of Solidarity Towards a Practice of Decolonization,” Jan 5, www.peopleofcolororganize.com/analysis/theory/moving-beyond-politics-solidarity-practice-decolonization/) \*\*\*We don’t endorse ableist language.

Decolonization is as much a process as a goal. It requires a profound re-centring of Indigenous worldviews in our movements for political liberation, social transformation, renewed cultural kinships, **and the development of an economic system that serves rather than threatens our collective life on this planet.** As stated by Toronto-based activist Syed Hussan “Decolonization is a dramatic re-imagining of relationships with land, people and the state. Much of this requires study, it requires conversation, it is a practice, **it is an unlearning**.” It is a positive sign that a growing number of social movements are recognizing that Indigenous self- determination must become the foundation for all our broader social-justice mobilizing. Indigenous peoples are the most impacted by the pillage of lands, experience disproportionate poverty and homelessness, are over-represented in statistics of missing and murdered women, and are the primary targets of repressive policing and prosecutions in the criminal injustice system. Rather than being treated as a single issue within a laundry list of demands, Indigenous self-determination is increasingly understood as intertwined with struggles against racism, poverty, police violence, war and occupation, violence against women, and environmental justice. Intersectional approaches can, however, subordinate and compartmentalize Indigenous struggle within the machinery of existing Leftist narratives: anarchists point to the anti-authoritarian tendencies within Indigenous communities, environmentalists highlight the connection to land that Indigenous communities have, anti-racists subsume Indigenous people into the broader discourse about systemic oppression, and women’s organizations point to relentless violence borne by Indigenous women in discussions about patriarchy. We have to be cautious to avoid replicating the state’s assimilationist model of liberal pluralism, whereby Indigenous identities are forced to fit within our existing groups and narratives. The inherent right to traditional lands and to self-determination is expressed collectively and should not be subsumed within the discourse of individual or human rights. Furthermore, it is imperative to understand being Indigenous as not just an identity but a way of life, which is intricately connected to Indigenous people’s relationship to the land and all its inhabitants. Indigenous struggle cannot simply be accommodated within other struggles; it demands solidarity on its own terms.

### 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 central question of this debate is that the exclusion of the indigenous provides the ontological grounding for modern sovereignty - any analysis which fails to foreground these histories is doomed to reproduce the horrors of colonialism**

Also makes an indict of security rhetoric; war allows the sovereign colonizer to continue its violent imposition

**Byrd ‘11**(Jodi, Chickasaaw and Asst. Prof of American Indian Studies and English at the University of Illinois at Urbana-Champaign, *The Transit of Empire: Indigenous Critics of Colonialism*, p. xvii-xxi)

The Transit of Empire begins with a network of conflicting definitions to reflect upon the cultural and political modes of "Indianness" regulated and produced by U.S. settler imperialism née colonialism. Primarily, this book is essayistic, provisional, and some of its readings and conclusions often defy the expected affective common sense of liberal multiculturalism invested in acknowledgements, recognitions, equality, and equivalences. Transit is slightly provocative, an incomplete point of entry, and its provenance might be more suited to diaspora studies and border-crossings than to a notion such as indigeneity that is often taken as rooted and static, located in a discrete place. Steven Salaita's The Holy Land in Transit denotes transit alternately as the function of an alliance between United States and Israeli settler colonialisms that map old world sacred names onto new world sacred sites, a comparative approach to American Indian and Palestinian literatures, and finally a gesture towards the ways in which peoples have been forced to move and relocate.' Gerald Vizenor's work offers another way to frame modes of indigeneity in his concept of transmotion that he defines as a "sense of native motion and an active presence (that) is sui generis sovereignty. Native transmotion is survivance, a reciprocal use of nature, not a monotheistic, territorial sovereignty. Native stories of survivance are the creases of transmotion and sovereignty." Those creases, according to Vizenor, are apprehended in the complementarities of stories, associations, intimacies, and reincarnations that resist absence and possession. 2 The Chickasaws have a migration story that we tell. In search of a new homeland, twin brothers, Chikasah and Chatah, were charged with leading the people as they traveled across the land. Ababinili had given them a sacred pole, the lrohta falaya, that would point the way. After each day of travel, Chikasah would plant the long pole in the earth, and each morning the brothers would rise to find the pole leaning eastward in the directionthey needed to travelled by a white dog and the Milky Way, the brothers and the people traveled for years, always following the direction of the pole. Until one morning. At sunrise, the brothers awoke to find the pole standing almost straight upright. Chatah insisted that the pole confirmed that their travels were done, but Chikasah disagreed and argued that the pole still leaned, that there was still further to go. After continued debate, the question was put to the people-those who agreed with Chatah would stay and make a life there as Choctaws, in the lands that would become central Mississippi and those who sided with Chikasah would travel further east to finally live in what is now northern Mississippi. Chickasaw sovereignty is, according to our national motto, unconquered and unconquerable. It is contrary and stubborn. But the creases of Chickasaw movement demonstrate how sovereignty is found in diplomacy and disagreement, through relation, kinship, and intimacy. And in an act of interpretation. To be in transit is to be active presence in a world of relational move ments and countermovements. To be in transit is to exist relationally, multiply. There is more than one way to frame the concerns of The Transit of Empire and more than one way to enter into the possibilities that transit might allow for comparative studies. On the one hand, I am seeking to join ongoing conversations about sovereignty, power, and indigeneity—and the epistemological debates that each of these terms engender—within and across disparate and at times incommensurable disciplines and geographies. American studies, queer studies, postcolonial studies, American Indian studies, and area studies have all attempted to apprehend injury and redress, melancholy and grief that exist in the distances and sutures of state recognitions and belongings. Those distances and sutures of recognitions and belongings, melancholy and grief, take this book from the worlds of Southeastern Indians to Hawai’i. from the Poston War Relocation Center to Jonestown. Guyana, in order to consider how ideas of “Indianness” have created conditions of possibility for U.S. empire to manifest its intent. As liberal multicultural settler colonialism attempts to flex the exceptions and exclusions that first constituted the United States to now provisionally indude those people othered and abjected from the nation-state's origins, it instead creates a cacophony of moral claims that help to deflect progressive and transformative activism from dismantling the ongoing conditions of colonialism that continue to make the United States a desired state formation within which to be included. **That cacophony of competing struggles** for hegemony within and outside institutions of power, no matter how those struggles might challenge the state through loci of **race, class, gender, and sexuality**, **serves to misdirect and cloud attention** from the underlying structures of settler colonialism that made the United States possible as oppressor in the first place. As a result, the cacophony produced through U.S. colonialism and imperialism domestically and abroad often coerces struggles for social justice for queers, racial minorities, and immigrants into complicity with settler colonialism. This book, on the other hand, is also interested in the quandaries poststructuralism has left us: the traces of indigenous savagery and "Indianness" that stand a priori prior to theorizations of origin, history, freedom, constraint, and difference.' These traces of "Indianness" are vitally important to understanding how power and domination have been articulated and practiced by empire, and yet because they are traces, they have often remained deactivated as a point of critical inquiry as theory has transited across disciplines and schools. Indianness can be felt and intuited as a presence, and yet apprehending it as a process is difficult, if not impossible, precisely because Indianness has served as the field through which structures have always already been produced. Within the matrix of critical theory, lndianness moves not through absence but through reiteration, through meme, as theories circulate and fracture, quote and build. The prior ontological concerns that interpellate Indianness and savagery as ethnographic evidence and example, lamentable and tragic loss, are deferred through repetitions. How we have come to know intimacy, kinship, and identity within an empire born out of settler colonialism is predicated upon discourses of indigenous displacements that remain within the present everydayness of settler colonialism, even if its constellations have been naturalized by hegemony and even as its oppressive logics are expanded to contain more and more historical experiences. I hope to show through the juridical, cultural, and literary readings within this book that indigenous critical theory provides alternatives to the entanglements of race and colonialism, intimacy and relationship that continue to preoccupy poststructuralist and postcolonial studies. The stakes could not be greater, given that currently U.S. empire has manifested its face to the world as a war machine that strips life even as it demands racialized and gendered normativities. The post-9/11 national rhetorics of grief, homeland, pain, terrorism, and security have given rise to what Judith Butler describes as a process through which the Other becomes unreal. “The derealization of the ‘Other’” Butler writes, “means that it is neither alive nor dead, but interminably spectral. The infinite paranoia that imagines the war against terrorism as a war without end will be one that justifies itself endlessly in relation to the spectral infinity of its enemy, regardless of whether or not there are established grounds to suspect the continuing operation of terror cells with violent aims.”4 But this process of derealization that Butler marks in the post-9/11 grief that swept the United States, one could argue, has been functioning in Atlantic and Pacific "New Worlds" since 1492. As Geonpul scholar Aileen Moreton-Robinson argues, discourses of security are "deployed in response to a perceived threat of invasion and dispossession from Indigenous people; and in the process, paranoid patriarchal white sovereignty manages its anxiety over dispossession and threat through a “pathological relationship to indigenous sovereignty.” In the United States, **the Indian is the original enemy combatant who cannot be grieved**. Within dominant discourses of postracial identity that depend on the derealization of the Other, desires for amnesty and security from the contradictory and violent occupations of colonialist wars exist in a world where, as Gayatri Chakravorty Spivak points out, "metropolitan multiculturalism-the latter phase of dominant postcolonialism-precomprehends U.S. manifest destiny as transformed asylum for the rest of the world."6 As a result, the Indian is left nowhere and everywhere within the ontological premises through which U.S. empire orients, imagines, and critiques itself. The Transit of Empire, then, might best be understood as a series of preliminary reflections on how ideas of Indians and Indianness have served as the ontological ground through which U.S. settler colonialism enacts itself as settler imperialism at this crucial moment in history when everything appears to be headed towards collapse.

### Case

#### The plan isn’t specific – their IPW card is bad and isn’t descriptive of the action – that allows companies and governments to define the aff – that turns it because governments will inherently hinder any benefits and tote it around as if they solved setcol – its at best another link, and at worst a reason they cant solve

#### Progress isn’t possible – at best these examples are the illusion of progress – reservations are decreasing – there are new pipelines – the very idea of reservations is entrenched in native assimilation and the fed covering up genocide – Canada has told indigenous people that they will help over and over and they don’t – proven by the schools

#### The WTO can’t enforce the aff- causes circumvention.

Lamp 19 [Nicholas; Assistant Professor of Law at Queen’s University; “What Just Happened at the WTO? Everything You Need to Know, Brink News,” 12/16/19; <https://www.brinknews.com/what-just-happened-at-the-wto-everything-you-need-to-know/>] Justin

Nicolas Lamp: For the first time since the establishment of the WTO in 1995, the Appellate Body cannot accept any new appeals, and that has knock-on effects on the whole global trade dispute settlement system. When a member appeals a WTO panel report, it goes to the Appellate Body, but if there is no Appellate Body, it means that that panel report will not become binding and will not attain legal force.

The absence of the Appellate Body means that members can now effectively block the dispute settlement proceedings by what has been called appealing panel reports “into the void.”

The WTO panels will continue to function as normal. When a panel issues a report, it will normally be automatically adopted — unless it is appealed. And so, even though the panel is working, the respondent in a dispute now has the option of blocking the adoption of the panel’s report. It can, thereby, shield itself from the legal consequences of a report that finds that the member has acted inconsistently with its WTO obligations.

#### Companies will just obtain a patent in a different sector.

Thomas 15 [John R; Visiting Scholar, CRS; “Tailoring the Patent System for Specific Industries, Congressional Research Service,” CRS; 2015; <https://crsreports.congress.gov/product/pdf/R/R43264/7>] Justin

In view of the concerns noted above, commentators have gone so far to say that “it has become increasingly difficult to believe that a one-size-fits-all approach to patent law can survive.”75 To the extent the current patent system creates a blanket set of rules that apply comparably to distinct industries, it likely over-encourages innovation in some contexts and under-incentivizes it in others.76 Further, some observers have asserted that the need of firms to identify and access the patented inventions of others may differ among industries.77 As a result, the case can be made that distinct industrial, technological, and market characteristics that exist across the breadth of the U.S. economy compel industry-specific patent statutes. However, others have questioned the wisdom and practicality of such line-drawing.78 The following concerns, among others, have been identified:

• Over its long history, the U.S. patent system has flexibly adapted to new technologies such as biotechnology and computer software. Legislative adoption of technology-specific categories may leave unanticipated, cutting-edge technologies outside the patent system.79

• Defining a specific industry or category of technologies may prove to be a contested proposition.

80 • Over time, new industries may emerge and old industries may consolidate. The dynamic nature of the U.S. economy suggests greater need for legislative oversight within a differentiated patent regime.

81 • Even if an industry or technology remains relatively stable, the innovation environment within it might change. For example, technological or scientific advances might open new possibilities for research and development within hidebound industries—but also increase expense and risk for those firms.

82 • Distinct patent rights among industries or technologies may lead to strategic behavior on behalf of patent applicants. For example, a computer program that controls a fuel injector within an automobile could possibly be identified as either an automobile-related or a computer-related invention.

83 •The legislative effort to enact sector-specific patent laws may provide an opportunity for politically savvy firms to exert more lobbying and political power, at the possible expense of less sophisticated firms.