### 1

#### Interpretation: negatives should not be burdened with rejoinder against affs that defend something other than or outside the scope of the desirability of topical action. Winning that states ought not ban LAWs should always be a sufficient condition for voting negative.

#### Resolved means a legislative policy.

Words and Phrases 64 Words and Phrases Permanent Edition. “Resolved”. 1964.

Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### Four types of IP that are vastly different.

Ackerman 17 [Peter; Founder & CEO, Innovation Asset Group, Inc; “The 4 Main Types of Intellectual Property and Related Costs,” Decipher; 1/6/17; <https://www.innovation-asset.com/blog/the-4-main-types-of-intellectual-property-and-related-costs>] Justin

Intellectual property protection isn’t as simple as declaring ownership of a particular product or asset. In most countries, there are four primary types of intellectual property (IP) that can be legally protected: patents, trademarks, copyrights, and trade secrets. Each has their own attributes, requirements and costs.

Before narrowing your focus on which form of protection to use, know that these forms of protection are not mutually exclusive. Depending on what you’re doing, you might be able to use a “belt & suspenders” approach and apply multiple forms of protection, or one approach might be the most sensible. Read the descriptions below to get some of the basics.

Used to protect inventive ideas or processes – things that are new, useful and nonobvious - patents are what most often come to mind when thinking of IP protection. **Patents** are also used to protect newly engineered plant species or strains, as well.

Procedure For most companies, patents result from the following stages: Conceptualization Typically, innovation teams work to address a common problem facing their organization, industry, or the world at large when developing their idea. When they’ve arrived at a solution or concept, they’ll draw up plans and gather the resources necessary to make it a reality. Prototypes or drawings can be created to provide a more accurate description of the end product or process. Invention Disclosure An internal review process often occurs with every invention. The innovation team consists of internal counsel and an invention review panel of varying disciplines. The reviewers assess, rate, rank, score, and highlight potential flaws in the supporting documents and descriptions for the invention, which are then addressed by the inventor. These reviews can and often do take place multiple times for a single invention. Patent Application If the invention is deemed meritorious enough for the pursuit of patent protection, some organizations prepare their own provisional or nonprovisional patent applications. Others will farm this stage out. There may be more tweaks as an application is prepared, and then submission to the appropriate patent office and the prosecution stage begins (the back & forth with the government patent office). Typically it is outside counsel that manages this process and related docketing activities. Docketing is the overarching name for activities that include management of paperwork and meeting filing deadlines specified by the government patent office. Because the application process is often very complicated, patent offices highly recommend working with experienced patent attorneys to handle this process. Maintenance Once a patent is approved, it has a finite lifetime. Patent holders are responsible for maintaining and tracking the usage of their patents and paying the appropriate periodic government renewal fees. If a given technology or other patented asset is collecting dust, you might not want to renew it. Instead, you can try and sell, license or donate it. Conversely, if a patented asset is performing well through product sales or licensing activities and its life is getting shorter, you might think about innovating ahead and maintaining competitive momentum. Costs Costs will vary depending on the country or countries where you file an application, and can run into tens of thousands of dollars depending on the invention’s complexity, plus attorney fees. Maintenance fees over the lifetime of the patent can run into thousands more per patent, per country where patent rights have been granted. You have to keep your eyes on these costs.

Trademark

A trademark is unlike a patent in that it protects words, phrases, symbols, sounds, smells and color schemes. Trademarks are often considered assets that describe or otherwise identify the source of underlying products or services that a company provides, such as the MGM lion roar, the Home Depot orange color scheme, the Intel Inside logo, and so on.

Procedure Trademarks do not necessarily require government approval to be in effect; they can apply through abundant use in interstate commerce. Still, registration of a trademark affords far superior protection and is gained by filing an application with the proper government office. A trademark application requires the company or user to provide a clear description and representation of the mark and its uses in conjunction with associated products or services. As with patents, it’s a good idea to partner with outside counsel that specializes in trademark applications and/or search services so they can help ensure there is a clear path for your desired mark. Costs Trademarks are generally quite less expensive to obtain. According to the US Patent and Trademark Office, trademark registration currently costs between $225 and $325 for each class code you use per mark. Attorney and search fees are extra. There are also periodic (and relatively inexpensive) government maintenance fees for trademarks.

Copyrights do not protect ideas, but rather the manner in which ideas are expressed (“original works of authorship”) - written works, art, music, architectural drawings, or even programming code for software (most evident nowadays in video game entertainment). With certain exceptions, copyrights allow the owner of the protected materials to control reproduction, performance, new versioning or adaptations, public performance and distribution of the works. Procedure Copyrights in general attach when the original works become fixed in a tangible medium, but should be registered with the government copyright office for optimal protection in the form of damages, injunctions and confiscation. Copyright registration applications are much simpler than patents or trademarks, and typically can be obtained by the author alone. The US Copyright Office encourages use of their online application system, and requires a sample of the work to be protected and some background information about the author. Costs Depending on the type of work being protected, currently fees vary between $25-$100 in the US. The most frequent copyright registration sought is for one work by one author, and costs about $35.

Trade Secret

Trade secrets are proprietary procedures, systems, devices, formulas, strategies or other information that is confidential and exclusive to the company using them. They act as competitive advantages for the business. Procedure There actually isn’t a federally-regulated registration process for trade secrets. Instead, the onus is on the company in possession of the secret to take necessary precautions to maintain it as such. This is an ongoing, proactive process and can include clearly marking relevant documents as “Confidential,” implementing physical and data security measures, keeping logs of visitors and restricting access. The issuance of nondisclosure agreements or other documented assurances of secrecy can also be employed. One of the first defenses typically put up when you assert that someone misappropriated your trade secret is that you failed to adequately treat it as a trade secret. Costs Though there are no official registration costs, there are costs associated with taking appropriate precautions and security measures. You must weigh the competitive significance of your secrets against the cost of protecting them.

#### [Merriam Webster] Interpretation: The affirmative debater must defend reducing intellectual property protections for substances that treat diseases.

**Merriam Webster:** Merriam Webster “Definition of Medicine” <https://www.merriam-webster.com/dictionary/medicine> BJ

Definition of medicine 1a: a substance or preparation used in treating disease cough medicine

#### Violation:

#### First is fairness:

#### Their interp explodes limits and allows affs to monopolize the moral high ground. Pre-tournament negative preparation is structured around topical plans as points of offense, which means anything other than a topical plan structurally favors the affirmative. Cutting negs to every possible aff wrecks small schools, which has a disparate impact on under-resourced and minority debaters. Turns the aff since the unpredictable form of the 1AC means we weren’t able to effectively prepare to defeat it, so they don’t get to weigh the aff.

#### Second is clash: the process of in-depth negation produces iterative testing and refinement, where we learn to improve our arguments based on our opponents’ responses—this maximizes our ability to spur progress and persuade others to our side no matter what field we choose to pursue. Anything else breeds dogmatism and polarization, but only my model of debate allows debaters to understand the nuances of power structures which is what enables us to dismantle them.

#### Third is settler comfort – Redefining the resolution allows settlers to set the terms of the conversation and never have to engage in issues of decolonization – it’s a question of models – its better to challenge setcol every round on the neg than to allow affirmatives to shift out of engagement with it – additionally we only have 2 months to discuss how IP is colonialist – debate is a training ground for real advocacy and if we don’t interrogate IP protections it will continue to harm indigenous people

#### TVA solves their offense: the WTO should cede intellectual property protection to indigenous tribes and tribal members.

#### Fairness is good and prior:

#### [1] Debate’s a game that requires effective competition and negation, which makes their offense inevitable.

#### [2] It’s intrinsic to debate, meaning absent equity there’s no space for them to [do advocacy]. The ballot can’t resolve questions of subjectivity, but it can rectify an unfair decision.

#### [3] Inescapable: they assume the authority of fairness by asking the judge to fairly evaluate their arguments.

#### No cross-applications from case:

#### [1] Fiat is illusory—there’s no plan being passed and no one in the government will do the aff—there’s nothing so radically transformative about the 1AC that justifies them cross-applying case to theory.

#### [2] Conflates the pre and post fiat distinction—you don’t win the util debate for being charitable.

#### [3] Justifies infinite abuse since you can cross-apply the argument I’m indicting to take out the indict—outweighs on magnitude.

#### Competing interps: reasonability is arbitrary and invites judge intervention.

#### Drop the aff debater: the entire round was based off the 1AC—anything else is restart. They also speak first, so they chose to be abusive—makes more sense for them to have greater punishment.

#### No aff RVIs: illogical—you don’t win for proving you’re fair.

### 2

#### Counterplan: refuse the affirmative’s project solely within debate – producing knowledge within the academy dooms decolonial movements

Tuck & Yang 14 (Eve; K. Wayne “R-Words: Refusing Research” pp. 232-235) NIJ

Like the previous axiom’s question—Why collect narratives of pain?—we ask nonrhetorically, what knowledges does the academy deserve? Beyond narratives of pain, there may be language, experiences, and wisdoms better left alone by social science. Paula Gunn Allen (1998) notes that for many Indigenous peoples, “a person is expected to know no more than is necessary, sufficient and congruent with their spiritual and social place” (p. 56). To apply this idea to the production of social science research, we might think of this as a differentiation between what is made public and what is kept sacred. Not everything, or even most things, uncovered in a research process need to be reported in academic journals or settings. Contrasting Indigenous relationships to knowledge with settler relationships to knowledge, Gunn Allen remarks, In the white world, information is to be saved and analyzed at all costs. It is not seen as residing in the minds and molecules of human beings, but as—dare I say it?— transcendent. Civilization and its attendant virtues of freedom and primacy depend on the accessibility of millions of megabytes of data; no matter that the data has lost its meaning by virtue of loss of its human context . . . the white world has a different set of values [from the Indigenous world], one which requires learning all and telling all in the interests of knowledge, objectivity, and freedom. This ethos and its obverse—a nearly neurotic distress in the presence of secrets and mystery—underlie much of modern American culture (p. 59) As social science researchers, there are stories that are entrusted to us, stories that are told to us because research is a human activity, and we make meaningful relationships with participants in our work. At times we come to individuals and communities with promises of proper procedure and confidentiality-anonymity in hand, and are told, “Oh, we’re not worried about that; we trust you!” Or, “You don’t need to tell us all that; we know you will do the right thing by us.” Doing social science research is intimate work, worked that is strained by a tension between informants’ expectations that something useful or helpful will come from the divulging of (deep) secrets, and the academy’s voracious hunger for the secrets. This is not just a question of getting permission to tell a story through a signature on an IRB-approved participant consent form. Permission is an individualizing discourse—it situates collective wisdom as individual property to be signed away. Tissue samples, blood draws, and cheek swabs are not only our own; the DNA contained in them is shared by our relatives, our ancestors, our future generations (most evident when blood samples are misused as bounty for biopiracy.) This is equally true of stories. Furthermore, power is protected by such a collapse of ethics into litigation-proof relationships between individual and research institution. Power, which deserves the most careful scrutiny, will never sign such a permission slip.3 There are also stories that we overhear, because when our research is going well, we are really in peoples’ lives. Though it is tempting, and though it would be easy to do so, these stories are not simply y/ours to take. In our work, we come across stories, vignettes, moments, turns of phrase, pauses, that would humiliate participants to share, or are too sensationalist to publish. Novice researchers in doctoral and master’s programs are often encouraged to do research on what or who is most available to them. People who are underrepresented in the academy by social location—race or ethnicity, indigeneity, class, gender, sexuality, or ability—frequently experience a pressure to become the n/ Native informant, and might begin to suspect that some members of the academy perceive them as a route of easy access to communities that have so far largely eluded researchers. Doctoral programs, dissertations, and the master’s thesis process tacitly encourage novice researchers to reach for low-hanging fruit. These are stories and data that require little effort—and what we know from years and years of academic colonialism is that it is easy to do research on people in pain. That kind of voyeurism practically writes itself. “Just get the dissertation or thesis finished,” novice researchers are told. The theorem of lowhanging fruit stands for pretenured faculty too: “Just publish, just produce; research in the way you want to after tenure, later.” This is how the academy reproduces its own irrepressible irresponsibility. Adding to the complexity, many of us also bring to our work in the academy our family and community legacies of having been researched. As the researched, we carry stories from grandmothers’ laps and breaths, from below deck, from on the run, from inside closets, from exclaves. We carry the proof of oppression on our backs, under our fingernails; and we carry the proof of our survivance (Vizenor, 2008) in our photo boxes, our calluses, our wombs, our dreams. These stories, too, are not always ours to give away, though they are sometimes the very us of us. It needs to be said that we are not arguing for silence. Stories are meant to be passed along appropriately, especially among loved ones, but not all of them as social science research. Although such knowledge is often a source of wisdom that informs the perspectives in our writing, we do not intend to share them as social science research. It is enough that we know them. Kahnawake scholar Audra Simpson asks the following questions of her own ethnographic work with members of her nation: “Can I do this and still come home; what am I revealing here and why? Where will this get us? Who benefits from this and why?” (2007, p. 78). These questions force researchers to contend with the strategies of producing legitimated knowledge based on the colonization of knowledge. Indigenous and non-Indigenous scholars of Native education have queried the dangers of appropriation of Native knowledge by mainstream research and pedagogical institutions (e.g., Castagno & Brayboy, 2008; Lomawaima & McCarty, 2006; Richardson, 2011). Lomawaima and McCarty (2006) describe the “safety zone” as ways in which Indigenous knowledges are included into even overtly antiIndian spaces such as boarding schools designed to assimilate Native children. Indigenous knowledge is made harmless to settler colonial pedagogies by relegating it to the safety zone of the margins. Troy Richardson extends this analysis by discussing “inclusion as enclosure” (2011, p.332), the encircling of Native education as part of a well-intentioned multiculturalist agenda. Such gestures, he contends, reduce the Indigenous curriculum to a supplement to a standard curriculum. Moreover, some narratives die a little when contained within the metanarrative of social science. Richardson (2011) theorizes Gerald Vizenor’s concept of trickster knowledge and the play of shadows to articulate a “shadow curriculum” that exceeds the material objects of reference—where much meaning is made in silence surrounding the words, where memories are not simply reflections of a referent experience but dynamic in themselves. “The shadow is the silence that inherits the words; shadows are the motions that mean the silence” (Vizenor, 1993, p.7). Extending Richardson’s analysis of Vizenor’s work, beneath the intent gaze of the social scientific lens, shadow stories lose their silences, their play of meaning. The stories extracted from the shadows by social science research frequently become relics of cultural anthropological descriptions of “tradition” and difference from occidental cultures. Vizenor observes these to be the “denials of tribal wisdom in the literature of dominance, and the morass of social science theories” (Vizenor, 1993, p. 8). Said another way, the academy as an apparatus of settler colonial knowledge already domesticates, denies, and dominates other forms of knowledge. It too refuses. It sets limits, but disguises itself as limitless. Frederic Jameson (1981) writes, “[H]istory is what hurts. It is what refuses desire and sets inexorable limits to individual as well as collective praxis” (p. 102). For Jameson, history is a master narrative of inevitability, the logic of teleos and totality: All events are interconnected and all lead toward the same horizon of progress. The relentlessness of the master narrative is what hurts people who find themselves on the outside or the underside of that narrative. History as master narrative appropriates the voices, stories, and histories of all Others, thus limiting their representational possibilities, their expression as epistemological paradigms in themselves. Academic knowledge is particular and privileged, yet disguises itself as universal and common; it is settler colonial; it already refuses desire; it sets limits to potentially dangerous Other knowledges; it does so through erasure, but importantly also through inclusion, and its own imperceptibility.

#### Trying to change settler understandings of sociology through academic spaces is a futile effort and traps the affirmative in meaningless debate that defers political change and neutralizes indigenous movements.

Joanna **Kidman, 19** (Joanna Kidman, ‘Whither decolonisation? Indigenous scholars and the problem of inclusion in the neoliberal university’, Special Issue - Indigenous Sociology: Contemporary Theoretical Perspectives, https://journals-sagepub-com.proxy.lib.umich.edu/doi/pdf/10.1177/1440783319835958, 2019)//iLake-💣🍔 brackets for clarity

**What is the role of the indigenous scholar** as critic and conscience of settler-colonial society? And, who are their publics in neoliberal times? In his 2004 presidential address to the American Sociological Association, Michael Burawoy (2005) famously called for a revival of the sociological spirit. In the face of unfettered capitalism, market tyrannies, global violence and unprecedented levels of inequity and disenfranchisement, he claimed that **sociology had fallen dangerously silent**. Those who were originally drawn to the field in the pursuit of social justice, economic equality, environmental sustainability, human rights and political freedom, he argued, were increasingly **distracted by a burgeoning array of institutional demands**, all too often, becoming deeply enmeshed in picayune professional rivalries. ‘**If our predecessors set out to change the world**,’ he said, ‘**we have too often ended up conserving [the world]’** (Burawoy, 2005: 5). In making this rallying call, Burawoy unleashed what he later named the ‘public sociology wars’ **where ‘radical’ public sociologists and ‘conservative’ professional sociologists furiously denounced each other** (Burawoy, 2009). On one hand, he said, conservative professional sociologists claimed that public sociology undermined the discipline while, on the other, radical public sociologists accused the latter of intellectual and social irrelevance. Wading into this mix, indigenous sociologists and other native scholars committed to decolonising scholarship walk a tenuous line between these competing demands. Debates about public vs professional scholarship are a fraught issue for indigenous scholars. They raise questions about who our intellectual labour is for and who benefits from our work (Grande, 2008; Smith, 2016; Todd, 2016; Turner, 2006). While this is true for many white academics, settler-colonial systems of knowledge production actively maintain and extend public silences about the colonial past and its material consequences in the present (Patel, 2015). **Indigenous faculty who challenge settler amnesia** in the course of their research and teaching may well find themselves facing diminished career prospects or being **stigmatised as ‘angry’ natives and consigned to the institutional margins** (Chatterjee and Maira, 2014; Duncan, 2014). In ‘speaking back’ to settler-colonial silences, many native academics draw **inspiration and resolve from decolonising movements outside universities**. Reflecting Burawoy’s advocacy of an **organic public scholarship**, they draw directly from indigenous publics and counter-publics – that multiplicity of first **peoples who are engaged in insurgent, grassroots or subaltern conversations** about the pressing matters of our times. The **decolonising potential** of this kind of scholarship, however, **is often seen as a threat in managerialist institutions which act quickly to neutralise it**; but for many native scholars it is a primary commitment (Smith, 2006). This article traces a cohort of indigenous Māori senior academics in New Zealand who have created scholarly public identities as critics and conscience of settler-colonial society. It examines how their intellectual labour is structured around a series of political and cultural ‘refusals’ in the neoliberal university and how they build solidarities at the peripheries of their institutions. These academics experienced high levels of cultural marginalisation in their universities and this had a lasting impact on their careers. However, the margins of academia can also be sites of decolonial activity where minoritised and indigenous faculty can connect in meaningful ways with native counter-publics outside the university (Kidman and Chu, 2017; Louis, 2007; Smith, 2016) and this is explored here.

Intellectual labour in universities has changed dramatically over the past 30 years with the rise of a new public managerialism that draws heavily on a neoliberal regime of audit, ranking and measurement (Kidman and Chu, 2017). These **practices are embedded in networks of bureaucratic and administrative control** over **academic knowledge production** that form a tightly woven web of **soft governance** (Berg et al., 2016). The proliferation of this kind of ‘soft’ power in neoliberal institutions has penetrated universities in a variety of ways; for example, the highly discursive nature of these regulatory systems has given rise to a profound **anxiety among academics** (Billot, 2010; Macfarlane, 2016; Winter, 2009). **These anxieties are not trivial**. Along with a host of other subjectivities, they are a product of an affective regime that has come to dominate the neoliberal workplace; shaping the way that intellectual labour is configured and placing constraints on individual faculty in their roles as critic and conscience of society. In universities, affect is often mobilised as a means of managing industrial relations and this has consequences for an increasingly casualised and adjunctified academic workforce, where ongoing restructurings and retrenchment have seen the emergence of an anxious and alienated academic precariat (Kidman et al., 2017). These subjectivities have been the focus of much research and debate in recent years (Cannizzo, 2018; Davies and Bansel, 2005; Grant and Elizabeth, 2015; Wright and Shore, 2017) but few have investigated their racialised nature. Little is known, for example, about how the neoliberal academy intersects with and entrenches coloniality in its everyday operations or how the double-helix of neoliberalism and settler-colonialism affects indigenous scholars and their knowledge production activities (Tuck and Yang, 2012). The impact of these forces on indigenous scholarship is an important consideration in anglophone settler states, like New Zealand, Australia and Canada, where universities are part of a nexus of power and governmentality shaped by a history of colonial invasion (Connell, 2014; Manathunga, 2014). **In the settler academy**, native scholars operate within ‘**an imperial knowledge complex’** (Chatterjee and Maira, 2014: 12) that manages and **contains the means of knowledge production** as well as their **access to institutional resources**. Accordingly, they experience academia in very different ways to their settler colleagues (de Leeuw et al., 2013). The issue, however, is not straightforward. Indigenous scholars are not simply excluded from the professoriate, although the poor representation of native academics, especially in more senior positions, would suggest otherwise (de Leeuw et al., 2013). As well, indigenous and minoritised Black faculty are frequently perceived as less able (Henry et al., 2016), less rational (Yancy, 2015), less knowledgeable (Bernal and Vilalpando, 2002) and less ‘civilised’ (Moreton-Robinson, 2011) than white academics, providing the academy with a tacit basis for marginalising them. But equally troubling is the manner in which the academic and institutional inclusion of indigenous scholars operates inside universities. **The problem of inclusion** has been highlighted in recent work which posits a **continuity between European settler-colonialism and contemporary forms of neoliberalism** (Lloyd and Wolfe, 2016). Key to this is the recognition that **settler-colonialism is not an historical event** tucked safely away in the past **but rather a constantly evolving structure** that seeks allies in modern economies (Glenn, 2015). Yacobi and Tzfadia (2017), for example, argue that neo-settler-colonialism **progresses the colonial project** by **drawing on a neoliberal toolkit of free-market ideas and practices** in ways that disguise contemporary forms of imperial logic. In line with this, settler-colonialism operates on the presumption that the imperial frontier – that space between settler and native worlds – has closed and that the governance of civic society, which encompasses indigenous groups that are considered conquered or successfully assimilated, has been settled (Wolfe, 2011). Accordingly, by **calling on the language and ideas of the marketplace** and enacting neoliberal practices of soft governance, the settler-colonial **university incorporates small numbers of native scholars** into the professoriate. The presence of these indigenous academics serves **to reinforce the academy’s branding of itself as inclusive**, tolerant and open (Ahmed, 2012a). This is evidenced in university mission statements and strategic plans that beat the drum for cultural inclusivity but rarely lead to structural change that challenges the status of white elites or fully opens the door to native faculty, especially in the higher ranks of the academic profession. Settler-colonial discourses surrounding cultural and ethnic inclusivity in universities are therefore problematic for many indigenous scholars who find themselves enmeshed in the intellectual and assimilative agendas of their institutions (Mamdani, 2016). These inclusions are always selective and carry an accompanying risk that **native scholarship will be co-opted to the project of legitimisation** either **within academic circles or by the settler state in its management of native populations** (Miraftab, 2004). It is in this respect that neoliberalism reconstructs indigenous–settler epistemic relationships in ways that affirm **colonial forms of knowledge production** but which also advance the economic and **ideological imperatives of** market-driven **academic governance** and practice (Deckard and Heslin, 2016). Consequently, being positioned as an ‘insider’ within these organisations creates an ethical dilemma for native academics who wish to put their scholarship to work on behalf of decolonisation projects (Bhattacharyya and Murji, 2013). But neither does being an ‘insider’ necessarily confer privilege or academic status. Even those indigenous intellectual workers who operate at the managerial core of their organisations are frequently subject to paternalistic pathologising and racially based institutional practices. In many cases, institutional inclusion is presented to native faculty as a form of ‘decolonisation’ despite the fact that this ‘inclusion has not led to formal decolonisation or even to substantial institutional reform’ (Strakosch, 2013: 5). In New Zealand, where there are widespread and uncomfortable silences about the colonial past (O’Malley and Kidman, 2017), settler-colonial and neoliberal forces cooperate within a grid of power relations that connect historical and modern forms of coloniality with market-driven ideologies. Within the academy, these ideologies, practices and values not only echo wider public silences but also reproduce and maintain them (Chatterjee and Maira, 2014; Kidman et al., 2015). The hegemonic aspect of these entangled power relations can be seen in the soft governance of intellectual labour which links economic rationalism with highly regulated forms of academic subjectivity, as discussed below.

### 4

#### The 1AC’s analytic of settler colonialism to demand resistance to research results in nothing but reductionist knowledge production which reduces the nuances of class differences and collapses the complexities created by racial capitalism down to a settler/indigenous binary which creates ineffective resistance by fracturing solidarity and collective bonds between workers.

Bhandar, Senior Lecturer in Law at SOAS, 16

(Brenna, Acts and Omissions: Framing Settler Colonialism in Palestine Studies, <http://www.jadaliyya.com/pages/index/23569/acts-and-omissions_framing-settler-colonialism-in->;)

Settler Colonialism and Racial Capitalism

The forging of a new academic field of settler colonial studies risks potentially creating unnecessary binaries between studies of colonialism and settler-colonialism. It is clear that techniques of colonial dispossession traveled throughout networks of trade and leisure established during and throughout the British Empire. Such tools include the surveillance and criminalization of colonized populations, land appropriation, resource extraction, the perversion or indeed, attempted erasure, of native legal systems, and control over the mobility and political citizenship of colonized populations. English colonial administrators and freelance entrepreneurs traveled, during the nineteenth century, between the Indian subcontinent, Australia, Canada, New Zealand, the Caribbean, the United States, the African continent, and of course the United Kingdom. They imported and exported the legal and political infrastructures required for colonial modes of expropriation. With the advent of the Mandate system, Palestine became another scene of exchange and implementation of European colonial modes of governance tested elsewhere. While many scholars have revealed the formative influence of European models of nationalism and colonial ideology on early Zionist movements (Raz-Krakotzkin 2007; Lloyd 2012), the detailed work of excavating the way in which the political and legal techniques of dispossession travelled between different colonial sites remains underexplored. (Although see Lowe, 2014 an Saldaña-Portillo 2016 for exemplary exceptions to this claim). Another binary inherent to the settler colonial analytic is that between the colonizer and colonized. While adopting a settler colonial framework is critical to analyzing Israel’s modus operandi as a colonial power, there is a need to contextualize Israel’s settler colonial project within the particular class and racial differences inside Israel and amongst Palestinians. Ella Shohat’s critical work on the racial hierarchy within Israel’s settler society is a strong example that highlights the historical marginalization of the Mizrahim, Jews of Arab origin. Racialized immigrants occupy both the position of settler in relation to Indigenous communities and the subaltern in relation to the dominant place of the white European settler. Some scholars in North America, and particularly in Hawai’i have grasped how the racialization of particular immigrant communities in settler states complicates the settler colonial framework. On the other hand, a settler colonial framework must also contend with the emerging class differences in Palestinian society exacerbated by the impact of the Oslo Accords. This is especially relevant when contending with the question of how Palestinians can challenge the logic of the Oslo process while the Palestinian Authority, adhering to a fundamental neoliberal agenda (Hanieh 2013), remains intact. The Palestinian Authority continues to formulate Palestinian liberation in terms of truncated statehood on small sections of Palestinian land and celebrates symbolic acts such as raising the Palestinian flag at the United Nations while prospects of Palestinian sovereignty over land continue to diminish daily. Sadly, the PA’s focus continues to be building a neoliberal state apparatus as a way to “convince” Israel and international donors that Palestinians are able to run their affairs. For all intents and purposes, Israel has succeeded in outsourcing its military occupation to a segment of Palestinians - this is evident in the relatively large budgets of the security forces of the PA and the continued security coordination with Israel. In our view, such differences within both the settler society and the colonized need to be brought out and fully incorporated into the settler colonial analytical framework. Racially inscribed dispossession and the capitalist modes of accumulation that subtend expropriative practices have developed in spatially and temporally differentiated ways in the colonies, as elaborated by scores of post-colonial theorists. In other words, capitalist development in the colonies has not mirrored the transition from feudal economies to capitalist ones in Europe. The terms “postcolonial capitalism” and “racial capitalism” both denote ways of understanding capitalist forms of dispossession that profit from, and reinforce class hierarchies, patriarchal formations, and racist ideologies lodged in colonial imaginaries that persist into the present. These terms do not neatly fit into a settler-colonial framework and yet are critical to understanding the political-economic, juridical and social complexities across various sites of inquiry. Forcing them into a single analytical category risks losing this richness and undermining forms of political solidarity across colonized spaces. Darwish’s masterful poem, “The Red Indian’s Penultimate Speech to the White Man” begins with an epigram from the Duwamish Chief Seattle. The dispossession of native land that Columbus’ ill-fated voyage inaugurated, binds together the fates of Native Americans and Palestinians, who resist colonial dominance over land, time, history, memory, and place. As Chief Seattle asserts, “there is no Death here, there is only the change of worlds.” We in turn are looking for our own counter-narration, a language to explain the ongoing violence of dispossession in multiple contexts. We are reminded of the words of Mike Krebs and Dana Olwan: We want to build solidarity without reproducing and enacting the same colonial logics and asymmetric relationships of power on which settler colonialisms hinge. We believe that our futures are connected and that we are especially powerful when we enact solidarity by words and actions. To expect solidarity, we must be willing to give it, share it, and maintain it. To do otherwise is to risk producing solidarity on the very colonial terms that our movements seek to challenge and undo.

#### Capitalism ensures extinction – climate change, fascism and imperial violence produce crises that depoliticize the left in favor of local resistance. The role of intellectual spaces like debate must be the production of revolutionary science capable of uniting fragmented resistance into global anti-imperial revolution.

Escalante, 18 – Marxist-Leninist, Materialist Feminist and Anti-Imperialist activist.

(Alyson Escalante, “Truth and Practice: The Marxist Theory of Knowledge”, *Failing That, Invent*, <https://failingthatinvent.home.blog/2019/09/08/truth-and-practic-the-marxist-theory-of-knowledge/>)

So, why does all this matter? What is at stake in an attempt to outline the Marxist Epistemology? The world we live in today is in a dire state. Climate destruction continues at a fast pace, and every with every passing day, capitalism proves itself to be incapable of addressing this. Capitalist production and its endless drive for resources to match artificial market demands has created a climate crisis that leaves us on the brink of potential extinction. Governments around the world are turning to far right and fascist leaders to assuage their fears of an uncertain future, and the most marginalized and oppressed suffer because of it. Fascism is on the rise, and history tells us very clearly what that can result in without opposition. The decaying US empire continues to lash out in violence across the globe in a desperate attempt to re-assert its power and hegemony. Whole countries are destroyed in its desperate bids for more fossil fuels. The world burns from America’s white phosphorus weaponry. The need for a revolutionary movement capable of replacing capitalism with something better has never been so clear. The choice between socialism or barbarism has never been so stark. More and more people are starting to realize that reform cannot save us, that capitalism and imperialism themselves are the problem, and that we must unite and band together to fight for a better world. The question then is: how will we know what strategies, what tactics, and what ideas to unite around? If the skeptics and postmodernists are correct that knowledge is always relative and localized, then we cannot built a global and universal strategy to unite around. If they are correct then we are doomed to small acts of localized or individual resistance in the face of apocalypse. To embrace such a vision of the world (with its accompanying epistemological skepticism) is to embrace defeat. The masses do not want to embrace defeat, they want to know how to fight back. Marxism can provide the tools necessary to engage in that fight. Marxism, with its self criticism and its insistence on incorporating the valuable ideas of its critics has created a means for unifying workers across the globe with anti-colonial and anti-imperialist struggles. The Marxist belief in the possibility of true ideas, tested and verified in practice, creates the possibility for unity on a global scale. The scientific status of Marxism means that as our climate changes, as our world looks more and more grim, Marxism will adapt through struggle and practice; it will provide us with the ideas and tools we need to fight and win. There will be no victory for the workers of the world without the ability to wield a revolutionary science. What is at stake in questions of Marxist epistemology is the very possibility of creating a philosophical and scientific basis for revolution. We must defend this possibility. We must defend the scientific status of Marxism, and must insist on the possibility of victory.

#### The alternative is to affirm the model of the Communist Party – only party organizing provides the accountability mechanisms to educate and mobilize the masses, connecting local struggles to international liberation.

Escalante, 18 – Marxist-Leninist, Materialist Feminist and Anti-Imperialist activist.

(Alyson Escalante, “Party Organizing in the 21st Century” September 21st 2018, <https://theforgenews.org/2018/09/21/party-organizing-in-the-21st-century/>, cVs, recut)

I would argue that within the base building movement, there is a move towards party organizing, but this trend has not always been explicitly theorized or forwarded within the movement.

My goal in this essay is to argue that base building and dual power strategy can be best forwarded through party organizing, and that party organizing can allow this emerging movement to solidify into a powerful revolutionary socialist tendency in the United States.

One of the crucial insights of the base building movement is that the current state of the left in the United States is one in which revolution is not currently possible. There exists very little popular support for socialist politics. A century of anticommunist propaganda has been extremely effective in convincing even the most oppressed and marginalized that communism has nothing to offer them.

The base building emphasis on dual power responds directly to this insight. By building institutions which can meet people’s needs, we are able to concretely demonstrate that communists can offer the oppressed relief from the horrific conditions of capitalism. Base building strategy recognizes that actually doing the work to serve the people does infinitely more to create a socialist base of popular support than electing democratic socialist candidates or holding endless political education classes can ever hope to do. Dual power is about proving that we have something to offer the oppressed.

The question, of course, remains: once we have built a base of popular support, what do we do next? If it turns out that establishing socialist institutions to meet people’s needs does in fact create sympathy towards the cause of communism, how can we mobilize that base?

Put simply: in order to mobilize the base which base builders hope to create, we need to have already done the work of building a communist party. It is not enough to simply meet peoples needs. Rather, we must build the institutions of dual power in the name of communism. We must refuse covert front organizing and instead have a public face as a communist party. When we build tenants unions, serve the people programs, and other dual power projects, we must make it clear that we are organizing as communists, unified around a party, and are not content simply with establishing endless dual power organizations. We must be clear that our strategy is revolutionary and in order to make this clear we must adopt party organizing.

By “party organizing” I mean an organizational strategy which adopts the party model. Such organizing focuses on building a party whose membership is formally unified around a party line determined by democratic centralist decision making. The party model creates internal methods for holding party members accountable, unifying party member action around democratically determined goals, and for educating party members in communist theory and praxis. A communist organization utilizing the party model works to build dual power institutions while simultaneously educating the communities they hope to serve. Organizations which adopt the party model focus on propagandizing around the need for revolutionary socialism. They function as the forefront of political organizing, empowering local communities to theorize their liberation through communist theory while organizing communities to literally fight for their liberation. A party is not simply a group of individuals doing work together, but is a formal organization unified in its fight against capitalism.

Party organizing has much to offer the base building movement. By working in a unified party, base builders can ensure that local struggles are tied to and informed by a unified national and international strategy. While the most horrific manifestations of capitalism take on particular and unique form at the local level, we need to remember that our struggle is against a material base