# 1NC

## 1NC -- T -- Framework

#### Interpretation- the affirmative must defend the implementation of hypothetical government action to enact a reduction in intellectual property protections for medicines

#### Violation – they say they affirm the resolution but don’t defend its political implementation

#### 1. Resolved entails questions of policy action

Words and Phrases 64 (Permanent Edition)

Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### The text of the resolution calls for debate on hypothetical government action

**Ericson 3** (Jon M., Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4)

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb should—the first part of a verb phrase that urges action. 3. An action verb to follow should in the should-verb combination. For example, should adopt here means to put a program or policy into action though governmental means. 4. A specification of directions or a limitation of the action desired. The phrase free trade, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the affirmative side in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

#### Standards:

#### 1. Predictable limits - there are virtually infinite amounts of critical thought and philosophy to be drawn on that can mixed and matched in any way- that destroys the ability of the neg to predict and prepare effectively.

#### 2. Aff-neg dialectics---the resolution is the only problem given to both teams in advance - centering it allows deep preparation and engagement that refines our activist strategies. Post-facto shifts do not capture this offense because lack of central point to engage means that we can’t effectively synthesize activist lessons.

#### 3. Intellectual humility- Putting our positions up for debate and studying their flaws best breaks down our neural bias towards intellectual arrogance, and fosters a culture of better scholarship---our brains are terrible at knowing when we’re wrong and updating our beliefs. The impact is intellectual humility---rewards bluster instead of thoroughness that trends us and society towards extreme, unvetted positions where we criticize without accepting criticism

#### 4. TVA – read a topical plan with an advantage about how pharmacopornographic biocapitalism seeks to profit from the suffering of marginalized queer folk through exorbitant prices for things like antiretrovirals or gender confirmation therapy

#### 5. SSD solves all of their offense – there is no independent reason as to why they can’t read their nontopical advocacy as a K on the neg. Their model of debate produces insular debates that destroy education, ethics and reproduces violence– turns case

## 1NC -- K -- Colonial Capitalism

#### Reformism is not emancipatory but instead contributes to the iterative perfection of colonial capitalism – the transformative potential of legal change is circumscribed by hegemonic power structures that are embedded in international political systems.

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These events – the corporate capture of the global pharmaceutical IP regime, state complicity and vaccine imperialism – are not new. Recall Article 7 of TRIPS, which states that the objective of the Agreement is the ‘protection and enforcement of intellectual property rights [to] contribute to the promotion of technological innovation and to the transfer and dissemination of technology’. In similar vein, Article 66(2) of TRIPS further calls on developed countries to ‘provide incentives to enterprises and institutions within their territories to promote and encourage technology transfer to least-developed country’. While the language of ‘transfer of technology’ might seem beneficial or benign, in actuality it is not. As I discussed in my book, and as Carmen Gonzalez has also shown, when development objectives are incorporated into international legal instruments and institutions, they become embedded in structures that may constrain their transformative potential and reproduce North-South power imbalances. This is because these development objectives are circumscribed by capitalist imperialist structures, adapted to justify colonial practices and mobilized through racial differences. These structures are the essence of international law and its institutions even in the twenty-first century. They continue to animate broader socio-economic engagement with the global economy even in the present as well as in the legal and regulatory codes that support them. Thus, it is not surprising that even in current global health crisis, calls for this same transfer of technology in the form of a TRIPS waiver to scale up global vaccine production is being thwarted by the hegemony of developed states inevitably influenced by their respective pharmaceutical companies. The ‘emancipatory potential’ of TRIPS cannot be achieved if it was not created to be emancipatory in the first place. It also makes obvious the ways international IP law is not only unsuited to promote structural reform to enable the self-sufficiency and self-determination of the countries in the global south, but also produces asymmetries that perpetuate inequalities. Concluding Remarks What this pandemic makes clear is that the development discourse often touted by developed nations to help countries in the Global South ‘catch up’ is empty when the essential medicines needed to stay alive are deliberately denied and weaponised. Like the free-market reforms designed to produce ‘development’, IP deployed to incentivise innovation is yet another tool in the service of private profits. As this pandemic has shown, the reality of contemporary capitalism – including the IP regime that underpins it – is competition among corporate giants driven by profit and not by human need. The needs of the poor weigh much less than the profits of big business and their home states. However, it is not all doom and gloom. Countries such as India, China and Russia have stepped up in the distribution of vaccines or what many call ‘vaccine diplomacy.’ Further, Cuba’s vaccine candidate Soberana 02, which is currently in final clinical trial stages and does not require extra refrigeration, promises to be a suitable option for many countries in the global South with infrastructural and logistical challenges. Importantly, Cuba’s history of medical diplomacy in other global South countries raises hope that the country will be willing to share the know-how with other manufactures in various non-western countries, which could help address artificial supply problems and control over distribution. In sum, this pandemic provides an opportune moment to overhaul this dysfunctional global IP system. We need not wait for the next crisis to learn the lessons from this crisis.

#### Settler colonialism is at the core of the heteropatriarchy, and critiques of such heteronormativity that fail to first comprehend that role recreate settler colonialism – only a prior breakdown of the politics of the settler can resolve either impact

**Morgensen 11** (Scott Lauria, assistant professor of gender studies at Queen’s University, “Spaces between Us: Queer Settler Colonialism and Indigenous Decolonization”, University of Minnesota Press, 11/17/11, pp. 1-28)//JSL

This book examines how **settler colonial power relations among native and non-native people define the status "queer**." It argues that modern queer subjects, cultures, and politics have developed among natives and non-natives in linked, yet distinct, ways. The imposition of colonial heteropatriarchy relegates native people and all non-native people of color to queered statuses as racialized populations amid colonial efforts to eliminate native nationality and settle native lands. Modern sexuality comes into existence when the heteropatriarchal advancement of white settlers appears to vanquish sexual primitivity, which white settlers nevertheless adopt as their own history. When modern sexuality queers white settlers, their effort to reclaim a place within settler society produces white and non-native queer politics for recognition by the state. Yet memories and practices of discrepant sexual cultures among Indigenous peoples and peoples of color persistently trouble the white settler logics of sexual modernity. For instance, native modes of kinship, embodiment, and desire such as those today called "Two-Spirit" produce Native queer modernities that denaturalize settler colonialism. **the comparative studies in this book show settler colonialism as the context in which non-native and native people produce modern queer subjects, cultures, and politics**. A methodological shift in native studies heralded by such scholars as Linda Tuhiwai Smith and Robert warrior theorizes settler colonialism by tracing the "intellectual histories" (Warrior) and methods of Native peoples practicing survival, resistance, and decolonization.2 Scholarship in settler colonial studies must support this turn, as when Patrick Wolfe theorizes settler colonialism as "a structure, not an event" that calls for a sustained denaturalizing critique.3 Andrea Smith calls on Native studies to refuse its "ethnographic entrapment" in the description of Native cultures and instead become an interdisciplinary site for explaining and transforming a world defined by settler colonialism.4 She promotes this shift by invoking queer theory, which displaced the description of sexual minorities in gay/lesbian studies by theorizing heteronormativity as a power relation that conditions all subjects and social life.5 Scholars at the intersections of Native and queer studies have responded to these calls by demonstrating that each field is intrinsic to the other.6 Smith explains that "the heteronormativity of settler colonialism" has subjected Native and non-Native people to settler colonial rule and regimes of modern sexuality. In this context, "queer" statuses accrue to nonheteronormative identities—such as gay, lesbian, bisexual, transgender, or queer—**after colonial heteropatriarchy first redefines embodiment, desire, and kinship to eliminate Native culture, control racialized populations, and secure**, in Sherene Razack's term, **a "white settler society**." In this book, queer will refer to statuses produced by the heteropatriarchal power of white supremacist settler colonialism. My analysis joins critics of homo-normativity in arguing that all "queer" statuses are not equivalent.7 Jasbir Puar critiques "homonationalism" as the process whereby whiteness and imperialism create U.S. queer subjects as "regulatory" over peoples queered by U.S. rule.8 I resituate Puar's account to argue that **in a white settler society, queer politics produces a settler homonationalism that will persist unless settler colonialism is challenged directly** as a condition of queer modernities.9 Native and queer studies must regard settler colonialism as a key condition of modern sexuality on stolen land, and use this analysis to explain the power of settler colonialism among Native and non-Native people. This book investigates how settler colonialism produces what I call "non-Native queer modernities," in which modern queers appear definitively not Native—separated from, yet in perpetual (negative) relationship to, the original peoples of the lands where they live. The phrase suggests a settler colonial logic that disappears indigeneity so it can be recalled by modern non-natives as a relationship to native culture and land that might reconcile them to inheriting conquest.10 Thus, "non-native" signifies not a racial or ethnic identity but a location within settler colonialism. non-native queer modernities naturalize settler colonialism when they confront queer differences as racial or diasporic in a manner that sustains native disappearance. If queer subjects align with whiteness or homonationalism, their settler colonial roots may seem clear. But **even multiracial and transnational queer critiques of racism and imperialism can erase native people and naturalize settler colonialism** in ways that indirectly or directly define queer modernity as not native. This book examines "native queer modernities" as projects that formed historically precisely to displace the settler colonial logics that sustain "non-native queer modernities."

#### Gender abolition is colonization – an imposition of white gender norms onto Indigenous peoples

Phoenix 15 – Non-binary queer future best-selling sci-fi/fantasy novelist (Lola, “Gender Abolition as Colonisation”, Medium, <https://medium.com/gender-2-0/gender-abolition-as-colonisation-f32b55505e38>, December 26, 2015)//CProst

When mentioning that I don’t identify as a woman, I end up in a lot of debates with people who believe in abolishing gender. Recently, I’ve comprised an explanation of why arguing for the abolition of gender is a form of colonisation. Gender as an epistemology You probably have heard of the philosophy that gender is a social construct. What that means is that, while there may be biological and bodily markers of what we refer to as “gender” (or “sex” as it is just as much a social construction as “gender”), the concept of gender is something constructed by our culture. That doesn’t mean that it doesn’t exist, as some may take the connotation of “social construction” as, but rather that cultures define it. But I want to go further than that. Gender is not just a social construct, but it is an epistemology. What’s an epistemology? Simply put, it’s gained knowledge. It means that, while 2 + 2 = 4, the fact that: we know how to add the numbers we know what numbers are we know what these figures represent we have a process by which we’ve come to know how to add these numbers we have created signs to represent them, and we have created a process to represent everything All of this is an epistemology. It is a process of knowing. Gender is no different. I feel making a distinction between an epistemology and a social construct is important, especially when we’re approaching gender through an intersectional lens. Gender is not just performance, it is a process that we come to know ourselves and others. It something that we have placed importance on, categorised, and developed over centuries. The problem with “social construction” is that it paints a stagnant picture. We don’t just construct gender and then we’re done. It’s not like a building that’s made up that we all live in. But it’s something that we do constantly, that we change, that we mould, and shape, and it’s something that we’ve been doing for centuries. And if we’ve been doing it for centuries, that means everyone has been doing it in their own ways for centuries. I’d hate to come across as the, “This is the way things are, there’s no sense in changing it!”, because that’s totally not what I’m saying. If gender is a social construct, a building, a stagnant thing we’ve built that can be torn down, abolition makes sense. But gender isn’t a stagnant force. It isn’t something we can just tear down. The problem I have with abolishing gender is that I don’t feel it’s a realistic approach. While I’m not suggesting that gender can’t be fantastically oppressive and terrible, abolishing all of it for the sake of it’s oppressive bits seems like not only throwing the baby out of the bathwater, but like trying to sieve a baby made of water out of the bathwater before you throw it out, which leads me to my next issue. How do we define gender? Defining “Gender” Gender is an epistemology, and it’s an epistemology that’s constructed through the lenses of other intersections. Most of the dialogue that I’ve seen that suggests abolishing gender comes from a usually white perspective. They have their own perception and concept of what “gender” entails. The problem when you take that outside of a white-centric perspective is that not only is it far more complex, but the process of applying white gender epistemologies to other gender epistemologies becomes a colonising process. For example, a great many people familiar with the trans community may have heard of hijras, a concept of gender that exists within South Asia. A great many usually white trans people have called hijra’s “trans” or put them under the trans label. Regardless of their intention, to take the epistemology of “trans” and apply it to something like the hijra can be seen as an oppressive or colonising act. The hijra are hijra. That is their name. Unless a hijra specifically identifies as transgender or trans, applying our own concepts of gender and sexuality constructed within white supremacist cultures to people outside of our epistemological framework is redefining them on our own terms for our own benefit. Another instance of where this occurs is within the American/Canadian indigenous or native concept of two spirit, which is in and of itself an umbrella term for multiple tribal concepts of third or mixed gender roles. The definition not only differs from tribe to tribe, but in many cases applying the white concept of gender toward two spirit people, again, becomes an act of oppression and colonisation. Especially when, without any indigenous or native background, white people adopt the identification mantle of “two spirit”. This experience of gender within cultures also applies: Despite not really going out of my way to look androgynous or masculine (unless for specific reasons, such as drag), and despite ample cleavage and curves, I sometimes tend to be read as male. In Bangladesh (where my family is from) I get parsed as male first when I’m not wearing a salwhar khameez (which pretty much every young woman in Bangladesh wears) — then they work out I’m a foreigner and define my gender as Not From Here. A similar effect happens in Malaysia though to a lesser degree, and occasionally the same applies in the Western world. I feel like a lot of people see my ethnicity first, as well as my constant state of Foreign, and get really flummoxed about the idea that I could have a gender. Hell, my race was such a big deal growing up that I never got to contemplate any other part of my being until I left school! … What counts as “femme” in the Western queer world is pretty much what the women in my family are by default — and yet femme is supposed to be a conscious expression of gender. My cultural expectations of “manliness” (which may or may not be synonymous with “butch”) fit closer to the Western ideas of metrosexuality, which I see is parsed as effeminate masculinity. (E.g. my dad is Very Manly, and part of being Very Manly is taking care of his appearance and wearing well-tailored clothes.) – Thoughts About My Gender In this situation, not only are we pushing a white epistemological concept of “gender” onto other cultures, but if we go forth with abolishing it, how can we expect people for whom their gender interacts so closely with their race, their religion, their cultural background, to divorce or even to recognise the bits and pieces of gender that are independent of their culture to destroy? Or, if gender is an epistemology, is race and other intersectional factors part and parcel of gender in such a way that one cannot simply abolish it alone? And if we attempt to do that, it leads to the next big problem I have: that the abolition of gender may be, especially stemming from a white feminist bases, a colonising force. When abolition is colonisation I’m reminded of the book Sex at Dawn, which discusses how evolutionary psychology and modern day perceptions have influenced Eurocentric epistemology of sexuality. They reference the example of anthropologists examining a practice within a culture and labelling to monogamous marriage, when “marriage” in that culture only meant that two people slept in the same tent. It becomes clear that our epistemological understanding of “marriage” and “love” exists in one form within white supremacist culture and even when applying a lens to this culture, we can be frightfully biased and wrong. How we define these words and concepts is a process. If applying our own modern epistemology towards previous behaviours results in misunderstandings, imagine the difficulties of defining and applying gender towards all cultures in an attempt to abolish it. Quite often anthologists and others attempting to classify and and give names to other cultures have created problematic systems that are oppressive. In fact, you see this with the concept referenced above, “two spirit”. “Two spirit” as a name has become more popular where previously the term “berdache” was used, based on the French bard ache implying a male prostitute or catamite and originating from an Arabic word meaning “captive, captured”. While applying “trans” to “two spirit” people may indeed be less initially offensive than “berdache”, it is still an effect of applying a white understanding to a concept which may not exist. “Two spirit” people aren’t just two gendered spirits, but it can apply and define a variety of concepts about gender and identity that just don’t have a translation easily into white concepts. Years ago, when I was studying anthropology at university, one of my female professors held up a photograph of an antler bone with 28 markings on it. “This,” she said, “is alleged to be man’s first attempt at a calendar.” We all looked at the bone in admiration. “Tell me,” she continued, “what man needs to know when 28 days have passed? I suspect that this is woman’s first attempt at a calendar.” – Sandi Toksvig Sandi Toksvig’s quote suggests that sexism clouds Eurocentric epistemological understanding of history. If we’re incapable of giving women credit where credit is due, how do we expect to be able to apply an understanding towards others — and is that even a correct understanding? It wouldn’t surprise me to find out that there is a society which has no word for “gender”, where the concept of “gender” does not exist. While there may be behaviours that certain people do or don’t do that are gendered within a white epistemological framework, if a culture has no concept of it within itself, then how exactly do we abolish it? Do we simply put our Eurocentric epistemology of gender toward the culture and abolish whatever does and doesn’t fit our definition? And what if, despite not having a concept of gender, the culture is still oppressive towards one sect of the population which has a biological difference that we would judge as a sex characteristic (e.g. for example, what if that culture saw being square jawed as a sign of power and men just so happened to be the predominantly square jawed people in power)? Do we reframe it under gender? How do we approach it? It all becomes incredibly complicated. The problem with abolishing gender is that not only do we have to define it, apply our definition towards other cultures, demand they remove gender from their own race, cultural, spiritual or whatever background, but also assume that the abolition of the concept of gender will result in equality or a lack of discrimination. In doing so, from a white perspective, we effectively create a colonising project wherein we’re intervening in their own identities, behaviours, and practices in an attempt to make their lives better.

#### The AFFs analysis of drag within in debate utilizes settler privilege and invests in native erasure.

Upadyay, 2019 (Nishant – Women’s and Gender Studies @ the University of Massachusetts, “‘Can You Get More American Than Native American?’: Drag and Settler Colonialism in *Rupaul’s Drag Race*”, *Cultural Studies* 33.3, shae)

In a cis-heteropatriarchal society, drag remains outside of what is deemed mainstream. As a creative practice of queerness and genderfucking,4 drag challenges dominant notions of gender and sexuality. According to RuPaul: ‘It’s all nudge, nudge, wink, wink. We never believe this is who we are. That is why drag is a revolution, because we’re mocking identity. We’re mocking everyone’ (RuPaul quoted in Wortham 2018). However, Judith Butler (2011, pp. 87–88) reminds us that drag ‘is not first an appropriation and then a subversion. Sometimes it is both at once, sometimes it remains caught in an irresolvable tension, and sometimes a fatally unsubversive appropriation takes place.’ Further, José Muñoz (1999, p. 99) argues, ‘corporate-sponsored drag has to some degree becomes incorporated within the dominant culture.’ Drag can simultaneously rupture and reproduce logics of cis-heteronormativity (Halberstam 1998, Prosser 1998, Muñoz 1999, Heller 2016). Several queer scholars have demonstrated that queerness can potentially be assimilated into imperialist, neo-colonial, and (homo)nationalist projects (Ferguson 2004, Alexander 2005, Puar 2007, 2013, Driskill 2010, Morgensen 2010). Queerness does not inherently transcend gender, sexual, and racial hierarchies. Thus, drag as a genderfucking creative praxis can be co-opted within multiple colonial processes. Scholarship on the Drag Race critiques hegemonic reproduction of gender, racial, ethnic, sexual, and class normativities, as well as its transphobic and ableist tendencies (Edgar 2011, Jenkins 2013, Strings and Bui 2014, Goldmark 2015, Zhang 2016). However, while the scholarship on the Drag Race has focused on logics of race, scholars have not engaged with multiple colonial modalities on the show. There has been a growing body of scholarship theorizing complicities in ongoing processes of settler colonialism that focuses on people of colour and queer folks. In this work, racialized peoples are more than often rendered heterosexual, and queer folks are rendered white. Queer and trans people colour (QTPOC) are largely absent from this work. Racialized/diasporic, non-Indigenous,5 and non- Black queer and trans peoples of colour are often theorized as victims, albeit never as abject, of cis-heteropatriarchy, white supremacy, capitalism, and colonialism (Manalansan IV 2003, Gopinath 2005, Ahmed 2010, Shah 2012). Moreover, writing on Indigenous invisibilization in queer studies, Qwo-Li Driskill (Cherokee) (2010, p. 71) argues, ‘this erasure colludes with, rather than disrupts, colonial projects.’ Similarly, Andrea Smith (2011, pp. 52–53) notes the disappearance of the Native subject in queer of colour critiques, she writes: In queer of colour critique… mestizaje and queerness often intersect to disappear indigeneity through the figure of the diasporic or hybrid queer subject. The consequence is that queer of colour critique… lacks an analysis of settler colonialism and genocide. Additionally, works of Sylvia Wynter (1995), Jodi Byrd (2011), Lisa Lowe (2015), and others, demonstrate the crucial need for theorizations of the intersections of multiple colonialisms to understand racial and sexual complicities in processes of settler colonialism in North America. Drawing on these critiques, this paper puts forward a critical lens to reveal the intersections of queer creativity with multiple colonialisms. I argue that within a settler colonial society, drag of colour can imitate and reproduce not only gender and sexual normativities but racial, ethnic, and national normativities as well. This paper explores vestiges of indigeneity in the creativity and aesthetics of Drag Race season three (2011) winner Raja.6 By situating the analysis to Raja’s drag, this paper traces the workings of settler colonial modalities in drag of colour and extends the critique to racialized queer complicities in white settler states. I begin by outlining Raja’s performances on the show and her appropriation of indigeneity. In the second section, I provide an overview of scholarship concerning race on the Drag Race to argue that these critiques need to centre critiques of settler colonialism. The following section underscores the imperative of theorizing racialized queer complicities within multiple colonial processes. In the next section, I go back to Raja’s performance in order to trouble QTPOC epistemologies and unsettle Asian queer and trans belonging in white settler states. Conceptually connecting Asia with the Americas to illustrate multiple colonialisms (like Larasati, Mookerjea, and Patel in this special issue), I argue that Asian QTPOCs can very well play into settler colonial logics of power and violence, and be complicit in ongoing processes of colonization of Indigenous peoples, lands, and nations.7 I am particularly interested in non-Muslim Asian diasporic queer and trans peoples who occupy positions of ambivalence in settler colonial states and wittingly or unwittingly become complicit in colonial structures.8 I invoke Asianness to make visible multiple and overlapping racial and colonial cacophonies (Byrd 2011), intimacies (Lowe 2015), and transnational intersections of race and indigeneity (Dhamoon 2015, Upadhyay 2016) in the formation of Asian queer and trans subjectivities on stolen Indigenous lands. In naming Asianness, I am specifically interested in talking to my ‘kin’ as ‘we’ need to acknowledge and fight against ‘our’ complicities in ongoing processes of settler colonialism and forge decolonial alliances with Indigenous peoples.

#### The settler colonial project requires the disappearance or assimilation of the Native, who produces Settler anxieties that confound national belonging – this is an ongoing genocide that also exists in premature moves to reconciliation and the desire to not have to deal with the Indian problem anymore.

Tuck & Yang 12 [Eve Tuck is Associate Professor of Critical Race and Indigenous Studies at the Ontario Institute for Studies in Education (OISE), University of Toronto. She is Canada Research Chair of Indigenous Methodologies with Youth and Communities. K. Wayne Yang writes about decolonization and everyday epic organizing, particularly from underneath ghetto colonialism, often with his frequent collaborator, Eve Tuck. Currently, they are convening The Land Relationships Super Collective, editing the book series, Indigenous and Decolonizing Studies in Education, and editing the journal, Critical Ethnic Studies. He is interested in the complex role of cities in global affairs: cities as sites of settler colonialism, as stages for empire, as places of resettlement and gentrification, and as always-already on Indigenous lands. \*Sometimes he writes as la paperson, an avatar that irregularly calls.“Decolonization is not a metaphor,” *Decolonization: Indigeneity, Education & Society* Vol 1 No 1 (2012) //tjb]

Recently in a symposium on the significance of Liberal Arts education in the United States, Eve presented an argument that **Liberal** **Arts education has historically excluded any attention to or analysis of settler colonialism.** **This, Eve posited, makes Liberal Arts education complicit in the project of settler colonialism and, more so, has rendered the truer project of Liberal Arts education something like trying to make the settler indigenous to the land he occupies.** The attendees were titillated by this idea, nodding and murmuring in approval and it was then that Eve realized that she was trying to say something incommensurable with what they expected her to say. She was completely misunderstood. **Many in the audience heard this observation: that the work of Liberal Arts education is in part to teach settlers to be indigenous, as something admirable, worthwhile, something wholesome, not as a problematic point of evidence about the reach of the settler colonial erasure.** Philip Deloria (1998) explores how and why the settler wants to be made indigenous, even if only through disguise, or other forms of playing Indian. Playing Indian is a powerful U.S. pastime, from the Boston Tea Party, to fraternal organizations, to new age trends, to even those aforementioned Native print underwear. Deloria maintains that, “From the colonial period to the present, the Indian has skulked in and out of the most important stories various Americans have told about themselves” (p. 5). The indeterminacy of American identities stems, in part, from the nation’s inability to deal with Indian people. Americans wanted to feel a natural affinity with the continent, and it was Indians who could teach them such aboriginal closeness. Yet, in order to control the landscape they had to destroy the original inhabitants. (Deloria, 1998, p.5) L. Frank Baum (author of The Wizard of Oz) famously asserted in 1890 that the safety of white settlers was only guaranteed by the “total annihilation of the few remaining Indians” (as quoted in Hastings, 2007). D.H. Lawrence, reading James Fenimore Cooper (discussed at length later in this article), Nathaniel Hawthorne, Hector St. John de Crevecoeur, Henry David Thoreau, Herman Melville, Walt Whitman and others for his Studies in Classic American Literature (1924), describes Americans’ fascination with Indigeneity as one of simultaneous desire and repulsion (Deloria, 1998). **“No place,” Lawrence observed, “exerts its full influence upon a newcomer until the old inhabitant is dead or absorbed.”** Lawrence argued that in order to meet the “demon of the continent” head on and this finalize the “unexpressed spirit of America,” white Americans needed either to destroy Indians of assimilate them into a white American world...both aimed at making Indians vanish from the landscape. (Lawrence, as quoted in Deloria, 1998, p. 4). Everything within a settler colonial society strains to destroy or assimilate the Native in order to disappear them from the land - this is how a society can have multiple simultaneous and conflicting messages about Indigenous peoples, such as all Indians are dead, located in faraway reservations, that contemporary Indigenous people are less indigenous than prior generations, and that all Americans are a “little bit Indian.” These desires to erase - to let time do its thing and wait for the older form of living to die out, or to even help speed things along (euthanize) because the death of pre-modern ways of life is thought to be inevitable - these are all desires for another kind of resolve to the colonial situation, resolved through the absolute and total destruction or assimilation of original inhabitants. Numerous scholars have observed that **Indigeneity prompts multiple forms of settler anxiety, even if only because the presence of Indigenous peoples - who make a priori claims to land and ways of being - is a constant reminder that the settler colonial project is incomplete** (Fanon, 1963; Vine Deloria, 1988; Grande, 2004; Bruyneel, 2007). The easy adoption of decolonization as a metaphor (and nothing else) is a form of this anxiety, because it is a premature attempt at reconciliation. The absorption of decolonization by settler social justice frameworks is one way the settler, disturbed by her own settler status, tries to escape or contain the unbearable searchlight of complicity, of having harmed others just by being one’s self. The desire to reconcile is just as relentless as the desire to disappear the Native; it is a desire to not have to deal with this (Indian) problem anymore.

#### The alternative is an incommensurable project of decolonization that necessitates the repatriation of indigenous lands, the abolition of slavery and property, and the dismantling of the global imperial metropole – this is a complete disavowal of settler futurity that refuses to be punctuated by narratives of reconciliation.

Tuck & Yang 12 [Eve Tuck is Associate Professor of Critical Race and Indigenous Studies at the Ontario Institute for Studies in Education (OISE), University of Toronto. She is Canada Research Chair of Indigenous Methodologies with Youth and Communities. K. Wayne Yang writes about decolonization and everyday epic organizing, particularly from underneath ghetto colonialism, often with his frequent collaborator, Eve Tuck. Currently, they are convening The Land Relationships Super Collective, editing the book series, Indigenous and Decolonizing Studies in Education, and editing the journal, Critical Ethnic Studies. He is interested in the complex role of cities in global affairs: cities as sites of settler colonialism, as stages for empire, as places of resettlement and gentrification, and as always-already on Indigenous lands. \*Sometimes he writes as la paperson, an avatar that irregularly calls.“Decolonization is not a metaphor,” *Decolonization: Indigeneity, Education & Society* Vol 1 No 1 (2012) //tjb]

**Having elaborated on settler moves to innocence, we give a synopsis of the imbrication of settler colonialism with transnationalist, abolitionist, and critical pedagogy movements - efforts that are often thought of as exempt from Indigenous decolonizing analyses - as a synthesis of how decolonization as material, not metaphor, unsettles the innocence of these movements.** **These are interruptions which destabilize, un-balance, and repatriate the very terms and assumptions of some of the most radical efforts to reimagine human power relations. We argue that the opportunities for solidarity lie in what is incommensurable rather than what is common across these efforts.** **We offer these perspectives on unsettling innocence because they are examples of what we might call an ethic of incommensurability, which recognizes what is distinct, what is sovereign for project(s) of decolonization in relation to human and civil rights based social justice projects.** There are portions of these projects that simply cannot speak to one another, cannot be aligned or allied. **We make these notations to highlight opportunities for what can only ever be strategic and contingent collaborations, and to indicate the reasons that lasting solidarities may be elusive, even undesirable.** Below we point to unsettling themes that challenge the coalescence of social justice endeavors broadly assembled into three areas: Transnational or Third World decolonizations, Abolition, and Critical Space-Place Pedagogies. For each of these areas, we offer entry points into the literature - beginning a sort of bibliography of incommensurability. Third world decolonizations **The anti-colonial turn towards the transnational can sometimes involve ignoring the settler colonial context where one resides and how that inhabitation is implicated in settler colonialism, in order to establish “global” solidarities that presumably suffer fewer complicities and complications.** This deliberate not-seeing is morally convenient but avoids an important feature of the aforementioned selective collapsibility of settler colonial-nations states. Expressions such as “the Global South within the Global North” and “the Third World in the First World” neglect the Four Directions via a Flat Earth perspective and ambiguate First Nations with Third World migrants. **For people writing on Third World decolonizations, but who do so upon Native land, we invite you to consider the permanent settler war as the theater for all imperial wars**: ● the Orientalism of Indigenous Americans (Berger, 2004; Marez, 2007) ● discovery, invasion, occupation, and Commons as the claims of settler sovereignty (Ford, 2010) ● heteropatriarchy as the imposition of settler sexuality (Morgensen, 2011) ● citizenship as coercive and forced assimilation into the white settler normative (Bruyneel, 2004; Somerville, 2010) ● religion as covenant for settler nation-state (A.J. Barker, 2009; Maldonado-Torres, 2008) ● the frontier as the first and always the site of invasion and war (Byrd, 2011), ● U.S. imperialism as the expansion of settler colonialism (ibid) ● Asian settler colonialism (Fujikane, 2012; Fujikane, & Okamura, 2008, Saranillio, 2010a, 2010b) ● the frontier as the language of ‘progress’ and discovery (Maldonado-Torres, 2008) ● rape as settler colonial structure (Deer, 2009; 2010) ● the discourse of terrorism as the terror of Native retribution (Tuck & Ree, forthcoming) ● Native Feminisms as incommensurable with other feminisms (Arvin, Tuck, Morrill, forthcoming; Goeman & Denetdale, 2009). Abolition **The abolition of slavery often presumes the expansion of settlers who own Native land and life via inclusion of emancipated slaves and prisoners into the settler nation-state.** As we have noted, it is no accident that the U.S. government promised 40 acres of Indian land as reparations for plantation slavery. Likewise, indentured European laborers were often awarded tracts of ‘unsettled’ Indigenous land as payment at the end of their service (McCoy, forthcoming). **Communal ownership of land has figured centrally in various movements for autonomous, self-determined communities. “The land belongs to those who work it,” disturbingly parrots Lockean justifications for seizing Native land as property, ‘earned’ through one’s labor in clearing and cultivating ‘virgin’ land.** For writers on the prison industrial complex, il/legality, and other forms of slavery, we urge you to consider how enslavement is a twofold procedure: removal from land and the creation of property (land and bodies). **Thus, abolition is likewise twofold, requiring the repatriation of land and the abolition of property (land and bodies).** Abolition means self-possession but not object-possession, repatriation but not reparation: ● “The animals of the world exist for their own reasons. They were not made for humans any more than black people were made for white, or women created for men” (Alice Walker, describing the work of Marjorie Spiegel, in the in the preface to Spigel’s 1988 book, The Dreaded Comparison). ● Enslavement/removal of Native Americans (Gallay, 2009) ● Slaves who become slave-owners, savagery as enslavability, chattel slavery as a sign of civilization (Gallay, 2009) ● Black fugitivity, undercommons, and radical dispossession (Moten, 2008; Moten & Harney, 2004; Moten & Harney, 2010) ● Incarceration as a settler colonialism strategy of land dispossession (Ross, 1998; Watson, 2007) ● Native land and Native people as co-constituitive (Meyer, 2008; Kawagley, 2010) Critical pedagogies The many critical pedagogies that engage emancipatory education, place based education, environmental education, critical multiculturalism, and urban education often position land as public Commons or seek commonalities between struggles. Although we believe that “we must be fluent” in each other’s stories and struggles (paraphrasing Alexander, 2002, p.91), we detect precisely this lack of fluency in land and Indigenous sovereignty. Yupiaq scholar, Oscar Kawagley’s assertion, “We know that Mother Nature has a culture, and it is a Native culture” (2010, p. xiii), directs us to think through land as “more than a site upon which humans make history or as a location that accumulates history” (Goeman, 2008, p.24). The forthcoming special issue in Environmental Education Research, “Land Education: Indigenous, postcolonial, and decolonizing perspectives on place and environmental education research” might be a good starting point to consider the incommensurability of place-based, environmentalist, urban pedagogies with land education. ● The urban as Indigenous (Bang, 2009; Belin, 1999; Friedel, 2011; Goeman, 2008; Intertribal Friendship House & Lobo, 2002) ● Indigenous storied land as disrupting settler maps (Goeman, 2008) ● Novels, poetry, and essays by Greg Sarris, Craig Womack, Joy Harjo, Gerald Vizenor ● To Remain an Indian (Lomawaima & McCarty, 2006) ● Shadow Curriculum (Richardson, 2011) ● Red Pedagogy (Grande, 2004) ● Land Education (McCoy, Tuck, McKenzie, forthcoming) More on incommensurability Incommensurability is an acknowledgement that decolonization will require a change in the order of the world (Fanon, 1963). This is not to say that Indigenous peoples or Black and brown peoples take positions of dominance over white settlers; the goal is not for everyone to merely swap spots on the settler-colonial triad, to take another turn on the merry-go-round. The goal is to break the relentless structuring of the triad - a break and not a compromise (Memmi, 1991). Breaking the settler colonial triad, in direct terms, means repatriating land to sovereign Native tribes and nations, abolition of slavery in its contemporary forms, and the dismantling of the imperial metropole. **Decolonization “here” is intimately connected to anti-imperialism elsewhere. However, decolonial struggles here/there are not parallel, not shared equally, nor do they bring neat closure to the concerns of all involved - particularly not for settlers.** Decolonization is not equivocal to other anti-colonial struggles. It is incommensurable. **There is so much that is incommensurable, so many overlaps that can’t be figured, that cannot be resolved.** **Settler colonialism fuels imperialism all around the globe.** Oil is the motor and motive for war and so was salt, so will be water. Settler sovereignty over these very pieces of earth, air, and water is what makes possible these imperialisms. The same yellow pollen in the water of the Laguna Pueblo reservation in New Mexico, Leslie Marmon Silko reminds us, is the same uranium that annihilated over 200,000 strangers in 2 flashes. The same yellow pollen that poisons the land from where it came. Used in the same war that took a generation of young Pueblo men. Through the voice of her character Betonie, Silko writes, “Thirty thousand years ago they were not strangers. You saw what the evil had done; you saw the witchery ranging as wide as the world" (Silko, 1982, p. 174). In Tucson, Arizona, where Silko lives, her books are now banned in schools. Only curricular materials affirming the settler innocence, ingenuity, and right to America may be taught. In “No”, her response to the 2003 United States invasion of Iraq, Mvskoke/Creek poet Joy Harjo (2004) writes, “Yes, that was me you saw shaking with bravery, with a government issued rifle on my back. I’m sorry I could not greet you, as you deserved, my relative.” Don’t Native Americans participate in greater rates in the military? asks the young-ish man from Viet Nam. **“Indian Country” was/is the term used in Viet Nam, Afghanistan, Iraq by the U.S. military for ‘enemy territory’.** The first Black American President said without blinking, “There was a point before folks had left, before we had gotten everybody back on the helicopter and were flying back to base, where they said Geronimo has been killed, and Geronimo was the code name for bin Laden.” Elmer Pratt, Black Panther leader, falsely imprisoned for 27 years, was a Vietnam Veteran, was nicknamed ‘Geronimo’. Geronimo is settler nickname for the Bedonkohe Apache warrior who fought Mexican and then U.S. expansion into Apache tribal lands. The Colt .45 was perfected to kill Indigenous people during the ‘liberation’ of what became the Philippines, but it was first invented for the ‘Indian Wars’ in North America alongside The Hotchkiss Canon- a gattling gun that shot canonballs. **The technologies of the permanent settler war are reserviced for foreign wars, including boarding schools, colonial schools, urban schools run by military personnel.** It is properly called Indian Country. Ideologies of US settler colonialism directly informed Australian settler colonialism. South African apartheid townships, the kill-zones in what became the Philippine colony, then nation-state, the checkerboarding of Palestinian land with checkpoints, were modeled after U.S. seizures of land and containments of Indian bodies to reservations. The racial science developed in the U.S. (a settler colonial racial science) informed Hitler’s designs on racial purity (“This book is my bible” he said of Madison Grant’s The Passing of the Great Race). The admiration is sometimes mutual, the doctors and administrators of forced sterilizations of black, Native, disabled, poor, and mostly female people - The Sterilization Act accompanied the Racial Integrity Act and the Pocohontas Exception - praised the Nazi eugenics program. Forced sterilizations became illegal in California in 1964.

the resounding exception to the rule of increasing carceral responses to sex crimes.

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