# Indigenous Aff

## Framing

#### Settler colonialism is an ongoing structure, not an event. Colonizers enacted mass genocide on indigenous people, erasing their Native history, life and culture. This colonialist structure is ingrained in our society and controls decisions made even in the squo. Barker12 —MA U of Victoria, BASc McMaster University [Adam J., “(Re-)Ordering the New World: Settler Colonialism, Space, and Identity” Thesis submitted for the degree of Doctor of Philosophy, University of Leicester 224-234, December 2012] Dynamics of Erasure It is important to begin by investigating the erasure of Indigenous presence from place. Erasure is essential to both occupation and bricolage, the two other colonising acts that are critical to settler colonial spatial production. Erasure of Indigenous presence can take many forms and may precede and continue throughout the time of Settler occupation. The variety of ways that settler colonialism produces space is predicated on consuming elements of Indigenous relational networks. Elements of Indigenous relational networks are extracted (removed from contexts that sustain meaning), processed and redeployed through settler colonial social space. What is Erasure? Historical geographer Cole Harris chose to reprint his essay ‘The Good Life Around Idaho Peak, originally researched and written more than thirty years ago, in a 1997 collected volume partly because it contains an egregious error that reflects the mind‐set of colonialism” (xvi). In the first version of this essay, Harris asserted that Idaho Peak, north of Nelson, British Columbia, had never been a site of Indigenous settlement. In the 1997 volume, he recanted: “[m]y proposition that no Native people had ever lived near Idaho Peak is absurd, and grows out of the common assumption, with which I grew up, that a mining rush had been superimposed on wilderness” (p.124). Harris, one of the most important and influential scholars of British Columbia’s native‐newcomer history, bases this striking reversal on a 1930 report by ethnographer James Teit of which he had previously been unaware. Based on interviews conducted between 1904 and 1907 with elders of the Sinixt (Lake) people whose ancestors had lived in the region, Teit’s report details Indigenous peoples’ village sites and the devastating impacts of imported disease (pp.194‐195). In this case, not only were the physical bodies and communities of Indigenous peoples destroyed and reduced by pathogens introduced by European and American newcomers, even Settler knowledge of indigeneity was discarded and ignored. In Harris’ analysis, “[m]ine is another example, from one who should have known better, of the substitution of wilderness for an erased Native world” (1997 p.xvi). This is erasure: the total removal of Indigenous being on the land, even from history, memory, and culture, to facilitate the transfer of those lands. This can even be accomplished without the removal of Indigenous bodies; it is the relational networks with place that sustain Indigenous being that are the true targets of erasure. Veracini notes that settler colonialism is most often pursued by settler collectives operating in corporate form (Veracini, 2010a pp.59‐62). It is easy and not uncommon to ascribe Settler peoples the role of occupation while attributing erasure to a combination of ‘just war’ by state and imperial para‐/military forces, and uncontrollable diseases like smallpox or influenza, washing Settler hands of responsibility. Individual Settler people deny their colonial responsibilities through this corporate ‘limited liability’ such that settler colonialism “obscures the conditions of its own production” (p.14). However, Settler peoples are — historically and in the present — directly implicated in acts of erasure. It is more acceptable to suggest that the British Empire or the American state ‘have colonised’ than to suggest that the Settler populations of the northern bloc ‘are colonisers/colonial.’ This is part of the complex dynamic whereby Settler people, even as they are or become aware of the existence of settler colonial atrocities, are able to deny their own complicity (Regan, 2010) or even those of their forbears.60 The goal of erasure is the reconciliation of the colonial difference through the materialisation of perceived terra nullius (Tully, 2000), an ‘empty land’ that, if not actually empty, is at least open: to the entrance of settlers, to being reshaped, to the extraction of advantage. The literature on terra nullius is extensive, and it was recently condemned as part of the ‘doctrine of discovery’ by the United Nations Permanent Forum on Indigenous Issues (2012). For the purposes of settler colonial erasure, terra nullius can be thought of as the creation of a vast, conceptual space of exception. Settler state sovereignty is premised on spaces of exception that reduce Indigenous people to homo sacer (Morgensen, 2011), and Settler identities are entwined with spatial segregation through frontier narratives that exile indigeneity to the wilderness beyond the reach of the civilising state (Larsen, 2003 pp.92‐94). Thus state space is premised on the erasure of indigeneity itself; Indigenous bodies stripped of sacred nature can be consumed or disposed of in a variety of ways without consequence. The governmental act of regulating and extinguishing indigeneity exceeds Settler sovereignty in two major ways: first, in the extension of the power of life or death over populations whose relationships are not considered part of the state (thus an extra‐territorial assertion of sovereign power), and second, in the extension of the state over territories to which Settler people have no legitimate claim based on the presence of Indigenous peoples. According with Agamben’s observations of the creation of spaces of exception and the imposition of spatial restriction, and the reduction of human life to numbers, both Canada and the United States imposed ‘band lists’ on Indigenous communities. These lists of names of ‘official’ members, later identified by personal identification cards (numbered), issued by the government, were used to control Indigenous movements on and off of reserves and to prevent the entry of Indigenous individuals into colonial spaces, like cities and towns (Frideres et al., 2004 pp. 95‐102). Further, the governments of these states have turned the extermination of Indigenous peoples into a demographic problem. By claiming the sole responsibility to determine who is ‘Indian’ (as per the Constitution in Canada or a whole host of statutes at federal and state levels in America), states were able to legislate rules of heritage. These ‘status’ laws — based often on varying levels of blood quantum in the USA (Garoutte, 2003 pp.38‐60), and an odd, collaping system of parentage in Canada (Lawrence, 2003 p.6) — ensure that, even as Indigenous populations increase, ‘Indian’ people are disappearing. Physical Erasure Indigenous peoples perceived across settler colonial difference are often constructed as a threat: to the advantages conferred by the occupation of spaces of opportunity, to the safety of Settler people and to the norms and ‘civilised’ values of settler colonisers. As a consequence, all manner of violence is directed at Indigenous peoples, resulting in the physical elimination, removal, or disappearance of indigeneity from place. Physical erasure of Indigenous peoples is often initiated extraterritorially by para‐/military forces. This is important for understanding the concept of ‘the frontier’ (below); however, it should not be read to implicate only metropole powers in physical erasure.Settler collectives also participate in the physical erasure of Indigenous peoples and spaces. With rare exceptions, it has been expected that Indigenous peoples will assimilate into and disappear from Settler spaces, rather than the other way around. There are, of course, exceptions to this. There are widespread accounts of Settler people either excluded or exiled from larger collectives, or remnants of failed or collapses collectives, being adopted into Indigenous societies. For example, the second Roanoke colony is believed to have been assimilated into local Indigenous societies sometime between 1578 and 1590 (Kupperman, 2000 p.12). In a different but related vein, the Métis people of the Red River Valley, while a hybrid of Scottish, French, English, Cree and other peoples, are widely recognised as an emergent Indigenous peoplehood (Read & Webb, 2012; Tough & McGregor, 2011). Although the Métis are both culturally and genetically related to European peoples, they assert indigenised networks of being on the land rather than dominating colonial displacement of indigeneity.61 Indigenous networks were capable of absorbing these non‐indigenous Others absent the violent intercession of colonial force. As Chapter 3 has shown, settler colonial space is created by the direct assertion of Settler power over place with the result that exceptional examples such as Roanoke or the Métis are rare. Of course, personal relationships between Settler and Indigenous peoples are not completely encompassed by the drive for erasure, but the threat of colonial violence is ever‐present. Even when pursued ‘peacefully,’ intermarriage and socialintegration of Indigenous peoples into Settler spaces occurs in a highly coercive and uneven environment. For example, settler colonial logics that divide and sort have consistently dehumanised Indigenous people, and especially Indigenous women (Smith, 2005; Maracle, 1996 pp.14‐19), leading to widespread gendered and racialised violence. The selective dehumanisation of Indigenous women by settler colonisers contributes to very real physical erasures; consider the contemporary case of the hundreds of missing and murdered Indigenous women in and around Vancouver (Dean, 2010 p.14). More broadly, Settler collectives also play direct roles in spreading disease (Swanky, 2012; Wright, 1992 pp.74, 103‐104) and in extermination through dispossession. Returning to the example of the Pacific Northwest, Settler ranchers did not necessarily intend to physically erase Indigenous populations, but as they monopolised both grazing lands and food markets in the British Columbia Interior, they deprived Indigenous communities of networks of resources that had sustained them since time immemorial (Thistle, 2011; Harris & Demeritt, 1997 pp.234‐240). Erasure through deprivation continues to this day. Despite the fact that Settler societies of the northern bloc are among the most affluent in history, Indigenous communities continue to endure starvation, lack of access to clean drinking water, lack of medical and other health and social services (including education), enforced isolation, and denial of a sufficient land base for social health and reproduction. Conceptual Erasure As well as the removal of the physical presence of Indigenous people from the land, settler colonial logics call for the removal of Indigenous peoples — at least as autonomous, intelligent actors — from the understood history of places (Veracini, 2007). Bureaucratic management techniques ensure that the business of solving the ‘Indian problem’ does not impact on the daily life of the average Settler person by positioning Indigenous populations as inventories to be liquidated rather than people to be engaged with. Erasure has been at times a matter of counting: how many ‘Indians’ are left, how many fewer than last year, how much property should be allocated ‘per Indian,’ and when will the ‘vanishing Indian’ become reality (Veracini, 2010a: 39‐40; Neu, 2000). This further allows individual Settlers to deny complicity in the erasure of Indigenous presence: the modern, industrial state counts, includes or excludes, and ultimately disposes of Indigenous peoples, and the state is impersonal. That the state exists because of settler colonisation, that Settler people serve as bureaucrats and colonial agents, or that erasure and occupation go hand in hand is rarely acknowledged. Indigenous histories, especially those living histories sustained in oral traditions, are the storehouse of knowledge of rituals, sacred places, and place‐ based personalities and tend to confound settler colonisation. These histories constantly remind Settler peoples of their illegitimacy on the land; they point out that there are ways of relating to place beyond the understanding of contemporary Settler peoples; and, they provide a source of strength and identity for Indigenous groups even after they have been separated from their places or their spaces have been replaced by colonial spaces. As Holm et al., point out, even the stories of loss regarding a sacred space can be a source of identity (Holm et al. 2003 pp.9‐12; see also Chapter 1). Settler colonisers, then, if they wish to avoid the discomfort associated with living Indigenous histories, must follow a logic of deliberately constructing histories in which Indigenous peoples are either absent or relegated at the margins. These then serve as the reference point for Settler people to judge their own ‘progress’ or ‘development’ as a people against anachronistic ‘savages’ who lack agency or power. This is also projected temporally forward: settler colonisation does not intend simply to erase these histories, but also to predetermine the future through “master narratives” (Austin, 2010) of technological progress, the inevitability of civilisation, rights‐based social assimilation, and the wholesale replacement of Indigenous systems of law and governance (Alfred, 2009a). Settler collectives create and perpetuate Settler myths such as the “Peacemaker myth” (Regan, 2010), the heroic trope of the frontier pioneer (Nettlebeck & Foster, 2012), and the up‐by‐the‐bootstraps myth of the self‐made Settler (Ramirez, 2012), to name but a few. Often these myths were created and are perpetuated by playing off of stereotypes about settlement in other colonial jurisdictions. Historian Chris Arnett has remarked: ... there remains the colonial myth that, contrary to what happened south of the 49th parallel, the British resettlement of British Columbia was benign, bloodless and law‐abiding ... Granted the “Indian Wars” of British Columbia came nowhere near the wholesale slaughter of aboriginal people that too often characterized the inter‐racial conflict in the western United States, but as one historian has observed, “human conflict does not decline in complexity as it does in scale.” Artnett, 1999 p.14 Both American and Canadian settler colonisation involved in varying combinations: treaty‐making and breaking; violent military and para‐military force; and, concerted attempts at cultural assimilation or extermination. In Regan’s work, she positions the peacemaker narrative in opposition to the violent reality of residential schools (Regan, 2010). As she points out, many physical buildings of residential schools still exist, though Settler people are unable to “see” them (2010 pp.5‐6). Steeped in national myths premised on narratives of treaty making and cooperation, and especially played off against perceptions of American ‘militant’ conquest, residential schools physically disappear to Settler Canadians: the structures are not seen, the damage not perceived. The residential school project in Canada, jointly pursued by the federal government and churches, was premised on the belief that ‘primitive’ and ‘disappearing’ Indigenous peoples could best be served by ushering their extinction through assimilation.62 However, given that the role of residential schools in erasure cannot be denied, Settler people instead must either deny their own involvement with them (and thus with settler colonisation) or deny that they existed at all. This is symptomatic of widespread Settler denial that serves not just to erase indigeneity, but also to erase the colonising act of erasure. Erasure and Transfer Erasure is required at some stage for each type of settler colonial land transfer. Sometimes this is obvious; for example “necropolitical transfer” (Veracini, 2010a: 35) involves the physical liquidation of Indigenous peoples by military action. However, erasure is involved in many other kinds of transfer either concurrent to (and hidden by) occupation and bricolage, or (usually) before or after these other colonising acts. Notably, Veracini describes that “perception transfer” — “when indigenous peoples are disavowed in a variety of ways and their actual presence is not registered (... for example, when indigenous people are understood as part of the landscape)” — “is a crucial prerequisite to other forms of transfer” (Veracini, 2010a p.36). Veracini then draws attention to an important dynamic: “when really existing indigenous people enter the field of settler perception, they are deemed to have entered the settler space and can therefore be considered exogenous” (2010a p.36). The implication is that erasure is unidirectional. Indigenous peoples cannot be retrieved or revived from their erased condition without serious disruption to settler colonial space. All transfer, regardless of whether it relies on physical or conceptual erasure, is intended to be permanent. Arguments that certain kinds of transfer are ‘better’ than others — such as the Canadian assertion of the peacemaker myth juxtaposed against violent American frontier adventurism — are seeking to differentiate between genocidal acts based on arbitrary distinctions, splitting colonial hairs.

#### The international regime, structured in colonialism, therefore facilitates actions and practices that are the root causes of exploitation and violence against non-whites. Glenn 2015 Evelyn Nakano Glenn” Settler Colonialism as Structure: A Framework for Comparative Studies of U.S. Race and Gender Formation “Sociology of Race and Ethnicity Vol 1, Issue 1, pp. 52 – 72 First Published January 1, 2015. Evelyn Nakano Glenn is professor of Gender & Women’s Studies and Ethnic Studies and Founding Director of the Center for Race and Gender at the University of California, Berkeley. Her teaching and research focus on race, gender, immigration, labor, and citizenship. She is the author of Forced to Care: Coercion and Caregiving in America (Harvard University Press); Unequal Freedom, How Race and Gender Shaped American Citizenship and Labor (Harvard University Press); and Issei, Nisei, War Bride: Three Generations of Japanese American Women in Domestic Service (Temple University Press). She served as 2009–2010 President of the American Sociological Association. Accessed 1-10-18 [ejs] The most widely used sociological frameworks for theorizing race relations in the United States have focused on generating analyses that encompass not just anti-black racism but also anti-Latino and antiAsian American racisms. What these frameworks share is an appreciation that racial hierarchy and inequality are not simply the products of individual beliefs and attitudes but are built into American social structure and that whites have historically benefited from racial inequality. I have found each of the major frameworks, internal colonialism, racial formation, and racialized social systems, useful in my own work in comparative race and gender studies. However, what these theories do not explicitly consider is whether and in what ways U.S. national and regional racial systems may be unique and/or idiosyncratic because they have grown out of distinct material, social, and cultural circumstances, in this case, U.S. settler colonialism. I have offered the concept of “settler colonialism as structure,” as a framework that encourages and facilitates comparativity within and across regions and time. I believe that a settler colonial structural analysis reveals the underlying systems of beliefs, practices, and institutional systems that undergird and link the racialization and management of Native Americans, blacks, Mexicans and other Latinos, and Chinese and other Asian Americans that I have described herein. What are these underlying systems/structures? First, the defining characteristic of settler colonialism is its intention to acquire and occupy land on which to settle permanently, instead of merely to exploit resources. In order to realize this goal, the indigenous people who occupy the land have to be eliminated. Thus, one logic of settler colonial policy has been the ultimate erasure of Native Americans. This goal was pursued through various forms of genocide, ranging from military violence to biological and cultural assimilation. British settler colonialism in what became the United States was particularly effective because it promoted family settlement right from the beginning. Thus, the growth of the settler population and its westward movement was continuous and relentless. Settler ideology justified elimination via the belief that the savage, heathen, uncivilized indigenes were not making productive use of the land or its resources. Thus, they inevitably had to give way to enlightened and civilized Europeans. The difference between indigenes and settlers was simultaneously racialized and gendered. While racializing Native ways of life and Native Americans as “other,” settlers developed their selfidentities as “white,” equating civilization and democracy with whiteness. Indian masculinity was viewed as primitive and violent, while Indian women were viewed as lacking feminine modesty and restraint. With independence from the metropole, the founders imagined the new nation as a white republic governed by and for white men. Second, in order to realize a profitable return from the land, settlers sought to intensively cultivate it for agriculture, extract resources, and build the infrastructure for both cultivation and extraction. For this purpose, especially on large-scale holdings that were available in the New World, extensive labor power was needed. As we have seen, settlers in all regions enslaved Native Americans, and the transnational trade in Native slaves helped to finance the building of Southern plantations. However, in the long run, settlers could not amass a large enough Indigenous slave workforce both because indigenes died in large numbers from European diseases and because they could sometimes escape and then survive in the wilderness. Settlers thus turned to African slave labor. Slave labor power could generate profit for the owner in a variety of ways: by performing field labor, processing raw materials, and producing goods for use or sale and by being leased out to others to earn money for the owner. What linked land taking from indigenes and black chattel slavery was a private property regime that converted people, ideas, and things into property that could be bought, owned, and sold. The purchase, ownership, and sale of property, whether inanimate or human, were regularized by property law or in the case of chattel slaves, by slave law. Generally, ownership entails the right to do whatever one wants with one’s property—to sell, lend, or rent it and to seize the profits extracted from its use. The elimination of Native Americans and the enslavement of blacks form two nodes that have anchored U.S. racial formation. Redness has been made to disappear, such that contemporary Native Americans have become largely invisible in white consciousness. In contrast, blackness has been made 70 Sociology of Race and Ethnicity 1(1) hypervisible, and blacks are constantly present as an imagined threat to whites and the settler colonial social order. As pointed out earlier, Indianness is thought to be diluted and then to disappear through miscegenation, while blackness is thought to be continually reproduced even through generations of miscegenation. In this respect as well as others, the racialization of blacks—the irredeemability and dehumanization of blacks—has been incommensurable with the racialization of other groups. Nonetheless, the racialization of certain (in Lorenzo Veracini’s term) exogenous others has been a prominent feature of settler colonial societies. In the United States, some groups have been recruited and/or tracked into hard labor and super-exploited because they can be induced to work by need and kept in place by restricted mobility. For a nation that purports to stand for freedom, opportunity, and equality, the United States has had a long history of imposing coercive labor regimes, social segregation, and restricted mobility on many of its residents. Racializing certain groups as insufficiently human serves to justify subjecting them to oppression, subordination, and super-exploitation. Thus, conditions of compelled labor short of chattel slavery—contract labor, sharecropping, payment in scrip, wages paid only after completion of a long period of work—were legally allowed and commonly imposed on racialized others even after the abolition of slavery. These practices were designed to immobilize and disable workers’ ability to survive by other means and thereby tie down theoretically free workers. These forms of coercion might be labeled de facto slavery because they do not involve ownership of the person and the enforcement of slave law. The experiences of national and local policies toward Mexicans and Chinese were examined herein to help illuminate the linked processes of racialization and super-exploitation in U.S. settler colonialism. Racialization has been integral to resolving the contradiction between settler ideologies of freedom, equality, and progress and the unfreedom, inequality, and denial of mobility and citizenship rights to Mexican Americans in the Southwest and Chinese Americans in the Far West. The various technologies of control and management (segregation, cultural erasure, terrorism, expulsion, and legal exclusion) served the interests of capitalism by enabling landowners, plantation owners, and railroad companies to super-exploit these exogenous others. At the same time, racialization of “others” enabled white workers to reap a psychic reward, the so-called “wages of whiteness” to succor the wounds inflicted by class inferiority. The case studies of Mexican Americans and Chinese Americans further illustrate the importance of paying attention to both the specificities and differences and the connections and commonalities among and between the experiences of various racialized others. Some of the major technologies for control and management of racialized groups were similar, most prominently the use of terrorism. It could be argued that the continuous history of genocide against Native Americans helped to normalize the use of extreme violence against non-white “others.” Extreme violence was rationalized as necessary to ensure settler security. As described, not only blacks, but also Mexicans and Chinese were subjected to extreme and disproportionate violence that might well be characterized as ethnic cleansing. And, as in the case of the denial of the founding violence against Native Americans, white settler culture either denied or forgot its violence toward Mexicans and Chinese by magnifying the threat they posed not only to individual whites but also to the nation. The technology of erasure through cultural assimilation practiced on Native Americans was also employed on Mexican Americans. In both cases, schooling was intended to prepare girls and boys for gender-appropriate domestic and vocational skills. The speaking of children’s natal languages was punished, and mainstream (white/ Anglo) ways of living were valorized. Education was also intended to teach racialized children “their place” in American society, that is, to accept and be satisfied with a limited future. The technologies unique to Mexicans and Chinese were those of mass deportation and legal exclusion. Native Americans could be and were removed to remote reservations in the United States and in a few instances driven across the Southern border into Mexico, but they were not legally deported. Removal of freed blacks and resettling them in Africa was tried after the Civil War, but the number of those removed was only a small proportion of the population. Whites in the South were able to re-impose a white supremacist order that could control and super-exploit black labor. However, once the transcontinental railroad was completed, Chinese labor was not strictly necessary in the West, and moreover, as immigrants, the Chinese could more easily be subjected to expulsion and exclusion. In fact, the Chinese were the first immigrant group subject to exclusion, first through the Page Act of 1875 and the Chinese Exclusion Act of 1882 and then through the Immigration Act of 1924 that extended exclusion to cover other Asian peoples. Glenn 71 As described earlier, for nearly a century after the U.S. takeover of the Southwest, Mexican nationals and Mexican Americans were able to cross back and forth across the southern border more or less freely. However, this situation began to change during the 1920s with the establishment of the U.S. Border Patrol. Because of high unemployment during the Great Depression, Mexican Americans became the first group subject to mass deportation. A second large-scale deportation occurred during another period of unemployment in the 1950s under Operation Wetback. The first decades of the twenty-first century saw the creation and establishment of a vast federal machinery for “safeguarding” our borders, ostensibly to battle terrorism. This machinery has been wielded primarily against Mexicans, who are viewed as constituting a different kind of threat, a menace to “mainstream” American (white) culture. Thus, the majority of deportees continues to be immigrants from Mexico. Throughout my historical analyses of settler colonial structures and practices as they developed in relation to Indigenous peoples, blacks, Mexicans, and Chinese, I have tried to apply an intersectional lens that views race and gender as co-formations. The bulk of the discussion has perhaps focused greater attention on race and racialization; however, gender has been present throughout the text. I pointed out that the settler project constructed various racialized gender and gendered racial dualisms. The white race was masculinized in relation to feminized black, red, or yellow races. Settler ideology also defined appropriate gender relations within the settler family and community, variously using Indian, black, and “others” as negative foils. White settler society understood extreme gender differentiation as a mark of civilization and thus attempted to shape white womanhood toward domesticity and dependency. Importantly, white women were viewed as needing to be protected by white men, particularly from the dangers posed by the primitive or perverse male sexuality of Natives, slaves, and exogenous others. Thus, for example, lurid tales of Indian capture of white women and their rescue by white soldiers circulated widely in settler culture. Meanwhile, Indian, black, and exogenous women were viewed variously as shameless, docile, alluring, or unfeminine because they did “men’s work.” Settler colonialism also had different effects on men and women from subjugated groups as shown in several instances discussed in the main text. For example, it was mentioned that Indian women were more likely to be enslaved, while adult Indian men were more likely to be killed. Relatedly, Indian women were also more likely to be brought into settler households to be sex slaves and domestic servants. As for the Chinese, although male laborers were eventually subject to exclusion, women had been legally excluded earlier and more stringently on the assumption that all Chinese women attempting to enter were prostitutes. In contrast, Mexican women were sometimes viewed more favorably than Mexican men and were thought to be appropriate wives for Anglo men. As for enslaved blacks, women were subjected to gender-specific violence such as rape but not exempted from the same kinds of physical punishment and heavy field labor to which slave men were subjected. I will now briefly consider the implications of the present analysis in relation to anti-racist politics. Given that many different groups have been victimized by racial violence, exclusion, and dehumanization, coalitions among racialized minorities are desirable and necessary. I suggest that coalitions are best built by recognizing the specific histories of racialized minorities other than our own. Our understandings ideally should reckon with (a) commonalities, (b) relations and connections, and (c) differences. All of these are highlighted by this settler colonial analysis. Many commonalities have emerged from the case analyses, including experiences of genocide and terrorism that have been inflicted, justified, and “forgotten” or deemphasized by settler society. Also having emerged are relations/connections in the experiences of different groups that complicate their positionality vis-àvis one another. Thus, for example, the analysis might lead us to ask whether and in what ways racialized minorities might position themselves in relation to the territorial dispossession of Native Americans. Finally, some significant differences have emerged; for example, only blacks were subjected to chattel slavery, which is a condition of social death and subjection by slave law that even those who worked under conditions of extreme coercion did not share. A final thought: in this article I have suggested that a settler colonialism framework for analyzing and understanding race and gender in America will have certain advantages over other frameworks, most specifically in the strength of its historicity and in a fuller incorporation of the role of Native Americans in how racism and gender oppression have developed and continue to operate. A question with which I have not dealt is to what extent can a settler colonial framework relate to and interact with other frameworks such as internal colonialism, 72 Sociology of Race and Ethnicity 1(1) racial formation, and racialized social systems. My belief is that there are significant insights and analytical methods offered by each of the frameworks and that the addition of settler colonialism to the mix may help us to work toward a higher level theoretical model that can be widely used by social scientists both in the United States and internationally. I suggest that a fruitful next task will be for us to explore and discuss the connections and relationships among the various frameworks, with a new awareness of the distinct historical, social, and cultural understandings brought to our table by the settler colonialism framework.

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#### Any staticization of identity or truth premised on anything other than friction will necessarily produce exclusion. We must be able to make space for differences. Contradiction and differing opinions if good, meaning that we don’t need to strive for cohesion - proves the perm. Any moral theory that depends on commensurate and equitable moral values justifies genocide and is incompatible with the friction that is necessary.

#### Medina 13

Medina José. The Epistemology of Resistance: Gender and Racial Oppression, Epistemic Injustice, and Resistant Imaginations. Oxford University Press, 2013. //LHP MS

**What we need in order to maintain the ongoing possibility of resistance is *epistemic friction*. Epistemic friction involves the mutual contestation of differently normatively structured knowledges; it interrogates epistemic exclusions, disqualification, and hegemonies.** Epistemic friction is acknowledged and celebrated in pluralistic views of our epistemic negotiations and our cognitive lives, but not every kind of epistemic pluralism makes room for epistemic frictionin the same way. In this section I want to explore the implications of a thoroughgoing epistemic pluralism for genealogical investigations. For this purpose, I will compare and contrast Foucault’s pluralism with two different kinds of epistemic pluralism that can be found in American philosophy, ar- guing that **Foucaultian pluralism offers a distinctive notion of epistemic friction that has tremendous critical force. Different experiential and agential standpoints can make different contribu- tions to genealogical investigations and even offer alternative genealogical his- tories. Given the right sociopolitical conditions, the critical reconstruction and reevaluation of our beliefs can (and should) be reopened and resumed when- ever new standpoints appear on the scene, but also whenever we discover that certain voices or perspectives were never considered or were not given equal weight.** Thus it is not surprising that populations feel particularly compelled to reopen the conversation about their past when the sociopolitical conditions change **in such a way that voices and perspectives that had previously been ignored or not fully taken into consideration can now participate differently in the reconstruction of their past, because they enjoy a different kind of agency**. For example, this has been happening periodically in different ways and on different fronts in the public debates about past dictatorial regimes that have In these countries, different segments of the population (as well as particular individuals) have demanded a sustained effort to critically revisit the reconstruction of a shared past in the light of evidence, testimony, and articulations or interpretations of facts that challenge established beliefs or are simply not integrated in the col- lective memory and “official history” in circulation. **There is a plurality of lived pasts and of knowledges about the past that *resist* unification and create *friction*. But what are we to make of this *resistance and friction*? Pluralistic views of truth and knowledge make productive use of those forms of epistemic friction and resistance, whereas monistic views regard epistemic diversity always as a problem**. I will restrict myself here to pluralistic views, but I want to emphasize that different kinds of epistemic pluralism involve different normative attitudes with respect to epistemic diversity and the kinds of epistemic friction and taken place in countries such as Argentina, Chile, or Spain. resistance that heterogeneous perspectives can exert. I want to distinguish three very different attitudes with respect to epistemic differences and the plurality of heterogeneous perspectives that we can find in pluralistic accounts of truth and knowledge. In the first place, in classic pragma- tists such as C. S. Peirce and G. H. Mead (at least under some interpretations),19 we can find an approach to epistemic practices that places emphasis on the plurality of experiential perspectives, but nonetheless preserves a commitment to unification, so that all available standpoints must ultimately be subsumable under a *single perspective*—for example, if we were to reach a hypothetical end of inquiry, or if we were to push our communicative processes far enough until all perspec- tives were heard and integrated. This is what I call a converging pluralism. For converging pluralisms, the diversity and heterogeneity of conflicting perspectives are merely contingent—and in principle, transitory—features of our epistemic practices that we should aspire to eliminate or at least minimize. By contrast, in more thoroughgoing pluralistic views such as that of William James, diversity and heterogeneity are unavoidable features of our epistemic lives that can be hidden or repressed only with violence and exclusions, but can never be fully erased. In Jamesian pluralism, though more radical, the possibilities for epistemic friction and resistance are qualified and constrained for the sake, not of consensus and unification, but of coordination and cooperation. This is what I call a melioristic pluralism. As I have argued elsewhere,20 by contrast with consensus theories of truth and knowledge, according to James’s radical fallibilism and pluralism, the openness to contestations and reinterpretations of our beliefs never goes away and constitutes the very normative core of our epistemic lives: this openness calls attention to the kind of accountability and responsiveness to others required by our epistemic agency. However, although in this pluralistic view epistemic differences and conflicts are not erased, they are put at the service of mutual improvements. On this melioristic pluralism, epistemic contestations and negotiations are directed toward improving the objectivity of the different standpoints available, toward correcting their biases and mistakes, and toward maintaining their truth alive—that is, dynamic, adaptable, and integrated in the lives of those who hold those experiential perspectives. Although here there is no aspiration to combine and unify all perspectives into a single one, there is the normative expectation that the interactions among diverging per- spectives will result in an increase of objectivity and in the improvement of the articulations and justifications of beliefs and epistemic appraisals. In this view, epistemic friction among perspectives is always an opportunity for learning from each other and correcting each other. In section 6.4 **I will defend a ver- sion of this melioristic pluralism, but first I want to call attention to a different kind of pluralism that we can find in Foucault: a *guerrilla pluralism* with a particularly radical subversive force. It is my view that this more subversive pluralism is precisely what is needed to address *radical exclusions*. In other words, I will argue that *guerrilla pluralism* is what we need when equitable and fair melioration for all is not yet possible, that is, when in a fractured society the conditions are not given for beneficial epistemic friction that results in mutual corrections and a collective process of learning in which all social groups can participate. In a Foucaultian pluralistic framework, epistemic frictions are no more tools for learning than they are tools for unlearning (for undoing power/ knowledges—e.g., for undoing ways of remembering and forgetting, when it comes to knowledge of the past).** In this view, epistemic frictions are not merely instrumental or transitional—that is, tools for, or steps toward, har- mony or conflict resolution. Epistemic frictions are sought for their own sake, for the forms of resistance that they constitute. This is why I call this more rad- ical epistemic pluralism that can be found in Foucault a guerrilla pluralism. It is not a pluralism that tries to resolve conflicts and overcome struggles, but instead tries to provoke them and to re-energize them. It is a pluralism that aims not at the melioration of the cognitive and ethical lives of all, but rather, at the (epistemic and sociopolitical) resistance of some against the oppression of others. This is a pluralism that focuses on the gaps, discontinuities, tensions, and clashes among perspectives and discursive practices. With respect to knowledges of the past, Foucaultian genealogical investigations do not simply revive alternative memories that can act as correctives of each other and coop- erate without losing their specificity, as a Jamesian melioristic pluralism would have it. Rather, Foucaultian genealogical investigations resurrect counter- memories, not just for the sake of joint cooperation, but for the sake of reactivating struggles and energizing forms of resistance. In this view, alternative memories are not simply the raw materials to be coordinated in a heterogeneous (but nonetheless shared) collective memory; rather, they remain counter-memories that make available multiplicitous pasts for differently constituted and positioned subjectivities and their discursive practices.

#### Thus, the standard and role of the ballot is to center indigenous knowledge, creating indigenous empowerment while simultaneously intervening in colonizing structures. At any opportunity, we must strive to center and protect indigenous knowledge. Wilson04

Wilson, Angela Cavender. “Introduction: Indigenous Knowledge Recovery Is Indigenous Empowerment.” The American Indian Quarterly, vol. 28, no. 3, 2004, pp. 359–372., doi:10.1353/aiq.2004.0111. //LHP MS

**Indigenous knowledge recovery is an anticolonial project.**' It is a project that gains its momentum from the anguish of the loss of what was and the determined hope for what will be. It springs from the disaster resulting from the centuries of colonialism's efforts to methodically our ways of seeing, being, and interacting with the world. **At the dawn of the twenty-first century the recovery of Indigenous knowledge is a conscious and systematic effort to revalue that which has been denigrated and revive that which has been destroyed.** It is about regaining of being that allowed our peoples to live a spiritually balanced, sustainable existence within our ancient homelands for thousands of years. **In privileging writings about current work in Indigenous recovery, we are challenging the powerful institutions of colonization that have routinely dismissed alternative knowledges and ways as irrelevant to the modern world. Because Indigenous Peoples and other advocates of Indigenous knowledge have typically been denied the academic power structures that legitimize such knowledge, special issue of American Indian Quarterly offers us a rare scholarly opportunity to validate it. In carving a new space for discussion about Indigneous knowledge, we are testifying to its importance. This special issue provides a forum for sharing the ways in which researchers and writers are engaging Indigenous knowledge in the academy and in communities, both on individual and collective levels**. **Rather than engaging issue simply as an intellectual exploit, our goal is to discuss knowledge in the broader context of Indigenous empowerment. All the contributors to this collection would agree that Indigenous knowledge is meaningless and actually harmful if its holders and practitioners are not simultaneously empowered and supported in our efforts to not only survive but also thrive.** In addition to our physical subjugation, the process of colonization re- quired the complete subjugation of our minds and spirits so that our lands and resources could be robbed from underneath our bodies. Ngugi wa Thiong'o describes the largest weapon of imperialism as the "cultural bomb": "The effect of a cultural bomb is to annihilate a people's belief in their names, in their languages, in their environment, in their heritage of struggle, in their unity, in their capacities and ultimately in themselves." 2 Indeed, through the combined efforts of government institutions and Christian workers, Indigenous Peoples in the United States and Canada faced severe persecution for practicing our spirituality, for speaking our languages, and for attempting to live the way our ancestors before us had lived. The federal boarding and residential schools continued this tradi- tion, aiming their most concerted and brutal assaults on our most vul- nerable and precious populations-the children.3 While the devastation wrought from these assaults was not totally complete, it has been thor- ough enough to severely disrupt our ways of living and to cause us to question the usefulness and importance of the ways of life given to us. The colonizers taught us that the conquest and "civilizing" of our people was inevitable; that we, too, must give way to "progress." It was hammered into our heads that our Indigenous cultural traditions were inferior to those of Euroamericans and Euro-Canadians, that there was nothing of value in our old ways, and that those ways were incompatible with modernity and civilization. In order for the colonizers to complete their colonizing mission, they were required to make not only them- selves believe these ideas, but us as well. In one way they were correct; within the confines of colonialism our ways were irrelevant and incompatible. Indigenous traditions are of little value in a world based on the oppression of whole nations of people and the destructive exploitation of natural resources. Our values and lifeways are inconsistent with the materialism and militarism characteristic of to- day's world powers. In this world that colonialism has created, there is no place for Indigenous knowledge. **When Indigenous Peoples were taught the worthlessness of our traditions and knowledge, it was designed to perpetuate the colonial machine**. If Indigenous cultural traditions had been deemed to be on equal ground with the colonizer's traditions, colo- nialist practices would have been impossible to rationally sustain. **Unless they were willing to complete a project of complete extermination, their sense of peace required the muting of Indigenous voices, the blinding of Indigenous worldviews, and the repression of Indigenous resistance. To meet their aims, our capacity for producing knowledge had to be diminished into nonexistence.** Within a broader context we now understand that these ideas promoted in the Western world are just one form of knowledge out of many. It was not inevitable that Western knowledge would conquer Indigenous knowledge, or that our ways of life had to end. At any point in history we could have worked jointly toward conditions that would facilitate the re- turn of Indigenous ways of being while appreciating the knowledge that supported those ways. Even now this is not an impossible task. **The same human beings who created the conditions of this world also have the capacity to change them. In telling us we must change and adapt, they really meant that the old ways must end because they were unwilling to change their colonizing ways**. **They were unwilling to end their occupation of our homelands; they were unwilling to foster the restoration of the plants and animals indigenous to our homelands; they were unwilling to discontinue their exploitation and destruction of all that we cherished; and they were unwilling to let us retain the knowledge of alternative ways of being**. Because the colonizers wanted to continue colonizing, we had to change and our way of life had to be destroyed. So goes the nasty business of empire building.The legacy of this colonizing objective is frequently parroted by Indigenous Peoples, even by some academics, who have obediently learned to restrict their own vision according to the parameters set for us by our colonizers.4 **Fortunately there have always been those among us who understood the political motivations behind their thinking, who held fast to the original directions given specifically to our ancestors, and who resisted colonization by carrying that knowledge into the present.** There is a growing number of Indigenous people and non-Indigenous allies who have seen the fallacy of Euroamerican and Euro-Canadian self- purported superiority and who have complete faith in the ways of life that sustained us for thousands of years. In fact, many of us even go so far as to suggest that eventually these ways may resolve some of the global crises facing all populations today.

## Plan

#### Protection of indigenous pharmacology is needed now. Ezeanya13

Ezeanya, Chika A.. “Contending Issues of Intellectual Property Rights Protection and Indigenous Knowledge of Pharmacology in Africa South of the Sahara.” The Journal of Pan-African Studies 6 (2013): 24-43.//LHP MS

There is need for an appropriate global intellectual property system to protect against the misappropriation of Africa’s traditional knowledge by the West. Oguamanam (2004) argues that the **present international system of IPR** **protection**, especially the patent regime, **benefits the ‘western scientific** or biomedical **model**,’ **and could be** considered a **threat to the continued existence and development of traditional medicine in Africa**. The holistic approach of indigenous medical heritage is in stark contrast with conventional biomedical and intellectual property regimes. Therefore, the yardsticks of the western scientific knowledge when used in protecting indigenous medical knowledge would result in what Oguamanam calls, “an alien standard of validation based on a narrow epistemic genre- western science” (Oguamanam 2006, 34). **There is an urgent need for the adoption of** culturally oriented and sensitive approach toward **the protection of African indigenous pharmacology**.

#### Thus the plan— Member nations of the WTO ought to reduce intellectual property protections for medicines, opening space for Indigenous sovereignty by removing jurisdiction of intellectual property protections on native land. We have a moral obligation to never accommodate the violence of the settler system. The plan enacts our obligation to resist by opposing patent violence and opening up space and solves because we cede jurisdiction to the sui generis approach, reducing IP among the current realm that it is ruled by. The aff isn’t an institutional reform, but a rejection of the settler violence of the international IP regime.

#### Ezeanya2

Ezeanya, Chika A.. “Contending Issues of Intellectual Property Rights Protection and Indigenous Knowledge of Pharmacology in Africa South of the Sahara.” The Journal of Pan-African Studies 6 (2013): 24-43.//LHP MS

New legal alternatives are **to** be considered to **protect indigenous pharmacology, in order to stem the tide of** ‘illegal’ **patenting and economic exploitation by the West.** This work recommends **a sui generis approach** that **provides** for the nature of **indigenous intellectual property to be defined in accordance** to **the** cultural **values of t**he **indigenous communities.** Unlike the IPR regime that provides a shelf life for inventions, **the sui generis provision should recognize the timeless nature of Africa South of the Sahara in indigenous pharmacology** and should be **devoid** **of the provisions f**or originality and material form, which **the** global **IPR regime upholds**. **The provisions**, to be **generated from** within **Africa**, and **under a regional framework would**, among others **ensure that the** issue of **Africa South of the Sahara** in **pharmacological exploitation** for economic benefits by **Western producers is** comprehensively **addressed**. Most importantly, a **sui generis approach recognizes** indigenous **pharmacology in Africa South of the Sahara as a new legal concept** with a previously unacknowledged rationale, which needs to be **g**r**anted** **a**n exclusive **platform of protection**, based on its unique attributes.

## Advantage

**Biopiracy is the exploitation of indigenous knowledge of nature to be used by others for profit off of patents. It’s a cycle of violence that steals and uses indiginous knowledge for commercial benefit.**

**McGonigle 16**

McGonigle, Ian(PhD Candidate in Anthropology and Middle East Studies at the Center for Middle Eastern Studies at Harvard University.) “Patenting nature or protecting culture? Ethnopharmacology and indigenous intellectual property rights” Journal of Law and the Biosciences, 6 February 2016. <https://academic.oup.com/jlb/article/3/1/217/1751287> // LHP NP

In the 1990s, **activists responded to** the work of **corporations negotiating trade contracts** for access to the biological resources of developing countries **using the term ‘biopiracy’** **to describe the illegitimately deemed**, and sometimes illegal, **resource extraction that** such **companies engaged in**. Since the 1990s, commercial drug development from natural products has subsided significantly. Today most ethnopharmacology research is conducted within academic institutions. For practicing ethnopharmacologists, **sufficient modifications of a plant substance** or traditional therapy **for legal proprietorship are rather simple**. **This may be as little as an alteration to the chemical structure** of the active compound of a medicine, **a small inventive step**, **or** the **use of a** **semisynthetic chemical analog**, a slightly modified version of the original compound. Perhaps, the most notable example of this kind of proprietorial move occurred in the case of the **indigenous peasant farmers of rural Mexico** (Oaxaca), who **cultivated** **barbasco yams and sold them for use in the burgeoning Mexican pharmaceutical industry**. The barbasco yam (Dioscorea Mexicana), also simply called the Mexican yam, produces the steroid compound diosgenin, which is a precursor for the synthesis of the female sex hormone, progesterone. **These yams were instrumental in the development of the female contraceptive pill during the** 19**70s** and 19**80s**. **Peasants’ expert ecological know-how** **became** publicly **recognized** **through their central role in** the **bioscience development of Mexico**, **but in the 1990s**, **developments** **in synthetic chemistry made the** wild **yams redundant as a source**, **cutting out the peasants from the commercial networks and eliminating their role in the industry altogethe**r. In this case, the drug product that the indigenous peasant farmers helped to produce ultimately led to their exclusion from downstream benefits. **Rather than affording protection to indigenous knowledge and contribution, the law allows companies to cut off any rights of the bearers of the indigenous knowledge that initially made the development possible. The current international regime favors the interests of commercial parties that can develop a synthetic alternative.**

#### Current IPR does not accommodate Indigenous law.

#### Ezeanya3

Ezeanya, Chika A.. “Contending Issues of Intellectual Property Rights Protection and Indigenous Knowledge of Pharmacology in Africa South of the Sahara.” The Journal of Pan-African Studies 6 (2013): 24-43.//LHP MS

**Indigenous knowledge does not feature in** **the** **present** global Intellectual Property Rights (**IPR) system**. The existing global IPR regulatory mechanism is **based on Western description of knowledge**, **and its conceptions of individual intellectual property ownership**. According to Adam Moore, ‘at the most practical level the subject matter of intellectual property is largely codified in Anglo-American copyright, patent, and trade secrets law, as well as moral rights granted to authors and inventors within the continental Europe doctrine’ (Moore 1997, 2). Moore argues that, **although these systems of property encompass much of what is thought** to count **as intellectual property, they do** **not** in reality **take cognizance of the entire landscape** of what **intellectual property** truly **signifies, which includes indigenous knowledge.**

#### Exploitation of indigenous knowledge reproduces settler logic or elimination. Ezeanya5

Ezeanya, Chika A.. “Contending Issues of Intellectual Property Rights Protection and Indigenous Knowledge of Pharmacology in Africa South of the Sahara.” The Journal of Pan-African Studies 6 (2013): 24-43.//LHP MS

**Indigenous knowledge** is the variant of knowledge that is generated, and which **resides within a given locality.** **It is the outcome of generations of** working with and **understanding one’s environment** to produce the best possible processes for addressing specific challenges. Indigenous knowledge has been defined as the unique, traditional, local knowledge existing within and developed around specific conditions of women and men indigenous to a particular geographic area” (Warren, 1991). The World Bank notes that **indigenous knowledge is “**developed and adapted continuously to gradually changing environments and passed down from generation to generation and **closely interwoven with** people’s **cultural values**” (2013). Scholars in trying to understudy indigenous knowledge tend to descend into a comparison with western knowledge. **Evaluating indigenous knowledge in comparison to western science**, according to Oguamanam, **presupposes** **an, ‘overarching comparator in the form of universal reason** or science, **which is ontologically privileged’** (Oguamanam 2006, 4). **Such comparison places western science** at a vintage point **as** the **superior** form of knowledge, which other forms must seek to measure up to. The need for comparison between Western and indigenous knowledge is not necessary since there is in existence, a baseline of universal reason in every culture, “enforced by shared human economic need and cognitive processes although, activated and expressed in different cultural contexts.” (Oguamanam 2006,15). What exists between Western form of knowledge and traditional knowledge is a marked difference in approach that gives each a distinguishing identity. The distinction must not be equated with superiority and therefore, does not justify the exclusive appropriation of validity to Western knowledge system. These differences are philosophical in nature, arising from the differences in socio-cultural processes and worldviews. Some of these differences are enumerated (Oguamanam 2006, 16).