# 2nr

# 1nc

## 1

#### Our interpretation is that the negative shouldn’t have the burden of rejoinder against affirmatives that don’t defend that the appropriation of outer space by private entities is unjust.

#### Appropriation of outer space” by private entities refers to the exercise of exclusive control of space.

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 defend dysfluency – cx.

Standards:

[1] Procedural fairness – their interp explodes limits and allows affs to monopolize the moral high ground. The lack of a stable mechanism lets them radically re-contextualize their aff and erase neg ground via perms. Fairness is good and prior – debate’s a game that requires effective competition and negation, which makes their offense inevitable. Cutting negs to every possible aff wrecks small schools, which has a disparate impact on under-resourced and minority debaters.

They don’t get to weigh the aff – it’s just as likely that they’re winning it because we weren’t able to effectively prepare to defeat it.

[2] Switch Side Debate – read your stuff on the neg which non-uniques your offense and is net better since a Kritik on the neg has to be tailored to the aff– otherwise your discussion starts and ends at the 1AC.

[3] TVA – read the aff on lex vm wiki – the cybernetics aff that uses disabled folk to turn capitalism against itself and is a form of affective pessimism against able-body desires to expand into space.

Paradigm Issues:

Use competing interps – topicality is question of models of debate which they should have to proactively justify and we’ll win reasonability links to our offense.

Drop the debater because dropping the arg is severance which moots 7 minutes of 1nc offense

No rvis—it’s your burden to be fair and T—same reason you don’t win for answering inherency or putting defense on a disad.

They can’t weigh the case—lack of preround prep means their truth claims are untested which you should presume false—they’re also only winning case because we couldn’t engage with it

No impact turns—exclusions are inevitable because we only have 45 minutes so it’s best to draw those exclusions along reciprocal lines to ensure a role for the negative

## 2

#### Indigeneity connotates a state of non-ontology allowing for the construction of the human that legitimizes its self into a history of elimination, jettisoned from or assimilated into the national body to cohere settler temporality

Belcourt 16. Billy-Ray Belcourt is from the Driftpile Cree Nation. He is a 2016 Rhodes Scholar and is reading for an M.St. in Women’s Studies at the University of Oxford. He was named by CBC Books as one of six Indigenous writers to watch, and his poetry has been published or is forthcoming in Assaracus: A Journal of Gay Poetry, Red Rising Magazine, SAD Mag, mâmawi-âcimowak, PRISM International, and The Malahat Review. ("A POLTERGEIST MANIFESTO," 2016, *Feral Feminism*) vikas recut aaditg

Admittedly, the feral is a precarious space from which to theorize, sullied with an injurability bound up in the work of liberal humanism as such, an enterprise that weaponizes a set of moral barometers to distribute ferality unevenly to differently citizened and raced bodies—ones that are too close for comfort and must be pushed outside arm’s reach. Perhaps ferality traverses a semantic line of flight commensurate­ with that of savagery, barbarism, and lawlessness, concreting into one history of elimination: that is, a history of eliminating recalcitrant indigeneities incompatible within a supposedly hygienic social. The word savage comes from the Latin salvaticus, an alteration of silvaticus, meaning “wild,” literally “of the woods.” Of persons, it means “reckless, ungovernable” (“Savage”). In the space-time of settler states, savagery temporarily stands in for those subjectivities tethered to a supposedly waning form of indigeneity, one that came from the woods and, because of this, had to be jettisoned from or assimilated into the national body. Here is Audra Simpson on the history of Indian “lawlessness”: Its genealogy extends back to the earliest moments of recorded encounter, when Indians appeared to have no law, to be without order, and thus, to be in the colonizer’s most generous articulation of differentiation, in need of the trappings of civilization. “Law” may be one instrument of civilization, as a regulating technique of power that develops through the work upon a political body and a territory. (2014, 144) According to Simpson, the recognition of Indigenous peoples as lawless rendered them governable, motivating the settler state (here, Canada) to curate and thus contain atrophied indigeneities—and, consequently, their sovereignties, lands, and politics—within the borders of federal law (2014, 144-45). Similarly, in The Transit of Empire Jodi Byrd traces the epistemological gimmicks through which the concept of “Indianness” came to align with “the savage other” (2011, 27). For her, this alignment provided the “rationale for imperial domination” and continues to stalk philosophy’s patterns of thinking (ibid.). Simpson, writing about the Mohawks of Kahnawake, argues that “a fear of lawlessness” continues to haunt the colonial imaginary, thereby diminishing “Indigenous rights to trade and to act as sovereigns in their own territories” (2014, 145). We might take the following lyrics from the popular Disney film Pocahontas as an example of the ways indigeneity circulates as a feral signifier in colonial economies of meaning-making: [Ratcliffe] What can you expect From filthy little heathens? Their whole disgusting race is like a curse Their skin’s a hellish red They’re only good when dead They’re vermin, as I said And worse [English settlers] They’re savages! Savages! Barely even human. (Gabriel and Goldberg 1995) Savagery connotes a state of non-ontology: Indigenous peoples are forced to cling to a barely extant humanity and coterminously collapse into a putatively wretched form of animality. Savagery is lethal, and its Indian becomes the prehistoric alibi through which the human is constituted as such. Indigenous peoples have therefore labored to explain away this savagery, reifying whitened rubrics for proper citizenship and crafting a genre of life tangible within the scenes of living through that are constitutive of settler colonialism as such. These scenes, however, are dead set on destroying the remnants of that savagery, converting their casualties into morally compatible subjects deserving of rights and life in a multicultural state that stokes the liberal fantasy of life after racial trauma at the expense of decolonial flourishing itself. This paper is therefore interested in the subjectivities and forms of sociality that savagery destroys when applied from without, and the political work of appropriating that savagery in the name of decolonization. Ours is a form of indigeneity that hints at a fundamental pollutability that both confirms and threatens forms of ontology tethered to a taxonomized humanity built in that foundational episode of subjection of which Simpson speaks. I am suggesting that savagery always-already references an otherworld of sorts: there are forms of life abandoned outside modernity’s episteme whose expressivities surge with affects anomalous within the topography of settler colonialism. This paper is not a historicist or nostalgic attachment to a pre-savage indigeneity resurrected from a past somehow unscathed by the violence that left us in the thick of things in the first place. Instead, I emphasize the potentiality of ferality as a politics in a world bent on our destruction—a world that eliminates indigeneities too radical to collapse into a collective sensorium, training us to a live in an ordinary that the settler state needs to persist as such, one that only some will survive. This world incentivizes our collusion with a multicultural state instantiated through a myth of belonging that actively disavows difference in the name of that very difference. We are repeatedly hurried into a kind of waning sociality, the content and form of which appear both too familiar and not familiar enough. In short, we are habitually left scavenging for ways to go on without knowing what it is we want. Let’s consider Jack Halberstam’s thoughts on “the wild”: It is a tricky word to use but it is a concept that we cannot live without if we are to combat the conventional modes of rule that have synced social norms to economic practices and have created a world order where every form of disturbance is quickly folded back into quiet, where every ripple is quickly smoothed over, where every instance of eruption has been tamped down and turned into new evidence of the rightness of the status quo. (2013, 126) Where Halberstam finds disturbance, I find indigeneity-cum-disturbance par excellence. Halberstam’s “wild” evokes a potentiality laboured in the here and now and “an alternative to how we want to think about being” in and outside an authoritarian state (2013, 126-27). Perhaps the wild risks the decolonial, a geography of life-building that dreams up tomorrows whose referents are the fractured indigeneities struggling to survive a historical present built on our suffering. Ferality is a stepping stone to a future grounded in Indigenous peoples’ legal and political orders. This paper does not traffic in teleologies of the anarchic or lawless as they emerge in Western thought; instead, it refuses settler sovereignty and calls for forms of collective Indigenous life that are attuned to queerness’s wretched histories and future-making potentialities. Indigeneity is an ante-ontology of sorts: it is prior to and therefore disruptive of ontology. Indigeneity makes manifest residues or pockets of times, worlds, and subjectivities that warp both common sense and philosophy into falsities that fall short of completely explaining what is going on. Indigenous life is truncated in the biopolitical category of Savage in order to make our attachments to ourselves assimilable inside settler colonialism’s national sensorium. Settler colonialism purges excessive forms of indigeneity that trouble its rubrics for sensing out the human and the nonhuman. In other words, settler colonialism works up modes of being-in-the-world that narrate themselves as the only options we have. What would it mean, then, to persist in the space of savagery, exhausting the present and holding out for futures that are not obsessed with the proper boundary between human and nonhuman life? This paper now turns to the present, asking: what happens when indigeneity collides with queerness inside the reserve, and how might a feral theory make sense of that collision? Deadly Presents “I went through a really hard time… I was beaten; more than once. I was choked” (Klassen 2014). These were the words of Tyler-Alan Jacobs, a two-spirit man from the Squamish Nation, capturing at once the terror of queer life on the reserve and the hardening of time into a thing that slows down bodies and pushes them outside its securitized geographies. Jacobs had grown up with his attackers, attackers who were energized by the pronouncement of queerness—how it insisted on being noticed, how it insisted on being. When the dust settled, “his right eye [had] dislodged and the side of his faced [had] caved in” (ibid.). Settler colonialism is fundamentally affective: it takes hold of the body, makes it perspire, and wears it out. It converts flesh into pliable automations and people into grim reapers who must choose which lives are worth keeping in the world. It can turn a person into a murderer in a matter of seconds; it is an epistemic rupturing of our attachments to life, to each other, and to ourselves. It is as if settler colonialism were simultaneously a rescue and military operation, a holy war of sorts tasked with exorcising the spectre of queer indigeneity and its putative infectivity. I rehearse this case because it allows me to risk qualifying the reserve as a geography saturated with heteronormativity’s socialities. This is a strategic interdiction that destroys supposedly degenerative queer affect worlds, untangling some bodies and not others from the future. I don’t have the statistics to substantiate these claims, but there is an archive of heartbreak and loss that is easy to come by if you ask the right people. Indeed, what would such statistics tell us that we don’t already know? What would the biopolitical work of data collection do to a knowledge-making project that thinks outside the big worlds of Statistics and Demography and, instead, inside the smaller, more precarious worlds created in the wake of gossip? I worry about ethnographic projects that seek to account for things and theory in the material in order to map the coordinates of an aberration to anchor it and its voyeurs in the theatres of the academy. The desire to attach to a body is too easily energized by a biological reading of gender that repudiates the very subjects it seeks so desperately to know and to study. What about the body? I have been asked this question, again and again. A feral theory is something of a call to arms: abolish this sort of ethnography and turn to those emergent methodologies that might better make sense of the affects and life-forms that are just now coming into focus and have been destroyed or made invisible in the name of research itself. Queer indigeneity, to borrow Fred Moten’s description of blackness, might “come most clearly into relief, by way of its negation” (2014). Perhaps decolonization needs to be a sort of séance: an attempt to communicate with the dead, a collective rising-up from the reserve’s necropolis, a feral becoming-undead. Boyd and Thrush’s Phantom Past, Indigenous Presence thinks indigeneity and its shaky histories vis-à-vis the language of haunting, where haunting is an endurant facet of “the experience of colonialism” (Bodinger de Uriarte 2012, 303). But, for me, ghostliness is differentially distributed: some more than others will be wrenched into the domain of the dead and forced to will their own ontologies into the now. Perhaps the universalist notion that haunting is a metonym for indigeneity repudiates the very life-forms that it claims to include: those who are differently queered and gendered, and, because of this, haunt waywardly and in ways that cannot be easily predicted (Ahmed 2015). This paper thus takes an imaginative turn and proceeds with something of an incantation to summon the figure of the queer Indigenous poltergeist—the feral monster in the horror story of decolonization. Queer Indigenous poltergeists do not linger inaudibly in the background; we are beside ourselves with anger, we make loud noises and throw objects around because we are demanding retribution for homicide, unloved love, and cold shoulders. We do not reconcile; we escape the reserve, pillage and mangle the settler-colonial episteme. Our arrival is both uneventful and apocalyptic, a point of departure and an entry point for an ontology that corresponds with a future that has yet to come. Sometimes all we have is the promise of the future. For the queer Indigenous poltergeist, resurrection is its own form of decolonial love. The poltergeist is an ontological anomaly: a fusion of human, object, and ghost, a “creature of social reality” and a “creature of fiction” (Haraway 1991, 149). From the German poltern meaning “[to] make noise, [to] rattle” and Geist or “ghost,” it literally means “noisy ghost,” speaking into existence an anti-subjectivity that emerges in the aftermath of death or murder (“Poltergeist”). It is the subject of Tobe Hooper’s 1982 film Poltergeist, which tells a story of “a haunting based on revenge” (Tuck and Ree 2013, 652). The film’s haunting is a wronging premised on an initial wrong: the eponymous poltergeist materializes when a mansion is constructed on a cemetery—a disturbing of spirits, if you will. José Esteban Muñoz argues that “The double ontology of ghosts and ghostliness, the manner in which ghosts exist inside and out and traverse categorical distinctions, seems especially useful for… queer criticism” (2009, 46). In this paper, the poltergeist names the form which indigeneity takes when it brings queer matter into its folds. In other words, this essay evokes haunting as a metaphor to hint at the ways in which queerness was murderously absorbed into the past and prematurely expected to stay there as an effect of colonialism’s drive to eliminate all traces of sexualities and genders that wandered astray. The poltergeist conceptualizes the work of queer indigeneity in the present insofar as it does not presuppose the mysterious intentions of the ghost—an otherworldly force that is bad, good, and undetectable all at once. Instead, the poltergeist is melancholic in its grief, but also pissed off. It refuses to remain in the spiritual, a space cheapened in relation to the staunch materiality of the real, and one that, though housing our conditions of possibility, cannot contain all of us. We protest forms of cruel nostalgia that tether ghosts to a discarded past within which queer Indigenous life once flourished because we know that we will never get it back and that most of us likely never experienced it in the first place. We long for that kind of love, but we know it is hard to come by. I turn to the poltergeist because I don’t have anywhere else to go. Help me, I could say. But I won’t. Queer indigeneity, then, is neither here nor there, neither dead nor alive but, to use Judith Butler’s language, interminably spectral (2006, 33). We are ghosts that haunt the reserve in the event of resurrection. According to Indigenous and Northern Affairs Canada, a reserve is a “tract of land, the legal title to which is held by the Crown, set apart for the use and benefit of an Indian band” (“Terminology”). The “reserve system” is part of the dispossessory ethos through which the settler state reifies land as the sign of sovereignty itself, and thus effects the political death of indigeneity, decomposing it into nothingness, into contaminated dirt. Reserves are the products of imaginations gone wild; they are ruins that bear “the physical imprint of the supernatural” on arid land, on decaying trailers arranged like weathered tombstones (Tuck and Ree 2013, 653). They are borderlands that connote simultaneous possession and dispossession: they represent the collision between settler sovereignty (insofar as the Crown holds the legal title to the land) and indigeneity (pointing to a genre of life that is distinctly Indigenous). Reserves were—some might say they still are—zones of death that regulated and regulate the movements of Indigenous bodies, quarantining their putatively contaminated flesh outside modern life in order to preserve settler-colonial futurities. It is as if the reserve were a site of complete atrophy, where indigeneity is supposed to waste away or degenerate, where queerness has already bled out. Look at the blood on your hands! The queer Indigenous poltergeist, however, foregrounds what I call a “reserve consciousness” —an awareness of the deathliness of the reserve. A reserve consciousness might be a kind of critical phenomenology that, to use Lisa Guenther’s description of this sort of insurgent knowledge project, pulls up “traces of what is not quite or no longer there—that which has been rubbed out or consigned to invisibility” (2015): here, the so-called on-reserve Indian. It might be about becoming a frictive surface; by rubbing up against things and resisting motion between objects, we might become unstuck. Queer Indigenous poltergeists are what Sara Ahmed calls “blockage points”: where communication stops because we cannot get through (2011, 68). That is, queer indigeneity connotes an ethical impasse, a dead end that presents us with two options: exorcism or resurrection. If settler colonialism is topological, if it persists despite elastic deformations such as stretching and twisting, wear and tear, we might have to make friction to survive. I turn to the reserve because it is a geography of affect, one in which the heaviness of atmospheres crushes some bodies to death and in which some must bear the weight of settler colonialism more than others. The violence done to us has wrenched us outside the physical world and into the supernatural. Some of us are spirits—open wounds that refuse to heal because our blood might be the one thing that cannot be stolen. Does resistance always feel like resistance, or does it sometimes feel like bleeding out (Berlant 2011)? Feral Socialities I must leave the beaten path and go where we are not. Queerness, according to Muñoz, is not yet here; it is an ideality that “we may never touch,” that propels us onward (2009, 1). Likewise, Halberstam suggests that the presentness of queerness signals a kind of emerging ontology. He argues that failure “is something that queers do and have always done exceptionally well in contrast to the grim scenarios of success” that structure “a heteronormative, capitalist society” (2011, 2-3). For Muñoz, queer failure is about “doing something that is missing in straight time’s always already flawed temporal mapping practice” (2009, 174). We know, however, that this isn’t the entire story. Whereas Muñoz’s queer past morphs into the here and now of homonormativity’s carceral tempos, indigeneity’s queernesses are saturated with the trauma of colonialism’s becoming-structure. Queer death doubles as the settler state’s condition of possibility. Pre-contact queer indigeneities had been absorbed into colonialism’s death grip; however, this making-dead was also a making-undead in the enduring of ghosts (Derrida 1994, 310). If haunting, according to Tuck and Ree, “lies precisely in its refusal to stop,” then the queer Indigenous poltergeist fails to have died by way of time travel (2013, 642). Queer indigeneity might be a kind of “feral sociality”: we are in a wild state after escaping colonial captivity and domestication. When the state evicts you, you might have to become feral to endure. To be feral is to linger in the back alleys of the settler state. It is a refusal of settler statecraft, a strategic failing to approximate the metrics of colonial citizenship, a giving up on the ethical future that reconciliation supposedly promises. As an aside, I suspect that the settler state’s reconciliatory ethos is always-already a domesticating project: it contains Indigenous suffering within the spectacularized theatre of the Truth and Reconciliation Commission, building a post-Residential School temporality in which Indigenous peoples have been repaired through monetary reparations and storytelling. In the melodrama of reconciliation, the settler state wins its centuries-long war against Indian lawlessness by healing Indigenous peoples of the trauma that blocked them from becoming properly emotive citizens. Queer indigeneity, however, escapes discursive and affective concealment and therefore the category of the human itself, disturbing the binary clash between the living and nonliving by way of its un-humanity, a kind of “dead living” whereby flesh is animated through death. Perhaps we must become feral to imagine other space-times, to imagine other kinds of queerness. If settler colonialism incentivizes our collusion with the humanist enterprise of multiculturalism (and it does), what would it mean to refuse humanity and actualize other subject formations? In other words, how do the un-living live? Here, I want to propose the concept of “Indian time” to theorize the temporality and liminality of queer indigeneity as it festers in the slippage between near-death and the refusal to die. Indian time colloquially describes the regularity with which Indigenous peoples arrive late or are behind schedule. I appropriate this idiom to argue that the presentness of queer indigeneity is prefigured by an escape from and bringing forward of the past as well as a taking residence in the future. To be queer and Indigenous might mean to live outside time, to fall out of that form of affective life. Indian time thus nullifies the normative temporality of settler colonialism in which death is the telos of the human and being-in-death is an ontological fallacy. It connotes the conversion of queer indigeneity into non-living matter, into ephemera lurking in the shadows of the present, waiting, watching, and conspiring. Where Jasbir Puar argues that all things under the rubric of queer are always-already calculated into the state’s biopolitical mathematic, queer indigeneity cannot be held captive because it cannot be seen—we are still emerging in the social while simultaneously altering its substance (2012). If decolonization is, according to Tuck and K. Wayne Yang’s reading of Frantz Fanon, an “unclean break from a colonial condition,” perhaps the queer Indigenous poltergeist is feral enough to will a decolonial world into a future that hails rather than expels its ghosts (2012, 20). The queer Indigenous poltergeist might have nothing else to lose.

#### Their analytic of disability is a racial amnesia that refuses to acknowledge genocide as the foundation for settler existence in the first place – voting affirmative refuses their understanding of disability as operating through the reproduction of impaired bodies. The very call for integration into the settler brother is tainted with the blood of debilitation imposed on indigeneity

Jaffee 16. Laura Jordan Jaﬀee is a PhD student in the Cultural Foundations of Education program at Syracuse University. Her focus is in philosophy of education and disability studies. She is particularly interested in the politics of education, the political economy, and critical pedagogy as they relate to the intersection of dis/ability, race, and gender. Her work has appeared in Educational Policy and Disability & Society and she has forthcoming work in Knowledge Cultures [“Disrupting Global Disability Frameworks,” 2016, URL: <https://www.tandfonline.com/doi/abs/10.1080/09687599.2015.1119038?tokenDomain=eprints&tokenAccess=xPesaA8VMfV7wWgNv6hr&forwardService=showFullText&doi=10.1080%2F09687599.2015.1119038&doi=10.1080%2F09687599.2015.1119038&journalCode=cdso20>, DOI: 10.1080/09687599.2015.1119038]//vikas

This **void in disability studies scholarship is** particularly **apparent** – and noteworthy, given the contentious geopolitics of the region – in disability studies scholarship pertaining to Palestine/Israel. **Disability studies work** regarding Palestine/Israel **has been largely remiss about** the region’s **historical and ongoing settlement projects and** the concomitant **disablement and oppression** of Palestinians. In a Disability Studies Quarterly special issue addressing disability in Palestine/Israel, for instance, Ben-Moshe and Colligan (2007) are upfront about a glaring lacuna in their work. As they articulate, while the ‘issue was named “The State of Disability in Israel/Palestine”; [...] it does not contain any articles written by Palestinians or directly dealing with the state of disability in the occupied territories’ (2007, para. 10). They go on to defend the title of the issue on the basis of their intent to acknowledge the interconnectedness of Israel and Palestine and because one article in the issue does directly address ‘the Jewish-Palestinian conflict [sic]’ (2007, para. 10). The single article within the issue that directly attends to Israeli military violence and Palestinians, however, addresses how Israeli media covers stories about Israelis disabled by violent confrontations between Palestinians and Israeli military forces (Ostrander and Shevil 2007). **While the editors acknowledge the interrelation** of Israel and Palestine, **they fail to name** Israel as **a settler state and**, further, to **recognize the role** of the Israeli state **in disabling** Palestinians. **Disability studies scholarship** hailing from Israel, particularly the Disability Studies Quarterlyspecial issue, importantly **highlights that within the state a particularly** profound connection **exists between the physical body and national identity construction** owing to Zionist ide-ology. Ostrander and Shevil (2007) expound this connection in their discussion of possible explanations for the disproportionate media attention allotted to Israelis killed versus Israelis wounded in conflict, despite a vastly higher incidence of injury and disability as compared with death. As they explain, ‘**the image of the strong** Jewish **body became a symbol for a strong** Jewish **state’** (2007, Discussion and Summary section, para. 4), **while the** ‘**wounded and disabled** Jew **indicates a battered state’** (2007, Discussion and Summary section, para. 6). Although the authors are mindful of ‘the symbolic connections between the Jewish body and Israeli nationalism,’ they describe the heightened scrutiny of Israeli’s physical bodies as a response to threats to ‘the national body’s borders’ without historically situating Israel as a settler-colonial state (2007, Discussion and Summary section, para. 4). The authors ask the important question of how ‘injury to the physical body affect(s) the national body’ and proffer that this link contributes to the marginalization of disabled Israelis (2007, Discussion and Summary section, para. 5). While this link is certainly crucial to understanding conceptions of disability among Israelis, the **authors fail to consider how injury to the** Palestinian **physical body sustains and upholds the** Israeli **national body**. In their comprehensive overview of disability legislation in Israel since the state’s creation, Rimmerman et al. (2014) emphasize that Israeli legislation regarding disability has tended toward a bio-medical model and has been slow to align with a social model of disability. While the authors provide an important overview of disability law and policy in Israel and, moreover, link attitudes toward disability within the region to the figure of the Sabra3 stem-ming from Zionist ideology, they do not address questions of disability among displaced and occupied Palestinians. In particular, their **analysis** fails **to account for** the creation of disability among Palestinians by the Israeli state, a military tactic **discussed further in the following**.4The hopeful tone of disability studies scholarship emanating from Israel renders particu-larly evident the foibles of a widespread inattention to settler-coloniality and the shortfalls of eurocentric disability studies for addressing disability-related issues in the region. Ben-Moshe and Colligan’s introduction to the Disability Studies Quarterly special issue proffers that ‘many exciting developments have been taking place in Israel, with a growing focus on disability rights law and activism, and a budding Disability Studies network’ (2007, para. 2). echoing this sentiment, Rimmerman et al. conclude their review of disability law and policy in Israel by asserting that ‘[o]ne promising development is the ratification of the United Nations Convention on the Rights of Persons with Disabilities [by the Israeli state] in September 2012’ (2014, 11). **While they proclaim** their ‘**hope that future legislation will reflect and promote** the spirit of the Convention, the values of **equality and dignity**,’ **the article neglects to address how the** Israeli **state**, in its current form, **rests on the creation of disability** among Palestinians (2014, 11). **Such** hopeful proclamationscompletely disregard the creation of disability **through** the **state-sanctioned violence upon which settler-colonial projects depend.** Indeed, as Soldatic (2013, 747) explicates, **the production of impairment is** beyond the realm of the CRPD framework, which is predominantly concerned with the social reproduction of impaired bodies as disabled. **As a result** of these limitations, transnational claims for collective justice regarding the geopolitical production of impairment **are rendered** invisible both within much disability studies scholarship and by the international disability rights movement (Soldatic 2013).

#### The alternative is refusal – a political depression that recognizes reconciliation will never be enough and creates harmful optimism to the political. Instead, embrace an affective pessimism that grounds alternative futures. The question is not whether Native people want the world, but if the world wants Native people

Belcourt 2016 (Billy-ray Belcourt is from the Driftpile Cree Nation. He is a 2016 Rhodes Scholar and is reading for an M.St. in Women's Studies at the University of Oxford. He was named by CBC Books as one of six Indigenous writers to watch,Political Depression in a Time of Reconciliation, Jan 15, 2016, <http://activehistory.ca/2016/01/political-depression-in-a-time-of-reconciliation/)//NotJacob//recut> anop

It’s tough: knowing that you might not get the world you want and the world that wants you back, that your bones might never stop feeling achy and fragile from the wear and tear of mere existence, from the hard labour of getting through the day. Ours are bodies that have been depleted by time, that have been wrenched into a world they can’t properly bend or squirm into because our flesh is paradoxically both too much and not enough for it. In the wake of both eventful and slowed kinds of premature death, what does it mean that the state wants so eagerly to move Indigenous bodies, to touch them, so to speak? Reconciliation is an affective mess: it throws together and condenses histories of trauma and their shaky bodies and feelings into a neatly bordered desire; a desire to let go, to move on, to turn to the future with open arms, as it were. Reconciliation is stubbornly ambivalent in its potentiality, an object of desire that we’re not entirely certain how to acquire or substantiate, but one that the state – reified through the bodies of politicians, Indigenous or otherwise – is telling us we need. In fact, Justice Murray Sinclair noted that the launch of the Truth and Reconciliation Commission’s final report on December 15, 2015, puts us at the “threshold of a new era in this country.”[1] I am interested in how life might be lived willfully and badly in the face of governmental forms of redress when many of us are stretched thin, how reconciliation, though instantiating a noticeable shift in the national affective atmosphere,[2] doesn’t actually remake the substance of the social or the political such that we’re still tethered to scenes of living that can’t sustain us. What I am trying to get at is: reconciliation works insofar as it is a way of looking forward to being in this world, at the expense of more radical projects like decolonization that want to experiment with different strategies for survival.[3] This way of doing things isn’t working and, because of that, optimism is hard to come by. According to cultural theorist Ann Cvetkovich, political depression emerges from the realization “that customary forms of political response, including direct action and critical analysis, are no longer working either to change the world or to make us feel better.”[4] It is the pestering sense that whatever you do, it won’t be enough; that things will continue uninterrupted, teasing you because something different is all you’ve wanted from the start. To be politically depressed is to worry about the temporal reach of neoliberal projects like reconciliation, to question their orientation toward the future because the present requires all of your energy in order to feel like anything but dying. Political depression is of a piece with a dispossessory enterprise that remakes the topography of the ordinary such that the labour of maintaining one’s life becomes too hard to keep up. We have to wait for the then and there in the here and now; how do we preserve ourselves until then? As Leanne Simpson points out, reconciliation has been reparative for some survivors, encouraging them to tell their stories, to keep going, so to speak.[5] But, what of the gendered and racialized technologies of violence that created our scenes of living, scenes we’ve been forced to think are of our own choosing? Optimism for the work of reconciliation disappeared in the face of multiple crises: of Missing and Murdered Indigenous Women and Girls, of HIV infection rates, of mass incarceration, of diabetes, of suicide. Reconciliation, at once a heuristic and a form of statecraft, fakes a political that doesn’t actually exist as such, one that not only presupposes that we – Indigenous peoples, that is – are willing to stay attached to it, but that we are already folded into it, that we’ve already consented to it. What does it mean, for example, to consent to a nation-to-nation relationship if there are no other options to choose from? Reconciliation wants so badly to be a keyword of sorts, to contain so much inside its semantic confines, to be “wide-reaching in its explanatory power.”[6] I’m not surprised things have started to leak all over the place. Decolonization might need something of an affective turn: I think there are ways of being attuned to our bodies such that we can gauge if our visceral responses are trained or not, parasitic or not. In short: what do our tears signal, what do his – Justin Trudeau’s – signal? We cry because pain holds our world together. I don’t want pain to hold our world together anymore. Perhaps admitting we are politically depressed is one of the most important things we could do in this day and age. When survival becomes radical and death becomes part and parcel of the ordinary itself, political depression might be our only point of departure. But, political depression is also about dreaming up alternatives that can sustain your attachments to life. Cvetkovich reminds us that we need “other affective tools for transformation” because hope and blind allegiance have failed too many of us too often.[7] I am interested in the generative work of pessimism, how being fed up propels us onward, and keeps us grounded in the now, such that we can make it to the future, even if that’s just tomorrow. As Kim TallBear put it, we’ve been living in a post-apocalyptic world (in its ecological ruins and in the face of its crisis-making politics) for quite some time,[8] one that exhausts our bodies to the point of depression and death and one that slowly removes us from the non-normative or the astray.[9] We are stuck in the thick of things, left clinging to an impasse without an exit strategy. We might need reconciliation today, but Indigenous peoples need a more capacious world-building project for tomorrow, one that can bear all of us and the sovereignties built into our breathing. We should not be asked: do you want the world today? Instead, we should be asking: does the world want us?

#### Refusal paves the way for forms of indigenous life that are lived in fugitivity – forefronting indigenous sociality is necessary to prefigure sickness as a concept and disease as non-vitality

Belcourt 18. Billy-Ray Belcourt is from the Driftpile Cree Nation. He is a Ph.D. student at the University of Alberta, and a 2016 Rhodes Scholar who holds a M.St. in Women’s Studies from the University of Oxford. In 2016, he was named one of six Indigenous writers to watch by CBC Books, and was the winner of the 2016 P.K. Page Founder’s Award for Poetry. His work has been published in Assaraus: A Journal of Gay Poetry, Decolonization, Red Rising Magazine, mâmawai-âcimowak, SAD Mag, Yellow Medicine Review, The Malahat Review, PRISM International, and The Next Quarterly [“Meditations on reserve life, biosociality, and the taste of non-sovereignty,” 2018, *Settler Colonial Studies*, DOI: 10.1080/2201473X.2017.1279830]//vikas

As Shiri Pasternak pointedly argues via Foucault, **Indian Country is where many are let die to** ‘**dispose of strong Indigenous nations as surplus to the state**’. **It is where** life cannot be lived without ‘sufferingmassive deprivation’.62 As noted earlier, **Indigenous peoples** in Alberta **are projected to die a dozen years before other residents** of the province, and **this is a sad story whose** ending is prefigured by a series of bouts with **sickness and** other forms of **bodily collapse** that saturate one’s sense of identity. Ours is an elongated state of near-deathness that rarely collects the public outrage constitutive of the out-of- the-ordinary. In Economies of Abandonment, Povinelli writes: **Indigenous communities are often cruddy**, corrosive, and uneventful. An agentless slow death characterizes their mode of lethality. Quiet deaths. Slow deaths. Rotting worlds. The everyday drifts toward death: **one more drink, one more sore; a bad cold, bad food; a small pain in the chest.**63 A small pain in the chest can be bigger than the historical present’s affective tonalities. Rotting worlds are set in motion before we can study them, such that it feels as if you have no option but to ‘get munchies’. As if there were nothing you could do about the sores on your legs or your high blood glucose levels. **The past–present–future of settler colonialism is ridden with scenes and technologies of abandonment.** In Geraldine Pratt’s reading of Agamben, **abandonment is** an ‘active, relational process’ that is topographical, producing minority populations as ‘neither inside nor outside the juridical order’, but instead **enmeshed inside geographies** that make them into bare life.64 In Agamben’s words, bare life is life stripped of meaning, that which is exposed to death ‘in the sovereign ban’. It is political life’s discontents, produced when law and life slip-slide into each other such that the rule of law’s absences instantiate the law itself.65 The abandoned live in a zone of exception whose horrors perversely hold up the world of sovereign citizens. **Might the reserve be an outpost of empire whose biological risks smooth out** the **racial contours of the human?** Perhaps the affective state of improperly being in the world is the feeling of bare life. Diabetes is how this feeling manifests on the reserve. To be abandoned on the outskirts of the world pushes you to come to terms with your shoddy embodiment. There, life is a schematization of bad affects **that make diabetes seem** of **a piece with the everyday. Discourse** of course **is** partly **how this** kind of **painful existence sticks to indigeneity.** As we know, reserves in Canada were dreamt up with the deliberate goal of shunning Indigenous life from the national body, locking it in the past by way of geographic iso- lation. Indigenous peoples have **nonetheless** warded off and survived **abandonment’s goal** of no future, building makeshift worlds that could maintain life if only until the next week or the next paycheque. **Social abandonment works by obscuring** its origin story, turning something like diabetes into the end-point of lives lived badly. In this version of colonialism’s story, **the cell is a culprit that gets let loose**, acquitted. Abandon- ment therefore allows the reserve to forgo the possibility of alimentary decision-making, turning the convenience store into a public that hurries along the body’s breakdown. The future becomes something of a catch-22: longevity does not have an embargo on nega- tive affect. There is a health center on the Driftpile Cree Nation, and there diabetes diagnoses are handed down to patients who saw them coming. My grandmother was diagnosed with type 2 diabetes in her early fifties: a quasi-event foreshadowed by the earlier diagnoses given to her mother and to several of her siblings. Over and over again, the political begin- nings of biosocial scenes like these burrow under the sign of heredity. This is all to say that **we need worlds that** are not holed up in the reserve’s tragedies, but rather: ones that **allow for forms of collective Indigenous life that are not stunted by** the menace of structurally **orchestrated injury and loss.** For Haraway, we must ‘stay with the trouble’ in a world where trouble is the ordinary’s condition of possibility. As she sees it, negativities link capacities, pointing to social webs that nourish modes of being with that just might world better worlds in the near future.66 **To be abandoned is not yet to be dispossessed of the ground beneath your feet** where you were left. It breaks my heart to write about my reserve like this, to zero in on the kinds of bodies that populate it as an effect of habits that reek of the afterlife of abandonment. Ours, however, is not a terminal prognosis: though temporally fugitive, **the cellular labor of settler colonialism is reparable**, **if we pursue** a radical remaking of the public health cultures that shape living and dying on the reserve.67 My grandmother and her brothers and sisters have lived, loved, and fought for survival in the face of diabetes’ world-breaking potentialities for quite some time now, an endurant Indigenous presence that contests the reserve’s sociogenesis as a geography of quiet biological ruination. But, the contradiction that I have fleshed out here is one where resistance writ large – the desire to keep going despite it all, to make do the best you can, to refuse to die – occupies the same psychic and temporal space as the decision to eat junk food to keep up with life. **The land** of the body **is sometimes a wasteland in compromised times like ours.** To world as a last-ditch attempt to make do with what you have is not really to world at all. What does it mean for indigeneity to be future-bearing,68 if staying alive means staying attached to pain and the hospital atrophies your sense of autonomy day in and day out? For decolonial theory **to enable otherwise life,** it needs to be dedramatized and aligned with the **blustery pathways of** the peripheral nerves**.** **We need a phenomenology of the peripheral** nerves.69

## Case

### Case Overview

#### 1] The disability drive is NOT logical, think of its application in debate if the OVERALL psyche claim was true then how do they get non-disabled ballots.

#### 2] Disability can’t be ontological, and progress is possible

#### A] It’s not static – conceptions of disability aren’t concrete but fluid over time – for example ADHD wasn’t diagnosed as disability until more recent medicine, and there’s no clear brightline or definition of disability.

#### b] Disability isn’t ontological – social context determines disability discrimination.

Anastasiou and Kauffman ’13 (DIMITRIS - Associate Professor and Program Coordinator, Ph.D., National and Kapodistrian University of Athens, 2004. JAMES M. - Professor Emeritus of education at UVA, Ed.D. in special education from University of Kansas. “The Social Model of Disability: Dichotomy between Impairment and Disability.” Journal of Medicine and Philosophy, 38: 441–459, 2013. https://www.researchgate.net/profile/James\_Kauffman/publication/249647375\_The\_Social\_Model\_of\_Disability\_Dichotomy\_between\_Impairment\_and\_Disability/links/02e7e521b55fa0504d000000.pdf)-JJN

V. Disabilities in Social Context Proponents of a social model seem to support the idea that disability is a product of wrong interpretation of impairments (Reindal, 1995) related to disabling social structures. Our question is very simple: Assuming that we have an ideal, perfect, caring society, will disabilities no longer exist? If we followed the arguments of the social model, in an ideal society we would have only impairments but not disabilities! Unfortunately, we do not think that it would be possible to eradicate disabilities by changing only the sociopolitical context. Why? Because the dichotomy between impairment and disability is methodological; it is not ontological. The names we give to physical or mental conditions do not create disabilities or turn disabilities into abilities (Kauffman et al., 2008; Kauffman, 2011). Of course, names have their importance, because they circulate in a social context and turn back on the named people. Also, a much better social context can substantially improve the quality of life of people with disabilities, and this is not a trivial matter. But whatever names we use in our societies, the most profound restrictions related to intrinsic factors will remain for the vast majority of people with disabilities. Nevertheless, the discussion about social context is an important issue. Disabilities should be viewed as embedded in their social context in many different ways. First, a certain disability is conceptualized within a specific social context and characterized by a discrepancy between the individual’s performance and the expectations or demands of the social group to which the person belongs. This brings social values into the appreciation of disabilities. Any conceptualization of disability, whether physical or mental, is inevitably value-laden. Disabilities naturally arouse children’s curiosity, but social perceptions can change. The recognition of disabilities can take different directions according to social values. Zola, an American sociologist, has eloquently described it: “Children spontaneously express an interest in wheelchairs and leg braces, but as they grow older they are taught that . . . it’s not nice to ask [about] such things” (1982, 200). Values and attitudes exert profound influence on the way nondisabled people perceive others with disabilities, as Zola stated: When the “able-bodied” confront the “disabled,” they often think with a shudder, “I’m glad it’s not me” . . . The threat to be dispelled is the inevitability of one’s own failure. The discomfort that many feel in the presence of the aged, the suffering, and the dying is the reality that it could just as well be them. (1982, 202) Second, social decisions about the border between disability and normality are difficult because of the statistical phenomena involved. In many cases, the border is both vague and rather arbitrary (Kauffman and Hallahan, 2005; Anastasiou and Kauffman, 2011; Kauffman and Lloyd, 2011 ). Defining the qualitative differences we call disabilities by making binary decisions (yes or no, has or does not have) requires making judgments about people, even though the quantitative data are continuous statistical distributions. The identification of a disability depends on judgment, and judgment means that one arrives at a cutpoint on continuously distributed abilities. Inevitably social values are linked to the judgmental identification of disabilities. However, not making such a judgment precludes the kind of assistance we consider necessary for social justice (Anastasiou and Kauffman, 2011). Third, although categorizing and labeling have become major issues in disability and special education debates, the debate is often misguided. Kauffman (2002, 2011) and Kauffman et al. (2008) have argued analytically for the inevitability of labeling, given that we really want to offer special services and benefits to specific individuals. We simply cannot offer extra or better services to individuals without speaking about difference or special needs, and this is as true for disabilities as it is for economic assistance or any social program. For this reason, an individual-based perspective is necessary for identifying people with special needs for certain services (Reindal, 1995). Without a definition based on individual criteria of disability, the rights of people with disabilities cannot be fully guaranteed (see Kauffman and Landrum, 2009). Even in Norway, a country with an extended safety net of social welfare services, the identification of benefits to be received is based on judgment of individual need (Reindal, 1995). Antilabelists imagine services without labels. But even in an ideal communitarian society with enough resources, we cannot offer excellent services according to the old socialistic principle “from each according to his/her ability, to each according to his/her needs” without any need identification process. Perhaps the process is more obvious in an antagonistic society with a plurality of interests and unequal distribution of power, status, and wealth. Those who want to avoid all labels commit a great mistake in confusing the relationship between education and social change. Public education, by its nature, is a rather conservative institution that reflects the mainstream values of society and represents an adopted social agenda. It is a trailer and not a leader in political, economic, and social change. Historically great social changes precede important educational changes. Imagining the opposite relationship and neglecting today’s predominant sociopolitical forces is a political fallacy. The danger is that without labels the needs of individuals with disabilities will be ignored (see Kauffman, 2011). Surely labeling is not trivial, because labels are used to describe human beings as well as things. Labels often carry unintended stigma to receivers of services. And in many cases, the experiences of being disabled are socially constructed, mirroring the thoughts, feelings, and values of the social milieu. Indeed, the institutional response to disabilities is difficult. The “dilemma of difference” has been underlined in special education’s literature. If we emphasize existing differences (including disabilities), then we are in danger of unjustified discrimination; if we ignore the existence of disabilities or pretend that they do not exist, then we are in danger of leaving critical humans’ needs untreated (Hallahan and Kauffman, 1994; Kauffman and Badar, forthcoming). Fourth, disabilities are defined in a specific sociopolitical context and a system of social relations. Many dimensions of disabilities are part of the social process by which the social meanings of disability are negotiated (Zola, 1989). Public policy has a great impact on the lives of people with disabilities, and the formulation of disability strategy in education and public arena is of huge importance (Anastasiou and Kauffman, 2010, 2011). In summary, disabilities are sealed within their social context. And many concepts about disabilities, whether involving low-incidence disabilities (e.g., severe intellectual disabilities) or high-incidence disabilities (e.g., mild intellectual disabilities, specific learning disability), have socially constructed aspects. It is not accidental that they have been classified and reclassified, defined and redefined according to the status of scientific knowledge and social values (e.g., Bruno Bettelheim’s theory of “refrigerator mothers” as a cause of autism—that autism was caused by cold, distant, and unconsciously rejecting mothers). Using the reasoning of Hacking (1999), we could make a distinction between the idea of autism (and the surrounding conceptual context) as socially constructed and autistic behaviors, which are real. Social construction does not give us insight into the severely restricted communication and social interaction of children with autism. Recognizing the influence of social context does not mean that there are no other viable ideas about disabilities. Social factors such as biomedical technology and special education can interact with biological factors, codetermining the evolution of disabilities as atypical predicaments. Thus, social and individual explanations of disabilities should be seen not as mutually exclusive but as codeterminants of development of people who have disabilities (Williams, 1999).

3] Presumption – the reading of the ac was suff to rupture linguistic models of debate, nothing past the 1ac matters

### AT: Perm Cards

1] Mollow 3 ISNT permutation ev – it literally name drops colonialism twice and thinks that’s enough – winning a link means u should get rid of this

#### 2] The 1AC’s homogenization of the conditions of suffering, much like narratives of Irish suffering, creates a convenient ruse of analogy that naturalizes an ongoing project of genocide through erasure. Refuse to accommodate incompatible grammars of suffering in favor of haunting … a “relentless remembering” … “a reminding that will not be appeased by settler society’s … innocence and reconciliation.”

Mullen 14. Mary L. Mullen is assistant professor of English and faculty member at Villanova University [“How the Irish Became Settlers: Metaphors of Indigeneity and the Erasure of Indigenous Peoples,” 8/6/2014, *New Hibernia Review*, Note: Footnote 31 is Inserted]//vikas

Throughout the Nation, analogies between Irish and Indigenous peoples execute a multivalent narrative erasure. These analogies represent the experience of Indigenous peoples as a possible future that threatens Irish people, one that the Irish people will, ultimately, avoid. **What results is a sense that**, **although** Irish and Indigenous **peoples are different and have different histories**, **there are brief**, **shocking moments of similarity to remind readers of such difference.** **An 1851 article taking stock of the national schools in Ireland exemplifies this structure** with the warning, “without education**, we might apprehend that** the Irish race would go the way of the **Esquimaux, or the** Red Indians.”30 The “Red Indians” appear as a possible future that threatens Irish people, but action—in this case, education—will ensure that the Irish follow their proper path and survive. Analogies **like this** not only naturalize the disappearance of Indigenous peoples (“the way of the Esquimaux” is, after all, to disappear), **they also give figurative flexibility to Irish identity that allows Irish people to identify with Indigenous peoples even as they assert their differences. Analyzing** “the ruse of analogy” **in the context of blackness,** Frank **Wilderson reaches a similar conclusion**, **suggesting** that “**it** is a mystification and an erasure **because whereas Masters may share the** same **fantasies as Slaves, and Slaves can speak as though they have the same interests as Masters, their** respective grammars of suffering are irreconcilable.” Frank Wilderson, Red, White and Black: Cinema and the Structure of U. S. Antagonisms (Durham: Duke University Press, 2010). These **analogies increased in the midst** of the Famine, **as writers conveyed the extent of the devastation and** their **fears of** cultural **loss by comparing** Irish and Indigenous peoples’ **experiences. They have the same doubleness**—**a statement of similarity that actually reinforces differences. An 1846 article notes that Indigenous peoples are the only other people facing such pervasive hunger, remarking** that “**They are the only human beings we read of who fare as ill as the Irish are like to do this year**.” In this sentence, **the present that Indigenous peoples inhabit threatens to become the future for Irish people: Indigenous peoples** “fare . . . ill,” while Irish people “are like to” fare an equal misfortune. **The author** is implicitly anti-Indian, for he naturalizes the suffering that Indigenous people confront **to question the suffering of Irish people.** He implies that Indigenous peoples are merely textual phenomena—figures that are “read of” rather than encountered. He also suggests that—unlike the Irish—the death of Indigenous peoples is inevitable: “In the heart of North America, indeed, at the roots of the Rocky Mountains, there are certain tribes of red Indians, not knowing their own names, or the name of a God, who are said to pine away silently, tribe after tribe, as the buffaloes grow scarce upon their arid pastures.”32 These metaphoric Indians are out of touch with their own origins (“not knowing their own names”) and suffer because of their natural environment (“arid pastures”), rather than from colonial misgovernment. This analogy has a similar structure to one of the most famous—and most frequently cited—of English analogies that connect Irish and Indigenous peoples, which reportedly appeared in the Times in the midst of the Famine, though it is in fact difficult to locate the line in the newspaper itself.33 According to Irish nationalists, an editorial triumphantly declared that “In a few years more, a Celtic Irishman will be as rare in Connemara as is the Red Indian on the shores of Manhattan.”34 Following the Famine, numerous Irish writers mention this line to legitimate Irish nationalist anger and to question British responses to the disaster. An 1886 article in the Nation notes that during the forty years since the Times published their “infamous prophecy,” the British government has continued “to labour towards that end.” They return to this prophecy because it exemplifies the “defamatory propaganda” of the British press, on the one hand, and justifies Irish anger toward British government on the other.35 Irish writers include the prediction in their accounts of the Famine and the Irish press refers to it in connection to Irish history or current debates about British governmental policy, emigration, and tourism long after the Famine’s end—down to our own day, in fact.36 Scholars also frequently cite the Times editorial to legitimate Irish nationalist anger towards the British and show the genocidal logic at work in the British press. Kerby Miller argues that it is “no wonder” that Irish people resented such “callous statements.”37 Similarly, James S. Donnelly, Jr., claims that Jeremiah O’Donovan Rossa had “this grossly insensitive comment” in mind when calling for vengeance years after the Famine.38 But the frequent citation of this line is troubling in another way: it establishes claims of Irish genocide by naturalizing the disappearance of “the Red Indian.” Once again representing a possible future for the Irish people, “The Red Indian” is only important insofar as it is gone—people who used to, but no longer, inhabit “the shores of Manhattan.” Tellingly, early **references to** this **analogy celebrate Irish survival in the face of English plans for** their **extermination, noting that the Irish** “**had the power and the will to traverse [England’s] designs, and utterly to confound and to baffle her**,” partly **because of their success in America.**39 Later, in the Irish Republican Brotherhood’s paper, the Irish People, statements of Irish survival explicitly differentiate Irish and Indigenous peoples. One article suggests, “we must be allowed mildly to observe, that it may not be quite so easy to get rid of us as of Bushmen and Maoris. **There is something in belonging to the Caucasian race, even in its Celtic branch**.”40 Claiming racial superiority for the Irish people, the article reinforces the sense that Indigenous peoples are a mere metaphor for their own disappearance. For this reason, the Times analogy travels as a prophecy that does not come to pass: the English threaten genocide, but the Irish, unlike Indigenous peoples, thwart these plans. The fact that Irish people survive in part because they are an engine of Indigenous dispossession, rearticulated as a quaint and inevitable cultural project—**the transformation of Natives into “a rarity”**—**is not mentioned, nor do these authors note that Indigenous peoples also survive despite** the multiple **policies that encourage** their **extermination.** Together, these origin stories and analogies give Irish identity a figurative flexibility while stabilizing Indigenous peoples as people of the past—who nevertheless lack a past. Even Gibbons’s argument, which seeks to foster connections between Irish and Indigenous peoples, subtly stabilizes settler structures in two overlapping ways: by approaching “Native American” as a racial category, and by implicitly defining Native American identity as an origin, rather than as a heterogeneous and dynamic position. Irish cultural history has made Irish Studies scholars attuned to the shifting constructions of race over time—acknowledging the ways in which race is a state formation and a structural position, rather than a static identity.41 And yet, many Irish Studies scholars continue to understand “Native American” as a stable racial category. Mark Rifkin historicizes how **United States law constructs a “racial Indianness”** in the nineteenth century in part **to transform Native peoples into a “population” in ways that translate “native geopolitical formations into the terms of settler governance.”**42 **By stabilizing “racial Indianness”**—the outgrowth of this colonial process—**one** also **stabilizes the assumptions of the settler** colonial government. Irish origin stories and analogies contribute to the construction of an Irish settler identity that depends as much upon the manner in which Irish people claim to share history with Indigenous peoples as on the way in which they differentiate themselves from them. These moments of connection **that ultimately** perpetuate settler colonial structures **show that** what Jason King calls the Nation’s “failure to empathize **with Native Americans**” is more complicated than a mere lack of empathy.43 The Nation establishes **a dynamic of** asserting Irish similarity to and difference from Indigenous peoples **in ways that** extend innocence **to** Irish **settlers while making Indigenous peoples disappear** twice—both in articulations of difference and in articulations of similarity

3] The siebers and imada cards goes neg – says that violence AGAINST racialized bodies JSUTIFIES ableist violence which PROVES our thesis controls the internal link AND it’s a new link to the k bc it presumes settler colonial violence has gone away which proves their theory relies on the erasure of genocide.

### AT: T pre-empts

Group all of them –

1] fairness is good – starting point of debate 0 anything else justifies judges just not listening to 6 mins of ac and voting neg on presumption

2] our model isn’t exclusionary – tva proves

3] reid Brinkley doesn’t conclude aff – says “IF’ norms are bad – vague rez proves not – independenly would err neg bc ur form of study is settler c olonial

4] eli def thinks T framework is a good arg to test the aff – his article is in the context of tricks debate which is distinct form framework

### AT: Debate Bad

#### 1] Trying to eliminate debate produces cruel optimism and repetition compulsion because they target discriminatory acts produced by the structure of [neoliberalism] i.e debate, instead of the structure of neoliberalism itself. Turns the case – causes endless repetitious targeting of smaller structures never destroying the structure itself and ensuring the failure of the 1ac’s project.

#### 2] Debate can be used tactically to disabled students and students in general how to survive in the world. All skills don’t have to invest in the world but can be used to endure given the existence OF that world.

### LBL – St. Pierre 17

#### 1] This is a DA to your performance because it indicates that by becoming a public act of expression, the 1AC forces you to tie your success to your identity—we argue through that you should be free of that.

#### 2] St. Pierre is very deleuzian. Affective labor means that disability is fluid and contingent—if your actions and existence in the space are shaped by your labor and relations with others there is always the possibility for change – takes out all of their ontology claims.

### LBL – Primary and Secondary Pity

#### 1] They have NOT warranted the disability drive – Mollow says the disability drive structures pity because it involves a drive towards disability, pity is the impact of that not the other way around proven by the idea that “one cannot bear not to look at disability” – if they have no justified the drive then they do not get access to ontology.

#### 2] There’s no reason this drive structures an ontological condition for the disabled body—the fact that we react in a certain way does not mean we have complete control over the disabled body.

#### 3] Empirically denied: lots of people react to disability with acceptance and an understanding that disabled bodies should be free to act as they want—they rely on an empirical claim but lack the empirical warrant.

#### 4] When we reflect disability upon ourselves that only causes us to secure our own futures and our abled status there is no internal link between looking at a disabled folk wanting to secure ourselves and eradicating other people’s disabilities because of that – its only constrained to ourselves.

#### 5] No impact – curing disability can be good i.e. if a person who loves basketball as a hobby loses the ability to, they should have the option of curing it in order to pursue what they love.

#### 6] Avoiding being disabled is not a bad thing we wear protection and avoid getting into car crashes because of the pain that comes with having disabilities such as AIDs or chronic illnesses. Their theory justifies self-harm.