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#### The gratuitous violence of genocide marks the entry way for Settler being. Their politics is unable to grapple with the affective investments that reproduces the extermination of the Native. The only ethical orientation towards modernity is one that refuses reconciliation with the Settler.

Kouri and Skott-Myhre 15 (Scott Kouri, University of Victoria, Hans Skott Myhre, Brock University, “Catastrophe: a transversal mapping of colonialism and settler subjectivity”, pg 3 – pg 9) CJun

To open the ﬁeld of our own subjectivity as a mode for apprehending catastrophe means to engage the realm of sense, the ineffable, or, in psychoanalytic terms, the unconscious. In the catastrophe of colonial settlement, the unconscious might well be read in both Freudian/Lacanian and Deleuzo–Guattarian registers. We use the term Freudian/Lacanian to indicate a theoretical entangling of Freudian and Lacanian readings of the genetic unconscious as foundationally representative. In the Freudian aspect, the unconscious is a space of forbidden representations of desire, while in the Lacanian it is the space of that which cannot be articulated. In our Freudian/Lacanian reading, we see the unconscious as a space of repression in which the term settler signiﬁes both that which must not be spoken – because it is forbidden knowledge – and that which cannot be spoken – because it is ineffable, both in the sense that it is too great or too extreme to be spoken and because it is taboo. The production of the term settler then holds a very speciﬁc function within the genocidal project of colonization in North America in settling and smoothing the massively disruptive effects of the catastrophe. Hutchison examines the settler unconscious via Žižek’s reading of Lacan and proposes that a psychoanalytic examination of affective investments helps us understand the unconscious bonds that settlers have to nationalist discourse.5 Using Lacan’s concept of jouissance (enjoyment in Žižek) as his primary heuristic tool, Hutchison argues that the settler is constituted by a desire trapped in a dialectic with lack, a perpetually deferred longing for ‘an imaged lost fullness of the nation’ (p. 49). Settler societies are bound by affective investments in an Other that prevents the realization of this fullness and therefore conceals the impossibility of ever attaining it – as it was never there – in the ﬁrst place. Lack therefore comes to manifest itself in a painful or transgressive enjoyment of the series of substitutes which come to stand in for the unattainable fullness and the settler unconscious of illusion only becomes stronger as the fragility of the original myth is challenged. For Hutchison challenging the discourse of settler nationalism is insufﬁcient because a transgressive enjoyment will perpetually fuel the colonial project when the Other can be imagined to be the threat to the nation’s realization of fullness. The colonial Freudian/Lacanian unconscious that produces the settler in this way then produces both a mythical subject free of the disruptive and forbidden activities engaged in during the extensive historical conquest of Indigenous peoples (European, African, Asian, and North American) and a mythical event horizon that obscures and eviscerates memory, producing the settler as innocent and desiring ofdemocracy, fullness, and opportunity. The colonial unconscious read in this way is a site of primary repression of that which it is taboo to know. Such an unconscious produces the settler as an identity-cypher to stand in for a subjectivity overwhelmed with shame and guilt and in desperate need of a sociopathic overlay to defer any debt due on the terms of its survival. We, as settlers, must not know, in any existential or phenomenological sense, the price we have exacted from the land, from the Other, or from our own desire. Regan6 masterfully elaborates the many denials that underlie contemporary Canadian settler consciousness such as the residential school system and our work here is to provide a theoretical framework to analyze such denials. It is the nature of the psychotic delusion of the settler that such knowing must be denied in the fundamental constitution of identity, and any threat to this systematic denial must be met with the highest degree of savagery to sustain our system of paranoiac foreclosure. Under such a foreclosure of knowledge, the settler must believe that history is in the past and that any and all harm, trauma, and associated accountability has no contemporary actuality. The fact that the lands that are currently known as North America have been the home of Indigenous peoples for millennia7 is only of historical interest. It is something to be taught as an event whose time has passed. The reality of an alternative sociocultural ecology of living peoples with signiﬁcant diversity among their different cultures, societies, and language groups ‘bound together by a perspective that supports a holistic interdependent worldview, communal rights and a commitment to sustainable decision making’8 must be glossed over and homogenized into an element of how we as settlers manage multiculturalism or human rights. The history of thousands of years in which Indigenous peoples across Turtle Island9 developed complex and functional systems of politics, economics, education, health, and spirituality10 is to be reductively and selectively denied and subsumed within the discourses that valorize European and American models of democracy and progress. Veracini here uses the psychoanalytic concept of the primal scene to interpret settler disavowal of Indigenous histories and explain the ﬂipped temporalization which follows when settlers see Indigenous peoples as entering settler space subsequent to the onset of colonization.11 Indigenous peoples’ own accounts of their historical origins through creation stories are produced as quaint, antiquated mythological accounts to be measured against anthropological and archeological evidence produced and legitimated by settler science.12 The Freudian/Lacanian settler unconscious erases and reconﬁgures the history of contact to foreground the settler as the origin point for all relations to follow. This maneuver precludes any history of independent ‘intricate systems of political and commercial alliances’13 among ethnically and linguistically diverse Indigenous peoples of Turtle Island. The delusional paranoid constructions derived from the repressive apparatus of the settler unconscious produce the history of ﬁrst contact of Indigenous peoples with Europeans through the telling of John Cabot’s meeting with the Beothuk or the voyages of Christopher Columbus. To derive this construction, the history of Indigenous and non-Indigenous peoples’ interactions across four periods spanning a thousand years14 must be foreclosed and rewritten to create a narrative in which the colonial project of settlement not only is foregrounded but also becomes the only story of consequence. Veracini calls this disavowal of Indigenous presence and history a ‘non-encounter’ that structures settler colonialism. As a structure, he adds, settler colonialism erases the distinction between colony and metropole, and works toward self-fulﬁllment as a settled state.15 In this telling, conquest and settlement are inevitable and the resulting set of relations the only possible outcome. The construction of any history of relationship, however, has signiﬁcant implications, not just in terms of the accurate reporting of events, but also in the very production of who we settlers imagine ourselves and the Other to be. If we misapprehend and misconstrue, through repression and denial, key constitutive events that compose us affectively through our interactions with others, then the ways in we become subjectiﬁed are signiﬁcantly impoverished. In this sense, the process of reiterating abstract accounts of colonial history as the development of imperial European institutions and policies in a new land sanitizes the actual corporeal encounters between bodies. The production of the subject as settler also inadvertently opens the realm of abstract colonialism by suggesting that settler colonialism ‘is different from other forms of colonialism in that settlers come with the intention of making a new home on the land, a homemaking that insists on settler sovereignty over all things in their new domain’.16 Here we have a subtle move away from sovereignty as the province of the imperial state and the introduction of an individuated subject whose modes of dominance, coercion, and appropriation are founded, not on the state, whose interests are of course intertwined, but on the home and family. This home and family could be interpreted as the home and family of the Freudian/Lacanian Oedipal/phallic unconscious. Family and home in the vernacular of psychoanalysis are founded in primary trauma, and the system of rule deployed in relation to such trauma is founded in the phallic assertion of the father and the primary space of lack as desire that is the mother. To produce the home requires an erasure and sublimation of desire and the dialectic productive capacities of lack. To sustain the family and the home, the rule of the father must eradicate and clear all preceding forms of sovereignty and any alternative modes of production. Settler colonialism, read as such a system of patriarchal rule, is principally about remapping the land and deploying imperial institutions and policies that forcibly erase Indigenous presence, traditions, and life from such maps and from the land itself. Canada and the USA, as settler colonial states, were predicated on the discourse of terra nullius, empty land. Lawson describes how in almost unending repetition, colonial space is ﬁgured as absence, lack, or emptiness.17 This absence or lack, in Freudian/Lacanian terms, constitutes the land as the feminine and is at the heart of the dialectics of desire that utilizes the anxiety of absence to generate the imaginary and the symbolic. The dialectics of desire is premised on the lack of phenomenological being or, in another term, the ineffability of coherent subjectivity. Producing a new subject within a new world required symbolically castrating the old world order. The ambivalence of the symbolic patricide of the old order leaves a residue of shame only partially resolved by a symbolic return to the new world as an empty space or pure possibility. If there is no terra nullius, then there is no escape into a utopic future through the murder of the father. However, the father, as European Empire, is not yet dead and demands a rebirth through the symbolic (and literal) rape of the realm of the feminine that is the new world. This complex set of force relations intersects with the existing sets of Indigenous relations in entanglements of old and new, but the dialectic construction of the settler subjectivity is always to be found in the reading of the Indigenous and all colonial others as lack that will provide and provision the empty canvas of the settlement. As Veracini points out ‘only a sustained disavowal of any founding violence can allow a seamless process of territorialisation’.18 It is in these terms that we can come to understand how the British and French colonists acknowledged First Nations land occupation when it served their purposes, such as in trade and strategies of war. This dialectical simultaneous appropriation and evisceration of native sovereignty was designed to open a clear ﬁeld for the establishment of the homeland for the settler to settle. Alfred explains that during conﬂicts between the French and British in North America, these powers needed the alliances of Indigenous nations to defeat one another and therefore recognized the original sovereignty of Indigenous nations.19 Britain, once it defeated France in the Seven Years War and asserted control over North America, both recognized Indigenous presence through the Royal Proclamation of 1763 and simultaneously initiated a systematic process of removing Indigenous peoples, language, and culture from the land to proﬁt settler institutions and individuals. The Royal Proclamation established British rule of French-claimed territory in North America and determined that the emerging government would have responsibilities to Indigenous peoples, particularly in land and other treaty negotiation. By the late nineteenth century, however, ‘Canada decided to abandon its responsibility to settle Treaties’20 and focused instead on a program of assimilation, community dislocation, and genocide. Wesley-Esquimaux and Smolewshi explain that, following the pandemics and wars, ‘there would have been no one to stem the tide of colonialism because so few would have been left standing and those who survived did not have the strength of mind or body’.21 Already weakened Indigenous communities could not protect themselves from assimilationist policies set out in the Indian Act and enacted through such bodies as the residential school system. Canadian settler colonization, including land theft, cultural extermination, the forcible removal of children, and the deliberate spread of disease and pandemics, was responsible for the deaths of up to 90% of the Indigenous population and rendered Indigenous peoples ‘physically, spiritually, emotionally and psychically traumatized by deep and unresolved grief’.22 Clearly what we are describing here is a catastrophe, and the catastrophe continues today. As Alfred and Corntassel explain, contemporary settlers follow the mandate provided for them by their imperial forefathers’ colonial legacy, not by attempting to eradicate the physical signs of Indigenous Peoples as human bodies, but by trying to eradicate their existence as peoples through the erasure of the histories and geographies that provide the foundation for Indigenous cultural identities and sense of self. In the reading of catastrophe we provided at the beginning of this writing, we identiﬁed two ways to manage the affective dislocations of such rupture. Here we see the ﬁrst in full extension: the appeal to a transcendent outside that delivers us from the contested and contradictory set of relations that compose the catastrophe as immanent event and hence divert our attention from the actuality of rupture. To produce the Other as pure abstraction is to reify the Other as lack and deny any material and corporeal actuality to their existence. This erasure of the Other as anything other than a sociopolitical abstraction to be differentially dealt with through juridical, ideological, and biopolitical regimes of control and discipline is an appeal to the transcendent as absolute. Such a move, however, is not without consequence to the settler as subjectivity in relation to the Other. It was Freud24 who pointed out that denial of trauma through repression can only be sustained through ongoing violence to the integrity of self-production. Put simply, that which is repressed will surface in ways that warp and distort the autopoietic capacities of the body. Since trauma always engages the Other repression is always a collective act centered and focused through the unique and idiosyncratic capacities of the singular body. The logic of settlement as an act of traumatic erasure that must be repressed through an appeal to the transcendent so as to elide the corporeal affective horror of genocide cannot avoid the inevitable radical alienation of the settlers from the actuality of their own lived experience. In this way the settler is doomed to live within a simulacrum of family, home, and culture. Through the process of settlement, each of these social institutions becomes a symptom of deep malaise complete with neurosis and constant slippage into paranoia and delusional thought. Ironically, the ostensible logic of the settlement project to create home and family undermines any possibility of actual afﬁliations of either home or family. Indeed, as Marx and Engels25 and Hardt and Negri26 point out, the family and home become deep sites of social corruption that undermine possibilities of love and afﬁliation. It is not surprising that the colonial project ﬁnds its deepest and most extensive sovereign logic through the development of capitalism within settler nations such as the USA. It is, after all, through capitalism that absolute transcendent simulacra can become the social and cultural logic of our age. Following Michael Hardt,27 we might note that capitalism as a cultural logic that eviscerates civil society for the North American settler extends the very logic of settlement that made every attempt to eviscerate Indigenous modes of living. Thus the catastrophe cascades out and leaves none of us unsullied or invulnerable, as Deleuze and Guattari suggest in relation to another genocide (or possibly a reasonable extension of the one we are mapping): It is not only our States but each of us, every democrat, who ﬁnds him or herself not responsible for Nazism butsullied by it. There is indeed catastrophe, but it consists in the society of brothers or friends having undergone such an ordeal that brothers and friends can no longer look at each other, or each at himself, without a ‘weariness,’ perhaps a ‘mistrust’.28

#### Unions reify the superiority of the racial settler state and legitimize ongoing genocide that defines its structure—mere economic struggle is not enough. Fletcher 20

Bill Fletcher Jr., has been active in workplace and community struggles as well as electoral campaigns. He has worked for several labor unions in addition to serving as a senior staffperson in the national AFL-CIO. Fletcher is the former president of TransAfrica Forum; a Senior Scholar with the Institute for Policy Studies; and in the leadership of several other projects. Fletcher is a syndicated columnist and a regular media commentator on television, radio and the Web.7-1-2020, "Race Is About More Than Discrimination: Racial Capitalism, the Settler State, and the Challenges Facing Organized Labor in the United States," Monthly Review, https://monthlyreview.org/2020/07/01/race-is-about-more-than-discrimination/, 11-17-2021//Aanya

The inclusionist/exclusionist framework is true in all capitalist states. “Race” was an additional element in the competition equation. To quote the famous statement by Karl Marx: “Labour in a white skin can’t emancipate itself where it is branded in a black skin.” The attempt by a segment of organized labor to “emancipate” itself in the absence of unity with other segments of the working class would inevitably fail. Marx’s statement, in that sense, is a truism under all conditions of racist and national oppression. Where a working class is divided along racial or nationality lines, attempts by one segment to go solo inevitably serve the interests of capital, are encouraged by capital, and limit the possibilities for working-class power. Yet the situation in the United States was not one of a “simple” racial divide. The settler state was founded on an ideology of ownership. The state—the United States—was the state of the white settlers. In the minds of the settlers, it was not just a matter of Africans being the “black race” but that they, along with Native Americans, Mexicans, and Asians, existed in contradiction to the white republic, meaning the settler state. While it was true that, in migrating to the United States, various European nationalities faced intense hostility, within a generation they were absorbed into the racial settler state to the extent to which they adopted and practiced “whiteness.”9 Organized labor—based on white-exclusive and later white-dominated, though not necessarily exclusive, trade unions—formed itself as part of the settler state, not in the sense of being an apparatus of the state (except in the sense that Louis Althusser discussed ideological state apparatuses), but in the sense of accepting certain important precepts. The unions took for granted the nature of the settler state and, as such, conceived that the unions were to exist to serve the “legitimate” population, or at least the working class of the legitimate population. As the trade union movement emerged both prior to and following the Civil War, the acceptance of the racial settler state was part of its DNA. It was not just a matter of racial prejudice but the identification of populations who were not acceptable for the union movement. It was also represented by the silence of the movement on the objectives of the settler state itself. There are multiple examples of this challenge. The influx of Chinese labor was met with a very different response than was the influx of Irish and later Italian labor. Despite the hostility that Irish and Italians both encountered on arrival, organized labor was, to a great extent, willing and able to configure itself in such a way ultimately to legitimize these immigrant workers and their descendants. This took very distinct forms. Unions came to be dominated by specific European ethnic groups; local unions of the same parent union might have different ethnic domination as well. Nothing along those lines took place within the mainland United States when it came to Asians within the context of what was understood to be the “official” labor movement. Instead, most of white labor organized actively against Asians generally and Chinese migrants in particular. Beginning almost immediately after the Civil War, so-called nonwhites either together or separately battled to organize labor organizations, including but not limited to unions. In many cases, such as when African-American workers sought to join the Knights of Labor, they fought to be included in white-majority unions. In other cases, they chose to establish fully independent unions with the possibility of merging with white-majority unions, such as the Japanese Mexican Labor Association in the early twentieth century. The “official” labor movement, that is, the white-majority or white-exclusive formations, in effect pledged its loyalty to the racial settler state. In time this was treated as patriotism. The official labor movement ignored—at best—the wars against Native Americans and the securing of land for settlers. In some respects, the land question was viewed more from the context of the illusions it presented to the settler-worker rather than from the standpoint of the implication of the genocidal war against the First Nations. Whether in openly white supremacist terms or by omission, the “official” movement situated itself as a movement of white working people in struggle against the white employer class, but joined together by the framework of the white republic against all others. There are many similarities that one can see in other settler states. In South Africa, for instance, there was the notorious strike in the 1920s where the slogan was “Workers of the world unite and fight for a white South Africa!” The trade union movement that evolved in South Africa, until the successful advent of what came to be known as the independent Black trade union movement in the 1980s, was either exclusively white or had provisions for a very subordinate role for African, Asian, and so-called colored workers. The South African white trade union movement positioned itself within the colonial and later apartheid framework. A similar, though not identical, role was played by the Histadrut (General Organization of Workers) in, first, the British Mandate of Palestine and, later, in the post-1948 state of Israel. The framework of the racial settler state helps one understand that the militant economic struggle alone is insufficient to bring about any significant and long-term unity

#### Maintaining economic prosperity comes at the expense of Native disposition. The neoliberal economic order necessitates the elimination of the Native in order to maintain the settler economy—turns the aff.

Lamb 15 (Christopher Lamb, Queen’s University, “(NEO)LIBERAL SCRIPTS: SETTLER COLONIALISM AND THE BRITISH COLUMBIA SCHOOL CURRICULUM”, <https://qspace.library.queensu.ca/bitstream/handle/1974/13792/Lamb_Christopher_A_201510_MA.pdf;jsessionid=2ACD36381C9A052D3E4889F34992E22A?sequence=1>, 2015) CJun

In contemporary settler societies, the issues of competing Indigenous and settler sovereignties are most prominently articulated in economic terms. The pursuit of unchecked and unsustainable capital accumulation in settler societies continues to be bound up in ongoing assaults on the sovereignty of Indigenous peoples through exploitation of natural resources, real estate speculation, and resulting ecological devastation, all requiring the dispossession of Indigenous peoples from their lands (Vimalassery, 2013). The formation of capitalism in settler-colonial states is built on primitive accumulation through the elimination of Indigenous economies, which typically are concerned with sustainability and viability for future generations (Alfred, 2005; Brayboy, 2006; Coulthard, 2007; Saranillio, 2013). Capital and market economies require land and labour to generate financial value. The colonization and settlement of North America, through the appropriation of Indigenous land, supported the development and exponential increase in wealth of the capitalist economies of Imperial nations and emerging colonial powers, fuelling the emerging global economy. The dispossession and repossession of Indigenous lands by settlers was and is informed by a way of thinking that abstracts the particularities of Indigenous places, transforming them from places with the history and presence of Indigenous peoples’ relationships in and with these places into ‘empty sites’ of potential settlement and development by settlers. Characterizing Indigenous lands as “wastelands of non-achievement” settler-colonial powers benefited from “generations of Indigenous work and relationship with a particular place” by conscripting Indigenous land into settler economies (Vimalassery, 2013, p. 300). Economic development in the initial moments of colonization in Canada was characterized by the establishment of monopoly charters by European sovereigns for corporations like the Hudson’s Bay Company. These charters were necessary to secure profit for corporations in colonization, and led to a colonial economy that guaranteed more or less equal rights of economic activity and development for colonial corporations while leaving Indigenous sovereignty out of the equation (Vimalassery, 2013). Colonial violence against Indigenous peoples, and the practices of elimination throughout the history of settler colonialism, continues to find expression in rhetoric that denies Indigenous sovereignty in Canada, and rejects the possibility that Indigenous people might be owed ‘rent’ for the use of their land for generations. At their most generous, settler governments encourage Indigenous peoples to enter the ‘modern’ world, privatize and commoditize their land and relations and join the settler society, economy, and interest. Dispossession of Indigenous lands continues in the abstraction of Indigenous places into sites where resources are to be exploited or developed in the interests of settler society and the national and global economies. Settler economy is capitalist economy, in which ‘improvement’ of Indigenous land in accordance with capital refers to the rapid extraction of the mineral, plant, and animal abundance to produce market commodities, “resulting in the production of actual waste lands, in both exchange and use terms” (Vimalassery, 2013, p. 303). David Harvey’s identification of the core of capitalism as “accumulation by dispossession” is reinforced and specified in settlercolonial contexts. Just as accumulation by dispossession “is to be construed […] as a necessary condition for capitalism’s survival,” capitalism in settler-colonial contexts retains a colonial dimension (Harvey quoted in Brown, 2014, p. 5). Processes of settler-colonial territorialization at the behest of capital are evident in particular contemporary practices of land use and resource development, highlighted in land claims and disputes like the Oka Crisis, the James Bay Project, natural gas developments in BC, and the Northern Gateway proposal. Enbridge’s Northern Gateway proposal, for example, has met with widespread, though not uniform, Indigenous resistance, leading to the establishment by the Canadian state of a Royal Canadian Mounted Police led anti-terrorism task force in 2012 (Preston, 2013). Called the ‘K Division,’ this unit was established to protect oil sands developments in Canada, including hundreds of thousands of kilometers of pipeline, oil and gas well, oil sands mines and in-situ extraction facilities across Alberta and British Columbia, from the actions of environmentalist and First Nations activism and resistance (Preston, 2013). The ‘K Division’ is a particularly cogent example of a settler-colonial strategy to safeguard settler-colonial territorialization in the interest of capital. The employment of a binary of savagery/civilization was central in the application of terra nullius as it allowed settlers to imagine Indigenous lands as empty because only so-called civilized people could own land or claim sovereignty. This tradition of thinking, drawing on European notions of subjectivity and place, fetishizes ownership, domination, and mastery, while at the same time limiting ownership in a racialized and gendered manner (Seawright, 2013). Where Indigenous land is still under the control of Indigenous people, settler-colonial states try to transform it. In the United States native title was divided into alienable freeholds (Wolfe, 2006). In Canada, provisions for the introduction and assertion of private property rights on reserves were first introduced in the Enfranchisement and Assimilation Acts, passed between 1857 and 1869, and subsequently in the recommendations for the transition of reserve land into fee simple ownership in the 1969 Liberal Government’s White Paper, and the recent First Nations Property Ownership Act (Pasternak, 2015). Indigenous sovereignty over land is circumscribed by settler states’ territorialisation: privatization of the land is realized through practices of documentation, survey, and sale, while the articulation of some land as public or protected, for example in national, state, or provincial parks also asserts settler control (Rifkin, 2013; Brown, 2014). This process is ongoing in Canada, and very much evident in BC within contemporary treaty negotiations and resource development projects. Initial settler colonialism in Canada was predicated on the twin prime directives of ‘progress’ and ‘civilization,’ which may have dissipated, arguably, only to be replaced by that of ‘capital’. As long as this remains the objective and assumed neutral discursive centre in settler-colonial discourse, its enactment in space precludes alternative spatial formations. The elimination of the Indigenous to make way for the settler is echoed in the idea of the unbounded subjectivity of neoliberal governmentality that rearticulates the self as a terra nullius, an unoccupied and ahistorical space to be transformed and shaped as one sees fit. Neoliberal technologies and their asserted goals of market rationality and profitability replicate the initial logics of colonialism which deemed Indigenous lands as giant “wasteland[s] of non-achievement” (Ngugi Wa Thiong‘o, 1986, p. 3). Settler state expansion and competition in global markets depend on increasing extraction of natural resources and privatization of and speculation on land, demands that continue Indigenous dispossession. Neoliberal interventions into Indigenous politics, exemplified in Flanagan’s “Beyond the Indian Act,” are predicated on the creation of the ideal Indigenous Canadian citizen: “self-sufficient, enterprising, and never demand[ing] special rights based on history/geography/culture” (Pasternak, 2015, p. 183). These interventions deny Indigenous relationships with land, set up the Canadian settler state as the proper sovereign authority to distribute property rights, presume unquestioned and unexamined acquiescence to the idea of private property, and construe collective Indigenous rights in the language of capitalism as opposed to any other geopolitical or economic system (e.g. communism) (Pasternak, 2015, p. 184). “Indians were the original communist menace,” (Wolfe, 2006, p. 397) and Indigenous presence continues to be seen as a threat to settlercolonial capitalism. Indigenous peoples’ attitudes to neoliberal strategies and governmentalities in Canada vary. Some Indigenous peoples have responded to the neoliberal policies and strategies of settler-colonial states by articulating forms of Indigeneity based on engagements with market forces. This is clear where Indigenous self-government is framed in terms of producing wealth and contributing to the settler-colonial national economy. Some First Nations in BC, like the Osoyoos and West Bank, welcome neoliberal legislation as their location in peri-urban and desirable real estate markets position them to benefit from commercial investment (Pasternak, 2013). Similarly, the Choctaw pursued tribal sovereignty in their land by turning their water resources into a commodity and marketing them in a three-way deal with the neighbouring Chickasaw Tribe and the Oklahoma State government for leasing water rights (Lambert, 2007). A major selling point for the non-Indigenous residents of Oklahoma State was securing fifty percent of the derived revenues for the Oklahoma State government. The Inuit in Nunavut and Labrador have articulated a notion of Indigeneity that engages with the Canadian state in mineral resource development projects. This articulation of Inuit sovereignty is based on securing land rights in terms of Inuit self-sufficiency and autonomy in relation to the Canadian government (Altamirano-Jiminez, 2013). The Nisga’a in British Columbia have privatized their traditional lands and have engaged with neoliberal markets through resource development, largely softwood lumber, fisheries, and environmental services, and many Nisga’a see the trend of privatization as empowering, allowing them to satisfy individual needs and aspirations (Altamirano-Jiminez, 2013). Engagement with market forces and the articulation of neoliberalized Indigeneity has resulted in improvements in wellbeing for some Indigenous people. Yet, the settler colonialism that structures dispossession, assimilation, and elimination remain in place. Initial dispossession of Indigenous land is followed by another kind of settlercolonial and liberal territorialization: the neoliberalization of nature. Capitalism, particularly in its current neoliberal form, is enacted “against Indigenous values of relationality:” exchange value relies on a “relationship of power over life” (Vimallassery 2013, p. 298). Neoliberal governmentality narrows the scope of nature to relationships between the human and non-human world, where the environment becomes commodity. In contemporary settler societies, the ‘marketplace’, influenced by neoliberalism, has become the site “where nature and Indigenous peoples, communities, knowledges, and identities are contested as …simple commodities of culture and legacies of the past” (Smith, L. 2007, p. 350). Indigenous people, nature, and natural resources are converted to economic potential. Commodity and market oriented articulations of ‘nature’ and Indigeneity are exemplary of the neoliberal attitude that anything of worth must be marketable. This straitjackets everyone, Indigenous or otherwise, as sense of place is formed by practices, and responsibilities and by identifiable natural and cultural landscapes, in specific places. Indigenous peoples experience multi-scalar dispossession of their lands, and their bodies/selves, as they are constricted/constructed through discourses of rights, sovereignties, and nationalisms that alienate them from their relations and responsibilities to particular places. Indigenous strategies that have sought sovereignty through mainstream economic development have often sacrificed or compromised with ancestral obligations to the land and to others, relationships that are at the heart of Indigeneity (Alfred, 2005; Coulthard, 2007). Furthermore, interpretations of Indigenous land rights and title prevalent in the Canadian courts’ rulings and also in independent Indigenous understandings of tenure are not compatible with privatization (Pasternak, 2015). The construction of the environment as resource is the product of Western understandings of human and nonhuman relations. This is significant because in settler states resources are managed according to power and knowledge relations that restrict whose knowledge about nature counts as ‘truth,’ and thus who has the right to manage nature (Altamirano-Jiminez, 2013). Neoliberal spatial and economic reorganization of Indigenous place is also dependent on the commodification of ‘pristine’ nature for a global market.

#### Incorporation into Western law performs a violent politics of recognition that guarantees settler sovereignty. Reforms are weaponized to either divorce Natives from their identity or eliminate them entirely.

Morgensen 11 (Scott Lauria Morgensen, Queen’s University, “The Biopolitics of Settler Colonialism: Right Here, Right Now”, <https://www.tandfonline.com/doi/pdf/10.1080/2201473X.2011.10648801>, 2011) CJun

To date, critics who adapt Agamben to explain colonial biopower have tended to associate the state of exception with the ejection of racialised primitivity from the West. Thus, a most recurrent definition of the exception in such work is the externalisation of racialised and colonised statuses from the body of Europe, whiteness, or their national or global appearance as Western law. Centreing settler colonialism troubles such accounts. If critics ever feel assured that the colonial exception functions through externalisation, this may be an assumption that attends on theory having already normed ‘colonialism’ so as to elide settler colonialism and its ongoing naturalisation. European settler societies enact Western law – indeed, in ways often validated as exemplary of that law – by occupying and incorporating Indigenous peoples within white settler nations. The indigenisation of white settlers and settler nations thus shifts our reading of their capacity to represent the West. Rather than presuming that the West is defined by enforcing boundaries to preserve purity, we must consider that the state of exception arises in settler societies as a function of settlers’ inherent interdependence with indigeneity. Accounts of the intimate relationality of Indigenous peoples and settlers in settler societies are enhanced by theorising biopower. I highlight a quality in Agamben’s account of homo sacer in Roman law that, I argue, illuminates how Indigenous peoples and settlers have negotiated their conjuncture by plying ties of kinship and its elimination. Agamben cites a story of patriarchal consanguinity as a governmental origin of the state of exception. In Roman law, the potential extension of bare life to any male citizen appears to have derived from a prior correlation of sovereignty to the rule of the patriarch. According to Agamben, the death of homo sacer – not murdered, but negated; ‘necisque’ as opposed to ‘vitae’ – appears in Roman law through the image of the son who, defying the father’s rule, becomes life that must be abandoned, to death.23 Here, the patriarch embodies a sovereign power that may be enacted at any time he deems necessary, and one that exists beyond the power of the law of citizens to abrogate. Agamben suggests that the extension into law of a paternal power to put the defiant son to death binds a society of law to a thesis of patriarchal consanguinity. Following this model, Roman law distinguished the citizens it protected from those it evicted along their degree of respect for or flouting of filial duty to paternal authority. Here, the state of exception potentially accrues to all citizens to the extent that any might forfeit consanguinal protection by a paternal state. I am intrigued by the travels of this formulation of the state of exception at the inception of Western law. In light of Agamben’s account, even if the terms of subjection to Western law shift across places or times, they do so in relation to a law that first posits subjects as a consanguinal People before any are excised. What happens to this quality under European settler colonialism, once Western law endeavours to be established intimately with Indigenous peoples? A question first arises of whether Western law recognises Indigenous people as human. But if it were to do so, it would confront the degree to which Indigenous people become recognisable within the People of the settler nation, which in turn would condition their particular exposure to the state of exception. The settler colonisation of Indigenous Americans demonstrates that questioning their degree of humanity and their genealogical relationship to European patriarchal authority defined their subjection to Western law and its exception. Dale Turner examines these questions by reference to the Valladolid debate of 1550-51, in which Bartolomé de las Casas and Juan Gines de Sepulveda deliberated the deadly treatment of Indigenous Americans under Spanish rule by considering the theological and legal significance of their humanity.25 The Valladolid debate was contextualised by a Papal bull of 1537 having already decreed an end to formal enslavement of Indigenous Americans by deeming them unequivocally human and capable of salvation. Las Casas argued that Papal recognition of Indigenous peoples’ humanity meant that they should be brought to Christian belief and law without force or coercion. In contrast, Sepulveda argued that even if recognizably human, Indigenous peoples remained in Aristotelian terms ‘barbarians’ who were naturally inclined to enslavement, and furthermore that the Spanish remained bound to punish them for crimes against God’s law. Sepulveda thus portrayed Indigenous people as human only to the extent that their abjection followed having defied divine authority, which demanded their treatment as bare life subject to genocide. Las Casas, by contrast, sought to protect Indigenous people as subjects acceptable to God’s law, but only to the extent that they conformed to the Church and sovereign as paternal educators, whom they must not resist lest in violating the terms of their protection they be returned to the ever-present possibility of death. Interestingly, the position Sepulveda defended played out in Spanish and Portuguese colonies precisely not through modes of separation but of amalgamation. The classification of Indigenous peoples as barbarians facilitated the forced intermarriage and rape of Indigenous women by European men, whose children incompletely inherited a patriarchal lineage even as their suspect primitivity located them proximate to the state of exception.26 In turn, despite the semblance that Las Casas sought to protect Indigenous people from violence, his position justified subjecting Indigenous and growing mestizo constituencies to a racialised colonial economy, wherein promises of salvation and civilisation framed people of Indigenous heritage as children whose potentially wayward inclinations still placed them near the state of exception. While specific to the early Latin American settler colonies, these contrastive positions recur across white settler societies that attempt to eliminate Indigenous nations by amalgamating Indigenous people as potentially protected children whose racialisation leaves their consanguinity open to excision. Adjudicating life for Indigenous people defines settler law’s extension of elimination into governmental procedures of ‘recognition’ – even, of ‘nationality’ or ‘sovereignty’. For instance, the Dominion of Canada established its relationship to Indigenous peoples under law in the 1876 Indian Act, which in ever-revised form still structures Canada today. The Act pursued elimination through the settler colonial governmentality of ‘identity regulation’, to use Bonita Lawrence’s term.27 While this procedure may appear to preserve life, in its definition of over six hundred ‘First Nations’ whose members received ‘Indian status’ by state decree, the Act also separated myriad communities of common nationality, radically reduced land bases (if any remained), and enabled the state to determine the fact or erasure of their existence. Duncan Campbell Scott, deputy director of the Department of Indian Affairs, argued in 1920 that his effort to place Indigenous people in a ‘state of tutelage’ sought its own end, in a time when ‘there is not a single Indian in Canada that has not been absorbed into the body politic, and there is no Indian question’. The settler colonial governmentality that here wrests identity from Indigenous peoples also imposed a patriarchal authority within the law to assimilate them into the settler nation. Aboriginal women activists in Canada exposed this by challenging the Indian Act’s restriction of status inheritance to patrilines. Women who inherited status from their fathers found that it was rescinded for them and their children if they married a person without status. This broadly-applied rule first facilitated marriages of white men with Indigenous women, which absorbed their children through the patriline into the settler nation and its citizenship. Aboriginal women activists specifically targeted the Act’s contradictory enabling of Indigenous men with status to confer it to non-Indigenous spouses and their children. Keeping in mind that status and band structure were defined by the Act, we see here that empowering Indigenous patrilineality replicated patriarchal consanguinity as law for settler and Indigenous nations, while departures from paternal law remained cause for eviction. As Aboriginal women’s movement activists argued, evicting Indigenous women harmed them while simultaneously reinforcing the colonial authority that Indigenous men gained from the settler state. While after long protest the passage of Canadian Bill C-31 reinstated status for recent generations of Indigenous women, Lawrence argues that the Act already had achieved ‘statistical genocide’: with over 25,000 women between 1876 and 1985 having had status rescinded, estimates range that from one to two million descendants of these women are incapable of asserting legally-recognised Indigenous identity in Canada, and remain removed from relationship with or even awareness of their peoples or lands. Yet alongside this elimination, a governmental effect also arises here, as constituencies that remain Indigenous-identified are narrowly delimited by the patriarchal authority of the state, which by continuing to assimilate indigeneity sustains a practice that, as Scott stated, linked recognition to its erasure. Indigenous theorists in Canada argue that the subjection of bands to definition by the sovereign power of the settler state characterises the entire project of ‘recognition’. Taiaiake Alfred targets ‘sovereignty’ itself as a logic that presumes and produces apparatuses of colonial rule while precluding distinctive modes of Indigenous governance. So long as Indigenous politics is constrained in this way, he argues, ‘the state has nothing to fear from Native leaders, for even if they succeed in achieving the goal of selfgovernment, the basic power structure remains intact’. Addressing a moment in Canadian politics described for Australia by Elizabeth Povinelli as ‘liberal settler multiculturalism’, Glen Coulthard specifies that the ‘politics of recognition’ precisely sustains ‘the colonial relationship between Indigenous peoples and the Canadian state’. ‘Recognition’ reproduces within land claims, capital disbursements, and political authority ‘the very configurations of colonial power that Indigenous people’s demands for recognition have historically sought to transcend’. Citing Frantz Fanon, Coulthard insists that the reproduction of a colonial structure of dominance like Canada’s rests on its ability to entice Indigenous peoples to come to identify, either implicitly or explicitly, with the profoundly asymmetrical and non-reciprocal forms of recognition either imposed on or granted to them by the colonial-state and society. Alfred and Coulthard compellingly argue for the renewal of modes ofIndigenous governance that redefine collectivity in excess of settler colonial governmentality. I wish to emphasise in their accounts their specification of Indigenous nations through ‘recognition’ in a childlike subjection to the authority of the state. For Indigenous peoples in settler societies – notably, those who resist elimination by asserting national difference and distinctive modes of governance – the threat of the exception is ever-present. Coulthard and Alfred highlight the bind Indigenous people face if seeking state recognition of their survival elicits the power of settler sovereignty to eliminate Indigenous difference as a threat by granting, rescinding and managing ‘recognition’. Amalgamation as a tool of elimination echoes back to Valladolid as a theme of the settler colonisation of Indigenous peoples. Yet following Agamben, entering into a recognisable status under the law also opens to elimination and replacement by settler rule. I cited a thesis of consanguinity in Agamben’s account of Roman law not merely, or even literally to invoke mestizaje/metissage as a phenomenon of settler societies or of the place of Indigenous peoples or their descendants within them. Nor do I suggest that indigenising white settler nations eclipses their concurrent definition by hypodescent, which in opposing whiteness to blackness attempts to erase the sexual violence of slavery and deny consanguinity across the colour line, all of which – as Gilroy and Sylvia Wynter argue – contributes to making the African diaspora definitive of Western modernity.32 By citing Wolfe, I indicated that the settler colonisation of Indigenous Americans, the transatlantic slave trade, and all colonised indentured labour invoke a global history of colonial modernity in which Indigenous and African diasporic peoples appear relationally. My argument has been that when slavery and its legacies exclude blackness from whiteness, this also intersects a prior and simultaneous indigenising of settler whiteness. We saw glimmers of these positionings in a relational contrast in the Valladolid debate. Without conflating either claim across distinct contexts, Sepulveda’s position appears to echo when Fanon, Mbembe or theorists of colonial biopolitics link the state of exception to subjects who exist not just beyond the law but beyond humanity, within what Mbembe calls ‘animal life’. 33 Such a reading appears to explain the irremediability of blackness in Western modernity and settler nations. It also appears in postcolonial critiques that presume that this mode of racialisation defines the colonial exception. My argument is that such readings are conditional on another that they occlude, and that in turn is conditioned by them. In the sixteenth centuries, as colonisation took shape in the settler societies of the Americas, a relational position purposefully formed. Countering the overtly genocidal violence of Sepulveda’s contravention of Indigenous humanity, Las Casas argued, for his time, a more compassionate, inclusive, and – I will return to this – liberal mode of settler colonial governance. Las Casas affirmed Indigenous humanity under God’s universal law and the necessity of its defence within a settler society. Yet his claim functioned precisely as a logic of elimination, in that recognising people of Indigenous heritage as subject racialised populations barred them from any difference that could trouble settler rule. As the incompletely consanguine children of Western law, they remained ever on the verge of eviction from it if they troubled the terms of their protection: amalgamation. Their proximity to exception arose under settler rule precisely by considering the degree to which Indigenous peoples may be included in the body of the West and its law. Far from being arbitrary, this concern was requisite to a settler society defining its relation to racialised differences on the lands it remade. A capacity in Western law to simultaneously incorporate and eliminate, recognise and except racialised and primitive difference was learned in settler projects of Indigenous elimination that established Western law on lands beyond ‘the West’. To the extent that they succeeded, settler colonialism made Western law spatially nonspecific and demonstrably universal, long prior to late modern mechanisms of global governance, and as their genealogical condition. Today, the ongoing naturalisation of settler colonialism positions settler states as exemplary of liberal governance universalised within and as Western law. A noted example transpired at the 2009 G20 Summit, when Prime Minister Stephen Harper found it useful to portray a gentle face for Canadian leadership by pointedly asserting that Canada ‘has no history of colonialism’. The significance of his comment was its clarity – notable for a leader quite familiar with critiques of Canada bearing a colonial relationship to Indigenous peoples. Harper obliquely invoked here the baggage of states such as the United Kingdom, France and Japan that negotiate tense relations with former conquests when governing global economics. On a global stage, Harper’s Canada separates from colonial legacies in Africa and Asia to assert a moral neutrality that is conveniently consistent with the universality of international law. The confidence in Harper’s statement would be implausible if his audiences – broader than we may care to think – truly believed that Canada practices colonisation. From theses of terra nullius, to justifications that ‘guns, germs, and steel’ made Indigenous replacement inevitable, to a sense that settler states ‘decolonised’ after rule devolved to white citizens: settlers readily present as other than colonists.35 Yet while Harper might believe that as a Canadian he inherits something other than conquest, I suggest that his exoneration hinges less on such belief, and more on a general appearance that ‘Canada’ exemplifies the universalisation of liberal modernity on the global stage. Interestingly, Harper’s statement appeared barely a year after his government responded to years of Indigenous activism by issuing a state apology for the Residential School system. As a primary agent in the genocidal histories Lawrence recounts, Residential Schools forcibly relocated Indigenous children to sites where they were killed by disease or neglect, or survived to be assimilated into settler society via enforced separation from and erasure of familial and community ties. As an educative mode of disciplinary power, Residential Schools situated internees and all Indigenous peoples as children: wards of a state whose paternalism appears not only in past abuse but in the present apology, which suggests that the state will better manage the Indigenous people over whom it retains a power to protect or destroy. The apology’s consistency with Harper’s disavowal of colonial history naturalises settler colonialism both ‘at home’ and ‘abroad’. We see here that the ongoing coloniality of settler states conditions their practice of liberal governance as not only Western, or even originally Western, but as universal through its instantiation by settler colonialism. I have argued that settler law presents an apotheosis of Western law by utilising its consanguinal logic to amalgamate and eliminate Indigenous peoples and thereby enable settler states to performatively universalise the West. To the extent that they succeed, then global governance precisely continues, naturalises, and globalises settler colonialism in and as our ‘colonial present’. The Western law universalised by settler states formed precisely by incorporating and excising Indigenous peoples as potentially yet incompletely consanguine with the social body. If settler law as Western law is projected as liberal governance, it follows a principle that it may arrive and settle anywhere, as itself. Such law then encompasses the provisional humanity of all whom it occupies as racialised and primitive children, whose capacity for defiance nevertheless invests the West with a paternal authority to act as caretaker or killer of ‘kin’ under its care. My argument modifies our interest to read Afghanistan or Iraq as sites of settler colonialism, once the United States gathers its allies for occupation. Settler colonialism occurs at these sites not, or not only because the U.S. or other states occupy Afghani and Iraqi peoples. It occurs more importantly because occupation performatively universalises Western governance through the nominal inclusion of Afghanis and Iraqis within its body of law, only to face elimination of their racialised primitivity: if not by being summarily placed ‘outside’ the law, then by being educated and contained through amalgamation as a potentially ever-endangering difference. Western law attains universality by containing and eliminating differences in the functional extension of settler colonialism as liberal governmentality. Yet even as the West and its governance are liberated from attachment to place, their globalisation naturalises ongoing settler colonisation of Indigenous peoples in settler states. Indeed, by permanently remaining in a state of exception to settler law as Western law, Indigenous peoples model this status for all others who come under Western law’s global reach. The settler colonial elimination of Indigenous peoples requires them to have existed and to tenuously exist in settler societies, for only their perpetual replacement demonstrates settlers’ achievement of Western law where it would not otherwise exist.

#### The alternative is a cartography of living relations-rather than allowing the continual cycle of repression that allows the settler subject to cohere itself, we are an intervention into the relational forces that re-centers our desires.

Kouri and Skott-Myhre 15 (Scott Kouri, University of Victoria, Hans Skott Myhre, Brock University, “Catastrophe: a transversal mapping of colonialism and settler subjectivity”, pg 3 – pg 9) CJun

The limit to the regimes of transcendence is remarkably similar to that of addiction. The capacity of a drug to sustain sovereignty over an addict’s life is directly proportional to its ability to seamlessly deliver its anesthetic or amnesiac promise. The problem is that the capacities of living force are always impinging on and at least marginally exceeding the limit conditions of amnesia and anesthetic so that both pain and memory leak through. The tension between the force of life and its leakage and the promise of transcendent escape wears on the subjectivity in question until, in the vernacular of addiction, the addict hits rock bottom and is forced to seek a new life. Just as Nazism sullies democrats not responsible for it, settler colonialism sullies those of us settlers who are weary of struggling to deny or escape our living relations with our Indigenous friends, sisters, and brothers. We are literally sick at heart and soul over the denial of the actuality of our common interests that would compose us as friends. The ordeal of settlement has made it difﬁcult for us as settlers to look at each other or ourselves without weariness, and this weariness extends to all those we encounter as other. However, as Deleuze and Guattari tell us, it is at just such a point that there exists the possibility of breaching the limit of the existing social conﬁguration through a threshold of new thought: ‘After an ordeal that is too powerful…inexpressible… [comes]a mutual distress, a mutual weariness that forms a new right of thought’. 29 Similarly, Veracini explains that it is at the point of realization regarding the ineffective rhetoric of anti-colonialism and language of partnership that a ‘new language and imagination are needed’. 30 We propose that if we are to abandon the transcendent formulations of settlement and settler subjectivity and have a new right of thought, we must form a new unconscious that is capable of more than repression and sublimation. Thus far we have mapped settler colonialism and the settler unconscious founded on its denial. We have argued that repression, abstraction, and the appeal to transcendence are one possible set of responses to the catastrophe of settlement. In this section we provide an alternative subjectivity founded on an affective engagement with colonialism and the living relations that constitute and are disrupted by it. While Guattari tells us that ‘we have the unconscious we deserve!’31 He goes on to suggest that a different form of unconscious is possible, not simply an unconscious of the specialists of the unconscious, not simply an unconscious crystallized in the past, congealed in an institutional discourse, but, on the contrary, an unconscious turned towards the future, whose screen would be none other than the possible itself, the possible as hypersensitive to language, but also the possible hypersensitive to touch, hypersensitive to the socius, hypersensitive to the cosmos.32 Such an unconscious elides the transcendent by denying it the sustenance of the denial of living catastrophe. For such an unconscious, the temporality of catastrophe is never in the past but always in the present capacity for becoming that which is not yet. This is not to deny the trauma of past catastrophic actions or relations of force. It is instead to refuse their seduction as inevitability through institutional abstract discourse that crystallizes or congeals the past into a transcendent carapace that encapsulates subjective relations in reductive repetitions of old battles and unﬁnished resentments. Indeed, such an unconscious would break the carapace of transcendent denial, opening a ﬁeld of hypersensitivity that would not shrink from the complexities of pain and joy that make up actual living relations. Such an unconscious is instantiated within individual subjects and operates as a productive instigator of subjectivity, but it does not represent them, nor is it restrained or restricted by any particular singular corporeal assemblage. It is a collective unconscious, but not in the Jungian sense of global structural archetypes. It is instead the collectivity of living force as absolute possibility. To rethink the settler in this way is to unmoor settlement and open the ﬁeld of what Deleuze and Guattari 33 and Braidotti 34 refer to as nomadic subjectivity. It is to move from the lack and negation of the colonial project to a ﬁeld of afﬁrmation of life itself. We deploy afﬁrmation here as the prospective belief that painful affects and catastrophic circumstances are transformed, not through historicizing or negating catastrophe, but through sensitivity to it and activity in it. The Freudian/Lacanian reading of the settler unconscious that we mapped above presents our disavowals of catastrophe as an impingement on our creative capacity to (re)produce ourselves in new and ever-changing relationships. Conversely, in the production of an alternative subjectivity commensurate with the hypersensitive unconscious that Guattari intuits, we propose a perhaps counterintuitive afﬁrmation of the present. Our sobering analyses of the present brings us to the threshold of encounter where abstraction gives way to a material unconscious capable of drawing out patterns in the present as relays to possible futures. Such an unconscious, hypersensitive to its material and relational constitution, can revisit that which was abstracted – the site of repressed horrors and guilt – as a repository of desire trapped and diverted by such denials. Our existing material relations offer an almost inﬁnite range of modes of being that have been precluded by colonialism, and the trick is now to work through colonialism to get at those possible worlds, affects, relations. In opposition to the abstract worlds and peoples of colonialism, afﬁrmation of this one living world can only be done through a full engagement in the living relationships and affects that are foreclosed by colonial mappings. Mapping settler subjectivity in afﬁrmation is a process of enduring the affects of loss, pain, grief, guilt, joy, hope, confusion, and anger involved in the lost comforts of an invulnerable identity and accountably recreating ourselves in relation to all others in this world. The settler unconscious has provided the necessary mechanisms for denial and repression, but the forces and ﬂows of life always exceed these closures. For some of us, the suffering of Indigenous peoples and our own complicity in it is no longer to be avoided. For others, the friendships and joys we share with people we have come to care about and love inspires a desire for change. In either case, we settlers must ﬁrst forgo an identity premised on amnesia regarding the ongoing violence of settlement and our role in it. It also means to endure such experience with a sobriety capable of understanding the singular reconﬁgurations of relationships and responsibilities that follow such a process. While the settler is the site of privileged subjectivity within current neoliberal power, an immanent remapping of the settler as intricately produced through living relations afﬁrms its contingency in geography, otherness, and the catastrophes from which current neoliberal power has emerged. To open the settler body back up to history, geography, and the Other is to begin a process of subjectiﬁcation constituted by external forces, connections, and ﬂows. We are referring to the relationship between history and geography as Deleuze and Guattari explicate it, Maurice Ronai demonstrates that the landscape, the reality as well as the notion, is tied to a very particular semiotic system and very particular apparatuses of power: this is one of the sources of geography, as well as a principle behind its political subordination (the land-scape as ‘the face of the fatherland or nation’). 35 To reengage the settler with material life as both history and geography with the related loss of transcendent identity rooted in the semiotics and apparatuses of colonial power is replete with pain and joy. It allows us to produce ourselves within a life that proliferates in a singular instantiation of immanent material ﬂows in mobile rearrangements. This is to move from an abstract mapping of colonialism and subjectivity to an affective cartography of living relations and immanent subjectivity. A cartography of living relations disperses the secure identity of the settler and repositions it as an active participant in particular relationships, practices, campaigns, strategies, and tactics that engage colonialism and decolonization. The settler subject is reconﬁgured within ongoing, dispersed, and contradictory processes of subjectiﬁcation within various relational assemblages. A cartography of living relations maps such dynamic processes and therefore challenges the inevitability and stability of the settler subject through an engagement with the relational forces that constitute the settler. Guattari proposes that we think in terms of refrains rather than wholes in this type of situation.36 The refrain of the settler can thus be both a repetition of an identity located within a particular space–time matrix and a singularized autopoietic and networked instantiation of that identity. The immanent unconscious is therefore not personal and representational (in that it is the storehouse of forbidden representations of our personal desires) but active (in that it constitutes the assemblages through which desire ﬂows and produces). In challenging the inevitably of the settler subject and a reconﬁguration of him in immanent relational ﬂows, we are calling for a dispersion of the unconscious onto a plane of relational and intensive constitution. Importantly, we are not making any suggestions regarding Indigenous subjectivity as such commentary would simply reiterate the unfortunate historical practice of the dominant vernacular refusing its own constitutive ruptural necessity through the diversion of the Other. Our comments here are a proposal speciﬁc to the historical trajectory of the settler from inside that project. Furthermore, we are expressly not arguing that Indigenous peoples are a mechanism for settler transformation, nor, following the warnings of Lawson and of Veracini, suggesting the Indigenization of the settler.37 Our proposal is for settlers to map new processes of subjectiﬁcation that are accountable to their singular constitutive relationships. Using the settler as an identity in transforming the unconscious from one of lack to one of material constitution is our ﬁrst task in the construction of an immanent subjectivity. Identiﬁcation of settler subjectivity reintroduces the coordinates of colonialism into our constitution and allows for a mapping of current power relations and the complexity of affect and desire. Afﬁrming a settler subjectivity then does two related things: (1) it reintroduces the catastrophe of colonialism as a living present and(2)it resists such a present through what Braidotti terms abecoming.38 The ﬁrst signiﬁes or represents identity in a politically charged and affectively engaging way; the second opens on to new forms of subjectivity through idiosyncratic relationality. The acknowledgment of a settler subjectivity immediately undermines itself in that settler subjectivity is premised on a repression of the actualities of colonialism and a continued accumulation of dominant force. Enunciating a settler subjectivity therefore simultaneously reiﬁes an identity while calling forth a new process of subjectifying – a becoming – which can be ethically accountable to contemporary living relationships. By engaging the repressions, disconnections, and stagnations that have come with complicity in colonialism, we can make ourselves vulnerable to the affects and becomings that our illusions once protected us from. In making ourselves vulnerable, we follow Spinoza39 in seeking endurance and afﬁrmation as practices for forming a subjectivity worthy of the catastrophe and relations that produced it. We can no longer avoid pain and uncertainty; we must become active through them. There is no way to rationally comprehend the horrors of colonization, and we argue that rationality is actually one very potent way of avoiding the pain. The ethics being called for here is not grounded in rational principles but in active and afﬁrmative engagement with affect, body, intuition, accepting the ineffable and incomprehensible as the threshold of change and encounter. Braidotti argues that enduring affects that are relational is necessary for developing an ethical subjectivity. She states that ‘endurance points to the struggle to sustain the pain without being annihilated by it’40 and links this pain to betrayal and wounds simultaneously hard to forget and remember. The afﬁrmation of settler colonialism reintroduces the rupture of catastrophe as an unsettling affective fracture that opens settler subjectivity onto new sets of complex and interdependent relations with people, animals, and plant life. Veracini argues that a ‘post settler move must emphasise open endedness’ and a practice of reconciliation and ongoing relationship.41The unsettling effect of afﬁrming the complexity of contemporary affects and relations, and further understanding oneself as constituted by them, is to risk being vulnerable to the unpredictable, to the directions that relationships can take us, to not knowing. The role of sensation in this project then is to maximize our capacities to be affected by our environment and the people, organisms, and bodies that constitute it, yet maintain our living bodies. Our lives therefore become premised on a desire to affect and be affected: to increase power, express capacity, and compose our subjectivity as immanent to our relationships. For Spinoza, the philosopher of immanence, joy is an increase in our body’s power to affect and be affected.42 In contrast, the sad passions of disgust, resentment, pain, and denial are feelings of diminished constitutive force. An immanent subjectivity composed in the catastrophe of colonialism therefore seeks ways to participate joyfully in decolonization and increase sensitivity and endurance necessary for transformation. Such an immanent subjectivity seeks ways to afﬁrm the transformation of sad passions in the present, encounter the sensations that will push them through a threshold of change, and endure the changes that follow. Each instantiation of such an ethics will be dependent on the immanent relationships between the bodies, histories, and milieus that compose the encounter. We therefore cannot prescribe a particular set of actions and practices to be followed but instead offer a new cartography and ethics to work with. The endurance of sad passions such as guilt and shame holds the possibility of transformation when relationships and the body are premised in ethical processes. In this rendering, affect and psychological movement are highlighted as catalysts for change, whereas stagnation, repression, avoidance, and rigidiﬁcation are synonymous with violence to self and other. Braidotti invites us to use the concepts of zoe and becoming to think with new hope about life, future, and vulnerability.43 Following Spinoza, she offers an account of ethics in which conﬂict is recast in a larger frame of life that implies that the harm done to others is simultaneously visited upon oneself and, conversely, empowering others brings joy and an increase of power to oneself. All of our freedoms and affects are interdependent and positively correlated: taking from another gives one less, not more. Rather than a lack that inaugurates desire and action, the immanent subject sketched out here is constituted by a vital force of desire that is ontological and constitutive. Action and afﬁrmation are desire increasing its power to act in bodies through which it ﬂows and is apprehended. Increasing the interactions, sensitivity, and relational interdependence of bodies increases their expressive capacity through diversity and experimentation. Braidotti argues that the traditional uniﬁed vision of the subject which rendered woman, nature, and native as the Other in modernism returns at the end of postmodernism as a non-unitarian subject whose other is vitality or life force: zoe.44 Zoe can be contrasted with bios, or what Foucault called biopower, where the body is associated with knowledge, intervention, and control. Biopower preeminently includes the social apparatus’s power ‘to ensure, maintain, or develop its life’45 or reduce life to bare and perishable conditions. Foucault’s concept of biopower helps to explain how technologies that manage the health of urbanized populations do so through surveillance and administrative means. By deploying such technologies, governments seek to optimize the integration of subjects into the capitalist system as workers who work most efﬁciently through a docile subjectivity. The intersection of biopower and docility is the site of production of a subject whose life and capacities, now appropriated by capitalism, are worth maximizing. Subjects who do not become produced at this intersection, or whose subjectivities and productive capacities are not easily appropriated by capitalism, are left bare. This is the realm of precarious life, life ungoverned. While this conception of zoe maps the functioning of power, it is limited in its ability to theorize the creative force inherent in material bodies that are not strictly disciplined and produced by governmentality. Braidotti emphasizes that, in contrast to the concept of bare life, zoe can be conceived as ‘a creative force that constructs possible futures’.46 In contemporary settler colonialism, biopower is deployed, for instance, as institutional indifference to the murders and rapes of Indigenous women and youth who do not achieve recognizable subjectivity.47 In British Columbia alone, hundreds of cases of abuse, rape, and missing persons have gone uninvestigated because the victims were Aboriginal women – a situation which the United Nations Special Rapporteur on the Rights of Indigenous Peoples recently condemned as a human rights violation.48 Biopower here is evident in the state’s differential response to the lives of its subjects. Beyond the failure to change structures which perpetuate violence against Indigenous peoples, de Finney49 argues that Indigenous women are re-victimized by state failure to intervene and address racialized and sexualized violence by erasing their presence. Biomedical conceptualizations of trauma, for example, are disconnected from their colonial context and veils the links between research, psychology, and political agendas to exterminate Indigenous nations and peoples. Not only does the state differentially govern life and death through control, calculation, health promotion, and intervention, butal so it is simultaneously constituted by such practices. The state is co-constituted by the divisions that are made between the life and death of its subjects. The settler colonial state is only the state insofar as it bolsters the life of settlers, and it would cease to function as a state if Indigenous life, presence, and history were not systematically eradicated. Bios, as the manipulation of life related to social hygiene, governmentality, and control, is the Other side of life as zoe, which Braidotti theorizes as ‘the mindless vitality of Life carrying on independently of and regardless of rational control’.50 The colonized version of ‘the human’ identiﬁed by whiteness, maleness, heterosexuality, wealth, and standard language use has been historically conﬂated with bios, whereas zoe has been historically associated with woman, nature, and racialized other. In advanced capitalism, and in connection with biotechnological advances, however, zoe, as the life force represented as the Others of the traditional subject, has now taken a central place in political economy. The complex intersections of zoe, bios, capital, politics, and technology are now the contested and transformative spaces of contemporary subjectivity marked by environmental, global, and colonial catastrophes. The way forward, we argue, following Braidotti, is through ‘forces, desires, and values that act as empowering modes of being’ rather than a moralistic set of ‘negative, resentful emotions and life-denying reactive passions’.51 A consideration of zoe as the non-representable becoming of life force queries new approaches to crafting decolonizing subjectivities and ethics. Zoe moves our analysis away again from abstract representations of life and toward the world of encounter, affect, and action. Deleuze and Guattari write that ‘we know nothing about a body until we know what it can do, in other words, what its affects are, how they can or cannot enter into composition with other affects, with the affects of another body’.52 Afﬁrmation requires that we analyze the power that bodies have through an experimentation with capacities that can be expressed in relational webs of action. It is an ethics of engagement that seeks a transformative encounter in the space of catastrophe rather than seeking an escape through a transcendent and abstract outside, such as god, democracy, rationality, or utopia. Our ﬁrst task, then, is the sober analysis and acknowledgment of horror of the historical events of settler colonialism that have constituted settler subjectivity. Our second task is to experiment with new forms of subjectivity capable of transforming the negative affects and sad passions of such a rupture into modes of being capable of deepening relationships based on accountability to each other. As Veracini notes ‘the struggle against settler colonialism must aim to keep the settler-inidgenous relationship ongoing’.53 Braidotti builds with Deleuze on Spinoza’s concept of endurance and states that ‘endurance is self-afﬁrmation. It is also an ethical principle of afﬁrmation of the positivity of the intensive subject – its joyful afﬁrmation as potentia. The subject is a spatiotemporal compound which frames the boundaries of processes of becoming’.54 Here Braidotti highlights the embodied maintenance of pain or pleasure without the body being destroyed by them. Endurance is the ability to endure the transformation from negative to positive affect, which becomes the hallmark of sustainability and self-preservation within experimental praxiological engagements. It is the endurance and working through of fear, pain, or anxiety to the point of transformation, not the avoidance, disgust, resignation, or rejection of suffering and death, that afﬁrms the transformative potential of life in all its difference. Braidotti writes, ‘Paradoxically, it is those who have already cracked up a bit, those who have suffered pain and injury, who are better placed to take the lead in the process of ethical transformation’.55 Braidotti’s rendition of the nomadic subject proposes that engagements with difference and others, including land and other forms of life, are necessary for sustainability and survival. Otherness, for Braidotti, ‘is the threshold of transformative encounters’56 that prompt and mobilize ‘ﬂows of afﬁrmation of values and forces which are not yet sustained by the current conditions’.57 The power to resist the present is here cultivated in our capacities to be vulnerable and endure the present’s most virulent aspects, to cultivate relations that exceed the abstract conﬁgurations of oppositional subjectivity.

#### No perm: unions only operate within the system and can never challenge the system.

Smith 11 (Sharon Smith, Smith is an author for International Socialist Review, “Marxism, unions, and class struggle”, <https://isreview.org/issue/78/marxism-unions-and-class-struggle>, Published 2/9/11, Accessed 12/3/18, Lex RM)

Negotiating the terms of exploitation At their best, unions are indispensible vehicles for the class struggle. But since their essential function under capitalism is to negotiate the terms of exploitation on behalf of their members, their preservation depends on the continuation of capitalist class relations. As Tony Cliff and Donny Gluckstein argue, “The improvement of workers’ conditions within capitalism—not the overthrow of capitalism—is the common guideline of trade union activity in normal times. In reality unions tacitly accept the framework set by the system and tend either to exclude political issues from discussion or to support reformist political parties that do not challenge the present order of society.”28 At various points in Marx and Engels’ lifetimes, unions led the class struggle far forward; at others, they restrained the movement. In times of union retreat, Marx and Engels complained bitterly about the state of the trade unions. As Engels wrote in 1871, “The trade union movement, among all the big, strong and rich trade unions, has become more an obstacle to the general movement than an instrument of its progress.”29 The Russian revolutionary V.I. Lenin echoed Marx and Engels’ changing attitudes toward trade unions. But he too was reacting to the historic role of the unions themselves, reflecting their vacillation. In 1899, Lenin wrote, “Every strike brings thoughts of socialism very forcibly to the worker’s mind, thoughts of the struggle of the entire working class for emancipation from the oppression of capital.… This is the reason that socialists call strikes ‘a school of war,” a school in which the workers learn to make war on their enemies for the liberation of the whole people.”30 Just three years later, Lenin’s polemic What Is to Be Done? described the politics of trade unionism in singularly negative terms: “There is much talk of spontaneity. But the spontaneous development of the working-class movement leads to its subordination to bourgeois ideology...for the spontaneous working-class movement is trade-unionism…and trade unionism means the ideological enslavement of the workers by the bourgeoisie.”31 Yet three years after that, during the 1905 revolution, Lenin returned to his earlier argument, commenting that “the working class is instinctively, spontaneously Social-Democratic [socialist].”32 The commentary above appears contradictory but represents Marxists’ theoretical understanding of the contradictory role played by trade unions in day-to-day class relations. A second aspect of the role of unions limits their explicitly political role under capitalism. Unions represent (or seek to represent) all workers of a particular trade or within a particular industry—the more workers a union can organize into one organization, the stronger its ability to wield its economic power through strikes and other workplace actions. So a bigger and broader union reduces competition between a larger section of the working-class. But this economic strength imposes political limits on unions. As Russian revolutionary Leon Trotsky pointed out, The trade union embraces broad masses of workers, at different levels. The broader these masses, the closer is the trade union to accomplishing its task. But what the organization gains in breadth it inevitably loses in depth. Opportunistic, nationalist, religious tendencies in the trade unions and their leadership express the fact that the trade unions embrace not only the vanguard [most militant workers] but also heavy reserves. The weak side of the unions therefore comes from their strong side.33 For this reason, unions cannot be transformed into revolutionary formations. This historic political role can only be fulfilled by explicitly revolutionary political organizations and parties. The trade union officialdom Cliff and Gluckstein, with the benefit of more recent experience, elaborated on the role of trade union officials: To believe that pressure from below can force union leaders on to a revolutionary path is to misunderstand the nature of the bureaucracy, to spread illusions in it, and to blunt workers’ consciousness and action. Trade union leaders may be induced to obey some wishes of the rank and file, but they will never be able to substitute for the collective action of the masses. The self-activity of the workers is therefore paramount.34 Marx and Engels (and other Marxists since) frequently directed their frustration at trade union leaders. Indeed, Marx and Engels repeatedly complained about craft union leaders who refused to broaden the union movement beyond their particular trades.35 “It seems to be a law of the proletarian movement everywhere that a section of the workers’ leaders should become demoralized,” wrote Engels in 1869. “The leadership of the working class of England has wholly passed into the hands of corrupted union officials and the professional agitators,” echoed Marx in 1878.36 If unions function to negotiate the terms of exploitation under capitalism, then union officials act as the negotiators for their members. Their class position is thus itself contradictory. Full-time union officials are not workers themselves, and the contracts they negotiate on behalf of their members do not affect their own salaries and working conditions. If the contract agrees to layoffs, union leaders still keep their jobs. If wages are slashed or a speedup imposed, union officials will maintain the same salaries and working conditions as before. Thus union leaders are neither workers nor capitalists, but mediators between the two. In the absence of pressure from below, they are likely to adapt to pressure from above. As German revolutionary Rosa Luxemburg described, The specialization of professional activity as trade-union leaders, as well as the naturally restricted horizon which is bound up with disconnected economic struggles in a peaceful period, leads only too easily, amongst trade-union officials, to bureaucratism and a certain narrowness of outlook.… There is first of all the overvaluation of the organization, which from a means has gradually been changed into an end in itself, a precious thing, to which the interests of the struggles should be subordinated. From this also comes that openly admitted need for peace which shrinks from great risks and presumed dangers to the stability of the trade unions, and further, the overvaluation of the trade-union method of struggle itself, its prospects and its successes.37 To be sure, the business cycle imposes some objective limits to unions’ ability to negotiate favorable terms for workers under normal conditions of capitalism. During the boom phase of the economic cycle, capitalists are far more likely to grant union demands, while in periods of recession—and high unemployment—the tables are reversed. This certainly contributes to the pattern of advances and retreats in the class struggle. But the decline of wages and union membership over the last three decades cannot be explained by the business cycle, as the current “recovery” demonstrates all too clearly. This decline can only be explained by the scale and duration of the neoliberal assault on the working class and the conservatism of the entrenched U.S. labor bureaucracy. The conservatism of the U.S. labor bureaucracy in recent decades is distinguished not only by union officials’ demonstrated abhorrence of struggle, but also by labor’s long-standing ties to the Democratic Party, a self-proclaimed pro-capitalist party. Both Clinton and Obama, for example, made significant campaign promises to unions that were quickly broken upon taking office. Neither Clinton’s promise to ban the use of permanent replacements of striking workers, a favorite strategy of corporations in defeating unions, nor Obama’s pledge to pass the Employee Free Choice Act, enabling “card check” voting in union recognition, ever saw the light of day. Yet support for the Democrats has continued unabated even as union membership and wages reached a crisis point over the last decade. Each election year Democratic Party candidates can continue to count on unions’ massive political and financial support for their campaigns, while delivering little or nothing in return. The reluctance of top union officials to challenge the status quo is certainly reinforced by their enormous salaries, which equal those of many corporate executives. As Nelson Lichtenstein wrote, comparing U.S. and European union officials, unions in the U.S. grew to employ The largest and best-paid stratum of full-time salaried officers in the labor movement world.… Functionary worker ratios in the United States were something like one in three hundred at the end of the 1950s, while the European average was about one full-time office holder per two thousands unionists. The U.S. had sixty thousand full-time union officers in 1960, compared to just four thousand in Great Britain.38 As Mark Brenner reports in Labor Notes, union officials “earning more than $100,000 a year tripled between 2000 and 2008, the latest year with complete data, and the number earning more than $150,000 also tripled.… In 2008, nearly 10,000 union officials or staff brought home salaries greater than $100,000, costing a total of $1.2 billion.” Indeed, five of the top union officials “received more than half a million dollars just in salary, and everyone in the top 15 earned more than $400,000.” Brenner also noted, “Officials earning more than $150,000 found themselves among the richest 5 percent of American households. Meanwhile, the typical union member earned $48,000 in 2008; the overall average U.S. income was $40,000.”39 The weight of this past weighs heavily on the labor movement today, even as the working class becomes ripe for struggle.

## Case

#### Top-Level—this aff is missing uniqueness—all of their evidence is about a right to organize and none of it is specific to an unconditional RTS which means you negate on presumption.

#### 1] Asian Exclusion was fundamental to the US labor movement.

**Freeman 14** [Bradley M. Freeman, Doctor of Philosophy , 2014, " Asian American Radical Literature: Marxism, Revolution, and the Politics of Form ," Ohio State University, <https://etd.ohiolink.edu/apexprod/rws_etd/send_file/send?accession=osu1405525061&disposition=inline> [accessed: 10-24-21] Lydia

Unfortunately, London and Norris were not anomalies within the broader movements that brought together union organizers and left-leaning politicians. Drawing on the work of Alexander Saxton, Lye claims, “[A]n Asian exclusion movement arose alongside the U.S. labor movement and was very likely foundational to it” (19). Initially, major union organizations included Asian exclusion as standard policy. In an effort to create cultural capital that would counter their own exploitation and marginalization, the white working class galvanized around these racist strategies. Lye continues, “The Asian exclusion question magnifies the centrality of nationalist rhetoric to a strategy of legitimation which sought to make ‘unionism’ synonymous with ‘Americanism’” (19). Similarly, Robert G. Lee writes, “Irish immigrants who were in the process of consolidating their own claim to Americanness and a white racial identity led the popular anti-Chinese movement” (9). Ultimately, this rhetoric worked to embed unions and labor organizing within a broader narrative of American nativism. This rhetoric also undercut many efforts to organize pan-ethnic coalitions. Redirecting critiques of class inequality away from white capitalists, then, anti-Asian anxiety only fractured the working-class community and undermined many attempts at cross-racial solidarity. While Lye’s work reveals an Anglo American literary tradition thoroughly entrenched in racism and anti-Asian anxiety, this project shows the way in which Asian American writers began to enact and envision pan-ethnic solidarity despite these nativist tensions. Tsiang, for instance, brings together racialized and immigrant workers in the strikes that punctuate each of his novels and reveals racialization to be part and parcel of their exploitation. Murayama, too, critiques ethnic divisions among the working class in Hawai‘i by evincing the way in which Filipino and Japanese laborers only perpetuate their own exploitation when they “scab” against one another. Deeply critical of the racist, exclusionist sentiments of this white working class, the Asian American writers in question refuse to fall back on exceptionalist narratives. In this regard, these writers differ from many of their Anglo American counterparts. Rather than tie monopoly capitalism to Asia, they reveal the ways in which race, gender, and class suture American empire and oppress Asian immigrants especially. In Bulosan’s America Is in the Heart and Murayama’s All I Asking for Is My Body, these writers foreground the deleterious effects of American empire on Allos’s childhood in the Philippines and Kiyo’s adolescence on the Hawaiian sugar plantations. Allos’s family struggles to “get by” in the rural countryside because of absentee landlords, and Kiyo goes to work on the plantation at a young age because of the family’s overwhelming debt to the plantation. During the Depression, then, this Marxist lens became integral to Asian American literature precisely because these authors foreground the way in which the exploits of American capital depend on racialized and gendered labor. The Depression was especially brutal for immigrant workers who were targeted by the American government and a white working class desperate for cultural capital.

#### Racist union strikes have happened before

Allison Keyes, JUNE 30, **2017**, "The East St. Louis Race Riot Left Dozens Dead, Devastating a Community on the Rise," Smithsonian Magazine, https://www.smithsonianmag.com/smithsonian-institution/east-st-louis-race-riot-left-dozens-dead-devastating-community-on-the-rise-180963885/ //SR

Racial tensions began simmering in East St. Louis—a city where thousands of blacks had moved from the South to work in war factories—as early as February 1917. The African-American population was 6,000 in 1910 and nearly double that by 1917. In the spring, the largely white workforce at the Aluminum Ore Company went on strike. Hundreds of blacks were hired. After a City Council meeting on May 28, angry white workers lodged formal complaints against black migrants. When word of an attempted robbery of a white man by an armed black man spread through the city, mobs started beating any African-Americans they found, even pulling individuals off of streetcars and trolleys. The National Guard was called in but dispersed in June.

**Chinese Restaurant Strikes prove**

**Chow 17** [Kat Chow, 6-16-2017, "How The White Establishment Waged A 'War' On Chinese Restaurants In The U.S. ," NPR.org, <https://www.npr.org/sections/codeswitch/2017/06/16/532697303/how-american-unions-tried-to-wage-a-war-against-chinese-restaurants-in-the-u-s> [accessed 10-24-21] lydia

In most American cities these days, it seems like there's a Chinese restaurant on every other street corner. But in the late 1800s, that ubiquity was exactly what certain white establishment figures feared,according to a [new study](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2948030) co-written by Gabriel "Jack" Chin, a law professor at the University of California, Davis. Chin examined how white union workers and lawmakers waged a nationwide "war" on Chinese restaurants in America from 1890 to 1920. "It shows this tradition of an expectation on the part of some white Americans that public policy should be organized for the benefit of their employment," says Chin, who adds that he sees parallels with anti-immigrant policies being put forth today. In 1882, Congress passed the [Chinese Exclusion Act](http://www.npr.org/sections/codeswitch/2017/05/05/527091890/the-135-year-bridge-between-the-chinese-exclusion-act-and-a-proposed-travel-ban), which barred Chinese immigrants from entering the U.S. for decades. Some white Americans worried that Chinese laborers would steal their jobs and hijack their opportunity. And this xenophobic fear carried over to the restaurant industry. Chinese restaurants — known by some at the time as "chop suey houses" — were understood to be a good value, offering inexpensive meals in an exotic setting. "The economic menace [of Chinese restaurants] was twofold," says Chin. "First, if Chinese people had the opportunity to earn a living, then they might stay. And their communities would continue to exist, and the Chinese presence, which many objected to, would continue." The second thing, says Chin, is that "if Chinese restaurants made Chinese food available at a relatively low price and then American restaurants wouldn't be able to compete, either the wage scales for American restaurants would have to go down or they would close." And then, there was the pervasive idea that Chinese men were lecherous threats to white women. Chinese restaurants were considered "dens of vice," Chin says, where white women were at risk of moral corruption by way of sex, opium and alcohol. I talked with Chin about his research and how anti-immigrant sentiment can manifest itself in even the most "creative" of methods. He told me about six different ways that Chinese restaurants were targeted: **1. Race riots** There were Chinese communities expelled from Western and Mountain States through race riots, Chin says, where Chinese restaurateurs or miners were beaten or quite literally burned from their homes. **2. Boycotts** Unions representing cooks, waiters and bartenders organized largely unsuccessful boycotts against Chinese restaurants in many places, including Massachusetts, Arizona, California, Montana, Minnesota and Ohio. The unions imposed fines on union members who ate at Chinese restaurants, Chin says, but couldn't keep their members from eating there: "Individual members of the public had incentives to cheat because the food was understood to be a good value at the time." And, Chin points out, for the most part, these unions weren't trying to enlist Chinese restaurant workers to join their ranks. Instead, they were vying for Chinese employees to be replaced by white workers. **3. A peculiar law** When boycotts were largely unsuccessful, the unions turned to the legal system. At the American Federation of Labor's 1913 convention, organizers proposed that all states should pass laws that barred white women from working or patronizing Chinese or Japanese restaurants for both moral and economic reasons, Chin says. (A similar law had been enacted in Saskatchewan, Canada, and upheld by Canada's Supreme Court.) States including Montana, Pennsylvania, Massachusetts, Washington and Oregon saw versions of the bill, which were ultimately unsuccessful. In Massachusetts, for example, the state Supreme Judicial Court struck down the law on the grounds that it was discriminatory. **4. Government agencies and licenses** Chin points to old newspaper reports that show that government agencies refused to issue business or restaurant licenses to Chinese restaurateurs, citing various reasons: Some officials claimed they had already issued enough licenses. Others said they would not issue licenses to people who were not citizens. And since Chinese people couldn't naturalize, this targeted them. **5. Policing** While the proposed white women's labor law was never officially enacted, some police officers began patrolling the restaurants of their own volition, Chin says. "We see newspaper reports," he explains, "where the police in the first decades of the 20th century believed they had the authority, and exercised it, simply to issue orders in the public interest." For example, he adds, "when there were concerns about white women patronizing Chinese restaurants and when the police thought this was prejudicial to the safety of white women, they would simply order white women out." In 1909, the murder of a [prominent white union leader's daughter by a Chinese restaurant worker](https://tenement.org/blog/where-miss-sigel-met-her-slayer/) inflamed tensions. In June of that year, Leon Ling reportedly strangled Elsie Sigel in a jealous rage and stuffed her body into a trunk in his bedroom. Sigel had met Ling when she worked in Manhattan's Chinatown as a missionary, and her death and the subsequent manhunt for her killer sparked a wave of racial profiling across the country. Newspapers hyped the story, with headlines like "Was Strangled By Her Chinese Lover: Granddaughter of General Sigel Slain in the Slums of New York." The case seemed to justify the fears that union workers had of all the misfortunes that would spring from Chinese restaurants. "To be a Chinaman these days," one Connecticut newspaper wrote, "is to be at least a suspect in the murder of Elsie Sigel."

#### 2] The right to strike does nothing to companies who actually exploit workers—they just hire consultants and employ shady tactics

**Lafer and Loustaunau 20**-- Gordon Lafer [political economist and is a Professor at the University of Oregon] and Lola Loustaunau [assistant research fellow at the Labor Education and Research Center, University of Oregon]; Fear at work: An inside account of how employers threaten, intimidate, and harass workers to stop them from exercising their right to collective bargaining; July 23, 2020; Economic Policy Institute; <https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/>. (AG DebateDrills)

Even when employers obey the law, they rely on a set of tactics that are legal under the NLRA but illegal in elections for Congress, city council, or any other public office. **A $340 million industry of “union avoidance” consultants helps employers exploit the weaknesses of federal labor law to deny workers the right to collective bargaining.**17 Over the past five years, employers using union avoidance consultants have included FedEx, Bed Bath & Beyond, and LabCorp, among others. Table 1, reproduced from an EPI report published in late 2019, lists just a few of these employers, along with the reported financial investments they made to thwart union organizing during the specified years.18 **These firms’ tactics lie at the core of explaining why so few American workers who want a union actually get one, and their success in blocking unionization efforts represents a significant contribution to the country’s ongoing crisis of economic inequality.** The lack of a right of free speech enables coercion NLRB elections are fundamentally framed by one-sided control over communication, with no free-speech rights for workers. **Under current law, employers may require workers to attend mass anti-union meetings as often as once a day** (mandatory meetings at which the employer delivers anti-union messaging are dubbed “captive audience meetings” in labor law). Not only is the union not granted equal time, but pro-union employees may be required to attend on condition that they not ask questions; those who speak up despite this condition can be legally fired on the spot.19 **The most recent data show that nearly 90% of employers force employees to attend such anti-union campaign rallies, with the average employer holding 10 such mandatory meetings during the course of an election campaign.**20 In addition to group meetings, employers typically have supervisors talk one-on-one with each of their direct subordinates.21 In these conversations, the same person who controls one’s schedule, assigns job duties, approves vacation requests, grants raises, and has the power to terminate employees “at will” conveys how important it is that their underlings oppose unionization. As one longtime consultant explained, a supervisor’s message is especially powerful because “the warnings…come from…the people counted on for that good review and that weekly paycheck.”22 Within this lopsided campaign environment, the employer’s message typically focuses on a few key themes: unions will drive employers out of business, unions only care about extorting dues payments from workers, and unionization is futile because employees can’t make management do something it doesn’t want to do.23 Many of these arguments are highly deceptive or even mutually contradictory. For instance, the dues message stands in direct contradiction to management’s warnings that unions inevitably lead to strikes and unemployment. **If a union were primarily interested in extracting dues money from workers, it would never risk a strike or bankruptcy, because no one pays dues when they are on strike or out of work. But in an atmosphere in which pro-union employees have [with] little effective right of reply, these messages may prove extremely powerful.**

#### 3] Democratization causes civil war – credibility commitment problems, nationalism, diminished SMLV

Savun, Poli Sci Prof @ Pitt, 11

(Burcu, Foreign Aid, Democratization, and Civil Conflict: How Does Democracy Aid Affect Civil Conflict?, American Journal of Political Science, Vol. 55, No. 2, pp. 233-246)

As Cederman, Hug and Krebs (2007) note, most theoretical and empirical treatments of the democratization-conflict link have occurred with a focus on interstate wars. In From Voting to Violence, Snyder (2000) provides one of the first exclusive systematic studies of the link between democratization and civil conflict, particularly ethnic conflicts. Snyder (2000) proposes that during the early phases of the democratization process, two conditions favorable to the initiation of civil conflict emerge: (a) political elites exploit rising nationalism for their own ends to create divisions in the society and (b) the central government is too weak to prevent elites’ polarizing tactics. According to Snyder, before democratization, the public is not politically active and hence its sense of belonging to a nation is relatively weak (35).3 Democratization increases the feeling of nationalism, especially with the provocation of the elites who feel threatened by the arrival of democracy. To maintain or increase their grab on political power, the elites may depict the political opponents and the ethnic minorities as traitors by invoking nationalist sentiments in the public (37).4 These polarizing tactics, in turn, create tensions among ethnic groups and hence increase the risk of violent clashes in the society.5 For example, during 1987 Milosevic skillfully used the Serbian state TV to convince the Serbian minority that Serbs in the Kosovo were suffering discrimination and repression at the hands of the Albanian majority. These kinds of inciting polarizing tactics by Milosevic and the Serbian nationalist elites were pivotal in contributing to violence in Kosovo. Violent struggles in post-communist regimes such as Croatia, Georgia, Azerbaijan, and Armenia during the 1990s are other examples of nationalist upheavals incited by the domestic political elites during democratization process. Snyder (2000) argues that the elites’ use of exclusionary nationalism is particularly strong and damaging if the democratizing state has weak political institutions. If state institutions are strong, the institutions may be able to deter the elites’ opportunistic behavior and curb its potentially damaging impacts. However, during early phases of democratization, the institutions are usually new and fragile and the central authority is weak. The weakening of central authority gives the elites the opportunity to monopolize the media, create divisions in the society, and control the political discourse. Without the constraints of strong institutions and state authority, the political elites have more leeway to pull the society to any direction their interests dictate. Rustow’s (1970) seminal work on regime transition divides democratization into three phases. In the preparatory phase, a prolonged political struggle representing different interests takes place.6 Polarization of the elites usually ensues in this phase. In such an environment, a weakening of the central authority is inevitable. As the balance of power shifts from the old authority to the new actors in political life, a power vacuum emerges. The transition of power also weakens the state’s monopoly on the use of force as the military usually plays a key (and often independent) role in the democratization process, as was the case in most democratization episodes in Latin America. In addition, the early phase of a regime change usually renders the policing capacity of the state inefficient and thereby increases its vulnerability to attacks by domestic groups. The extant literature on civil war shows that organizationally and politically weak central governments make civil conflicts feasible due to weak local policing and inept counterinsurgency practices (Fearon and Laitin 2003, 75). The weaker the central government, the less likely it is to deter domestic groups from using violence. Weak states also provide the opportunity for rebellion because the rebels’ chances of scoring a victory increase. As the state capacity weakens and questions arise about its legitimacy, the rebels find it easier to recruit and thereby strengthen their base. During democratization, uncertainty also looms large (e.g., Gill 2000; O’Donnell, Schmitter, and Whitehead 1986; Teixeira 2008). As Rustow (1970) puts it, “a new political regime is a novel prescription for taking joint chances on the unknown” (358). Uncertainty of the regime change creates several credible commitment problems. First, the political elites have difficulty in trusting each other’s intentions and promises. As Karl (1990) suggests, during regime transitions political actors “find it difficult to know what their interests are, who their supporters will be, and which groups will be their allies or opponents” (6). The new political elites and the old regime are wary of each other’s intentions and hence are unlikely to believe that any promises made or concessions given during the transition period will be honored once the central authority and institutions are consolidated. The key problem is that the elites perceive each other as “conditional in their support for democracy and equivocal in their commitment to democratic rules of the game” (Burton, Gunther, and Higley 1992, 31). The “equivocal commitment to democratic rules” increases the level of distrust and suspicion among the elites and thereby increases the risk of collapse of the political rule. Another credibility problem arises between the elites and ethnic groups in the state. The weakening of the state authority, combined with the uncertainty in the environment, increases the sense of insecurity that comes with the transition (Pridham 2000). This insecurity is particularly acute among minority groups who feel unprotected in an environment of nascent institutions, opportunistic elites, a weak state authority, and rising nationalism. Weingast (1997, 1998) formally demonstrates that during fundamental political changes in a society, institutions are typically weak and everything is at stake. This implies two things. First, the mechanisms limiting one ethnic group from using the state apparatus to take advantage of another are not effective. That is, institutions cannot credibly commit to protect the state apparatus from being captured by any group to exploit the other (Weingast 1998). The literature on democratization similarly contends that the new regimes are not usually successful in honoring their commitments and showing self-restraint (e.g., Huntington 1991). Second, since the stakes are high during regime change, the critical threshold probability that breeds violence based on fears of victimization is particularly low (Weingast 1998, 191). That is, it does not take much for the minority group to resort to violence out of its fear. The extant literature on civil wars shows that minority groups are more likely to resort to violence if they fear that there is a risk of annihilation in the future and the commitments made by the state are not credible (e.g., Fearon 1998; Walter 1997, 2002).