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#### The AFF is a ploy of humanitarian intervention that is just colonialism in disguise. Colonial states are never benevolent It’s is just another way to bolster settler power by saying “hey look at us we did something good” . You got to realize that we wouldn’t need your aff if the IPP system didn’t exist in the first place.

**Edmonds & Johnston 16** Penny Edmonds, Associate Professor and ARC Future Fellow, University of Tasmania. Anna Johnston is an ARC Future Fellow and Deputy Director of the Institute for Advanced Studies in the Humanities, and Associate Professor in English Literature in the School of Communication and Arts. “Empire, Humanitarianism and Violence in the Colonies.” Journal of Colonialism and Colonial History. Volume 17, Number 1, Spring 2016. || OES-SW

The simultaneous rise of humanitarianism and imperialism in the modern period has been noted by a number of scholars, including Joel Quirk, who delineates the ways that colonialism and antislavery were viewed as compatible in the nineteenth century.14 Quirk argues that the antislavery campaigns marked an important moment in the development of paternalistic colonialism, and abolitionism was less concerned with human equality than with “colonial priorities,” with legal abolition thus enabling other forms of unfree and exploitative labour worldwide. 15 Indeed, the other “colonial priorities” of the period were the expansion of empire in the Pacific and Indian Ocean regions in sites of British settlement such as North America, Australia, New Zealand, and South Africa. It was in these colonies of settlement that the entwined projects of liberal humanitarianism and empire took on a particular and potent character. An apparent paradox saw the rise of British humanitarianism in the 1830s amidst these aggressively expanding colonies marked by intense violence against Indigenous peoples; Lester and Dussart begin their new book by articulating this conceptual riddle.16 After the abolition of the slave trade (1807) and later of slavery in the British settlements (1833), abolitionist humanitarians began to turn their attention to the fate of Indigenous peoples in the colonies of settlement, and questions of moral empire and the possibility of humanitarian governance grew to prominence.17 By this time humanitarian precepts had gained influence throughout the British colonies, resulting in the establishment of the Aborigines Protection Society in 1837. In both metropolitan and colonial governing circles, humanitarians generally did not oppose colonisation, but increasingly promoted a benevolent or “Christian colonisation,” a civilising mission of moral enlightenment. 18 In the southeastern Australian colonies, while humanitarians emphasised the moral imperatives of a humane colonisation, pastoralists and agriculturalists insisted on access to cheap labour and land. Many expatriate Britons challenged the model of a humane or Christian colonisation through an emerging assertion of “settler” rights and entitlements. A strong doctrine of supercessionism—that settlers should rightly replace Indigenes—was promoted, based on claims of British moral and racial superiority, and Lockean principles of civilisation, property and the imperative to cultivate land.19 Colonial governors could articulate broad humanitarian precepts, yet condone violence both retributive and disciplinary and effectively outsource it to settlers, militia and other groups. So too the amelioration of violence could be left to partly formed and messy plural legal codes, government missionaries and other humanitarians entirely independent of the state. In colonial New South Wales, for example, as settlers crossed the Blue Mountains onto the Bathurst Plains they faced resistance from Wiradjuri warriors who killed or wounded both stock and their keepers. Martial law was proclaimed by Governor Thomas Brisbane (1822–25) on the Bathurst Plains on 14 August 1824 following the killing of seven stockmen by Aborigines in the ranges north of Bathurst, and the murder of Aboriginal women and children by settler-vigilantes in what the Sydney Gazette on 14 October 1824 called “an exterminating war.”20 Brisbane also established a mounted police force whose first frontier deployment to “pacify” Aboriginal peoples was in the upper Hunter Valley in 1826.21 Despite popular and permissive claims that the frontier was a place of lawlessness, instead, as Julie Evans has argued, the declaration of martial law served to formalise the frontier as a legal space of violence and was thereby crucial to the furtherance of the settler project.22 Within a year Governor Brisbane granted 10,000 acres (4047 ha) to the London Missionary Society for an Aboriginal reserve at Lake Macquarie.23 The resident missionary, the Reverend Lancelot Threlkeld, used his privileged position to witness and publicise settler violence against Aborigines in graphic terms.24 Some scholars have described Brisbane’s policy towards Aboriginal people as ambivalent, on the one hand imposing martial law and on the other seeking to compensate lost Aboriginal land through humanitarian measures. Yet this seeming ambivalence rather reflected the growing tensions of colonisation, where retaliatory and offensive state-sanctioned violence sat alongside an emergent humanitarianism that sought to conciliate, civilise, compensate and protect Aboriginal peoples.25 By the mid-nineteenth century, the rise of self-governing settler states often permitted and enabled new forms of organised legal violence (martial law, native police corps, and child removal) against Indigenous peoples deemed non-sovereign in their own lands. Since settlers came to stay, questions of universalism versus difference had to be worked out on the ground in highly specific ways, and differently from those of other colonies. Settler colonial dynamics would come to exhibit a civilising mission at the heart of which was an organising grammar that represented invasion in terms of benevolence and White civility.26 The Whig humanitarian promise of liberal empire in the Age of Reform offered a sacred covenant, Pax Britannica, a conciliatory agreement or settlement which proffered civilisation and uplift for Indigenous people, as they in turn exchanged their sovereignty in the bargain. Yet liberal universalism’s high tenets, including ideas of the brotherhood of man, would manifest in these settler colonies through a thoroughly hierarchised and brutal means of operation.27Despite self-representations, then, the benevolence of many colonial states is seriously contestable. Careful interrogation of self-interested settler claims to morality and justifications of violence (both physical and representational) renders progressivist (and presentist) arguments about the inherent civility of the (now) liberal democratic “post”colonial state less than compelling, despite their continued articulation.32 So too it is important to recognise the ambivalence of benevolence and sympathy in colonial contexts. As Asad argues, humanitarianism could use “violence to subdue violence” and benevolent ideas often played out in deeply paradoxical ways. In his view, we need to consider the complexities and internal contradictions of enlightenment thought in which “compassion and benevolence are intertwined with violence and cruelty, an intertwining that is not merely a co-existence of the two but a mutual dependence of each on the other.”33 In the colonies outright physical violence and humanitarian modes of action could constitute complementary modes of colonial governance. Comparisons across differing colonial contexts are revealing. While the settler colonies powerfully galvanised humanitarians, India did not inspire the same fervour in metropolitan activists, Jordanna Bailkin argues.34 Despite early and vigorous missionary efforts—across denominations, and against the strenuous resistance of the East India Company—external humanitarian interest in India was limited, even if discrete issues such as sati attracted widespread metropolitan outrage. 35 Thus the South Asian colonial executive assumed much of the responsibility for humanitarian effort, producing a contradictory and limited sphere of action but also avoiding much of the rancour that characterised other colonial contact zones. This circumstance did not mean that violent interactions between Indians and Britons went unremarked. Indeed, in her study of how and when Europeans could be held culpable for murder, Bailkin demonstrates that governors developed detailed strategies to manage White violence, while the colonial judiciary effectively downgraded such violence into lesser categories than murder. Indian and British sources depict White violence quite differently—the former as an endemic feature of colonial rule, the latter as actions of rogue individuals, often off-duty soldiers—but intriguingly the official archive on interracial violence expanded in scope even as (White) culpability for that violence was diminished through defensive court procedures that rationalized the vulnerability of Indian bodies.36 Interracial violence deeply troubled the humanitarian precepts of manly behaviour that fuelled the modern scientific theories of British leaders such as Lord Curzon, yet Bailkin notes that such leaders were pilloried by the vernacular press for bigotry: for Curzon, she concludes, the prosecution of White criminality was a way of “preserving the doctrine of racial superiority via humanitarianism.”37

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#### Exercises of international law always have colonialist undertones – your claim that you unlock global production so that the settler states can help the Natives, places the settlers on a stand of self-congratulations.

Knox 14. [Robert, thesis submitted to the Department of Law of the London School of Economics for the degree of Doctor of Philosophy, London, April 2014, Dissertation, “A Critical Examination of the Concept of Imperialism in Marxist and Third World Approaches to International Law” http://etheses.lse.ac.uk/1030/1/Knox\_A\_Critical\_Examination\_of\_the\_Concept\_of\_Imperialism.pdf]//NH.

It is this intellectual legacy that TWAIL scholarship has inherited. The task seems clear. Postcolonialism responds to a real historical, political and theoretical urge to understand imperialism, yet it does so by discarding the materialist method that had animated earlier accounts of imperialism. One can reclaim the insights of postcolonial theory by setting it within a material context which does not reduce ‘race’ or ‘culture’ to epiphenomena of capitalism, but understands them as social forms coextensive with and necessary to the accumulation of capital, which therefore come to assume a vital and structuring role within the imperialist system. 274 Fanon’s emphasis on the changing forms of racialisation provides a bridge in this respect. The relationship he describes between transformations in the process of capital accumulation and transformations in forms of racialisation would also – on the reading outlined above – be reflected in international law. As will be recalled, an analysis similar to this was one of the pivots around which Marxist-influenced Third Worldist legal scholarship has turned. As was argued in Chapter 2, Bedjaoui, Umozurike and Chimni all sought to trace the way in which transformations in the nature of imperialism were reflected in different international legal regimes. They understood the initial ‘encounter’ between Europe and the ‘new world’ to be one rooted in early capitalist expansion. This was an unsystematic process of primitive accumulation, which was achieved through trade and ‘looting’. Consequently, it did not require wholesale transformations of the internal life of peripheral territories. International law, therefore, was unsystematic and characterised largely by a silence about colonies. Often non-European sovereigns were recognised so as to facilitate trade and others such as the ‘Indians’ were compelled to engage in trade, or their resources were subject to European appropriation. As capitalism stabilised and grew within Europe, there was a stronger imperative to expand outwards. This expansion could no longer be simply concerned with the extraction of wealth; now societies would have to be transformed wholesale. This was because they were to be the markets for European goods and the direct sites for the export and accumulation of capital. European states would therefore often require a greater deal of control in order to carry out these transformations. For this reason, direct political control in the form of colonisation became more and more necessary. This was buttressed by the competition between European powers, which could better secure profits through the creation of tariff territory. International law mediated this through the standard of civilisation, which justified colonisation, mediated other European dealings with the non-European world and provided an external compulsion for non- or pre- capitalist states and empires to open themselves up to the logics of capital accumulation. Such a situation was unstable, however, both because of the resistance of colonised peoples to colonialism and because of the costs associated with direct colonial control. 275 International law served the role of channelling anti-colonial struggles within the colonies in such a way as to remain compatible with imperialism: both in terms of maintaining these struggles within the nation-state, and also by neutering the Third World’s demands for nationalisation. What this meant was that – given the continued existence of imperialism – international law mediated neo-colonial relations. With the collapse of even those marginal oppositional movements and the slow implosion of the USSR, there was even less restraint upon the capitalists in the advanced capitalist core. This, combined with stagnating conditions at home, led to a renewed round of capital accumulation under the auspices of neoliberalism and globalisation, which was facilitated by international institutions such as the World Bank and IMF. As a part and parcel of this process there has been a wave of military interventions, which were legitimised through an international law which both posited peripheral territories as open for military violence. It is this account which must be ‘reclaimed’ and built within Marxist and TWAIL scholarship. Following Fanon, we can see that these changing forms of capital accumulation are also changing forms of racialisation. The above story can be seen of international law casting the peripheries in different racialised roles in order to facilitate the continued process of capital accumulation. Over time his has shifted from a language based directly on ‘civilisation’, to one which draws on subtler tropes of ‘chaos’, ‘disorder’ and rogue states. It has also (as outlined in Chapter 3, Section 3.3.) been shaped by the resurgence of inter-imperialist rivalries. Thus, this racialisation plays out in different forms in different periods, but nonetheless forms the real ‘dynamic of difference’ which fundamentally structures international law. Crucially, therefore, we are able to combine the insights of the Marxist and postcolonial wings of TWAIL scholarship. This is not achieved by throwing them arbitrarily tying them together, but rather by understanding their common ‘ancestry’ in the stretched Marxist tradition of the radical anti-colonial and Third Worldist movements.

#### Settlers in the name of economic profit have stolen the methods of Natives in medicinal fields.

**Guest 95** Richard A. Guest, Intellectual Property Rights and Native American Tribes, 20 Am. Indian L. Rev. 111 (1995), <https://digitalcommons.law.ou.edu/ailr/vol20/iss1/4> (1-9)

In recent years, several Native American tribes have begun a journey into the unfamiliar terrain of intellectual property rights as a means to assert their self-determination, secure economic independence, and protect their cultural identities. Although "ideas about property have played a central role in shaping the American legal order,"2 in the prevailing legal literature of intellectual property law in the United States, the protection of Native American intellectual property rights is rarely an issue of consideration. Suzan Shown Harjo, in her article, Native Peoples' Cultural and Human Rights: An Unfinished Agenda, writes: "The cultural and intellectual property rights of Native Peoples are worthy of being addressed during this time of increased appropriation of Native national names, religious symbology, and cultural images."3 In contrast, within the realm of international law, the topic of intellectual property is a high priority, uniting the concerns for self-determination and economic independence. For example, the International Alliance of the Indigenous-Tribal Peoples of the Tropical Forests set out in the articles of its Charter demands for respect of the right to self-determination of indigenous peoples and guaranteed rights their intellectual property.4 The most comprehensive recognition for protection of the intellectual property of indigenous peoples is the Draft Universal Declaration on the Rights of Indigenous Peoples which states: "Indigenous peoples have the right to special measures for protection, as intellectual property, of their traditional cultural manifestations, such as their literature, designs, visual and performing arts, cultigens, medicines, and knowledge of the useful properties of fauna and flora."' Thus, in the United States, Native American tribal councils and communities are beginning to ask the question as to whether their intellectual property, as they perceive their intellectual property to exist, can be protected. This article seeks to explore the issue of whether Native American tribes can protect themselves from the increased appropriation of their intellectual property under existing U.S. law.6 Part 1[ introduces the reader to the intriguing world of intellectual property and the distinction between Native American intellectual versus cultural property. Part II focuses on existing patent, copyright, and trademark law in the United States and whether Native American tribes can utilize those laws to protect their intellectual property: Section A summarizes existing patent law and examines the lack of protection for Native traditional seeds and folk crop varieties; Section B summarizes copyright law and illustrates the lack of protection for Native cultural images and expressions. Section C summarizes trademark law and analyzes whether Native American tribal names can be protected. Part I highlights the Indian Arts and Crafts Act (IACA) as a potential source of protection of Native American intellectual property and explores the potential application of the IACA to each of the Native American intellectual property issues discussed in Part II. As mentioned above, intellectual property is not really property, but rights to do certain things and to prohibit others from doing certain things. Thus, for Native American tribes, examples of intellectual property would include the rights to the knowledge of medicinal qualities inherent in indigenous fauna and flora; the embodiment of oral traditions and religious ceremonies; the expression of native art and designs; the use of tribal names and symbols; and most importantly, the right to prohibit their use by others. Although existing patent, copyright, and trademark law in the United States offers significant protection and economic benefit for individuals and companies, it fails to recognize and protect the unique nature of Native American intellectual property. One current area of increasing controversy is the protection of plant genetic resources as intellectual property. Plant genetic resources are developed by scientists in the laboratory for companies who then exclusively market the improved seeds and products they yield. Early in the history of the United States, Thomas Jefferson recognized that "the greatest service which can be rendered any country is to add a useful plant to its culture."' At present, a full range of intellectual property protection is applied to plants.' Unfortunately, indigenous farmers whose traditional knowledge and labor developed and preserved genetic resources over the centuries in the form of traditional seeds, crop varieties and medicinal plants receive no protection and little compensation for their contribution. For those who question the contribution of indigenous farmers, consider these facts: the international seed industry alone accounts for over $15 billion per year, much of which derived its original organic materials from traditional crop varieties; the annual world market value of medicines derived from medicinal plants acquired from indigenous peoples is $43 billion; and the projected sales of natural products such as natural insecticides, fragrances, dyes, etc., derived from plant genetic materials acquired from indigenous peoples, will exceed all other food and medicinal products combined. 7

#### **The neg is not anti-thetical to poilcy making. If the judge votes neg, policy making doesn’t become obsolete however we are critiquing the current modalities of policy making and think that approaching the world through the lens of decol is good. We need to first theorize outside of the political to understand how to operate within in. Examining the historical contexts of Settlers bringing diseases to Native land, then creating medicines and IPP and denying the Natives access is essential to the formation of policy making. In your Harman 21 card you talk about how COVID vaccines have shown a system of vaccine apartheid where it reinforces colonialism, but no where in your aff do you realize the historical context of why those exisit. Because it’s clear that even with COVID the reason as to why developing countries or specific Native communities had and are having a difficult time with acquiring the COVID vaccine is because settlers have taken the medical field and privatized it. We need to ask ourselves the root cause as to why the problems exist.**

#### Specifically on the impact level you claim to care about the apartheid and the effects on indigenous communities but at the end of the day you still impact out to good old extinction without realizing that extinction is a settler fantasy. The aff’s spectacularized claims of extinction are an act of settler futurity that hide the ongoing violence of settler colonialism.

**Dalley 16** Hamish Dalley (2016): The deaths of settler colonialism: extinction as a metaphor of decolonization in contemporary settler literature, Settler Colonial Studies, DOI: 10.1080/2201473X.2016.1238160

**Settlers love to contemplate the possibility of their own extinction; to read many contemporary literary representations of settler colonialism is to find settlers strangely satisfied in dreaming of ends that never come.** This tendency is widely prevalent in English-language representations of settler colonialism produced since the 1980s: the possibility of an ending – the likelihood that the settler race will one day die out – is a common theme in literary and pop culture considerations of colonialism’s future. Yet it has barely been remarked how surprising it is that this theme is so present. **For settlers, of all people, to obsessively ruminate on their own finitude is counterintuitive, for few modern social formations have been more resistant to change than settler colonialism.** With a few exceptions (French Algeria being the largest), the settler societies established in the last 300 years in the Americas, Australasia, and Southern Africa have all retained the basic features that define them as settler states – **namely, the structural privileging of settlers at the expense of indigenous peoples, and the normalization of whiteness as the marker of political agency and rights – and they have done so notwithstanding the sustained resistance that has been mounted whenever such an order has been built. Settlers think all the time that they might one day end, even though (perhaps because) that ending seems unlikely ever to happen.** The significance of this paradox for settler-colonial literature is the subject of this article. **Considering the problem of futurity offers a useful foil to traditional analyses of settlercolonial narrative, which typically examine settlers’ attitudes towards history in order to highlight a constitutive anxiety about the past – about origins. Settler colonialism, the argument goes, has a problem with historical narration that arises from a contradiction in its founding mythology.** In Stephen Turner’s formulation, the settler subject is by definition one who comes from elsewhere but who strives to make this place home. The settlement narrative must explain how this gap – which is at once geographical, historical, and existential – has been bridged, and the settler transformed from outsider into indigene. **Yet the transformation must remain constitutively incomplete, because the desire to be at home necessarily invokes the spectre of the native, whose existence (which cannot be disavowed completely because it is needed to define the settler’s difference, superiority, and hence claim to the land) inscribes the settler’s foreignness, thus reinstating the gap between settler and colony that the narrative was meant to efface.**1 Settler-colonial narrative is thus shaped around its need to erase and evoke the native, to make the indigene both invisible and present in a contradictory pattern that prevents settlers from ever moving on from the moment of colonization.2 **As evidence of this constitutive contradiction, critics have identified in settler-colonial discourse symptoms of psychic distress such as disavowal, inversion, and repression**.3 Indeed, **the frozen temporality of settler-colonial narrative, fixated on the moment of the frontier, recalls nothing so much as Freud’s description of the ‘repetition compulsion’ attending trauma**.4 As Lorenzo Veracini puts it, because: **‘settler society’ can thus be seen as a fantasy where a perception of a constant struggle is juxtaposed against an ideal of ‘peace’ that can never be reached, settler projects embrace and reject violence at the same time**. The settler colonial situation is thus a circumstance where the tension between contradictory impulses produces long-lasting psychic conflicts and a number of associated psychopathologies.5 Current scholarship has thus focused primarily on settler-colonial narrative’s view of the past, asking how such a contradictory and troubled relationship to history might affect present-day ideological formations. Critics have rarely considered what such narratological tensions might produce when the settler gaze is turned to the future. Few social formations are more stubbornly resistant to change than settlement, suggesting that a future beyond settler colonialism might be simply unthinkable. Veracini, indeed, suggests that settler-colonial narrative can never contemplate an ending: that settler decolonization is inconceivable because settlers lack the metaphorical tools to imagine their own demise.6 This article outlines why I partly disagree with that view. I argue that **the narratological paradox that defines settler-colonial narrative does make the future a problematic object of contemplation. But that does not make settler decolonization unthinkable per se; as I will show, settlers do often try to imagine their demise – but they do so in a way that reasserts the paradoxes of their founding ideology, with the result that the radical potentiality of decolonization is undone even as it is invoked.** I argue that, notwithstanding Veracini’s analysis, **there is a metaphor via which the end of settler colonialism unspools – the quasi-biological concept of extinction, which, when deployed as a narrative trope, offers settlers a chance to consider and disavow their demise, just as they consider and then disavow the violence of their origins.** This article traces the importance of the trope of extinction for contemporary settler-colonial literature, with a focus on South Africa, Canada, and Australia. It explores variations in how the death of settler colonialism is conceptualized, drawing a distinction between historio-civilizational narratives of the rise and fall of empires, and a species-oriented notion of extinction that draws force from public anxiety about climate change – an invocation that adds another level of ambivalence by drawing on ‘rational’ fears for the future (because climate change may well render the planet uninhabitable to humans) in order to narrativize a form of social death that, strictly speaking, belongs to a different order of knowledge altogether. As such, my analysis is intended to draw the attention of settler colonial studies toward futurity and the ambivalence of settler paranoia, while highlighting a potential point of cross-fertilization between settler-colonial and eco-critical approaches to contemporary literature. That ‘extinction’ should be a key word in the settler-colonial lexicon is no surprise. In Patrick Wolfe’s phrase,7 **settler colonialism is predicated on a ‘logic of elimination’ that tends towards the extermination – by one means or another – of indigenous peoples.**8 This logic is apparent in archetypal settler narratives like James Fenimore Cooper’s The Last of the Mohicans (1826), a historical novel whose very title blends the melancholia and triumph that demarcate settlers’ affective responses to the supposed inevitability of indigenous extinction. **Concepts like ‘stadial development’ – by which societies progress through stages, progressively eliminating earlier social forms – and ‘fatal impact’ – which names the biological inevitability of strong peoples supplanting weak – all contribute to the notion that settler colonialism is a kind of ‘ecological process’ 9 that necessitates the extinction of inferior races. What is surprising, though, is how often the trope of extinction also appears with reference to settlers themselves; it makes sense for settlers to narrate how their presence entails others’ destruction, but it is less clear why their attempts to imagine futures should presume extinction to be their own logical end as well.** The idea appears repeatedly in English-language literary treatments of settler colonialism. Consider, for instance, the following rumination on the future of South African settler society, from Olive Schreiner’s 1883 Story of an African Farm: It was one of them, one of those wild old Bushmen, that painted those pictures there. He did not know why he painted but he wanted to make something, so he made these. […] Now the Boers have shot them all, so that we never see a yellow face peeping out among the stones. […] And the wild bucks have gone, and those days, and we are here. But we will be gone soon, and only the stones will lie on, looking at everything like they look now.10

#### Emancipation cannot be realized via political means; operating within existing institutions merely bolsters the power of the state. Changing IP laws does nothing in the long run because you leave an entirety of the system behind.

**Lystrup 15** Lauren Lystrup, University of California, Irvine. Master of Arts in Social and Cultural Foundations in Education. The Institutional Repository at DePaul University. University of California, Santa Cruz B.A. Feminist Studies, Education Minor, Law, Politics and Social Change, 2007 – 2011. “Decolonial Futures and the Law: Reflections on Mitigating Projects of Coloniality.” 4/1/2015. https://via.library.depaul.edu/cgi/viewcontent.cgi?article=1079&context=soe\_etd || OES-SW

Colonial logics produce the colonized as abject, that which the colonizer is both disgusted by and that which he depends upon to sustain existence as he is accustomed. Sectioned off and compartmentalized to the spaces where the colonized has made room for the abject to exist (slums, prisons, public housing, shelters) and where their movement is restricted in zoological-like conditions, the colonizer has studies the colonized and visits as he pleases to bestow what he has learned about them and to build paths toward the European beacon of civilization, progress, and development. In A Nation Rising: Hawaiian Movements for Life, Land and Sovereignty, Joan Conrow (2014) quotes a native Hawaiian homeless women who observes, “They got to lock us up to help us” (p. 89). Colonial logics want to solve problems in formerly colonized places through hyper attention on the local level held statically in place, movement signaling instability, without pulling the lens back to account for its own continued historical legacies, and continuing to paint subjects outside the colonial image of man/human as a burden or impediment to progress. A white classmate who will remain anonymous once exclaimed, “I was driven by a native Hawaiian when I visited; he told me he is happy to have tourism because it brings money to the island!” This anecdotal reference is representative of the sentiments not only that tourism brings what should be desirable, but a double edge-sword that the native desires against their own interests. Freedom and emancipation are recognized by the (former) colonizer as promises betrayed while, simultaneously, the colonizer gawks and wonders at the spectacle of violence and struggle endured by the (formerly) colonized. Saldana-Portillo (2003) understands agency and consciousness not as a moment of birth or revelation, but as an ongoing process in which everyone is engaged and invested. Moving away from the language of self-determination in which decolonization visions have been articulated, and which can be limited in narrowly signaling a concern with political choices only, I look toward the Fanonian language of ‘self-discovery’ and ‘self-becoming’ to signal an ongoing and humanistic aspect of decoloniality. This recognizes not only the usurpation of political power, control, authority and European universal productions of knowledge grafted onto colonized spaces. It also recognizes coloniality’s denial of self-inquiry, self-questioning and reflection, becoming and future in order to make room for its own. Self-discovery, which informs self-becoming, begins from a place of questioning and of openness to a truth that informs material reality. Rather than this process being directed by an outside actor the agent and subject is the self. It is a process continuously in movement, not only directed inwardly, but recognition of self in context. Becoming is never in a vacuum but always relational. Fanon (1968) says: Decolonization never takes place unnoticed, for it influences individuals and modifies them fundamentally. It transforms spectators crushed with their inessentiality into privileged actors, with the grandiose glare of history's floodlights upon them… Decolonization is the veritable creation of new men. But this creation owes nothing of its legitimacy to any supernatural power; the "thing" which has been colonized becomes man during the same process by which it frees itself. (pp. 36-37) The process that Fanon describes will perhaps be felt most by the colonizer, contrary to the imagination and visions of development and charity projects seeking to do justice to their abjectified subjects, to whom they have given only death under the auspices of providing opportunity and stability. Decoloniality for the colonizer will require a dramatic and radical change in existence as he knows and is accustomed. For Ranciere (1991), emancipation occurs when “intelligence obeys only itself” (p. 13). Ranciere, In Education, Truth, Emancipation Ranciere elaborates on his idea laid out in Ignorant School Master explicating that the teacher indeed can teach what one is ignorant of and reify mechanisms of dependency. The student is made to be dependent on the truth outlined by the teacher or schoolmaster. Ranciere contends that processes of emancipation offered by antioppressive work (Socrates or Freire’s methods, for example) function at worst, to instill mistrust and dependency within students, and at best only re-posit the student in need of the master to ask the right question leading to conscientization. Emancipation cannot be fully realized in this model because it is always conceived within a dichotomous framework where the student must rely on what is outside themselves in order to emancipate themselves. It subtly continues to undermine individual and communal self-determination. The contradiction functions under the logic of equality that is always already presumed by the logic of inequality. True politics, according to Ranciere (1999), only occurs when the logic of the order is disrupted and found to be false, requiring a new formation that is detached from these logics. The logic of dependency is a model that operates by creating a one-sided historical narrative that not only legitimize a social ordering, but also make it appear as the only rational way of being. The techniques of this logic work to instill fear and mistrust personally and communally into submission and cooperation based on people’s lack of logos or rational thinking. Dissent is limited to incorporation negotiating in the terms of the police state, its history and language. Political actions that do not seek autonomy from the state and the institutions of the state, or to disrupt their very foundations are incorporative and would not represent true politics for Ranciere (1991), as they do not disrupt the police order. Instead, they bolster the same systems that consistently reproduce inequality. Emancipation can occur when de-linked from dependency on the state as mediator of the good, when the singular legitimacy of the police state is rendered false. While dissent often functions as incorporation, the ability to be like the monoculture posited as most progressively advanced, options exist outside or delinked from these systems.

#### **CAP is just an extension of Settler-Colonialism, and has been concealed by projects studying neoliberalism.**

Tuck 13 “Neoliberalism as nihilism? A commentary on educational accountability, teacher education, and school reform” Eve Tuck (super duper famous indigenous scholar y’all better know who she is cause she is very smart. I think she works in Canada? I’m p sure she is in Toronto. Also she is cited in the card above) - Journal for Critical Education Policy Studies, 2013 - jceps.com HCH

Neoliberal ideology, which shapes schooling in the Unites States, is often theorized as a new logic that emerged in the late 1970s, yet Indigenous scholars argue that neoliberalism is a contemporary expression and extension of colonialism. Whilst settler colonialism (as a structure and not an event [Wolfe, 1999]) is primarily concerned with the dispossession and erasure of Indigenous peoples, neoliberalism as an extension of colonialism is concerned with the dispossession and erasure of the unworthy subject. Educational accountability policies fall under the rare category of allowable interventions of the neoliberal nation-state into the lives of individuals and families: ensuring the viability of a service-based economy that thrives on consumerism and credit. Communities call upon school and government leaders for more accountability for the quality of their teachers and schools, the state responds with more and more accountability measures aimed at appraising the use of dollars spent, measures that do nothing to secure schooling as desired by communities, and in fact, undermine the potential for schools as sites of meaningmaking. Educational accountability policies are not accountable to poor and low-income families, urban communities, migrant and immigrant communities, and disenfranchised peoples. Accountability policies are accountable to those who advocate for them, in order to keep a tight rein on how tax dollars are spent and/or to close out those who display any sort of dependence on the state. There are other theories of change outside the binary spectrum of government vs. private that characterizes neoliberalism. There are other axes upon which we might find inspiration and solutions for change. Indigenous theory, because it has existed and persisted alongside colonial models for so long, is just one example of a source for alternative theories of change that have been concealed by the circular logic of neoliberalism. It may take some imagination and flexibility to determine other useable frameworks, but there are many, many other logics or perspectives that can provide far more fruitful models for change in teacher education and schools than neoliberalism.

#### The impact is racialized targeting and extermination – settler colonialism separates Natives into zones of legality and zones of death in order to justify free and ruthless use of force until Natives are appropriated into the Sovereign’s culture nativity is erased

**Lloyd** and **Wolfe** **16** (David, Distinguished Professor of English at the University of California, Riverside, works primarily on Irish culture and on postcolonial and cultural theory, and Patrick, a freelance historian who lives and works in Wurundjeri country near Healesville, Australia. He has written, taught, and lectured, in comparative vein, on colonialism, race, genocide, theories of imperialism, Aboriginal histories, and the history of anthropology, Settler colonial logics and the neoliberal regime, Settler Colonial Studies, 6:2, 109-118, DOI: 10.1080/2201473X.2015.1035361)

As Jesse Carr shows in detail in this volume, writing of the contemporary legacies of frontier violence, **state-sanctioned law and vigilante violence are intimately intertwined throughout US history**: **settler colonial violence is at once law-making, and therefore constitutive of a certain kind of sovereignty, and a ‘free and ruthless’ use of force. It at once obeys and constitutes** over and again **the line that demarcates the appropriation of land and resources** **and the division between those protected by law and sovereignty and those subject to their violence.** The corollary to **this perpetual reconstitution of law-making violence**, which does not allow the ‘forgetting’ of the law’s origins in appropriation**, is the persistence of a psychic ‘state of siege’: the representation of the world as a surround populated by uncivil peoples who pose what, in the language of neoconservatism** as of Zionism, **is understood as an ‘existential threat’ to civil subjects.** With the impeccable logic of the paranoid, **the ‘free and ruthless force’ inflicted on those evicted** ‘beyond the line’ is projected onto its objects. **This leads**, as Nadera Shalhoub-Kevorkian shows in her essay, **to the constitution of ‘death zones’ inhabited by beings whom the settler colonial state considers**, from before their births to even after their deaths, **as existential and demographic threats**. In the final pages of The Nomos of the Earth, Schmitt asks a question still pertinent to the current moment of globalization: ‘Has humanity today actually “appropriated” the earth as a unity, so that there is nothing more to be appropriated? Has appropriation really ceased?’ 20 It is clear, following Harvey, that **appropriation has not ceased, but it is equally clear that the fundamental act of demarcation, the distributions of legality and ruthless force which constitute a nomos, continues in new forms,** constituting new frontiers appropriate to the emergent mode of accumulation on a global scale. See reminds us of Rosa Luxemburg’s argument that capitalism ‘needs other races’: for her, those ‘races’ were the ‘outside’ of capital, ‘beyond the line’, in Schmitt’s terms. Now, **at a moment when the globe has been appropriated ‘as a unity**’, **the current crisis of capital may find no geographical ‘outside’** any more, **but is no less productive** **of forms of racialization that continue to correspond to nomothetic demarcations** but within an utterly different spatial ordering wherein, in Weizman’s phrase, ‘the periphery comes straight to the center’. Within this new spatial ordering, Weizman suggests, **‘acts of spatial exclusion creat[e] wedges that separate the habitat of a population marked as a political “outside” and perceived as a political threat’. 21 Such ‘wedges’ result in a quite different mapping of the spatial order of domination** that was designated by lines of longitude, a mapping with which any contemporary urban dweller is already intimate: **The contemporary city is exploding spatially, but in essence is fractalized into a collection of interlocking, internally homogeneous, and externally alienating synthetic environments. The separation between the affluent, established populations from [sic] the poorer immigrant populations can no longer be understood as a continuous line across the map.** Internal city borders will be further 114 D. Lloyd and P. Wolfe reinforced, forming local enclaves scattered across the city and its suburbs. Point based security systems fractalize borders and turn them from a defined object into a condition of heightened security whose presence is manifested in electronic or physical barriers at entry points to office buildings, shopping malls, or transport infrastructure – from midtown to suburbia.22 **The laboratories for both this ‘condition of heightened security’**, including the necessary surveillance technologies, and for the reorganization of social space **have been and continue to be the sites of colonial counter-insurgency**, from Northern Ireland to Palestine.23 **Settler colonialism**, specifically under conditions of what Israeli sociologist Baruch Kimmerling called ‘low frontierity’, 24 **furnished** both **the model by which populations** and spaces **are distributed between zones of legality and,** in Shalhoub-Kevorkian’s phrase, ‘**zones of death’**, and the historically normalized imaginary of the perpetual ‘state of siege’. The counter-insurgency campaigns of Israel and Northern Ireland stand as some reminder that **the settler colony has always also been a site of military occupation** and – as See also points out – **is extended extraterritorially by way of military occupation as a further modality of colonialism.** The settler colonial and the military imaginaries intertwine with great and familiar intimacy, from the stockades of the early colonists and forts of the frontier cavalry to the hilltop Israeli settlements in Palestine that double as military outposts, to the current military intervention into Aboriginal communities in Australia’s Northern Territory, or to the fortified police stations of Soweto or Belfast. But **military occupation, which Klein identifies as one model of the new modes of social control and spatial organization of neoliberal states, does also offer an alternative if intersecting model for colonial domination.** The military occupation of the Philippines entailed neither extensive Euro-American settlement nor incorporation into the state, though particularly in the Philippines the genocidal prosecution of the war from 1898 to 1913 explicitly learnt much from the recently completed frontier wars against Native Americans.25 Rather, **they offer paradigms for the kinds of colonial domination that operate through partial and segmented land-appropriation, secured through ruthless violence but maintained through the forced** (‘benevolent’) **pacification of the surviving population. In this respect, occupation combined with tutelage functions as an early instance of the nomothetic lines of legal or moral demarcation that characterize for the most part the framework of the neoliberal state and its racial order.**

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

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

Indigenous Refusal and the Twenty-First-Century Ghost Dance

As articulated by Indigenous scholars, Julian Brave NoiseCat and Anne Spice, “At Standing Rock, the audacious vision for an indigenous future, handed down from Wounded Knee and global in force, is alive and well.” In order for this “audacious vision” to be fully realized, it is up to all of us to see and work past the glimmer of spectacle, to resist the cult of the immediate, and to do the more deliberative work of history, earnestly connecting past with present. This requires a collective refusal to participate in the theater of cruelty and choose instead to dismantle the settler consciousness that enables it. Such efforts entail working beyond and below the surface, keeping an eye toward the process by which relations of mutuality are either abandoned or eroded by relations of capital – to in effect, decolonize. Within this struggle, Indigenous nations, peoples, and knowledge are crucial, not because they hold any magic or “ancient wisdom” but because they represent the most enduring and resilient entities that present a competing moral vision to the settler order. Despite myriad struggles, Native peoples have maintained their autonomy and political sovereignty for centuries, confounding the infamous Thatcherism, “There is No Alternative.” And insofar as current patterns of thinking and being have contributed to the existing political, economic, and environmental crises of our time, it is incumbent upon all of us to protect the complex ecologies that sustain Indigenous communities. That said, I want to be clear that by “protect” I do not mean appropriate, mimic, exploit, or put on display. I mean to create and sustain the conditions under which such communities continue to survive and thrive.

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

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

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

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

## 2

#### The medical field is constantly in search of discovering a cure for trangenderism. This allows them to study trans folk like experiments rather than people

**Gauthier 14** Gauthier 2014 (C. Armes, alumnus of the University of California, San Diego, with degrees in cognitive science, neuroscience, and critical gender studies. Gauthier is currently exploring somatic education in terms of embodiment, integrative health, and healing at IPSB College and the University of California, San Diego, Center for Mindfulness. “Brain Imaging”, TSQ, LB)

Brain imaging technologies aid in systematic evaluation of biological, behavioral, and environmental systems. The methods used to conduct this research attempt to gather data representing structures, function, or activity. The visual monitor shows structures and activation based on how the brain interacts with the environment. Such observations illuminate how certain parts of the brain function contingently upon specific stimuli. The ethical stakes of studies into sexual dimorphism and gender identity in particular are quite high in the context of state policy informed by such research (see Fleck 1979; Fine 2010; Fausto-Sterling 1985a, 1985b). To date, no consistent evidence of brain-based sexual dimorphism exists, in part because there are no stable criteria that distinguish sexes reliably or concretely (Fausto-Sterling 1985a). Despite this fact, the theory of sexual dimorphism remains entrenched withinWestern culture. Experiments are designed around brain organization theory, which posits that the brain is a sexually dimorphic structure prior to birth and lends itself to the sexual differences people experience in their lives— which is not supported by existing data (Jordan-Young 2010: 21). Rebecca Jordan- Young’s pivotal book on brain and sex-hormone–based gender research, ‘‘Brainstorm: The Flaws in the Science of Sex Differences’’ (2010), aptly describes various design and methodological problems in the studies discussed. The book explains the language barrier across fields for defining terms of gender, sex, and sexual orientation and critically evaluates brain organization theory as a widely used framework to conduct research (12–18). Jordan-Young calls for a departure from brain organization theory, with its poor experiment design, and for a genuine exploration of the complex nature of sex, gender, and sexuality (3, 9). The studies reviewed for this introduction to transgender phenomena utilize brain imaging in conjunction with sex-hormone measurements to explore multiple questions: to determine if transsexuals are ‘‘born this way,’’ to ascertain which brain structures are markers of gender identity, and to evaluate how hormones influence specific brain structures. Underlying these overarching questions is a renewed discussion of sexuality with regard to gender identity and biological sex. Unsurprisingly, the transsexual is identified as a set of unidirectional pathologies as described in the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders (DSM), displaying neuropsychological abnormalities and existing in the wrong body. There is no serious consideration given to the experiences of these individuals, rather than their inherent transsexualism, in shaping their brains. The brain structures in transsexuals are scrutinized prior to and during hormonal transition, mediated through structural and functional imaging methods that may illustrate that the deviance in transsexual activation patterns and/or microstructures examined is distinct from those of individuals of their biological sex and much closer to those of individuals who share their gender identity. After extensive statistical analysis and a complex process of meaning making (see Alacˇ and Hutchins 2004; Dumit 2004) out of the images on the visual monitor, most studies determine that there are similarities in brain structures and activation patterns between transsexuals prior to hormone therapy (HT) and subjects who share their gender identity. Changes after HTare usually found not to be attributable to the differences in brains prior to HT (see Luders et al. 2009; Rametti et al. 2011; Zhou et al. 1995; Van Goozen et al. 2002; Swaab 2004; Garcia-Falgueras and Swaab 2008; Miles, Green, and Hines 2006; La Torre, Grossman, and Piper 1976; Haraldsen et al. 2003; Prince 2005; and Sullivan 2008). The results and conclusion of inherent transsexuality, sans the hormonal transition aspect, mirror Simon LeVay’s (1993: 120–24) earlier work in which he located structural and functional differences between self-identified gay men’s brains and those of heterosexual men, noting that the structures were similar to those of presumably heterosexual women.

#### It is impossible to know in international relations – forms of IR has created the dominant discourse that in the medical field queer people are outliers that needs to be eradicated.

Barkin and Sjoberg 15

(J. Samuel Barkin is a professor in the Department of Conflict Resolution, Human Security, and Global Governance at the University of Massachusetts Boston. Laura Sjoberg is a leading scholar of feminist international relations and international security. Her research focuses on gender and just war theory, women’s violence in global politics, and feminist interpretations of the theory and practice of security policy. “The Failures of Constructivist Theory in IR” Written for presentation at the 2015 Millennium Conference. cVs)

The pride in success and embarrassment in failure depend on being able to identify success and failure, which various disciplinary standards for the production of knowledge purport to outline. Generally, there is an implication that research has failed when it does not contribute to the cumulation of knowledge, and that a researcher has failed when s/he is incapable of producing sustained contributions to knowledge. In our reading of the impossibility of detecting the cumulation of knowledge, though, that would make every piece of scholarship and every scholar a failure. We think that is true. We just do not think that it is problematic, that failure is always a problem, or that the idea and implications of failure have been fully explored in epistemology in IR. It is, after all, failure that Baudrillard called for, in different words – a willingness to drop commitment to and passion for a certain end on the recognition that both that end and its opposite are empty signifiers. Here, we are using the word ‘failure’ in two senses: in the traditional sense of failing to reach one’s own ends, and in the queer sense of failing to live up to expectations. When we say that we are talking about failure in the queer sense, we mean the “queer failure” that Jack Halberstam talks about: failure as not “a stopping point on the way to success” but “a category levied by the winners against the losers” and “a set of standards that ensure all future radical ventures will be measured as cost-ineffective” (Halberstam, 2011: 184). The label of ‘research failure’ (the foil to ‘research success’) is not a weakness to be overcome, but a category constituted by the ‘winners’ as a demonstration of the ‘losers’ being inferior. Failure as a category in IR scholarship serves to reinscribe and renormalize standards of ‘research success’ which remain unchanged, unchangeable, regressive, and violent. The scholarship that makes unconventional claims to knowledge cumulation (or no claim to knowledge cumulation) not only fails but constitutes its researchers as failures – which becomes recursive when “we tend to blame each other or ourselves for the failures of the social structure we inhabit, rather than critiquing the structures… themselves” (Halberstam, 2011: 35; citing Kipnes, 2004). In Halberstam’s view, it is the system that privileges success that is the problem, and failing within it is an emancipatory possibility which “dismantles the logics of success and failure with which we currently live” (2011, 2). Rather than being by-definition normatively undesirable, in Halberstam’s view, failure can be normatively desirable. S/he suggests that “under certain circumstances, failing, losing, forgetting, unmaking, undoing, unbecoming, not knowing may in fact offer more creative, more cooperative, more surprising ways of being in the world” (2011, 2-3). This is because: To live is to fail, to bungle, to disappoint, and ultimately to die; rather than searching for ways around death and disappointment, the queer art of failure involves acceptance of the finite, the embrace of the absurd, the silly, and the hopelessly goofy (Halberstam 2011, 186-187). Declaring, and embracing, knowledge cumulation failure (and thus, in traditional terms, research failure) “allows us to escape the punishing norms that discipline behavior and manage human development” (Halberstam 2011, 3). Here, the norms that discipline behavior and manage human development are the fetishization of science, the fetishization of progress, and the establishment and reification of boundaries of what ideas are relevant and what ideas are irrelevant. In embracing failure, and escaping those punishing norms that are as violent in their inclusion[[1]](#footnote-1) as they are in their exclusion “queer studies offer us one method for imagining, not some fantasy of an elsewhere, but existing alternatives to hegemonic systems” (2011, 89), Here, the alternative to the hegemonic system of claims of knowledge cumulation is the queer – not only as sexuality, but as lifestyle, as performance, and as foundation for theorizing. If scholars find their affirmation in (hollow) confirmations of their claims to knowledge cumulation, a queer politics of failure suggests a different direction. As Halberstam recommends, “rather than resisting endings and limits, let us instead revel in… all of our own inevitable fantastic failures” (2011, 187). Reveling in fantastic failures, in terms of a queer critique of the fantasy of progressive knowledge cumulation, has two elements: enjoying research-as-failure, and confronting the future given that embrace. Queer theory suggests guidelines for embracing failure: “failing is something queers do well”– not (only) in the self-deprecating sense of laughing at (our own) flaws, but in the more fruitful sense of exposing the ridiculousness of norms by failing to live up to them. In this sense, queer failure is “a map of the path not taken’ to ‘dismantle the logic of success and failure with which we currently live” (Weber, 2014). ‘Failing’ to meet expectations and being fine repudiates the salvation narrative that accompanies the ‘right’ rules and norms (Weber, 2014). The exposure and analysis of queer failure denaturalizes the coherence of knowledge-production performances to show the vapidity inside, and argues that the only way the performance of IR can truly be understood is liminal, transitional, and vulnerable (Butler, 1990, 1993). With Halberstam, we suggest the replacement of “all-encompassing global theories” with those “subjugated knowledges” which have been “buried or masked in functional coherences or formal systemization” (Halberstam, 2011).

#### You can’t pretend that you aren’t gendered– everyone is either exploited by or exploits heteropatriarchy – severing from this truth cedes power to identity and recreates humanism

Eli 15  
(Eli is an ace lesbian white nonbinary trans girl. Answering a question about nonbinary people existing within patriarchy on 27 August 2015, accessed 16 February 2016. <http://transgirlnezha.tumblr.com/post/127691375248/do-you-think-that-there-can-be-nonbinary-people> cVs)

I’m so going to regret getting into this but, no, I don’t think it’s possible to exist under patriarchy without exploiting it or being exploited by it. those are the conditions of existing within the system of gender as we know it today (i.e. the colonial gender binary). there is no way to “opt out” of gender; you can’t just say “no thanks” when it comes to a system that operates via coercively assigning meaning onto bodies / people / experiences / performances for the purpose of subjugating one class of people (i.e. women), through physical, emotional, domestic, economic, and sexual exploitation, to another class of people (i.e. men) I think there’s a lot of danger in trying to define gender as a set of “identities”–trying to make it into something that’s completely self-contained and politically neutral–because it erases and obscures the very real nature of gender as a system of violence and oppression. (”Defining gender based on relationship to the patriarchy is a concept I haven’t encountered yet” is a comment that someone left on one of my posts in all earnestness.) gender is not contained within the self: rather, gender is discursively + coercively assigned onto subjects and is reinforced via language / norms / symbols / etc. I think that the belief that anyone can exist outside of gender, or denounce any part in gender(ed violence), is extremely naive and probably exists as a result of the liberal impulse to centre individual agency and “identity” over collective efforts to recognise and challenge oppressive paradigms. trying to expand gender and / or pushing for the legal / medical / societal acceptance of more genders does nothing to combat the violence that is at the core of gender itself–especially since the law / the medical complex / society at large are some of the topmost forces in recreating and reinforcing gender. there is no way for that violence to be eradicated, or for any individual person to exist outside of that violence, without the abolition of gender as a whole.\

#### A gender revolution – this involves a social dismantling of gendered binarism, solidarity among those oppressed by gendered binarism, and radical gender politics expressed through individuals that are subjugated to patriarchal violence.

Darity 9  
(Sally Darity is a queer theorist and anarcha-feminist author who writes for The Anarchist Library. “Gender is a Weapon: Coercion, Domination, and Self-Determination” 29 April 2009, accessed 21 March 2015 from <http://theanarchistlibrary.org/library/sally-darity-gender-is-a-weapon-coercion-domination-and-self-determination> ~cVs)

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We may be imprisoned by gender, but we can also use gender to set ourselves and each other free. We should address strict, rigid divisions of mutually exclusive genders as false and consider how they’re used against people. This social division of genders, the gender dichotomy, is what patriarchy, homophobia, and transphobia are based on. Should we smash the gender dichotomy, get rid of gender? In an essay called “Politicizing Gender: Moving toward revolutionary gender politics” the author, Carolyn wrote, For many anti-authoritarians there may be the temptation to “smash gender” or “destroy gender roles.” This may seem logical to some. However, I believe this too leads to an alternate form of authoritarianism... a gender revolution will only be meaningful if it substantively empowers everyone... Gender must be liberated, but we all must have a voice in what that means, not from an abstract pre-determined theory, but a synthesis of real people’s experiences. From this I believe we will see that many people find gendered roles liberating, while others experience serious oppression through these roles. Any strategy toward liberation must maintain the integrity of all our experiences and be willing to question how different communities can accept divergent and antagonistic needs without creating an atmosphere of punishing silences and real violence. The struggle for gender self-determination should include the dismantling of the gender dichotomy — but not to the extent that gender identities are replaced by androgyny or genderlessness, that any gender identities are prohibited, nor that people who conform to accepted ways of being male or female are looked down upon. The dismantling of the gender dichotomy is a process of looking at the social division of gender as based on power relationships, to fight that power, to accept a variety of ways of expressing, and performing gender, to destabilize ideas of a “real man” and a “real woman,” to respect people’s decisions about how they identify and what language they use regarding their identity (pronouns, labels, etc.). What each of us can do depends on our position in the gender hierarchy. Addressing our privilege where we have it, listening to others, overcoming assumptions, confronting domination, addressing the limits that have been forced on us, being disloyal to patriarchy, and seeking out our own identities with a vision of a world without the coercion of the gender dichotomy and patriarchy. Those of us who are subjugated by gender oppression need to have solidarity with each other. Those who privilege from gender oppression need to see where they are also repressed by patriarchal expectations and lack of choices for expression. We need to look for those things that threaten the patriarchal power structure and use those things against it. We need to come together against patriarchal masculinity. It is necessary to undermine men’s assumed access to privilege and control. We must see the interconnections of oppressions and make our goal the liberation of all. Michelle O’Brien wrote in an article called “Gender Skirmishes on the Edges; Notes on gender identity, self-determination and anticolonial struggle,” A revolutionary politics of self-determination must also be about recognizing and challenging systems of white supremacist capitalism and neocolonialism. Self-determination isn’t just about making individual decisions — it’s about communities, classes and nations seizing control of one’s own destiny from the grips of the domination of capital, state violence and colonization. A substantive radical gender politics must challenge all structures of domination as they are deeply interconnected across the surface of our lives and across this planet. We need to address and confront institutionalized gender oppression. Some will find it necessary to think in terms of reform, while others will seek justice and solutions through direct action. We must address our own attitudes and actions, those within our community, and gender oppression on a larger scale. Self-determination is a freedom that would ultimately require that we are no longer ruled by the state nor by anyone else. The state, embodying domination, seeks to control our bodies and our lives. No authority can tell us who we are, and no one can rightfully control our bodies. We cannot simply say that fighting against patriarchy is a fight for the freedom of more than half the population. We know that it is/has not been all feminists’ goals to set all women free; that racism and classism has permeated much of the mainstream feminist movement. However, those of us who are feminists know that the feminist movement has been criticized as racist more than race and class-based movements have been criticized as sexist. We also know that many feminists (particularly anarcha-feminists) have struggled and are struggling for freedom from all oppressions. My vision of anarcha-feminism is a feminism that is anarchist, not only in the sense that the objective isn’t “equality” with men within an domination-based system, but also in the sense that we question the basis on which gender divisions and roles are shaped by power. It makes no sense why gender self-determination and freedom from patriarchy can so easily be left out of discussions about power and absent from liberation movements. As long as patriarchy is not addressed, domination will be a central value in our society, people will be oppressed based on their gender or sexuality, and freedom is not possible. Gender oppression is an incredibly old oppression. It’s likely that people’s unwillingness to address it on a larger scale is because it is so daunting. How can we change ingrained attitudes, how we’ve been taught to think and act? Another difficult dimension to this problem is that for so many of us, gender oppression is a very personal experience. How do we empower ourselves and everyone to fight against gender oppression? These are issues around which we need to think and talk about and create strategies.

1. See, e.g, discussion in the Murderous Inclusions special issue of the *International Feminist Journal of Politics*. [↑](#footnote-ref-1)