# T framework

#### Interp: The affirmative may not garner offense external to the hypothetical implementation that the appropriation of outer space by private entities is unjust.

#### Resolved indicates a policy action.

Parcher 1. [Jeff. 2/26/01. “Re: Jeff P--Is the resolution a question?” <https://web.archive.org/web/20050122044927/http://www.ndtceda.com/archives/200102/0790.html>] Justin

(1) Pardon me if I turn to a source besides Bill. American Heritage Dictionary: Resolve: 1. To make a firm decision about. 2. To decide or express by formal vote. 3. To separate something into constiutent parts See Syns at \*analyze\* (emphasis in orginal) 4. Find a solution to. See Syns at \*Solve\* (emphasis in original) 5. To dispel: resolve a doubt. - n 1. Frimness of purpose; resolution. 2. A determination or decision.

(2) The very nature of the word "resolution" makes it a question. American Heritage: A course of action determined or decided on. A formal statemnt of a deciion, as by a legislature.

(3) The resolution is obviously a question. Any other conclusion is utterly inconcievable. Why? Context. The debate community empowers a topic committee to write a topic for ALTERNATE side debating. The committee is not a random group of people coming together to "reserve" themselves about some issue. There is context - they are empowered by a community to do something. In their deliberations, the topic community attempts to craft a resolution which can be ANSWERED in either direction. They focus on issues like ground and fairness because they know the resolution will serve as the basis for debate which will be resolved by determining the policy desireablility of that resolution. That's not only what they do, but it's what we REQUIRE them to do. We don't just send the topic committtee somewhere to adopt their own group resolution. It's not the end point of a resolution adopted by a body - it's the prelimanary wording of a resolution sent to others to be answered or decided upon.

(4) Further context: the word resolved is used to emphasis the fact that it's policy debate. Resolved comes from the adoption of resolutions by legislative bodies. A resolution is either adopted or it is not. It's a question before a legislative body. Should this statement be adopted or not.

#### The appropriation of outer space is permanent control.

TIMOTHY JUSTIN TRAPP, JD Candidate @ UIUC Law, ’13, TAKING UP SPACE BY ANY OTHER MEANS: COMING TO TERMS WITH THE NONAPPROPRIATION ARTICLE OF THE OUTER SPACE TREATY UNIVERSITY OF ILLINOIS LAW REVIEW [Vol. 2013 No. 4]

The issues presented in relation to the nonappropriation article of the Outer Space Treaty should be clear.214 The ITU has, quite blatantly, created something akin to “property interests in outer space.”215 It allows nations to exclude others from their orbital slots, even when the nation is not currently using that slot.216 This is directly in line with at least one definition of outer-space appropriation.217 [\*\*Start Footnote 217\*\*Id. at 236 (“Appropriation of outer space, therefore, is ‘the exercise of exclusive control or exclusive use’ with a sense of permanence, which limits other nations’ access to it.”) (quoting Milton L. Smith, The Role of the ITU in the Development of Space Law, 17 ANNALS AIR & SPACE L. 157, 165 (1992)). \*\*End Footnote 217\*\*]The ITU even allows nations with unused slots to devise them to other entities, creating a market for the property rights set up by this regulation.218 In some aspects, this seems to effect exactly what those signatory nations of the Bogotá Declaration were trying to accomplish, albeit through different means.219

#### Violation: They don’t defend the topic. At best they’re extra topical which is a voter for exploding limits and inflating aff solvency or effects topical which is worse, since any small aff can spill up to the resolution.

#### Vote neg for competitive equity and clash: changing the topic favors the aff because it destroys the only stasis point and makes prep impossible because any ground is self-serving, concessionary, and from distorted literature bases. Their model allows someone to specialize for 4 years giving them an edge over people who switch every 2 months. Filter this through debate’s nature of being a game where both teams want to win, which becomes meaningless without constraints.

#### Impacts:

#### 1] Procedural fairness outweighs—a) intrinsicness—debate is a game and equity is necessary to sustain the activity b) probability—debate can’t alter subjectivity, but it can rectify skews c) metaconstraint—all your arguments concede fairness since you assume they will be evaluated fairly d) application—your model only indicts how fairness has been appliednot that it’s intrinsically bad—their model would justify exclusion.

#### 2] Switch Side Debate—they can read it as a K against affirmatives—forces debaters to consider issues from multiple perspectives. Non-topical affs allow individuals to establish their own metrics for what they want to debate leading to dogmatism.

#### 3] Deliberative clash is crucial to overcoming entrenched ableist ideology and can rectify power asymmetries to create egalitarianism.

Amber Knight 15, Assistant Professor of Political Science at Saint Louis University, “Democratizing Disability: Achieving Inclusion (without Assimilation) through “Participatory Parity”,” Hypatia vol. 30, no. 1 (Winter ‘15)

There is ample evidence to suggest that able-bodied people simply miss the mark when they are asked to think about life from the point of view of a person with a disability. A recent poll found that fifty-two percent of Americans would rather be dead than disabled (Disaboom 2008). Yet when you talk with people with disabilities they usually think that their lives are very much worth living. To explain these divergent perspectives, sociologists Gary Albrecht and Patrick Devlieger coined this phenomenon “the disability paradox.” They write, The disability paradox exists in two forms: first, people with disabilities report that they have serious limitations in activities of daily living, problems in performing their social roles and experience persistent discrimination, yet they say that they have an excellent or good quality of life; and, second, the general public, physicians and other health care workers perceive that persons with disabilities have an unsatisfying quality of life despite that fact that over 50% of these people report an excellent or good quality of life. (Albrecht and Devlieger 1999, 982) This paradox serves as a reminder that people are unable to transcend social privilege to think about issues objectively. Instead, it seems that many nondisabled people project their own fears and misconceptions about living with an impairment onto the lives of people with disabilities. As this analysis has shown, it seems that the **best way** to achieve **mutual understanding** **is not through** transcendence, **but by communicating** with others **across differences.** By engaging with those with disabilities, nondisabled citizens may **confront** **their** own **stigmatized ideas about impairment**, **learn to understand important aspects of disabled peoples’ lives, and** hopefully **make** better political decisions in the long run. They may also learn to think of themselves as temporarily able-bodied and come to grips with the reality that they too will likely experience disability at some point in their lives since human beings are unavoidably vulnerable to aging, illness, and impairment. Such a realization may **motivate all citizens** **to consider their own stake in creating just arrangements that enhance everybody’s opportunities to occupy public space.** Therefore, even though Fraser specifically acknowledges that gaps between procedural fairness and substantive justice **may occur**, she cautiously implies that fair deliberation in the absence of structural power asymmetries will foster **mutual understanding** and likely generate outcomes that further **reduce social disparities** (Fraser 2007, 331). This line of thought is certainly circular since substantive policies **that reduce disparities are** necessary **to ensure procedural parity**, **and just procedures are required in order to bring about just outcomes**. To escape this cycle and realistically apply her framework, Fraser proposes the idea of “good enough deliberation.” She explains: This expression refers to deliberation that, while tainted by power asymmetries and thus falling short of procedural parity, is “good enough” to generate outcomes that **reduce disparities**, **so** that the next round **of political argument proceeds on terms that are** somewhat **more fair and can be expected to lead to still better outcomes,** and so on. (Fraser 2007, 332) Fraser therefore remains optimistic that incremental changes **in the relations of deliberation will yield more** egalitarian decisions. From a disability perspective, this concept serves as a reminder that actively working to include people with a range of impairments in formal and informal democratic spaces is paramount to achieving substantive policies that procure social justice. In sum, preserving difference is in democracy’s best interest, since it not only follows through on the promise of preserving human dignity, but also leads to better deliberative outcomes that have the potential to benefit the public at large. The outcomes of deliberations cannot be determined in advance, but it is possible that interactions between able-bodied and disabled individuals may be **progressively transformative**. In any case, if people with disabilities are persistently isolated, marginalized, and excluded, individuals with disabilities are surely denied their human dignity, and the political community will never know what it is denying itself.

#### No impact turns – T is just like a disad or K – just like the cap k that says non-topical affs reinforce capitalism – impositions are inevitable because the negative has the burden of rejoinder – every link says the aff did something wrong and theres a version of the aff that wouldn’t have linked

## Framework

#### Pleasure and pain are the starting point for moral reasoning—they’re our most baseline desires and the only things that explain the intrinsic value of objects or actions

Moen 16, Ole Martin (PhD, Research Fellow in Philosophy at University of Oslo). "An Argument for Hedonism." Journal of Value Inquiry 50.2 (2016): 267.

Let us start by observing, empirically, that a widely shared judgment about intrinsic value and disvalue is that pleasure is intrinsically valuable and pain is intrinsically disvaluable. On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues. This inclusion makes intuitive sense, moreover, for there is something undeniably good about the way pleasure feels and something undeniably bad about the way pain feels, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have. “Pleasure” and “pain” are here understood inclusively, as encompassing anything hedonically positive and anything hedonically negative. 2 The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values. If you tell me that you are heading for the convenience store, I might ask: “What for?” This is a reasonable question, for when you go to the convenience store you usually do so, not merely for the sake of going to the convenience store, but for the sake of achieving something further that you deem to be valuable. You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. The reason is that the pleasure is not good for anything further; it is simply that for which going to the convenience store and buying the soda is good. 3 As Aristotle observes: “We never ask [a man] what his end is in being pleased, because we assume that pleasure is choice worthy in itself.”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that if something is painful, we have a sufficient explanation of why it is bad. If we are onto something in our everyday reasoning about values, it seems that pleasure and pain are both places where we reach the end of the line in matters of value. Although pleasure and pain thus seem to be good candidates for intrinsic value and disvalue, several objections have been raised against this suggestion: (1) that pleasure and pain have instrumental but not intrinsic value/disvalue; (2) that pleasure and pain gain their value/disvalue derivatively, in virtue of satisfying/frustrating our desires; (3) that there is a subset of pleasures that are not intrinsically valuable (so-called “evil pleasures”) and a subset of pains that are not intrinsically disvaluable (so-called “noble pains”), and (4) that pain asymbolia, masochism, and practices such as wiggling a loose tooth render it implausible that pain is intrinsically disvaluable. I shall argue that these objections fail. Though it is, of course, an open question whether other objections to P1 might be more successful, I shall assume that if (1)–(4) fail, we are justified in believing that P1 is true itself a paragon of freedom—there will always be some agents able to interfere substantially with one’s choices. The effective level of protection one enjoys, and hence one’s actual degree of freedom, will vary according to multiple factors: how powerful one is, how powerful individuals in one’s vicinity are, how frequent police patrols are, and so on. Now, we saw above that what makes a slave unfree on Pettit’s view is the fact that his master has the power to interfere arbitrarily with his choices; in other words, what makes the slave unfree is the power relation that obtains between his master and him. The difﬁculty is that, in light of the facts I just mentioned, there is no reason to think that this power relation will be unique. A similar relation could obtain between the master and someone other than the slave: absent perfect state control, the master may very well have enough power to interfere in the lives of countless individuals. Yet it would be wrong to infer that these individuals lack freedom in the way the slave does; if they lack anything, it seems to be security. A problematic power relation can also obtain between the slave and someone other than the master, since there may be citizens who are more powerful than the master and who can therefore interfere with the slave’s choices at their discretion. Once again, it would be wrong to infer that these individuals make the slave unfree in the same way that the master does. Something appears to be missing from Pettit’s view. If I live in a particularly nasty part of town, then it may turn out that, when all the relevant factors are taken into account, I am just as vulnerable to outside interference as are the slaves in the royal palace, yet it does not follow that our conditions are equivalent from the point of view of freedom. As a matter of fact, we may be equally vulnerable to outside interference, but as a matter of right, our standings could not be more different. I have legal recourse against anyone who interferes with my freedom; the recourse may not be very effective—presumably it is not, if my overall vulnerability to outside interference is comparable to that of a slave— but I still have full legal standing.68 By contrast, the slave lacks legal recourse against the interventions of one speciﬁc individual: his master. It is that fact, on a Kantian view—a fact about the legal relation in which a slave stands to his master—that sets slaves apart from freemen. The point may appear trivial, but it does get something right: whereas one cannot identify a power relation that obtains uniquely between a slave and his master, the legal relation between them is undeniably unique. A master’s right to interfere with respect to his slave does not extend to freemen, regardless of how vulnerable they might be as a matter of fact, and citizens other than the master do not have the right to order the slave around, regardless of how powerful they might be. This suggests that Kant is correct in thinking that the ideal of freedom is essentially linked to a person’s having full legal standing. More speciﬁcally, he is correct in holding that the importance of rights is not exhausted by their contribution to the level of protection that an individual enjoys, as it must be on an instrumental view like Pettit’s. Although it does matter that rights be enforced with reasonable effectiveness, the sheer fact that one has adequate legal rights is essential to one’s standing as a free citizen. In this respect, Kant stays faithful to the idea that freedom is primarily a matter of standing—a standing that the freeman has and that the slave lacks. Pettit himself frequently insists on the idea, but he fails to do it justice when he claims that freedom is simply a matter of being adequately (and reliably) shielded against the strength of others. As Kant recognizes, the standing of a free citizen is a more complex matter than that. One could perhaps worry that the idea of legal standing is something of a red herring here—that it must ultimately be reducible to a complex network of power relations and, hence, that the position I attribute to Kant differs only nominally from Pettit’s. That seems to me doubtful. Viewing legal standing as essential to freedom makes sense only if our conception of the former includes conceptions of what constitutes a fully adequate scheme of legal rights, appropriate legal recourse, justiﬁed punishment, and so on. Only if one believes that these notions all boil down to power relations will Kant’s position appear similar to Pettit’s. On any other view—and certainly that includes most views recently defended by philosophers—the notion of legal standing will outstrip the power relations that ground Pettit’s theory.

#### That justifies util – we must aggregate in order to determine how behaviors will be conducted based on what is most pleasurable. Anything else is arbitrary and always allows for exclusions, but aggregation solves because it allows us to determine what behaviors are most likely given relative evaluations of pleasure and pain.

#### Thus, the standard is maximizing expected well-being – prefer:

# Settler Colonialism

#### Imagining futures is a key strategy of decolonization

Jessica Hurley 17, Assistant Professor in the Humanities at the University of Chicago, “Impossible Futures: Fictions of Risk in the Longue Durée”, Duke University Press, https://read.dukeupress.edu/american-literature/article/89/4/761/132823/Impossible-Futures-Fictions-of-Risk-in-the-Longue

Birkerts’s dismissal of a decolonial future for North America as something “so contrary to what we know both of the structures of power and the psychology of the oppressed that the imagination simply balks” (41) is consistent with a much longer history of colonial rhetoric and practice that rejects Native land claims as impossible or unrealistic. The Supreme Court’s invocation in their 2005 City of Sherrill v. Oneida Nation decision of the “impossibility doctrine” that governs the “impracticability of returning to Indian control land that generations earlier passed into numerous private hands” demonstrates the ongoing power of a white-defined realism to distinguish possible from impossible actions with regard to its own practices of settler colonialism (quoted in Rifkin 2009, 4). In this view, for the United States to abide by the terms of its treaties with Native nations is unthinkable; it falls beyond the limits of plausibility that define possible actions. And as Mark Rifkin has argued (ibid.), the idea of Native sovereignty is not just unrealistic but an epistemological challenge to the real itself, to the construction of reality that maintains life as we know it in the United States. The “sadder realism” called for by Buell must not, therefore, be taken as the neutral generic option in dealing with risk, but rather recognized as one which relies on standards of verisimilitude and plausibility that perpetuate the oppression of indigenous communities whether they are applied directly to nuclear risk or to the legal standards that define the limits of Native self-determination.¶ Redefining the real, “draw[ing] attention to the possible by showing the contingent dimension of the actual” (Revel 2009, 52), thus becomes a strategy of decolonization. Realism, in this context, is a self-fulfilling prophecy: the return of Native land is regarded as impossibly implausible by the United States, and so it fails to appear in the imaginable scenarios at key moments of legal and political decision-making and does not come to pass. Consequently, as Ward Churchill writes, all “anti-colonial fighters…accepted as their agenda a redefinition of reality in terms deemed quite impossible within the conventional wisdom of their oppressors”; any decolonial movement will require a counter-realist political and aesthetic strategy (1992, 174). Almanac suggests that apocalypse remains a potent force in redefining reality against colonial norms even as the novel re-forms our traditional understanding of nuclear apocalypse. No longer sudden and total, Almanac gives us the longue durée apocalypse of nuclear waste, an apocalypse defined not by the sudden absence of the future but rather by the impossibility of constructing any mechanism by which we might imagine a specific future or futures.¶ Such an apocalypse is neither a sudden ending nor a revelation of eternal truth but rather a narratological shift that transfigures the present through a radical futurelessness. Apocalypse stands, in Almanac, against the futurological equivalent of what Michael Bernstein (1994) has critiqued as “backshadowing”: the historiographical tendency to construct the past backwards from the present, occluding the contingency of the present, limiting the presents-that-could-havebeen to one, and including in the historical narrative only those factors that gave rise to this specific outcome. A predetermined future, as Bernstein’s subtitle Against Apocalyptic History¶ suggests, does exactly the same thing: it binds the present to the future with a single unfrayed rope and makes the present the necessary, unchangeable precursor to a known future. These¶ imagined futures, despite their virtuality, have significant material effects in the present, making¶ certain things possible and rendering others unthinkable, as we saw at the WIPP where a¶ plausible set of future scenarios allowed the repository to open and foreclosed the possibility of¶ shutting down nuclear manufacturing. In an indigenous context, meanwhile, the historical¶ determinism instantiated by the imagined futures of the nuclear state has rendered Native nations¶ paradoxically futureless, since indigenous lands and communities are by far the most damaged¶ by the ongoing mining, processing, testing, and dumping practices of the nuclear-militaryindustrial¶ complex.17¶ Apocalypse, then, becomes visible in Silko’s novel not as a model of linear historical determinism, as in the Genesis-to-Revelation teleology that has long subtended Christian historiographies, but rather as a narrative form that explodes such determinism to reveal the contingent nature of the present and allow for other possibilities in both the present and the future. The epistemological challenges to human understanding posed by the deep time of nuclear waste are taken up by Silko to reveal not simply the multiplicity of possible futures (a conceptual leap which, as Annie McClanahan (2009) and R. John Williams (2016) have shown, was made within the nuclear-military-industrial complex and has been profitably taken up by global corporations to deeply conservative ends), but the absolute impossibility of imagining any specific future at all.¶ Exploding the reservoir of probable futures that traditionally structures the novel form (Kermode [1968] 2000) transforms the novel’s present in much the same way that, in radical historiography, telling a different story about the past does. In contrast to the ineluctable presentism that defines the nuclear complex at the WIPP and beyond, the Native/nuclear temporalities that the snake occupies are those of a longue durée that spirals and returns from both the past and the future, in which “these days and years were all alive, and all these days would return again” (Almanac 247). The qualitatively different future whose possibility is so vigorously unimagined at the WIPP is, in Almanac, an inescapable future that is, in the novel’s non-linear timeframe, also a part of the present. Actions and objects have a different realityeffect in this light. When macaws speak of revolution, when opals bleed and grant visions, when ghosts weigh down a donkey, none of these things are unrealistic or even magically realistic. Rather, they are manifestations of deep time temporalities, simultaneously Native and nuclear, producing impossible juxtapositions of space-time (dead riders on a live mule, the future projected on an opal screen) within the Western chronology of the novel form. Silko, bound to damaged and damaging futures by the nuclear complex as it intersects with the other histories of damage left in the wake of colonial modernity, uses apocalypse to transfigure the present: to see the other possibilities that reside in it and to couple those possibilities to their own pasts and their own futures, constructing not only a transfigured instant but wholly transfigured timelines, worlds with a solidity of their own.

Evaluate the ontology debate through skepticism – their theory of power is reductive and saps agency from Native individuals –

1) Progress Now – Tribal Exclusion Act, Agua Caliente, Dollar General prove that movements against neoliberalism exist now AND invite tribal sovereignty

Tribal General Welfare Exclusion Act – it stopped the IRS from taxing tribal government services and is a huge move towards tribal sovereignty that was followed by a $554 million settlement to the Navajo Nation – it proves the government is moving away from a history of breaking agreements and treaties with native groups

Dollar General v. Mississippi Band of Choctaw Indians – it provided Native groups much more jurisdiction over criminal proceedings which is a move towards tribal sovereignty

Agua Caliente Band v. Coachella Valley Water District – the case gave the Cahuilla tribe water rights to an aquifer in California – that enabled them to get safe, clean water and recognized parts of the land as theirs

#### 2) Settler colonialism is the result of a complex network of violence which makes challenging it productive.

Corey Snelgrove et al. 14, University of British Columbia; Rita Kaur Dhamoon, University of Victoria; and Jeff Corntassel, University of Victoria, 2014, “Unsettling settler colonialism: The discourse and politics of settlers, and solidarity with Indigenous nations,” Decolonization: Indigeneity, Education & Society, Vol. 3, No. 2, p. 1-32, http://decolonization.org/index.php/des/article/view/21166/17970

Corey: This relational, interdependent focus is also important amongst settlers ourselves – perhaps as a way to counter the flattening of differences that occurs amongst settlers, particularly in solidarity work. Settlers obviously need to be doing our own work and challenging ‘our’ institutions and practices that serve to protect or further colonization. But we can’t do this if we flatten the differences and ignore the inequalities and power relationships that exist within settler society. Not only does such flattening prevent much needed alliances but flattening itself can actually work to protect certain elements of settler colonialism. For instance, white supremacy works to naturalize white settler presence. In terms of solidarity then, I find it problematic for myself, as a white, class privileged, cis-hetero, and able bodied male (as well as people like me) to demand other peoples to act in solidarity, while also not holding myself (and others like me) responsible and accountable to other forms of violence that may be a contributing factor to the further reification of structures that support settler colonialism, like the State. Now I’m not arguing for the continued eschewal of Indigenous governance and legal orders because others experience violence, but rather, that the substantive recognition of Indigenous governance and legal orders also requires a dismantling of other, related forms of domination. This latter dismantling I see as necessary but also insufficient for the dismantling of settler colonialism. These sites and spaces of domination and resistance are distinct, but also connected dialectically. This seems to be something that settlers, white settlers specifically, have yet to articulate and take up, critique and act against. And this is perhaps most evident in how settlers seem to be continuously waiting for instruction from Indigenous peoples on how to act. Rita: I wonder if this relational approach is a more useful direction for settler colonial studies, not unlike the kind of work you do Jeff, in thinking about colonialism in a global, comparative context. Jeff: And I think, the more you can make those links, the British occupation of Maori territory is directly related to HBC’s strategy to begin treaty making here... All those things are interrelated. They are shared, and they are seen as shared strategies. The other thing I see is this impulse to delocalize it... it’s always that kind of Free Tibet Syndrome... the further away acts of genocide are from your location, the more outrage expressed at these injustices. It’s a way of avoiding complicity, but it’s also a way of recasting the gaze. It’s like, ‘We’re not going to look right here, because this appears to be fairly peaceful’ And so it’s always that sort of re-directing away from localized responsibility, and almost magnifying impacts farther away. Rita: So what settler colonial studies does do, is help us relocate to locality, which is helpful. You mention the HBC. I wonder what was the relationship between the Hudson Bay Company in Canada and the East India Company or the East Africa Company? If we’re thinking about settler colonialism as a structure, how is it related to other modalities of gendered and sexualized white supremacy? How are the logics of State sovereignty and authority over nonwhite bodies connected? If we’re thinking about it, as non-Indigenous peoples being ‘in solidarity’, part of that is locating, attacking the whole structure of imperialism that is deeply gendered and homonationalist, that depends on neo-liberal projects of prioritizing able-bodied workers who can serve capitalism. Corey: Part of this, I think, what we’ve been discussing here, relates to what I sometimes see as the framing of ‘settler’ as event, rather than structure – where we are perhaps overly focused on the question of ‘who’ at the expense of the ‘how’. If we don’t understand how settlers are produced we run the risk of representing settlers as some sort of transhistorical subject with transhistorical practices. So I’m worried that while in one moment the term ‘settler’ denaturalizes our – that is all non-Indigenous peoples – presence on Indigenous lands, in the next, and through this construction of the ‘settler’ as transhistorical, we renaturalize it. In short, we go from a disavowal of colonization, to its representation as inevitable. Here is where I think a historical materialist or genealogical approach to the production of settler subjects may be useful in showing how this production is conditioned by but also contingent on a number of factors – white supremacy, hetero-patriarchy, capitalism, colonization, the eschewal of Indigenous governance and legal orders, environmental degradation, etc. Now this is also not to say that the binary of Indigenous/Settler isn’t accurate. I think its fundamental. Rather, I think it is possible and important to recognize that there have been, and are, individuals (or even collectives) that might be referred to as something other than settlers by Indigenous peoples, perhaps as cousins. Or in a similar vein, that there have been and are practices by settlers that aren’t colonial (and here is where centering Indigenous peoples’ accounts of Indigenous-settler relations, as well as their own governance, legal and diplomatic orders is crucial). But I think it’s just as important to recognize that these relations have and do not occur despite settler colonial and imperial logics, and thus outside of the binary. Rather, such relations occur in the face of it. The binary then is fundamental as the logics that uphold the binary cannot be ignored due to the existence of possiblly good relations as the logics that uphold the binary threaten those relations through the pursuit of the elimination of Indigenous peoples. Rita: Yet, how do we act in light of these entanglements, and with, rather than overcoming differences? Corey: Tuck and Yang (2012) had this really great article, “Decolonization is not a Metaphor.” In it, they talk about the importance of an ethics of incommensurability – a recognition of how anti-racist and anti-capitalist struggles are incommensurable with decolonization. But what I’ve been thinking about recently is whether these struggles are incompatible. For example, in the Indigenous resurgence literature, there is a turn away, but it’s also not an outright rejection. It also demands settlers to change. Yet recognizing that settlers are (re)produced, the change demanded is not just an individual transformation, but one connected to broader social, economic, and political justice. There are then, it seems, potential lines of affinity between decolonization and others, though incommensurable, struggles. And in order to sustain this compatibility in the face of incommensurability, relationships are essential in order to maintain accountability and to resist repeating colonial and other relations of domination, as well as, in very strategic terms, in supporting each other’s resistance.

#### 3) The settler state as unified, immutable, and inevitably dangerous creates a pessimism trap -- ensures racist authenticity testing of indigenous organizations that seek co-existence, increased settler violence, and disavows gains like the UN Declaration of Indigenous Rights

Lightfoot 20—associate professor in First Nations and Indigenous Studies and the Department of Political Science, University of British Columbia, Ojibwe (Sheryl, “The Pessimism Traps of Indigenous Resurgence,” *Pessimism in International Relations*, Chapter 9, pp 162-170, SpringerLink, dml)

Pessimism Trap 2: The State is Unified, Deliberate and Unchanging in Its Desire to Dispossess Indigenous Peoples and Gain Unfettered Access to Indigenous Lands and Resources In other words, colonialism by settler states is a constant, not a variable, in both outcome and intent. Further, the state is not only intentionally colonial, but it is also unifed in its desire to co-opt Indigenous peoples as a method and means of control. In 2005’s Wasase, Alfred presents the state as unitary, intentional and unchanging in its desire to colonise and oppress Indigenous peoples noting, ‘I think that the only thing that has changed since our ancestors first declared war on the invaders is that some of us have lost heart’.22 Referring to current state policies as a ‘self-termination movement’, Alfred states, ‘It is senseless to advocate for an accord with imperialism while there is a steady and intense ongoing attack by the Settler society on everything meaningful to us: our cultures, our communities, and our deep attachments to land’.23 Alfred’s Peace, Power, Righteousness (2009) also argues that the state is deliberate and unchanging, stating quite plainly that ‘it is still the objective of the Canadian and US governments to remove Indians, or, failing that, to prevent them from benefitting, from their ancestral territories’.24 Contemporary states do this, he argues, not through outright violent control but ‘by insidiously promoting a form of neo-colonial self-government in our communities and forcing our integration into the legal mainstream’.25 According to Alfred, the state ‘relegates indigenous peoples’ rights to the past, and constrains the development of their societies by allowing only those activities that support its own necessary illusion: that indigenous peoples today do not present a serious challenge to its legitimacy’.26 Linking back to the aim of co-option, Alfred argues that while the state’s desire to control Indigenous peoples and lands has never changed, the techniques for doing so have become subtler over time. ‘Recognizing the power of the indigenous challenge and unable to deny it a voice’, due to successful Indigenous resistance over the years, ‘the state has (now) attempted to pull indigenous people closer to it’.27 According to Alfred, the state has outwitted Indigenous leaders and ‘encouraged them to reframe and moderate their nationhood demands to accept the fait accompli of colonization, (and) to collaborate in the development of a “solution” that does not challenge the fundamental imperial lie’.28 In a similar vein, Coulthard’s central argument is centred on his understanding of the dual structure of colonialism. Drawing directly from Fanon, Coulthard finds that colonialism relies on both objective and subjective elements. The objective components involve domination through the political, economic and legal structures of the colonial state. The subjective elements of colonialism involve the creation of ‘colonized subjects’, including a process of internalisation by which colonised subjects come to not only accept the limited forms of ‘misrecognition’ granted through the state but can even come to identify with it.29 Through this dual structure, colonial power now works through the inclusion of Indigenous peoples, actively shaping their perspectives in line with state discourses, rather than merely excluding them, as in years past. Therefore, any attempt to seek ‘the reconciliation of Indigenous nationhood with state sovereignty is still colonial insofar as it remains structurally committed to the dispossession of Indigenous peoples of our lands and self-determining authority’.30 Concerning the state in relation to Indigenous peoples on the international level, Corntassel argues that states and global organisations, for years, have been consistently framing Indigenous peoples’ self-determination claims in ways that ‘jeopardize the futures of indigenous communities’.31 He claims that states frst compartmentalise Indigenous self-determination by separating lands and resources from political and legal recognition of a limited autonomy. Second, he notes, states sometimes deny the existence of Indigenous peoples living within their borders. Thirdly, a political and legal entitlement framing by states deemphasises other responsibilities. Finally, he claims that states, through the rights discourse, limit the frameworks through which Indigenous peoples can seek self-determination. Like Alfred and Coulthard, Corntassel has concluded that states are deliberate and never changing in their behaviour. With this move, Corntassel limits and actually demeans Indigenous agency, overlooking the reality that Indigenous organisations themselves chose the human rights framework and rights discourse as a target sphere of action precisely because, as was evident in earlier struggles like slavery, civil rights or women’s rights, these were tools available to them that had a proven track record of opening up new possibilities and shifting previous state positions and behaviour. Indigenous advocates also cleverly realised, by the 1970s, that the anti-discrimination and decolonisation frames could be used together against states. States did, in no way, nefariously impose a rights framework on Indigenous peoples. Rather, Indigenous organisations and savvy Indigenous political actors deliberately chose to frame their self-determination struggles within the human rights framework in order to bring states into a double bind where they could not credibly claim to adhere to human rights and claim that they uphold equality while simultaneously denying Indigenous peoples’ human rights and leaving them with a diminished and unequal right of self-determination. But, because he is caught in the pessimism trap of seeing the state only as unified, deliberate and unchanging, Corntassel overlooks and diminishes the clear story of Indigenous agency and the potential for positive change in advancing self-determination in a multitude of ways. Pessimism Trap 3: Engagement with the Settler State is Futile, if Not Counter-Productive Since the state always intends to maintain, if not expand, colonial control, and is seeking to co-opt as many Indigenous peoples as possible in order to maintain or expand its dispossession and control, it is therefore futile, at best, and actually dangerous to Indigenous existence to engage with the state. Furthermore, all patterns of engagement will lead to co-optation as the state is cunning and unrelenting in its desire to co-opt Indigenous leaders, academics and professionals in order to gain or maintain control of Indigenous peoples. Alfred argues, in both his 2005 and 2009 books, that any Indigenous engagement with the state, including agreements and negotiations, is not only futile but fundamentally dangerous, as such pathways do not directly challenge the existing colonial structure and ‘to argue on behalf of indigenous nationhood within the dominant Western paradigm is self-defeating’.32 Alfred states that a ‘notion of nationhood or self-government rooted in state institutions and framed within the context of state sovereignty can never satisfy the imperatives of Native American political traditions’33 because the possibility for a true expression of Indigenous self-determination is ‘precluded by the state’s insistence on dominion and its exclusionary notion of sovereignty’.34 Worst of all, according to Alfred, when Indigenous communities frame their struggles in terms of asserting Aboriginal rights and title, but do so within a state framework, rather than resisting the state itself, it ‘represents the culmination of white society’s efforts to assimilate indigenous peoples’.35 Because it is impossible to advance Indigenous self-determination through any sort of engagement with the state, Coulthard also advocates for an Indigenous resurgence paradigm that follows both his mentor Taiaiake Alfred but also Anishinaabe feminist theorist Leanne Simpson.36 As Coulthard writes, ‘both Alfred and Simpson start from a position that calls on Indigenous peoples and communities to “turn away” from the assimilative reformism of the liberal recognition approach and to instead build our national liberation efforts on the revitalization of “traditional” political values and practices’.37 Drawing upon the prescriptive approach of these theorists, Coulthard proposes, in his concluding chapter, five theses from his analysis that are intended to build and solidify Indigenous resurgence into the future: 1. On the necessity of direct action, meaning that physical forms of Indigenous resistance, like protest and blockades, are very important not only as a reaction to the state but also as a means of protecting the lands that are central to Indigenous peoples’ existence; 2. Capitalism, No More!, meaning the rejection of capitalist forms of economic development in Indigenous communities in favour of land-based Indigenous political-economic alternative approaches; 3. Dispossession and Indigenous Sovereignty in the City, meaning the need for Indigenous resurgence movements ‘to address the interrelated systems of dispossession that shape Indigenous peoples’ experiences in both urban and land-based settings’38; 4. Gender Justice and Decolonisation, meaning that decolonisation must also include a shift away from patriarchy and an embrace of gender relations that are non-violent and refective of the centrality of women in traditional forms of Indigenous governance and society; and 5. Beyond the Nation-State. While Coulthard denies that he advocates complete rejection of engagement with the state’s political and legal system, he does assert that ‘our efforts to engage these discursive and institutional spaces to secure recognition of our rights have not only failed, but have instead served to subtly reproduce the forms of racist, sexist, economic, and political confgurations of power that we initially sought…to challenge’.39 He therefore advocates expressly for ‘critical self-refection, skepticism, and caution’ in a ‘resurgent politics of recognition that seeks to practice decolonial, gender-emancipatory, and economically nonexploitative alternative structures of law and sovereign authority grounded on a critical refashioning of the best of Indigenous legal and political traditions’.40 Corntassel also demonstrates the third pessimism trap, that all engagement with the state is ultimately futile. For the most part, however, Corntassel’s observation is that the UN system operates like a reverse Keck and Sikkink ‘boomerang model’ and ‘channels the energies of transnational Indigenous networks into the institutional fiefdoms of member countries’, by which an ‘illusion of inclusion’ is created.41 He argues that, in order to be included or their views listened to, Indigenous delegates at the UN must mimic the strategies, language, norms and modes of behaviour of member states and international institutions. Corntassel fnds that ‘what results is a cadre of professionalized Indigenous delegates who demonstrate more allegiance to the UN system than to their own communities’.42 In his final analysis, he charges that the co-optation of international Indigenous political actors is highly ‘effective in challenging the unity of the global Indigenous rights movement and hindering genuine dialogue regarding Indigenous self-determination and justice’.43 Finding that states deliberately co-opt and provide ‘illusions of inclusion’ to Indigenous political actors in UN settings, Corntassel comes to the same conclusion as Alfred concerning the futility of engagement, arguing that because transnational Indigenous networks are ‘channeled’ and ‘blunted’ by colonial state actors, ‘it is a critical time for Indigenous peoples to rethink their approaches to bringing Indigenous rights concerns to global forums’.44 Imagining a Post-Colonial Future: Pessimistic ‘Resurgence’ Versus the Optimism and Tenacity of Indigenous Movements on the Ground All of these writers advocate Indigenous resurgence, through a combination of rejecting the current reconciliation politics of settler colonial states, coupled with a return to land-based Indigenous expressions of governance as the only viable, ‘authentic’ and legitimate path to a better future for Indigenous peoples, which they refer to as decolonisation. While inherently critical in their orientation, these three approaches do make some positive and productive contributions to Indigenous movements. They help shed light on the various and subtle ways that Indigenous leaders and communities can become co-opted into a colonial system. They help us to hold leadership accountable. They also help us keep a strong focus on our traditional, cultural and spiritual values as well as our traditional forms of governance which then also helps us imagine future possibilities. As I have pointed out here, however, all three theorists are also caught in the same three pessimism traps: authenticity versus co-option; a vision of the state as unified, deliberate and never changing in its desire to colonise and control; and a view of engagement with the state as futile, if not dangerous, to Indigenous sovereignty and existence. When combined, these three pessimism traps aim to inhibit Indigenous peoples’ engagement with the state in any process that could potentially re-imagine and re-formulate their current relationship into one that could be transformative and post-colonial, as envisioned by the UN Declaration on the Rights of Indigenous Peoples. The pessimism traps together work to foreclose any possibility that there could be credible openings of opportunity to negotiate a fairer and just relationship of co-existence with even the most progressive state government. This pessimistic approach is not innocuous. By overemphasising structure and granting the state an enormous degree of agency as a unitary actor, this pessimistic approach does a remarkable disservice to Indigenous resistance movements by proscribing, from academia, an extremely narrow view of what Indigenous self-determination can and should mean in practice. By overlooking and/or discounting Indigenous agency and not even considering the possibility that Indigenous peoples could themselves be calculating, strategic political actors in their own right, and vis-à-vis states, the pessimistic lens of the resurgence school unnecessarily, unproductively and unjustly limits the field of possibility for Indigenous peoples’ decision-making, thus actually countering and inhibiting expressions of Indigenous self-determination. By condemning—writ large—all Indigenous peoples and organisations that wish to seek peaceful co-existence with the state, negotiate mutually beneficial agreements with the state, and/or who have advocated on the international level for a set of standards that can provide a positive guiding framework for Indigenous-state relations, the pessimistic lens of resurgence forecloses much potential for new and improved relations, in any form, and is very likely to lead to deeper conflicts between states and Indigenous peoples, and potentially, even violent action, which Fanon indicated was the necessary outcome. The pessimism traps of the resurgence school are therefore, likely self-defeating for all but the most remote and isolated Indigenous communities. Further, this approach is quite out of step with the actions and vision of many Indigenous resistance movements on the ground who have been working for decades to advance Indigenous self-determination, both domestically and globally, in ways that transform the colonial state into something more just and may eventually present creative alternatives to the Westphalian state form in ways that could respect and accommodate Indigenous nations. Rather, it aims to shame and blame those who wish to explore creative and innovative post-colonial resolutions to the colonial condition. The UN Declaration on the Rights of Indigenous Peoples (the Declaration or UN Declaration) was adopted by the General Assembly in 2007 after 25 years of development. The Declaration is ground-breaking, given the key leadership roles Indigenous peoples played in negotiating and achieving this agreement.45 Additionally, for the first time in UN history, the rights holders, Indigenous peoples, worked with states to develop an instrument that would serve to promote, protect and affirm Indigenous rights, both globally and in individual domestic contexts.46 Many Indigenous organisations and movements, from dozens of countries around the world, were involved in drafting and negotiating the UN Declaration and are now advocating for its full implementation, both internationally and in domestic and regional contexts. In Canada, some of the key organisational players—the Grand Council of the Crees (Eeyou Istchee), the Assembly of First Nations, and the Union of British Columbia Indian Chiefs, or their predecessor organisations—were involved in the drafting and lengthy negotiations of the UN Declaration during the 1980s, 1990s and 2000s. In the United States, organisations like the American Indian Law Alliance and the Native American Rights Fund have been involved as well as the Navajo Nation and the Haudenosaunee Confederacy, who represent themselves as Indigenous peoples’ governing institutions. From Scandinavia, the Saami Council and the Sami Parliaments all play a key role in advancing Indigenous rights. In Latin America, organisations like the Confederación de Nationalidades Indígenas del Ecuador (CONAIE) and the Consejo Indio de Sud America (CISA) advocate for implementation of the UN Declaration. The three, major transnational Indigenous organisations— the World Council of Indigenous Peoples, the International Indian Treaty Council and the Inuit Circumpolar Council—were all key members of the drafting and negotiating team for the UN Declaration, and the latter two, which are still in existence, continue their strong advocacy for its full implementation. Implementation of the UN Declaration on the Rights of Indigenous Peoples requires fundamental and significant change, on both the international and domestic levels. Because implementation of Indigenous rights essentially calls for a complete and fundamental restructuring of Indigenous-state relationships, it expects states to enact and implement a signifcant body of legal, constitutional, legislative and policy changes that can accommodate such things as Indigenous land rights, free, prior and informed consent, redress and a variety of self-government, autonomy and other such arrangements. States are not going to implement this multifaceted and complex set of changes on their own, however. They will require significant political and moral pressure to hold them accountable to the rhetorical commitments they have made to support this level of change. They will also require ongoing conversation and negotiation with Indigenous peoples along the way, lest the process becomes problematically one-sided. Such processes ultimately require sustained political will, commitment and engagement over the long term, to reach the end result of radical systemic change and Indigenous state relationships grounded in mutual respect, co-existence and reciprocity. This type of fundamental change requires creative thinking, careful diplomacy, tenacity, and above all, optimistic vision, on the part of Indigenous peoples. The pessimistic approaches of the resurgence school are ultimately of little use in these efforts, other than as a cautionary tale against state power, of which the organisational players are already keenly aware. Further, by dismissing and discouraging all efforts at engagement with states, and especially with the blanket accusations that all who engage in such efforts are ‘co-opted’ and not ‘authentically’ Indigenous, the resurgence school actually creates unnecessary negative feelings and divisions amongst Indigenous movements who should be pooling limited resources and working together towards better futures

#### Activism directly forces settler self-reflection and prevents the ‘move to innocence.’

Chris Hiller 17. Independent Researcher and Social Work Educator, lives and works in the traditional territory of the Haudenosaunee, Anishinaabe, and Attawandaron (Guelph, Ontario). “Tracing the spirals of unsettlement: Euro-Canadian narratives of coming to grips with Indigenous sovereignty, title, and rights.” Settler Colonial Studies 7(4): 415-40.

One factor that draws all of these narrators into spaces of engagement is what one participant deemed ‘a broad identification with social justice’. 38 Some participants construct themselves as ‘good hearted Canadians’ who stand up against injustice wherever they see it; others express more radical commitments, often informed by anti-statist or anarchistic politics. Only some would full-heartedly stand behind the call to end global capitalism, but all express a common disdain for its excesses. Political diversity among these actors is reflected as well in the range of practices that they take up in supporting Indigenous struggles, practices which are in turn informed by and reflect their engagement with a wide range of Indigenous positions, aspirations, discourses, and strategies. And yet common to all is the fact that these actors are not what Taiaiake Alfred might deem ‘enemy imperialists’; 39 rather, the stories they share are typically told from the standpoint of (initially) ‘unaware’ 40 yet ‘good hearted’ white settler colonial subjects who tacitly support and implicitly benefit from settler colonial regimes. Regardless as to what draws these actors to spaces of encounter with Indigenous peoples and realities, each tells a story that pivots around specific moments of catching a glimpse in Ermine’s mirror. Such glimpses are necessarily partial, in large part due to the constraining weight of what Ermine describes as the ‘undercurrent’ of the Western thought world: ‘the hidden interests, attitudes, and bedrock assumptions that animate Western dealings with Indigenous peoples’. 41 Thus, what these actors see initially is in part what they have been formed to see, filtered through colonialist projections, racist stereotypes, embedded fears, and veiled investments. At the same time – based upon the specificities of their background and experience, their prior politicization and past efforts to grapple with questions of power and difference, and the lenses and commitments that they bring with them – these actors also speak of seeing past the overbearing weight of that undercurrent for just a moment, and catching sight of something else in that mirror: a glimpse of a fellow suffering human being; the specificity of a marginalized human community; a brief sighting of disavowed atrocities; an instance of inspirational resistance; the imagined basis of a common struggle. These glimpses of unsettling realities are at times abstracted or indirect, such as when these actors describe listening to Indigenous speakers at rallies or watching films that depict Indigenous representations of the denial and violence of the settler state. In other instances, such moments represent deeply personal and embodied experiences: like that of Connie,42 who recalls her Canadian naiveté shattering while listening to testimonies of Haudenosaunee women being chased down and beaten by state police; or that of Michael,43 who stumbles across a sign warning of pesticide contamination, written in both Ojibwe and English and posted beside a clear cut – for Michael, a literal sign both of colonizing spatial practices and of the continued existence of the communities and land relations that are usually rendered invisible by them. In their most potent forms, these glimpses represent startlingly visceral encounters that involve direct engagements with Indigenous people themselves, moments in which these non-Indigenous actors are called to account for who they are and how they emplace themselves: in relation to the Treaties; in relation to First Peoples, their territories and jurisdictions; in relation to on-going histories of colonization and resistance; and in relation to the land itself. I think here of Josh,44 a young anarchist who, at the reclamation site at Caledonia, is publically called out by a Haudenosaunee land defender and asked to account for his specific connection to that struggle and territory: ‘What’s your connection to this place?’ Or of Jean,45 who recalls gut-wrenching moments of sitting face-to-face with residential school survivors and struggling to respond to their pointed question about her culture and people: ‘How could you have done this to us?’ Such encounters disallow false separations of the colonial past from the colonial present. They refuse the alibi of good intentions, demanding instead a deep interrogation and a public accounting of our personal implication in the on-going history of colonization. When read against the backdrop of a settler imaginary that is for the most part smoothly reproduced by dominant narratives, discourses, and spatial technologies and regimes, these encounters represent momentary interruptions of on-going settler colonial relations: fissures that reveal unsettling truths about the violence at the heart of settler narratives, identities, and spaces. When settlers encounter such fissures – indeed, when they are discernible to us at all – we catch sight of ourselves in the mirror, and what we see causes us to lose our bearings, however fleetingly, provoking a range of unsettling emotions: anger, fear, threat, betrayal, guilt, shame. In such moments, we are faced with choices: we can avert our eyes long enough for these emotions to wane and for shapeshifting narratives to do their recuperative work, bridging across those unsettling contradictions; we can draw upon familiar discourses and framings of settler colonial space and history to intellectually ‘make sense’ of and rationalize that encounter, rendering it innocuous. But as the stories told by these activists attest, if the encounter affects us in a way that is sufficiently personal, if the jar is powerful enough with sufficient affective weight, or if it is repeated, it may remain with us, embedding within us what one participant described as a ‘niggling question’ about Indigenous peoples, about this place, and about our relationship to both. Like the people I interviewed, we may find ourselves compelled to ask that question aloud, either individually or collectively. In such moments, we turn back to face the culture, society, and thought world that has formed us as well as the violence that we witness, a turning that sparks a cycle of reflection and action that draws us into decolonizing practices and new relations of responsibility.

#### Refusal’s insufficient to accomplish the scope of material decolonization or resolve their impacts

Anna Frances Laing 15, Glasgow geography PhD candidate, “Territory, resistance and struggles for the plurinational state: the spatial politics of the TIPNIS Conflict,” http://theses.gla.ac.uk/5974/7/2015laingphd.pdf)

The use of indigeneity as a common signifier has fostered mobilisation across different ethnic groups. This process has been aided by NGOs and técnicos (technical experts) that accompanied the Eighth and Ninth Marches. NGO representatives facilitated meetings, provided training, funded activities and constructed written announcements and texts. These mediatory actors therefore helped to re-articulate the grievances of the marchers under the banner of indigenous rights. This could be seen in the writing of open letters to the government during both the Eighth and Ninth Marches, made possible through the aid of technical experts from one of the principle legal organisations defending indigenous rights in Bolivia CEJIS (Centro de Estudios Jurídicos e Investigación Social; Centre of Legal Studies and Social Investigation). Therefore, in order to ‘speak’ and be heard, the indigenous peoples have to undergo a process of representation through the language of legal rights. They therefore remain ‘subaltern’ because their attempts at self-representation fall outside the ‘the lines laid down by the official institutional structures of representation’ (Spivak 1996: 306). Thus, Glenn (2011) contends that the UN Declaration on the Rights of Indigenous Peoples is ironic since it seeks the recognition of alternative epistemologies through civic institutions that have homogenising and universalising tendencies. However, as Fabricant notes in her work with the Landless Peasants Movement in Bolivia, movements ‘take NGO ideas and meld them with their own creative strategies to come up with solutions that will work for their communities’ (2012: 120). Moreover, Gustafson (2009b) offers a balanced interpretation of the ways that NGOs offer a language and model for politicising alternative worldviews. The indigenous movement consciously reifies certain strategic essentialisms whilst at other times actively resisting them. Indeed, indigenous knowledges do not exist outside of other knowledge forms (Walsh 2002). As Walsh argues ‘[t]he efficacy of the movement in fact derives from its ability to construct and use the correspondences among various contemporary knowledge positions […] in order to exercise political tactics and strategies’ (2002: 71). A politics of refusal is unlikely to advance indigenous demands. As such, Hale suggests an analytical framework based on the Gramscian notion of articulation to ask: will the subjugated knowledge and practices be articulated within the dominant, and neutralised? Or will they occupy the space opened from above while resisting its built in logic, connect with others, toward ‘transformative’ cultural-political alternatives that still cannot be fully imagined? (2002: 499). Indeed, there is the danger that identifying under a single indigenous label risks losing the complexities and processes that permeate the heterogeneous inter-ethnic collectivity of the lowland indigenous movement. This acts to disembody the identity claims from some of the more radical tangents of the movement. Mexican anthropologist Miguel Alberto Bartolomé argues that indigenous autonomy should contemplate ‘new modes of [interethnic, inter-cultural] social articulation that are more egalitarian than existing [ones]’ and that a multi-ethnic state ‘should explore all possible paths in the search for novel forms of conviviality between culturally distinct groups’ (2005: 146 cited in Gustafson 2009a: 998). Escobar similarly calls for a decolonisation that ‘can be started in earnest from a deessentialized perspective’ (2008: 305). Indeed, the movement seeks the recognition of plurality without the homogenisation of indigenous cultures or ideologies or the ranking of difference that necessarily works to subordinate some cultures and let others dominate. This project of emancipatory societal transformation is an on-going challenge for the lowland indigenous movement.

#### Good intentions can’t decolonize the academy---settler colonial scholars re-center the settler perspective by decentering Indigenous experience and resurgence.

Snelgrove et al. 14, University of British Columbia; Rita Kaur Dhamoon, University of Victoria; and Jeff Corntassel, University of Victoria. “Unsettling settler colonialism: The discourse and politics of settlers, and solidarity with Indigenous nations,” Decolonization: Indigeneity, Education & Society, Vol. 3, No. 2, 2014, p. 1-32, http://decolonization.org/index.php/des/article/view/21166/17970

The institutionalization of settler colonial studies (rather than Indigenous studies) is on the one hand a significant shift in the academy. On the other hand, as de Leeuw, Greenwood, and Lindsay (2013) rightly argue, even when (and perhaps because) there are good intentions to decolonize and to “cultivate a culture of ‘doing the right thing,’” there are no “fundamental shifts in power imbalances between Indigenous and non-Indigenous peoples or the systems within which we operate” (p. 386). Settler colonialism and the study of settler colonialism, in other words, cannot be decolonized because of good intentions. Following this, paradoxically and in deeply troubling ways, settler colonial studies can displace, overshadow, or even mask over Indigenous studies (for example, see Veracini, 2013) and variations within Indigenous studies, especially feminist and queer Indigenous work that is centred on Indigenous resurgence. Indeed the link between Indigenous studies and settler colonial studies is still in process. The synergies between the literature by/on two-spirited Indigenous identities, queer theory, Indigenous studies more broadly, and settler colonial studies are notable in their interwoven conversations across fields of study. But at times, Indigenous peoples and issues are de-centred in settler colonial studies (for example, Rifkin, 2013, p. 323). Furthermore, while Rifkin is right to argue that settler colonial practices and processes operate in everyday ways, are these practices really in the “background” (2013, p. 331), and for whom? Is settler colonialism “largely invisible”, as Barker (2012) claims? Yes, settler colonialism is naturalized, pervasive, and not just state-centred, but for whom is settler colonialism in the background and invisible? These kinds of claims seem to presume white settler subjectivity as the monolithic lens through which to examine settler colonialism and dispossession, both in the context of whites and people of colour, in ways that obscures differentials of power. For Indigenous peoples, settler colonialism may not be the primary lens of living or theorizing, but it is also neither in the background or invisible.

#### Attempts to deconstruct structures of power at a local level ignore the hegemonic paradigms that are the root cause of problematic issues

Alcoff 12 (Linda M. Alcoff is the Professor of Philosophy at Hunter College and the CUNY Graduate Center. “Enrique Dussel’s Transmodernism,” [https://escholarship.org/uc/item/58k9k17t //](https://escholarship.org/uc/item/58k9k17t%20//) nsp

This difficulty gets at the key problem for the revisionary shift at the meta-level that Dussel wants to make: how do we move to a decentralized, pluriversal (rather than universal) approach that avoids relativism? How do we avoid losing the ability for critique, and especially for macro-level critiques that will be adequate to the macro-level epistemic structures of the coloniality of power? How do we construct a pluriverse epistemology in a politically meaningful way? Any overarching normative criterion for inclusion in the pluriverse is contradictory to the idea of pluriversality. Jürgen Habermas’s attempts to produce overarching norms come under the understandable criticism that these work again to be exclusionary of those who cannot or don’t want to be discursively engaged, who cannot or refuse to accept the terms of engagement, and this would include some indigenous groups, for example, who want disengagement and autonomy more than anything else. Yet without an overarching criterion of inclusion or evaluation, Dussel is right that pluriversality has no clear relation to liberation. Dussel’s worries with Foucault are based precisely in this concern: he suggests that if we stay only at the level of the local, we cannot develop a macro-account of hegemonic power. He asks: how can Foucault’s local critiques work without challenging the meta-narratives, and macro-practices, that subordinate local knowledges? “One must recognize that power is mutually and relationally constituted between social subjects, but that, in any case, the power of the state or the power of the hegemonic nation (such as the United States) continues to exist” (Dussel, “Philosophy” 339). Local praxis does not make it possible to theorize the relations between local issues as relations between parts to a whole, and to understand local problems and challenges as often connected to larger, non-local processes. Dussel rightfully argues that we need a new paradigm, not simply a scattered guerrilla war. The concept of the transmodern is meant, in part, to allow for a broad, even global relationality among elements, so none are irreducibly local. When we make cultures or knowledge systems irreducibly local, we truly risk ahistorical reifications. We risk losing sight of how our representations of local practices or knowledges may be constituted through imperial sign systems, or, in other words, mistaking the local as a solipsistic spontaneous emergence, rather than implicated---at least in its representations and how it is understood---within a larger colonial semiosis. Thus, we must avoid fetishizing the local. The potential relativism of pluriversality is avoided, then, not by imposing a uniform, universal standard or method or set of norms, but by developing provisional meta-narratives of global history that can illuminate local conditions and relations. What provides the normative criterion within pluriversality is just this meta-narrative of an interconnected history. This is not a transcendental criterion of rationality, a la Habermas, but a more dynamic and decentered notion of the developments of reason in relationality. Dussel’s macro-frame of the metanarrative, and in particular his metanarrative of the transmodern, operates to keep the colonial context ever-present in the analytical process, while decentralizing the idea of the modern and removing its vanguard global status. There is a coherent historical narrative that Dussel gives here to be sure—modernity phase one and modernity phase two—but there is no uniquely privileged site where the emergence of rationality occurs, or the development of a reflexive critical consciousness that begins to assess one’s conventions of belief and practice. Reflective consciousness is an equal opportunity phenomenon, as is blind dogmatism and willful ignorance. Meta-narratives of history have explanatory value; they are offered as explanations for progression, development, or relations. The concept of the transmodern is a concept with much greater explanatory value than the myth of Eurocentric modernity, and, because of its pluri- and trans-versa character, it avoids the exclusionary, hierarchical effects of totalizing systems. Although it provides a check on the potential relativism that can occur when we reject centralized models, the concept of the transmodern is meant to provide an overarching criterion of evaluation for the philosophy of liberation, despite the fact that it is Dussel’s main alternative meta-narrative to the meta-narratives of Eurocentrism. It is motivated by its descriptive project, to produce a better ideational representation of history and social formations in the colonial era. In more recent work, Dussel has suggested that it is out of this historical re-description that we can map the productive sites for the most critical, irruptive work. The transmodern meta-narrative suggests a recipe for moving forward not through universalist procedures justified via a transcendental argument outside of cultural or historical specificity, but via an analysis of how and where cultural dialogues can occur most productively given the way in which the current global

#### Ontology has a narrative deficit -- “incommensurability” frame makes indigenous liberation impossible by setting terms of victory as all-or-nothing -- reifies acquiescence to subtler settler power

Busbridge 18—Research Fellow at the Centre for Dialogue, La Trobe University (Rachel, “Israel-Palestine and the Settler Colonial ‘Turn’: From Interpretation to Decolonization,” Theory, Culture & Society Vol 35, Issue 1, 2018, dml)

The prescription for decolonisation—that is, a normative project committed to the liberation of the colonised and the overturning of colonial relationships of power (Kohn & McBride, 2011: 3)—is indeed one of the most counterhegemonic implications of the settler colonial paradigm as applied to IsraelPalestine, potentially shifting it from a diagnostic frame to a prognostic one which offers a ‘proposed solution to the problem, or at least a plan of attack’ (Benford & Snow, 2000: 616). What, however, does the settler colonial paradigm offer by way of envisioning decolonisation? As Veracini (2007) notes, while settler colonial studies scholars have sought to address the lack of attention paid to the experiences of Indigenous peoples in conventional historiographical accounts of decolonisation (which have mostly focused on settler independence and the loosening of ties to the ‘motherland’), there is nevertheless a ‘narrative deficit’ when it comes to imagining settler decolonisation. While Veracini (2007) relates this deficit to a matter of conceptualisation, it is apparent that the structural perspective of the paradigm in many ways closes down possibilities of imagining the type of social and political transformation to which the notion of decolonisation aspires. In this regard, there is a worrying tendency (if not tautological discrepancy) in settler colonial studies, where the only solution to settler colonialism is decolonisation—which a faithful adherence to the paradigm renders largely unachievable, if not impossible.

#### If their structural claim is correct, then the university can only “remove to replace,” that means they should refuse inducements

Sandy Grande 18, “REFUSING THE UNIVERSITY”, Toward What Justice? : Describing Diverse Dreams of Justice in Education, edited by Eve Tuck, and K. Wayne Yang, Routledge, 2018. ProQuest Ebook Central, <http://ebookcentral.proquest.com/lib/tamucs/detail.action?docID=5257621>

But since the settler university can only “remove to replace,” it was not long before the revolutionary and redistributive aims of Black radicalism were sup- planted by and absorbed within the political project of liberal pluralism, trans- posing the anti-capitalist critique with a politics of recognition. In other words, through the structures of settler logics, the demands of #ConcernedStudent1950 are only legible as the desire for recognition and more “intense inclusion” (Kelley, 2016). While demands for safe spaces, greater diversity, mental health counsel- ing, curricular representation, and renamed campus buildings are hardly incon- sequential, they also have the potential to function as inducements. Thus, just as recognition-based politics impede Indigenous struggles for decolonization, they also constrain efforts for more a radical vision for Black study and struggle within and against the university. In other words, the settler state has an array of strategies—recognition being one of them—to placate dispossessed people while evading any effort to change the underlying power structure.

#### Decolonizing discourse is a move to settler innocence

Eve Tuck and K. Wayne Yang 12, “Decolonization is not a metaphor”, https://www.researchgate.net/publication/277992187\_Decolonization\_Is\_Not\_a\_Metaphor

There is a long and bumbled history of non-Indigenous peoples making moves to alleviate the impacts of colonization. The too-easy adoption of decolonizing discourse (making decolonization a metaphor) is just one part of that history and it taps into pre-existing tropes that get in the way of more meaningful potential alliances. We think of the enactment of these tropes as a series of moves to innocence (Malwhinney, 1998), which problematically attempt to reconcile settler guilt and complicity, and rescue settler futurity. Here, to explain why decolonization is and requires more than a metaphor, we discuss some of these moves to innocence: i. Settler nativism ii. Fantasizing adoption iii. Colonial equivocation iv. Conscientization v. At risk-ing / Asterisk-ing Indigenous peoples vi. Re-occupation and urban homesteading Such moves ultimately represent settler fantasies of easier paths to reconciliation. Actually, we argue, attending to what is irreconcilable within settler colonial relations and what is incommensurable between decolonizing projects and other social justice projects will help to reduce the frustration of attempts at solidarity; but the attention won’t get anyone off the hook from the hard, unsettling work of decolonization. Thus, we also include a discussion of interruptions that unsettle innocence and recognize incommensurability.

#### Resistance and backlash – the US will lash out at attempts to have the land taken and they’ll win because of tech and population size – that turns solvency and results in new genocides against natives

Bradford 5 – William is a Chiricahua Apache and Associate professor of Law at the Indiana University School of Law. (“Beyond Reparations”, Ohio State Law Journal, 2005, HeinOnline)

\*JAR = Justice as Restoration = Give Back the Land

Still, while JAR is the most normatively attractive of the three theoretical clusters, JAR theory is not the final stop on the theoretical journey to justice for Indians. JAR theory is susceptible to criticism on several grounds. As compelling as the argument that non-Indian land owners are obligated to vacate their entitlements in favor of the descendants of their Indian predecessors-in-title may be, principles of equity, as JAS theory is quick to assert, should proscribe the wholescale evacuation of millions of acres of land and the forced relocation of innocent and newly-homeless non-Indians to places uncertain. Even if equity alone is not sufficient to counsel prudence, the prospect that non-Indians threatened in the security of their property interests might organize to induce political action resulting in further abridgement of Indian resources and rights° must be accounted for in any theory of Indian justice. If the only remedy for a past injustice is a present injustice, a perpetual cycle of bloody conflict over land is inevitable 341 However, the most radical of JAR theorists are practically oblivious to the broad externalities the restorative clement of their philosophy might spawn: despite warnings that it is now much too late to “give back Manhattan,” some insist that nothing short of the dissolution of the U.S. will suffice if we are to “takfc] seriously. . . morality and justice.” If politics is the art of the possible, a theory that insists on the dismemberment of the modem-day U.S. or other forms of “radical social surgery” is too fantastic to be given serious consideration as a political proposal.