# 1

#### Colonial narratives highjack human rights discourse. The aff is a ploy to project power onto native cultures —Their case uniquely justifies violence by framing human rights issues as one that the “benevolent” state can solve.

**Mutua 01** Makau Mutua, University at Buffalo School of Law. SUNY Distinguished Professor Floyd H. and Hilda L. Hurst Faculty Scholar. “Savages, Victims, and Saviors: The Metaphor of Human Rights.” 2001. https://digitalcommons.law.buffalo.edu/cgi/viewcontent.cgi?article=1569&amp;context=articles ||

The human rights movement 1 is marked by a damning metaphor. The grand narrative of human rights contains a subtext that depicts an epochal contest pitting savages, on the one hand, against victims and saviors, on the other.2 The savages-victims-saviors (SVS)3 construction is a three-dimension- al compound metaphor in which each dimension is a metaphor in itself.4 The main authors of the human rights discourse,5 including the United Nations, Western states, international non-governmental organizations (INGOs),6 and senior Western academics, constructed this three-dimensional prism. This rendering of the human rights corpus and its discourse is unidirectional and predictable, a black-and-white construction that pits good against evil. This Article attempts to elicit from the proponents of the human rights movement several admissions, some of them deeply unsettling. It asks that human rights advocates be more self-critical and come to terms with the troubling rhetoric and history that shape, in part, the human rights movement. At the same time, the Article does not only address the biased and arrogant rhetoric and history of the human rights enterprise, but also grapples with the contradictions in the basic nobility and majesty that drive the human rights project-the drive from the unflinching belief that human beings and the political societies they construct can be governed by a higher morality. This first section briefly introduces the three dimensions of the SVS metaphor and how the metaphor exposes the theoretical flaws of the current human rights corpus. The first dimension of the prism depicts a savage and evokes images of barbarism. The abominations of the savage are presented as so cruel and unimaginable as to represent their state as a negation of humanity. The human rights story presents the state as the classic savage, an ogre forever bent on the consumption of humans. 7 Although savagery in human rights discourse connotes much more than the state, the state is depicted as the operational instrument of savagery. States become savage when they choke off and oust civil society.8 The "good" state controls its demonic proclivities by cleansing itself with, and internalizing, human rights. The "evil" state, on the other hand, expresses itself through an illiberal, anti-democratic, or other authoritarian culture. The redemption or salvation of the state is solely dependent on its submission to human rights norms. The state is the guarantor of human rights; it is also the target and raison d'etre of human rights law.9 But the reality is far more complex. While the metaphor may suggest otherwise, it is not the state per se that is barbaric but the cultural foundation of the state. The state only becomes a vampire when "bad" culture overcomes or disallows the development of "good" culture. The real savage, though, is not the state but a cultural deviation from human rights. That savagery inheres in the theory and practice of the one-party state, military junta, controlled or closed state, theocracy, or even cultural practices such as the one popularly known in the West as female genital mutilation (FGM),10 not in the state per se. The state itself is a neutral, passive instrumentalitya receptacle or an empty vessel-that conveys savagery by implementing the project of the savage culture. The second dimension of the prism depicts the face and the fact of a victim as well as the essence and the idea of victimhood. A human being whose "dignity and worth" have been violated by the savage is the victim. The victim figure is a powerless, helpless innocent whose naturalist attributes have been negated by the primitive and offensive actions of the state or the cultural foundation of the state. The entire human rights structure is both anticatastrophic and reconstructive. It is anti-catastrophic because it is designed to prevent more calamities through the creation of more victims. It is reconstructive because it seeks to re-engineer the state and the society to reduce the number of victims, as it defines them,11 and prevent conditions that give rise to victims. The classic human rights document-the human rights report--embodies these two mutually reinforcing strategies. An INGO human rights report is usually a catalogue of horrible catastrophes visited on individuals. As a rule, each report also carries a diagnostic epilogue and recommended therapies and remedies. 12 The third dimension of the prism is the savior or the redeemer, the good angel who protects, vindicates, civilizes, restrains, and safeguards. The savior is the victim's bulwark against tyranny. The simple, yet complex promise of the savior is freedom: freedom from the tyrannies of the state, tradition, and culture. But it is also the freedom to create a better society based on particular values. In the human rights story, the savior is the human rights corpus itself, with the United Nations, Western governments, INGOs, and Western charities as the actual rescuers, redeemers of a benighted world. 13 In reality, however, these institutions are merely fronts. The savior is ultimately a set of culturally based norms and practices that inhere in liberal thought and philosophy. The human rights corpus, though well-meaning, is fundamentally Eurocentric,' 4 and suffers from several basic and interdependent flaws captured in the SVS metaphor. First, the corpus falls within the historical continuum of the Eurocentric colonial project, in which actors are cast into superior and subordinate positions. Precisely because of this cultural and historical context, the human rights movement's basic claim of universality is under mined. Instead, a historical understanding of the struggle for human dignity should locate the impetus of a universal conception of human rights in those societies subjected to European tyranny and imperialism. Unfortunately, this is not part of the official human rights narrative. Some of the most important events preceding the post-1945, United Nations-led human rights movement include the anti-slavery campaigns in both Africa and the United States, the anti-colonial struggles in Africa, Asia, and Latin America, and the struggles for women's suffrage and equal rights throughout the world. 15 But the pioneering work of many non-Western activists16 and other human rights heroes are not acknowledged by the contemporary human rights movement. These historically important struggles, together with the norms anchored in non-Western cultures and societies, have either been overlooked or rejected in the construction of the current understanding of human rights. Second, the SVS metaphor and narrative rejects the cross-contamination 17 of cultures and instead promotes a Eurocentric ideal. The metaphor is premised on the transformation by Western cultures of non-Western cultures into a Eurocentric prototype and not the fashioning of a multicultural mosaic."' The SVS metaphor results in an "othering" process that imagines the creation of inferior clones, in effect dumb copies of the original. For example, Western political democracy is in effect an organic element of human rights.1 9 "Savage" cultures and peoples are seen as lying outside the human rights orbit, and by implication, outside the regime of political democracy. It is this distance from human rights that allows certain cultures to create victims. Political democracy is then viewed as a panacea. Other textual examples anchored in the treatment of cultural phenomena, such as "traditional" practices that appear to negate the equal protection for women, also illustrate the gulf between human rights and non-liberal, non-European cultures. Third, the language and rhetoric of the human rights corpus present significant theoretical problems. The arrogant and biased rhetoric of the human rights movement prevents the movement from gaining cross-cultural legitimacy.20 This curse of the SVS rhetoric has no bearing on the substance of the normative judgment being rendered. A particular leader, for example, could be labeled a war criminal, but such a label may carry no validity locally because of the curse of the SVS rhetoric. 21 In other words, the SVS rhetoric may undermine the universalist warrant that it claims and thus engender resistance to the apprehension and punishment of real violators. The subtext of human rights is a grand narrative hidden in the seemingly neutral and universal language of the corpus. For example, the U.N. Charter describes its mandate to "reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small." 22 This is certainly a noble ideal. But what exactly does that terminology mean here? This phraseology conceals more than it reveals. What, for example, are fundamental human rights, and how are they determined? Do such rights have cultural, religious, ethical, moral, political, or other biases? What exactly is meant by the "dignity and worth" of the human person? Is there an essentialized human being that the corpus imagines? Is the individual found in the streets of Nairobi, the slums of Boston, the deserts of Iraq, or the rainforests of Brazil? In addition to the Herculean task of defining the prototypical human being, the U.N. Charter puts forward another pretense-that all nations "large and small" enjoy some equality. Even as it ratified power imbalances between the Third World23 and the dominant American and European powers, the United Nations gave the latter the primary power to define and determine "world peace" and "stability."24 These fictions of neutrality and universality, like so much else in a lopsided world, undergird the human rights corpus and belie its true identity and purposes. This international rhetoric of goodwill reveals, just beneath the surface, intentions and reality that stand in great tension and contradiction with it.

#### The labor movement is built on the exploitation of indigenous populations. The aff’s “right to strike” only seeks to benefit the settler labor movement. Settler labor movements fight for higher wages and living standards while simultaneously exploiting indigenous labor and excluding indigenous workers from the labor market. The collective dispossession of the indigenous population ties the settler community together through settler quietism. The aff’s foundational assumptions are complicit in the destructive of Native life and governance.

Englert 20 [Englert, S. Institute for Area Studies, Leiden University, Leiden, The Netherlands (2020), Settlers, Workers, and the Logic of Accumulation by Dispossession. Antipode, 52: 1647-1666. <https://doi.org/10.1111/anti.12659>]

Dispossession – deprive of land In order to reflect on the particular nature of accumulation by dispossession within a settler colonial context, another issue should be raised: that of the internal social relations within settler colonial societies. Indeed, the most striking aspect of settler colonial societies is the development of a colonial polity in which settlers live, produce, and reproduce themselves socially. They do so on the back of the dispossession of indigenous populations through which they acquire land, resources, and, depending on the context, labour. This—perhaps obvious—characteristic leads to the development of internal class relations and conflicts, alongside confrontations between settlers and indigenous peoples. The history of settler colonialism underscores the conspicuous absence of involvement by settler working classes (as opposed to individuals or limited networks) in mass, sustained challenges against the process of settlement and indigenous dispossession.3 In fact, more often than not, settler labour movements fought for the intensification of settler expansion and racial segregation (see “An Alternative Reading: Settler Colonies and the Exploitation of the Native” above), through colour bars, boycott campaigns and demands for expulsion. In the process, bitter confrontations emerged between settler labour and capital, when the latter [and] attempted to increase its profit margins through the exploitation of indigenous labour—for example in the context of the white labour movements in Australia and South Africa.4 Yet these conflicts can be resolved, especially while the settler colony continues to expand, by intensifying the dispossession of indigenous populations in order to improve the material conditions of settler workers (see “Case Studies” below). Here, the question of accumulation by dispossession returns to the fore. If settler workers are exploited as workers within the settler colony, they remain settlers. As such they participate in the processes of accumulation by dispossession through the occupation of lands, the elimination or exploitation of indigenous peoples, and the extraction of expropriated resources. For example, at a very basic level, their houses, workplaces, and basic infrastructure such as roads, railways, etc., are all premised on the capture and control of indigenous land. Settler workers are both exploited by settler bosses and their co-conspirators in the dispossession of indigenous peoples. As such, class struggle within a settler society has a dual character: it is waged over the distribution of wealth extracted from their labour as well as over the colonial booty. In the case of Zionism in Palestine, the current associated with the publication Matzpen (“Compass”) developed a class analysis of Israeli society. They came to the conclusion that because the Israeli economy was heavily subsidised from the outside (first primarily by Britain, then by the US) and that this subsidy was not simply going into private hands but was used by the Labour Zionist bureaucracy to organise the development of the Israeli economy and infrastructure, class antagonisms were diverted within its society. Hangebi et al. ([2012](https://onlinelibrary.wiley.com/doi/full/10.1111/anti.12659#anti12659-bib-0014):83) wrote: The Jewish worker in Israel does not receive his share in cash, but he gets it in terms of new and relatively inexpensive housing, which could not have been constructed by raising capital locally; he gets it in industrial employment, which could not have been started or kept going without external subsidies; and he gets it in terms of a general standard of living, which does not correspond to the output of that society … In this way the struggle between the Israeli working class and its employers, both bureaucrats and capitalists, is fought not only over the surplus value produced by the worker but also over the share each group receives from this external source of subsidies. If this analysis was essentially correct, it underplayed, however, the consequences of an important aspect of Israeli wealth creation (which Matzpen otherwise recognised): the Israeli state, its infrastructure, and its economy were made possible by colonial expansion, land confiscation, the expulsion of Palestinians and the expropriation of their wealth and property. Affordable housing, for example, an issue discussed further below, was not only possible because of the subsidies the Israeli state received from abroad. It was possible because the land on which new houses were built, as well as existing Palestinian houses, had been confiscated by the Israeli army, Palestinians had been expelled in their hundreds of thousands, and the spoils were re-distributed amongst settlers. It was—and remains—the collective dispossession of the indigenous population by the Israeli population as a whole, which ties the settler community together, despite internal class, ethnic, and political divisions. The settler class struggle is fought over the distribution of wealth extracted from settler labour power as well as over the share each group receives from the process of accumulation by dispossession. This dual class and colonial relationship helps explain the relative absence of settler workers’ resistance against settler colonial expansion or alliances with Indigenous peoples.[5](https://onlinelibrary.wiley.com/doi/full/10.1111/anti.12659#anti12659-note-1005_77) This tendency can be understood as “settler quietism”: even if working-class settlers are exploited by their ruling classes, overthrowing the settler state would mean overthrowing a system in which they share, however unequally, in the distribution of the colonial loot. Participating in the process of dispossession and fighting for a greater share of the pie leads to more important and immediate material gains. It also follows, as many anti-colonial thinkers and activists, not least among them Fanon ([2001](https://onlinelibrary.wiley.com/doi/full/10.1111/anti.12659#anti12659-bib-0011)) in the Wretched of the Earth, have argued that indigenous people face the settler population as a whole in their struggle for de-colonisation. This is not to say that individual settlers or specific settler organisations cannot or have not supported struggles for decolonisation. It is however to point out that this is not the case for the majority of the settler working class, while it continues to depend on the continued dispossession of the natives for the quality of its living standards. Whether the settler colony is organised on the basis of an eliminatory or an exploitative model, what remains constant is that the entirety of the settler polity will participate in the process of accumulation by dispossession, and that the different settler classes will struggle both against the natives to impose and maintain this dispossession, as well as amongst themselves in order to determine the nature of its internal distribution. More than that, the specific structural forms of settler rule over the indigenous population is best understood as the outcome of struggle, both between settler classes and between settlers and indigenous populations. This paper now turns to two brief case studies demonstrating this process in the context of Zionism in Palestine. The specificity of Zionism in the history of settler colonialism, its lack of a colonial metropolis, had real consequences for the Zionists in Palestine. Firstly, it could not impose—at first—its control over the land through military force. Secondly it could not organise the transfer of populations to the colony in the same way a state could. In the words of Shafir ([1996](https://onlinelibrary.wiley.com/doi/full/10.1111/anti.12659#anti12659-bib-0041):155): “Zionism, then, was a colonisation movement which simultaneously had to secure land for its settlers and settlers for its land”. The dual need for land and labour was at the heart of many political developments in the Yishuv. If the question of land was resolved first through acquisition from largely absentee land owners and then (and most extensively) through military violence, the question of immigration came close several times to bringing the whole colonial project to its knees, as the European Jewish population tended to reject Zionism as a political response to the poverty and discrimination they faced. Two distinct political responses emerged within the early settler population. On the one hand, the Jewish farmers and their sponsors hoped to develop a cash crop producing agricultural sector focused on export to Europe and the exploitation of cheap Palestinian workers. This vision was based, as demonstrated by Shafir ([1996](https://onlinelibrary.wiley.com/doi/full/10.1111/anti.12659#anti12659-bib-0041)), on the model of other European projects—especially the French settler colonies of North Africa. On the other hand, the nascent Labour Zionist movement demanded better wages and working conditions for Jewish workers in Palestine, which they argued would be the only way to attract and retain new settlers. This, they claimed, necessitated full separation between the Jewish and Palestinian sectors, removing thereby the “unfair competition” of the cheaper indigenous labour force. This led to the development of a series of new Labour Zionist institutions to organise this “Conquest of Hebrew Labour”, by organising strikes, pickets, and boycotts of Jewish owned businesses that employed Palestinian workers or sold products made by them. The Kibbutzim, the Histadrut,[6](https://onlinelibrary.wiley.com/doi/full/10.1111/anti.12659#anti12659-note-1006_81) and the early Zionist militias were all born out of the process of organising this campaign (Lockman [1996](https://onlinelibrary.wiley.com/doi/full/10.1111/anti.12659#anti12659-bib-0024)). For example, the Histadrut’s constitution, passed at its founding congress, made clear that it was a Zionist body committed to the project of settlement through the development of an exclusively Jewish society. It stated that the Histadrut’s goal was to: … unite all the workers and labourers in the country who live by their own labour without exploiting the labour of others, in order to arrange for all settlement, economic and also cultural affairs of all the workers in the country, so as to build a society of Jewish labour in Eretz Yisra’el. (quoted in Lockman 1996:68) The similarity between the logic of this statement and that of the white South African strikers mentioned above is remarkable. This struggle—waged against Palestinian workers and Jewish farmers—led to a partial victory for the Labour Zionist movement (Lockman [2012](https://onlinelibrary.wiley.com/doi/full/10.1111/anti.12659#anti12659-bib-0025)). Key industries, such as construction and agriculture, were taken over by Labour Zionist institutions such as Solal Boneh and the Kibbutzim. At the same time, Jewish representation in colonial institutions was increased through collaboration with the British Mandate authorities especially in the context of crushing the Arab Revolt of 1936-1939. The Labour Zionists took over the Yishuv’s political leadership and created a dominant Jewish sector, without however being able to establish a fully segregated one. It did set in motion the logic of separation as well as laying the infrastructure for a Jewish state, which would be made a reality by its militias’ military violence and mass expulsion of Palestinians during the Nakba. This case study shows that the Labour Zionist movement developed on the basis of opposing Jewish farmers as well as Palestinian workers, a political focus that also shaped its key institutions. The campaign for Hebrew Labour also demonstrates that the “elimination of the native” in the settler colonial context is not a given, as in the Wolfe-an framework, but the outcome of a specific set of struggles that pit both the indigenous population against the settlers, as well as different settler classes against one another.

**The affirmative neglects the ontological register of Natives that exists outside the metaphysical plane of labor**

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Indigenous Dispossession, Indigeneity, and Indianness **One of the principal insights of settler colonial studies and Indigenous critical theory is to conceptualize the dispossession of Indigenous peoples as an ongoing structural violence constitutive of capitalist accumulation and the liberal state form.** As Patrick Wolfe emphasizes, settler colonialism is understood as a “structure rather than an event” that dispossess the lands, resources, and bodies of Indigenous peoples.6 Unlike franchise colonialism, in which colonized populations are exploited for their labour or are positioned in an interdependent economic relationship of uneven development, **settler colonialism dispossesses Indigenous peoples through genocide and erasure**. Put simply, the settler colonies of North America are premised on eliminating Indigenous peoples. That Indigenous peoples exist today is not because settler societies decided to include them; it is because Indigenous **peoples have resisted and survived despite the best efforts of settler colonialism to destroy and decimate them.** In recent years, **settler state policies have shifted away from a strategy of direct violence and forced assimilation**—mostly in response to the political threat posed by the anticolonial nationalisms of the mid-twentieth century—and **toward what Glen Coulthard describes as a politics of “colonial recognition,” in which settler societies promise greater accommodation and recognition of Indigenous groups but only to the extent that claims of sovereignty or demands for decolonization go unheard and remain disavowed**.7 A politics of colonial recognition also calls for reconciliation and healing between settlers and Indigenous peoples as a way to mend what is believed to be a racial or cultural conflict rather than a struggle over land and sovereignty. While settler societies might affirm the diversity of Indigenous cultures or even lament past incidents of colonial violence, centuries-old structures and institutions of dispossession remain in place. These can be witnessed today in **the underdevelopment of tribal economies that encourages the privatization of (or the attempt to dissolve) tribally-held land and resources; neoliberal policies that slash public services and deregulate predatory credit and loan industries**, while funding entrepreneurial “**self-help” initiatives in Indian country; the use of state and police violence to brutalize, incarcerate, and murder unsheltered and working poor Indigenous peoples whose presence “off the reservation” in border towns is seen as a threat and danger to the property and flows of capital of settler society; extraction** industries **that** destructively **seek to unearth and/or transport fossil fuels on or through tribal lands; and the ongoing refusal of federal governments to honour the treaties, land claims, and rights to self-determination of the Indigenous nations** of North America. A second key analytic of settler colonial studies and Indigenous critical theory is the concept of Indigeneity. Although defined in various ways, for this essay’s purposes Indigeneity can be described as the social category of persons whose ways of life, forms of knowing, and modes of being depend upon originary relationships to land bases that Euro-American settlers have enclosed and continue to occupy. **Because Indigenous peoples claim originary ties to these land bases, their presence or attempt to live on and through them challenges the legitimacy of settler society.** As a social category constituted through elimination and genocide, **Indigeneity should be understood as distinct from, for example, the category of the wage labourer that is structured by proletarianization and hegemony. If wage labourers,** whether employed or unemployed, **are structurally included in the marketplace where their labour power is exploited, the marketplace itself and the liberal state** form **that upholds it are** nonetheless **premised on the elimination of Indigenous peoples altogether**. The ideological framework that mediates, legitimates, and reproduces Indigenous dispossession and its category of Indigeneity is the colonial and racial grammar of what Jodi Byrd calls “Indianness.”8 The **Indian came to be a social ontology in which Indigenous peoples were understood as savage, ancient, living fossils of early humanity, stuck outside of time and space in a state of nature**. The Indian was and continues to be both abjected and romanticized in settler culture as a person who exists in a state of natural warfare, instability, and conflict, while also appearing liberated from the constraints and alienation of modern life. In this state of nature, **the Indian is understood to lack the capacity to labour productively, possess property, or enter into social contracts.** Through such meanings, **the Indian emerges as the outside** or Other **to Euro-American forms of liberal democracy, selfhood, and civil society**.9 As Byrd emphasizes, “European modernity hinges upon Indians as the necessary antinomy through which the New World—along with civilization, freedom, sovereignty, and humanity—comes to have meaning, structure, and presence.” 10 The Indian, in short, became the figure of the un-sovereign through which it was understood that the Indian might occupy but could never possess the ability or right to own lands or possess selfhood.11 **The dispossession of Indigenous lands, resources, and bodies thus came to be seen less as a form of theft than the natural transition from “savage” communalism to civilized market society.** Today, Indianness continues, as Byrd puts it, to “transit U.S. empire,” or put into motion, facilitate, and cohere the United States' settler imperial project that reaches around the world.12 It is **through Indianness that settlers come to view the lands, resources, and bodies of the earth as spaces and objects of a barren wilderness (terra nullius) freely available for expropriation.** The current and future populations living in spaces of the lands and controlling the resources that US settler imperialism attempts to seize or control are, as Byrd explains, made “**Indian” or abjected as mindless terrorist-savages whose confrontation with the agents of enclosure is understood not as an attempt to resist and survive colonization, occupation, and genocide, but an irrational attack against society, civilization, humanity, and the forces of modern progress.** In short, **Indianness is what legitimates the process of primitive accumulation or what David Harvey calls "accumulation by dispossession," which is central to the formation, expansion, and dominance of global finance capitalism.**13 What an understanding, then, of **settler colonialism, Indigeneity, and Indianness demonstrates concerning the question of alliance-building among oppressed groups** today is that **political organizing through the spaces of the democratic commons or the identity of the settler wage labourer supports rather than disrupts the colonization of Indigenous peoples of North America.** In the case of the democratic commons, **calls for preserving and expanding the public institutions and spaces of liberal democracy in order to cultivate more radical and progressive forms of democracy is a demand** not to undo or transform but **to uphold the settler colonial state.** As Byrd argues, “one reason why a ‘post racial’ and just democratic society is a lost cause in the United States is that it is always already conceived through the prior disavowed and misremembered colonization of Indigenous lands that cannot be ended by further inclusion or more participation.”14 Coulthard echoes this point, showing that “in liberal settler states…the ‘commons’ not only belong to somebody…they also deeply inform and sustain Indigenous modes of thought and behavior.”15 While it should be acknowledged that the **democratic commons** historically has served an important role in cultivating and producing emancipatory modes of analysis and forms of social belonging, such gains have nonetheless **always depended upon the colonization of Indigenous peoples. Any defence, then, of the democratic commons today must at the same time defend Indigenous sovereignty**. This means rethinking how groups relate in the spaces of the commons in ways that do not perpetuate liberal democracy's colonial project of building public institutions and democratic spaces through the seizure, theft, and colonization of Indigenous lands, bodies, and resources. **Class-first models of a renewed workers’ movement also risk reproducing colonial dispossession when they fail to recognize that the Indian and the settler wage labourer are structurally distinct categories of oppression. The former is constituted by dispossession through elimination, while the latter is structured by exploitation through hegemony**. Even though exploited, **settler wage labourers nonetheless come to experience their status in settler colonialism as a place of refuge and protection from dispossession and abjection.** The role of **the settler state is to ensure and safeguard the settler wage labourer’s right not only to possess but not to be dispossessed of property, even if the only property the wage labourer possesses is labour power.** In fact, **possessing labour power as a commodity to sell on the market indexes the settler wage labourer’s right and ability to enter the social contract and find security from the forms of structural exclusion naturalized in the position of the Indian.** Such a status explains why, when neoliberal forms of precarious labour and exclusions from waged life increasingly target settler wage labourers, they are felt and represented as abnormal, undeserving, and, more importantly, grievable occurrences. **The dispossession of settlers challenges the symbolic and material consistency of settler societies that are premised on dispossessing colonial peoples in order to reward and advantage settlers of all classes. Settler society retains and reproduces its coherence as the promised site of settler sovereignty, possession, and rights by figuring the neoliberal dispossession of settlers as the exception to be overcome if** only **because** **Indigenous dispossession remains the norm to be reproduced and repeated.** The grievability of neoliberal dispossession, heard today in the refrain that globalization has “abandoned the white working class,” depends upon the ungrievability and normalization of Indigenous dispossession that, in the narratives not only of manifest destiny but also the democratic commons and normative socialist futures, is depicted and accepted as a natural, inevitable, and necessary process. One of the limits, then, of calling for solidarity through the political identity of the wage labourer is that, **in settler colonialism, what organized settler wage labourers demand is not necessarily an end to exploitation but the freedom, protection, and refuge from structural dispossession and exclusion that are normalized and naturalized in the social and racial ontologies of the Indian.** **Movements on behalf of settler labourers risk ending in reform rather than revolution precisely because they do not so much seek to confront capital as they seek refuge and protection within and through it.**

Movements that focus on helping the minority that does not place natives at the center will ultimately fail; Occupy Movement proves. The notion that your K will help the minority is a form of false optimism that is grounded in settler ideologies.

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**The Occupy movement for many economically marginalized people has been a welcome expression of resistance to the massive disparities in the distribution of wealth; for many Indigenous people, Occupy is another settler re-occupation on stolen land.**The rhetoric of the movement relies upon problematic assumptions about social justice and is a prime example of the incommensurability between “re/occupy” and “decolonize” as political agendas. **The pursuit of worker rights (and rights to work) and minoritized people’s rights in a settler colonial context can appear to be anti-capitalist, but this pursuit is nonetheless largely pro-colonial.**that is, the ideal of “redistribution of wealth” camouflages how much of that wealth is land, Native land. **In Occupy, the “99%” is invoked as a deserving supermajority, in contrast to the unearned wealth of the “1%”. It renders Indigenous peoples (a 0.9% ‘super-minority’) completely invisible and absorbed, just an asterisk group to be subsumed into the legion of occupiers.** For example, “If U.S. land were divided like U.S. wealth” (figure 1.1) is a popular graphic that was electronically circulated on the Internet in late 2011 in connection with the Occupy movement. The image reveals inherent assumptions about land, including: land is property; land is/belongs to the United States; land should be distributed democratically. **The beliefs that land can be owned by people, and that occupation is a right, reflect a profoundly settling, anthropocentric, colonial view of the world.** In figure 1.1, the irony of mapping of wealth onto land seems to escape most of those who re-posted the images on their social networking sites and blogs: Land is already wealth; it is already divided; and its distribution is the greatest indicator of racial inequality17. Indeed the current wealth crisis facing the 99% spiraled with the crash in home/land ownership. **Land (not money) is actually the basis for U.S. wealth. If we took away land, there would be little wealth left to redistribute.** Settler colonization can be visually understood as the unbroken pace of invasion, and settler occupation, into Native lands: the white space in figure 1.2. Decolonization, as a process, would repatriate land to Indigenous peoples, reversing the timeline of these images. As detailed by public intellectuals/bloggers such as Tequila Sovereign (Lenape scholar Joanne Barker), some Occupy sites, including Boston, Denver, Austin, and Albuquerque tried to engage in discussions about the problematic and colonial overtones of occupation (Barker, October 9, 2011). Barker blogs about a firsthand experience in bringing a proposal for a Memorandum of Solidarity with Indigenous Peoples,18 to the General Assembly in Occupy Oakland. The memorandum, signed by Corrina Gould, (Chochenyo Ohlone - the first peoples of Oakland/Ohlone), Barker, and numerous other Indigenous and non-Indigenous activist-scholars, called for the acknowledgement of Oakland as already occupied and on stolen land; of the ongoing defiance by Indigenous peoples in the U.S. and around the globe against imperialism, colonialism, and oppression; the need for genuine and respectful involvement of Indigenous peoples in the Occupy Oakland movement; and the aspiration to “Decolonize Oakland,” rather than re-occupy it. From Barker’s account of the responses from settler individuals to the memorandum, **Ultimately, what they [settler participants in Occupy Oakland] were asking is whether or not we were asking them, as non-indigenous people, the impossible? Would their solidarity with us require them to give up their lands, their resources, their ways of life, so that we – who numbered so few, after all – could have more? Could have it all?** (Barker, October 30, 2011) **These responses, resistances by settler participants to the aspiration of decolonization in Occupy Oakland, illustrate the reluctance of some settlers to engage the prospect of decolonization beyond the metaphorical or figurative level.Further, they reveal the limitations to “solidarity,” without the willingness to acknowledge stolen land and how stolen land benefits settlers.** “Genuine solidarity with indigenous peoples,” Barker continues, “assumes a basic understanding of how histories of colonization and imperialism have produced and still produce the legal and economic possibility for Oakland” (ibid., emphasis original). **For social justice movements, like Occupy, to truly aspire to decolonization nonmetaphorically, they would impoverish, not enrich, the 99%+ settler population of United States.** **Decolonization eliminates settler property rights and settler sovereignty. It requires the abolition of land as property and upholds the sovereignty of Native land and people.** There are important parallels between Occupy/Decolonize and the French/Haitian Revolutions of 1789-1799 and 1791-1804, respectively. Haiti has the dubious distinction of being “the poorest country in the Western hemisphere” (Central Intelligence Agency, 2012); yet, it was the richest of France’s colonies until the Haitian Revolution, the only slave revolution to ever found a state. This paradox can be explained by what/who counts as whose property. Under French colonialism, Haiti was a worth a fortune in enslaved human beings. From the French slave owners’ perspectives, Haitian independence abolished not slavery, but their property and a source of common-wealth. Unfortunately, history provides us with the exact figures on what their property was worth; in 1825, “France recognized Haitian independence by a treaty requiring Haiti to pay an indemnity of 150 million francs payable in 5 years to compensate absentee slaveowners for their losses” (Schuller, 2007, p.149). The magnitude19 of these reparations not for slavery, but to former slave owners, plunged Haiti into eternal debt20. Occupy draws almost directly from the values of the French Revolution: the Commons, the General Assembly, the natural right to property, and the resistance to the decolonization of Indigenous life/land. In 1789, the French Communes (Commons) declared themselves a National Assembly directly “of the People” (the 99%) against the representative assembly of “the Estates” (the 1%) set up by the ruling elite, and adopted the celebrated Declaration of the Rights of the Man and the Citizen. Not unlike the heated discussions at the December 4, 2011 General Assembly of Occupy Oakland that ultimately rejected the proposal to change the name to “Decolonize Oakland”, the 1789 National Assembly debated at great length over the language of emancipation in the Declaration. Ultimately, the Declaration abolished slavery but not property, and effectively stipulated that property trumped emancipation. While rhetorically declaring men as forever free and equal (and thus unenslavable), it assured the (revolutionary) colonial proprietors in the assembly that their chattel would be untouched, stating unequivocally: “The right to property being inviolable and sacred, no one ought to be deprived of it...” (Blackburn, 2006, p. 650). **Our critique of Occupation is not just a critique of rhetoric. The call to “occupy everything” has legitimized a set of practices with problematic relationships to land and to Indigenous sovereignty.**Urban homesteading, for example, is the practice of re-settling urban land in the fashion of self-styled pioneers in a mythical frontier. **Not surprisingly, urban homesteading can also become a form of playing Indian, invoking Indigeneity as ‘tradition’ and claiming Indian-like spirituality while evading Indigenous sovereignty and the modern presence of actual urban Native peoples.** **More significant examples are Occupiers’ claims to land and their imposition of Western forms of governance within their tent cities/colonies.** **Claiming land for the Commons and asserting consensus as the rule of the Commons, erases existing, prior, and future Native land rights, decolonial leadership, and forms of self-government.** Occupation is a move towards innocence that hides behind the numerical superiority of the settler nation, the elision of democracy with justice, and the logic that what became property under the 1% rightfully belongs to the other 99%. **In contrast to the settler labor of occupying the commons, homesteading, and possession, some scholars have begun to consider the labor of de-occupation in the undercommons, permanent fugitivity, and dispossession as possibilities for a radical black praxis.** Such “a labor that is dedicated to the reproduction of social dispossession as having an ethical dimension” (Moten & Harney, 2004, p.110), includes both the refusal of acquiring property

#### 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 role of the ballot is to center indigenous scholarship and resistance-- Any ethical commitment requires that debate place themselves in the center of Native scholarship and demands. Therefore 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-Indian. 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.

#### The alternative is total refusal because decolonization cannot be done through political means; operating within existing settler institutions merely bolsters the power of the state. That means rejecting fantasies of institutional benevolence and quick-fix solutions

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#### We must acknowledge that educational spaces have upheld settler colonial practices and work to reject these norms by centering around indigenous experiences; refusal is key to set discourse against colonialism in education. ALT solves education impacts.

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