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#### 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

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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.

#### Model minority exclusion is predicated on settler anxiety; they only operate under solving for the external impacts of settler colonialism but ignore the root cause to all settler oppression, reintrenching the settler’s position of power

Vimalassery and Day, 18 (Manu Vimalassery and Iyko Day, 4-3-2018, accessed on 7-14-2020, Muse.jhu, "Project MUSE - Alien Capital: Asian Racialization and the Logic of Settler Colonial Capitalism by Iyko Day (review)", https://muse.jhu.edu/article/689184) WW JC

#### Settler colonialism through Asian Americanist critique. Operating in a framework that crosses the Canada-US border, Alien Capital argues that Asian Americans personify abstract value in North American settler colonial capitalism and provide a racial target for the anxieties of settlers reacting to capitalist abstraction. Day’s argument hinges on the ways that settler colonial glorification of the concrete—as exemplified in whiteness and the nuclear family and revolving around settler appropriations of indigenous relations with place (in which settlers substitute themselves as native)—manifests anxieties concerning the contradictions of settler capitalism. Settlers displace these anxieties onto variously racialized aliens, violently associating Asian bodies with the domination of capitalist abstraction. Elimination and exclusion, Day convincingly argues, are interlinked modes of settler colonialism. “Asians,” she writes, “are as unnatural to the landscape as Indigenous peoples are natural. This is the double edge of settler colonialism” (112). I understand North American settler sovereignty to be a reactive set of future-oriented claims articulated and levied against indigenous relationalities, which I call counter-sovereignty. Day’s argument helps me understand that alien desires, as queer desires, potentially disrupt settler futurity, and given the fact and necessity of ongoing indigenous existence to the stability of settler colonialism, futurity is all that settlers can actually claim. Settler sovereignty is preemptive. Alien desires, then, potentially disrupt settler sovereignty, and anti-Asian racism anxiously lashes out in the present against the possible displacement of settler futures. In the first chapter, Day reads Richard Fung’s Dirty Laundry alongside Maxine Hong Kingston’s China Men, drawing connections between their depictions of Chinese railroad labor, time, and money. The chapter begins with an analysis of a telegram sent by William Van Horne, president of the Canadian Pacific Railway. The telegram, Day argues, exemplifies the role of telegraphs and railroads in the “consolidation of the settler nation” through new temporalities marked by increased speed and uniformity over distances (41). On the back of the telegraph is a sketch of a Chinese worker’s facial profile, which the Canadian Pacific Railway disallowed from reproduction in the book; Day considers this censorious silence over the course of the chapter, exploring the ways in which the representation of a Chinese worker is “out of sync” with settler temporality in historical and contemporary corporate and colonial practices (42). Tensions between the signifiers of race and capital—the vertical lines of the Chinese worker’s mustache depicted on the back of the telegram mirror the lines of double-entry records detailed on the telegram’s 200 Book Reviews front—led to the association of exploited and vulnerable Chinese labor with social perversion, which Day argues fed the Chinese workers’ dehumanization as abstract labor (44). Day argues that Fung and Kingston interrupt this dehumanization by framing racialized labor through the interplay of sexuality and temporality, opening up questions about social necessity and the value of (racial) capital. Alien desires offer no future guarantee for white settler colonialism. Alien desires disrupt settler futurity, setting trajectories in motion that displace the reproduction of settler claims to define and control indigenous places. The second chapter moves from the question of time to artistic depictions of the physical landscapes affected by settler colonialism, focusing on the photographs of Tseng Kwong Chi and Jin-me Yoon. The chapter begins with an analysis of Ken Gonzalez-Day’s Erased Lynching, a manipulated photograph of a lynching in the western United States. Reading this photograph as producing visibility out of erasure, Day transitions from her analysis of the telegram in the first chapter to introduce the second chapter’s argument concerning constructions of settler colonial landscapes as concrete sites of indigenous erasure and of indigenizing purity and authenticity on the part of settlers. Day argues that Tseng’s and Yoon’s work parodizes and disrupts the setter landscape through alien racial difference. For instance, Day shows how Tseng’s photographs of his own body in front of tourist landmarks impose an “extravagant degeneration,” an alien abstraction juxtaposed against concrete manifestations of nature (82). Such displays foreground the imperial dimensions of US and Canadian landscape art, which Day claims are predicated on the genocide of indigenous peoples. As with the queerness of Chinese railroad labor, Tseng’s body in his photographs fails to project permanence or purity, undermining them instead. In the book’s third chapter, Day focuses on Japanese internment in the US and Canada. Day examines how Joy Kagawa’s Obasan and Rea Tajiri’s History and Memory exemplify shifting identifications of Japanese, Jewish, and indigenous people toward different ends. Parsing various theories, Day focuses on the economic irrationality of racism as a driving factor for Japanese internment. She connects this irrationality to the development of the model minority myth, as it resignifies Asian labor from dangerous hyper-efficiency—associated with the production of unnatural value—to commendable pliability and productivity in the form of an “ideal surplus labor force” (122). This resignification, she argues, rescripts Japanese people in Canada and the US as transient laborers (rather than as posing dangerous Book Reviews 201 competition to white labor and capital). According to Day, “settler colonial logics of elimination (from land) and exclusion (as exploited alien labor) are not mutually exclusive but dialectically connected” (141). In the fourth chapter, which analyzes Asian Americans in the neoliberal urban spaces of Vancouver and Los Angeles through Ken Lum’s multimedia art and Karen Tei Yamashita’s Tropic of Orange, Day reads Lum’s performance piece Entertainment for Surrey and the character Manzanar from Tropic of Orange as indexes of nonproductive bodies in neoliberal urban settings. Lum’s and Manzanar’s bodies, Day suggests, are examples of those bodies which remain distinct from populations that are exploited on a racial and gendered basis as surplus labor, visually interrupting capitalist circulation on the highways of Vancouver and Los Angeles. Following the neoliberal reconstitution of immigration laws in Canada and the US, the border became a site to construct neoliberal multiculturalism through a new migrant labor system, resulting in the economic bifurcation of Asian racialization. Day crucially draws out the ways that both ends of this economic bifurcation are distinctly targeted as capital in the abstract and in Asian bodies. Lum’s work, Day argues, disrupts the seemingly smooth and transparent surfaces of a multiculturalism that announces itself as antiracist and instead leaves the viewer suspended in the nonequivalence—the instabilities—between differently marked ways of being human. Day’s theorization of alien capital as embodied in Asians and other nonnative people of color provides a compelling model to draw out connections between colonialism, race, and capitalism in North America. Day offers an excellent and necessary addition to the growing academic literature at the junction between Asian American studies and settler colonial studies. How, over this long history, does ongoing indigenous presence inflect the association of Asian bodies and desires with abstract capital in colonized lands? How does this abstraction work differently when we proceed from the centrality of the slave property claim to racial capitalism, resting not on a labor theory of value but on force-claims of dominion of masters over the enslaved? In what ways does alien capital resonate or dissipate in a context of dreams of (black) freedom and indigenous resurgence?

#### 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?

## 2

#### Inflation is self-correcting and checks back against COVID variant panic – FED inflation policies solve

Hamilton et al. 12/2 [Jesse Hamilton - American journalist working as a reporter at Bloomberg, Olivia Rockeman - Reporter - Economics at Bloomberg News, Steve Matthews – Reporter at Bloomberg, “Fed Trio Echoes Powell on Faster Taper Amid Quickening Inflation”, 12-02-2021, https://www.bloomberg.com/news/articles/2021-12-02/fed-officials-backing-faster-taper-mount-amid-high-inflation?s=09]//pranav

More Federal Reserve officials laid out the case for speeding up the removal of policy support amid higher inflation, adding their voices to the message delivered by Chair Jerome Powell earlier this week.

“I certainly would be supportive of a committee decision to move the end of the taper forward from where people had been expecting it in June,” Governor Randal Quarles, who steps down from the Fed later this month, said Thursday in response to a moderator’s questions after a farewell speech.

Powell told lawmakers this week that officials should consider speeding up the taper of bond buying at their upcoming meeting to wrap it up a few months earlier than initially planned. He cautioned that a new variant of Covid-19 was a threat to the outlook for both employment and inflation, while noting that the risks of elevated price pressures have clearly risen.

Not Fade Away?

The Fed's preferred measure of inflation has stayed elevated for longer than policy makers had expected, though it's forecast to cool next year

The chair’s obvious signal on a potential policy move was unusual just two weeks before a meeting of the Federal Open Market Committee -- he’d usually avoid front-running any decision -- but his colleagues are already lining up in public support.

Quarles’ remarks chimed with comments by Atlanta Fed President Raphael Bostic and and San Francisco’s Mary Daly, who reiterated their view it might be appropriate to scale back Fed asset purchases at a faster pace. Cleveland Fed President Loretta Mester made a similar case during an interview on Bloomberg Television on Wednesday evening.

Central bankers will get an important update on the health of the labor market on Friday at 8:30 a.m. with the November payroll report. Economists polled by Bloomberg forecast unemployment fell to 4.5% and employers added 548,000 new jobs.

Policy makers will weigh that data and a fresh read on consumer prices when they meet Dec. 14-15, when they will debate speeding up the taper. They decided in early November to wind down bond buying by $15 billion a month, which put them on track to wrap up the process around mid-2022.

Mester said she would support ending it in the first quarter or early in the second. Bostic said it could serve the Fed well to complete the taper before the end of the first quarter.

At their meeting, officials will also update quarterly forecasts for the economy as well as their projections for interest rates.

Bostic said that if inflation continued to remain elevated longer than expected next year, the central bank may need to bring forward the date it lifts interest rates from near zero. Forecasts in September showed central bankers evenly split between the need to lift rates next year or in 2023.

“I just saw an OECD projection this morning that suggested that inflation in the U.S. could be above 4% for the year of 2022,” he said, referring to the Organization for Economic Cooperation and Development. “If it is at that kind of level, I think there is going to be a good case to be made that we should be pulling forward more interest-rate increases and perhaps do even more than the one I have penciled in.” He said that he favored a “slow and steady” pace of increases.

#### The plan spurs persistent inflation – unions realize they are disenfranchised but have a unique opportunity to rebuild into disruptive strikes.

Liz Peek 21 [Liz Peek is a former partner of major bracket Wall Street firm Wertheim & Company, Biden's Big Labor policies will create next round of inflation. The Hill. (10-22-2021) https://thehill.com/opinion/finance/577933-bidens-big-labor-policies-will-create-next-round-of-inflation]//anop

Americans blame President Biden for rising inflation; it could get worse. The administration’s big-spending policies and inability to cure our supply chain woes have driven prices higher. In addition, Biden’s generous handouts and vaccine mandates have pushed workers to the sidelines, making it difficult to fill jobs and raising costs even further. But it is Biden’s enthusiasm for Big Labor that is going to make matters worse. We are now entering a new phase of inflation pressures. A rising cost of living is pushing workers to demand higher wages, which in turn prompts companies to raise prices even more, igniting an unholy cycle that penalizes everyone. ADVERTISEMENT Unions, cheered on by Biden’s White House, have decided to take advantage of this moment. Labor strikes are on the increase, which will lead to higher wages, take workers offline and make it even harder to get goods to customers. Those bare shelves popping up around the country may just be a teaser for what comes next. A wage-price spiral is the phenomenon that causes inflation to become “*persistent” and not “transitory*.” This is what Democrats will bring to the 2022 midterm elections. A recent Morning Consult/Politico poll found that 62 percent of registered voters, including 61 percent of independents and even 41 percent of Democrats, blame Biden’s policies for soaring inflation. With prices rising at the fastest rate in 13 years, less than half of those surveyed attribute the increase to Americans returning to pre-pandemic behavior. Though the policies that contributed to price hikes on everything from rents to gasoline to chicken were not specified in this poll, other surveys have found voters pinning rising inflation on Democrats’ big spending programs, such as the $1.9 trillion American Rescue Plan. That is one reason (along with a healthy survival instinct) that moderate Democrats are now slow-walking Biden’s $3.5 trillion “social infrastructure” bill. Transportation Secretary Pete Buttigieg acknowledged the connection the other day, when he shirked responsibility for port delays and trucker shortages by arguing that we don’t have just a supply problem but also a demand problem. Buttigieg is correct. With Congress authorizing an unprecedented $5 trillion in “relief” spending over the past two years and with the Federal Reserve pumping trillions into the money supply, the country is awash with money. Put most simply, there is too much money chasing too few goods. As a consequence, prices in September rose 5.4 percent from the year before, faster that the growth in wages, which increased 4.6 percent. Over the past year, real average hourly wages are down almost one percent. Workers are falling behind, and they know it. Unions have taken notice and decided that this is the time to begin rebuilding their ranks among private companies. Only 6.3 percent of private-sector workers today belong to unions, a massive drop from 12 percent in 1990. Clearly, labor leaders would like to reverse that trend. With the nation short of workers, this may be the perfect time to do so. Just recently, 10,000 United Auto Workers at tractor manufacturer John Deere went out on strike for the first time in three decades, while 31,000 employees at Kaiser Permanente are also staging a walkout. Some 1,400 workers at cereal-maker Kellogg are striking. All in, there have been 12 strikes of 1,000 workers or more so far this year, according to the Bureau of Labor Statistics, and a total of 178 work stoppages. Those figures are way above 2020 totals, but about the same as in 2018 and 2019. My guess: We’re in the early innings. Workers are aware that they have leverage, and union leaders know there is a pro-Big Labor president in the White House. Early in his tenure, Biden posted a message about workers’ right to organize and the virtues of collective bargaining on Twitter that many saw as encouraging employees at an Amazon facility in Alabama to vote in favor of forming a union. It was an unprecedented intrusion by a president into such contests. As it happened, Biden’s push failed when workers overwhelmingly defeated the organizing effort. President Biden has gone further, inserting into his stimulus bills pro-union items like making union dues deductible and requiring that federal funds flow predominantly to union shops. As important, he has packed the National Labor Relations Board with former union lawyers committed to advancing the cause. Politico reports that the agency’s expected rulings could “serve as a backdoor for enacting provisions … that would vastly expand workers’ ability to join unions in potentially the most important overhaul of U.S. labor law since the 1940s.” Organizing gig workers is one of the new board's top ambitions. The Los Angeles Times affirms: “Biden has put unions at the center of policy — viewing them as vehicles not only to rebuild middle-class jobs but also to address climate change and racial and gender inequity.” The John Deere workers rejected a contract that would have awarded raises of 5 percent to 6 percent and offered another 3 percent wage hike in 2023 and 2025. Deere’s employees are emboldened by the company’s current profitability and the struggle to hire new employees. Most likely, workers elsewhere will follow suit. We have not seen a wave of disruptive labor strikes for many years. For the past two decades globalization put a lid on the demands of workers who were wary of shipping jobs overseas, and the Great Recession crimped corporate profits. ADVERTISEMENT White House 'confident' Manchin will back reconciliation framework Only 35 percent say US economy doing well: poll Biden’s pro-union efforts could win back some of those blue-collar workers who defected to Donald Trump in 2016, but the president’s encouragement of Big Labor will surely lead to higher wages. Those pay hikes will spur even higher inflation; it will be hard to stop the merry-go-round. It will also be hard for Biden and his fellow Democrats to escape responsibility for what many voters consider the country’s number one problem: inflation.

#### Excess inflation causes collapse – destroys savings of millions of households.

Jo Harper 21 [Jo Harper is a freelance British journalist based in Warsaw, writing for the BBC, Politico, Deutsche Welle and others. How big a threat is inflation? – DW – 07/30/2021. dw (7-30-2021) https://beta.dw.com/en/how-big-a-threat-is-inflation/a-58653487]//anop

Many economists advocate a middle-ground of low to moderate inflation of around 2% per year. When inflation breaches that figure some benefit and others lose out. Inflation is usually considered a problem when it goes above 5%, Brigitte Granville, a professor of economics at Queen Mary University, London, told DW. If inflation causes a currency to decline, then it can benefit exporters by making their goods more affordable when priced in other currencies. People with assets that are priced in a particular currency, like property or commodities, may like to see some inflation as that raises the price of their assets. Inflation can also increase profit margins and reduce debt in real terms. It can benefit borrowers because the inflation-adjusted value of their outstanding debts shrinks. However, higher inflation tends to harm savers as it erodes the purchasing power of the money they have saved. People holding assets denominated in currency, such as cash or bonds, may also not like inflation, as it erodes the real value of their holdings. Moreover, if central banks felt obliged to tighten monetary policy to check rising prices, it could cause a sharp correction in financial markets, which have been pumped up by a decade of QE-style liquidity injections. "Millions of middle-class households which have been placing increasing proportions of their savings in mutual funds invested in equities would suffer," Granville says. However, inflation of 3% or 4% could be positive for many economies at the moment. There are economists who argue strongly that it would reduce the debt overhang in real terms, for example.

#### Recuperating growth is key to international cooperation to solve multiple existential threats

Haass 17 [Richard Haass, President of the Council on Foreign Relations, previously served as Director of Policy Planning for the US State Department (2001-2003), and was President George W. Bush's special envoy to Northern Ireland and Coordinator for the Future of Afghanistan.] “A World in Disarray: American Foreign Policy and the Crisis of the Old Order” published January 10, 2017

A large portion of the burden of creating and maintaining order at the regional or global level will fall on the United States. This is inevitable for several reasons, only one of which is that the United States is and will likely remain the most powerful country in the world for decades to come. The corollary to this point is that no other country or group of countries has either the capacity or the mind-set to build a global order. Nor can order ever be expected to emerge automatically; there is no invisible hand in the geopolitical marketplace. Again, a large part of the burden (or, more positively, opportunity) falls on the principal power of the day. There is more than a little self-interest at stake. The United States cannot remain aloof, much less unaffected by a world in disarray. Globalization is more reality than choice. At the regional level, the United States actually faces the opposite problem, namely, that certain actors do have the mind-set and means to shape an order. The problem is that their views of order are in part or in whole incompatible with U.S. interests. Examples would include Iran and ISIS in the Middle East, China in Asia, and Russia in Europe. It will not be an easy time for the United States. The sheer number and range of challenges is daunting. There are a large number of actors and forces to contend with. Alliances, normally created in opposition to some country or countries, may not be as useful a vehicle in a world in which not all foes are always foes and not all friends are always friendly. Diplomacy will count for a great deal; there will be a premium on dexterity. Consultations that aim to affect the actions of other governments and their leaders are likely to matter more than negotiations that aim to solve problems. Another reality is that the United States for all its power cannot impose order. Partially this reflects what might be called structural realities, namely, that no country can contend with global challenges on its own given the very nature of these challenges. The United States could reduce its carbon footprint dramatically, but the effect on global climate would be modest if India and China failed to follow suit. Similarly, on its own the United States cannot maintain a world trading system or successfully combat terrorism or disease. Adding to these realities are resource limits. The United States cannot provide all the troops or dollars to maintain order in the Middle East and Europe and Asia and South Asia. There is simply too much capability in too many hands. Unilateralism is rarely a serious foreign policy option. Partners are essential. That is one of the reasons why sovereign obligation is a desirable compass for U.S. foreign policy. Earlier I made the case that it represents realism for an era of globalization. It also is a natural successor to containment, the doctrine that guided the United States for the four decades of the Cold War. There are basic differences, however. Containment was about holding back more than bringing in and was designed for an era when rivals were almost always adversaries and in which the challenges were mostly related to classical geopolitical competition.1 Sovereign obligation, by contrast, is designed for a world in which sometime rivals are sometime partners and in which collective efforts are required to meet common challenges. Up to this point, we have focused on what the United States needs to do in the world to promote order. That is what one would expect from a book about international relations and American foreign policy. But a focus on foreign policy is not enough. National security is a coin with two sides, and what the United States does at home, what is normally thought of as belonging to the domestic realm, is every bit as much a part of national security as foreign policy. It is best to understand the issue as guns and butter rather than guns versus butter. When it comes to the domestic side, the argument is straightforward. In order to lead and compete and act effectively in the world, the United States needs to put its house in order. I have written on what this entails in a book titled Foreign Policy Begins at Home.2 This was sometimes interpreted as suggesting a turn away from foreign policy. It was nothing of the sort. Foreign policy begins at home, but it ends there only at the country’s peril.3 Earlier I mentioned that the United States has few unilateral options, that there are few if any things it can do better alone than with others. The counterpart to this claim is that the world cannot come up with the elements of a working order absent the United States. The United States is not sufficient, but it is necessary. It is also true that the United States cannot lead or act effectively in the world if it does not have a strong domestic foundation. National security inevitably requires significant amounts of human, physical, and financial resources to draw on. The better the United States is doing economically, the more it will have available in the way of resources to devote to what it wants and needs to do abroad without igniting a divisive and distracting domestic debate as to priorities. An additional benefit is that respect for the United States and for the American political, social, and economic model (along with a desire to emulate it) will increase only if it is seen as successful. The most basic test of the success of the model will be economic growth. U.S. growth levels may appear all right when compared with what a good many other countries are experiencing, but they are below what is needed and fall short of what is possible. There is no reason why the United States is not growing in the range of 3 percent or even higher other than what it is doing and, more important, not doing.4

## 3

#### CP Text: A just government ought to recognize an unconditional right of all workers except police to strike.

#### The inclusion of the police into the right to strike erases difference – the essence of a cop is to practice brutality and crackdowns strikes

Marcy ’15 [Sam, “The year of the pig: Should workers support police strikes?”, 01-08-2015, https://www.workers.org/2015/01/17782/]//pranav

Are strikes by the police to be regarded approximately the same way as strikes by ordinary workers? A reading of the treatment accorded to the New York police strike by the Daily World (the paper of the Communist Party which professes to be Marxist-Leninist) clearly conveys this impression. A column by George Morris, the Daily World’s labor analyst, waxes eloquent about the cops’ strike and says “it is in the spirit of rebellion we see everywhere today as in unions against the long entrenched bureaucracy.” He further says that the cops are “beginning to see themselves as in much the same position as other city employees and workers.” Finally, he admonishes his readers that “fire should not be blunderbussed against all on the police force.” You see, the way to look at it is that there are good cops and bad cops, just like there are good capitalists and bad ones. We must assume then, that there are good storm troopers and bad ones if we use the logic of George Morris. In this way, Morris substitutes bourgeois morality for Marxist analysis of class antagonisms and contradictions between class groupings. The cops’ strike is not an isolated phenomenon. There is one in progress right now in Milwaukee. Earlier there were strikes or stoppages in Detroit and Youngstown, Ohio. Strike preparations are underway in perhaps a dozen other cities throughout the country. It is therefore necessary and in the vital interests of the working class to restate the fundamental position of revolutionary Marxism on this crucial question. Should strikes of cops be treated on an equal level with workers’ strikes? Emphatically, no! A striking worker and a striking police officer may on the surface appear to have the same immediate aims — to get higher pay and better conditions for themselves. But this is to take an extremely narrow and superficial view of their apparently similar situations. The truth, however, is that there is objectively speaking not a shred of class identity between workers and the police. The fundamental interests of the workers are diametrically opposed to those of the police and are absolutely irreconcilable with them. Producers or parasites? A worker is, above all, a producer. The police officer is a parasite who lives off what the worker produces. No truer words could be said! All the material wealth which is now in the possession of the capitalist class was produced by the workers. When a worker goes out on strike she [or he] is merely trying to retrieve a portion of the wealth which her [or his] labor power produced. The worker gets back in the form of wages only a portion of what he [or she] produces. The rest is what the capitalist class retains in the form of profit (really the unpaid labor of the workers). The gross national income of the U.S. last year reached the astronomical sum of one trillion dollars. It was all produced by workers: Black, Brown, white, men and women and even children. The struggles of all the workers, insofar as their immediate demands are concerned, are merely to retrieve a larger portion of this wealth which they produced for the bosses and which the bosses keep for themselves. Contribute nothing to social wealth What have the cops contributed to the production of this unprecedented amount of wealth? Nothing at all. In fact, their principal function is to guard the wealth for the capitalists, protect their monopolist profits from the demands of the workers. Even as the New York cops were out on strike, their emergency crews were busily clubbing the heads of striking telephone workers. That’s the very essence of a cop: to crack the heads of strikers and practice the most inhuman brutality against the Black, Puerto Rican and Chicano/a communities. A cop is a mercenary hired by the capitalist class through their agent (the city government) to keep the mass of the workers and the oppressed in complete subjection. They utilize all the forces and violence at their disposal whenever the masses rise up in rebellion against the unendurable conditions imposed by the master class. The police are the most parasitic social grouping in society. When they work — if that’s what it can possibly be called — their labor is directed against the workers and oppressed. Graft, corruption, intimate collaboration with all sorts of underworld figures and enterprises such as gambling, narcotics and a thousand other shady businesses — that’s what cops are really engaged in. They are utterly inseparable from crime and corruption itself. One could not exist without the other. Both are nourished and supported by the nature of the capitalist system itself. To put the police on a par with the workers is to erase the difference between the persecutors and their victims.

## Case

### T/L

1] Only give them access to the total amount of anti-asian violence that they resolve – they don’t get to weigh the sum total of anti-asian violence against the 1nc

2] they can’t solve – sweatshop workers don’t have alternatives and there’s no incentive for exploitative companies to change their practices because the government doesn’t care enough to check back

3]

### Framing

#### The Role of the ballot is to only evaluate the material consequences of the aff and neg world. Prefer:

#### A] fairness - Fairness—Arbitrary frameworks moot the 1NC and destroy our possibility of engaging with the affirmative on an equal playing field. Our scholarship is tied to the consequences of the plan, so it makes no sense to separate assumptions from implementation. Both debaters get the resolution at the same time.

#### B] Clash—Debate is not about the content of what we debate about but the process of iterative testing through specific points of contestation. There is no 1-1 correspondence between the arguments we read and our ideologies. This turns the Aff—no matter your political worldview, critical thinking skills through an unrestrained framework is necessary for any revolutionary strategy.

#### Existential threats outweigh:

#### [1] Moral uncertainty proves extinction outweighs – if you aren’t 100% sure their arg is true, keep future generations alive to figure things out

Bostrom 12 [Nick Bostrom, Faculty of Philosophy & Oxford Martin School University of Oxford. Existential Risk Prevention as Global Priority. 2012. www.existential-risk.org/concept.html]

These reflections on moral uncertainty suggest an alternative, complementary way of looking at existential risk; they also suggest a new way of thinking about the ideal of sustainability. Let me elaborate.

Our present understanding of axiology might well be confused. We may not now know — at least not in concrete detail — what outcomes would count as a big win for humanity; we might not even yet be able to imagine the best ends of our journey. If we are indeed profoundly uncertain about our ultimate aims, then we should recognize that there is a great option value in preserving — and ideally improving — our ability to recognize value and to steer the future accordingly. Ensuring that there will be a future version of humanity with great powers and a propensity to use them wisely is plausibly the best way available to us to increase the probability that the future will contain a lot of value. To do this, we must prevent any existential catastrophe.

2] turns all their movement building offense bc everyone is dead – proves life is a pre-req

Lbl – rob ev

### Advantage

Solidarity ev -0 – impact turn it

Don’t slve – chang from 1982

#### Illegal strikes solve better and aff strikes become water downed and negotiated out by the state – TURNS CASE

Reddy 21 Reddy, Diana (Doctoral Researcher in the Jurisprudence and Social Policy Program at UC Berkeley) “" There Is No Such Thing as an Illegal Strike": Reconceptualizing the Strike in Law and Political Economy." Yale LJF 130 (2021): 421. <https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy>

In recent years, consistent with this vision, there has been a shift in the kinds of strikes workers and their organizations engage in—increasingly public-facing, engaged with the community, and capacious in their concerns.[178](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref178) They have transcended the ostensible apoliticism of their forebearers in two ways, less voluntaristic and less economistic. They are less voluntaristic in that they seek to engage and mobilize the broader community in support of labor’s goals, and those goals often include community, if not state, action. They are less economistic in that they draw through lines between workplace-based economic issues and other forms of exploitation and subjugation that have been constructed as “political.” These strikes do not necessarily look like what strikes looked like fifty years ago, and they often skirt—or at times, flatly defy—legal rules. Yet, they have often been successful. Since 2012, tens of thousands of workers in the Fight for $15 movement have engaged in discourse-changing, public law-building strikes. They do not shut down production, and their primary targets are not direct employers. For these reasons, they push the boundaries of exiting labor law.[179](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref179) Still, the risks appear to have been worth it. A 2018 report by the National Employment Law Center found that these strikes had helped twenty-two million low-wage workers win $68 billion in raises, a redistribution of wealth fourteen times greater than the value of the last federal minimum wage increase in 2007.[180](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref180) They have demonstrated the power of strikes to do more than challenge employer behavior. As Kate Andrias has argued: [T]he Fight for $15 . . . reject[s] the notion that unions’ primary role is to negotiate traditional private collective bargaining agreements, with the state playing a neutral mediating and enforcing role. Instead, the movements are seeking to bargain in the public arena: they are engaging in social bargaining with the state on behalf of all workers.”[181](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref181) In the so-called “red state” teacher strikes of 2018, more than a hundred thousand educators in West Virginia, Oklahoma, Arizona, and other states struck to challenge post-Great Recession austerity measures, which they argued hurt teachers and students, alike.[182](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref182) These strikes were illegal; yet, no penalties were imposed.[183](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref183) Rather, the strikes grew workers’ unions, won meaningful concessions from state governments, and built public support. As noted above, public-sector work stoppages are easier to conceive of as political, even under existing jurisprudential categories.[184](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref184) But these strikes were political in the broader sense as well. Educators worked with parents and students to cultivate support, and they explained how their struggles were connected to the needs of those communities.[185](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref185) Their power was not only in depriving schools of their labor power, but in making normative claims about the value of that labor to the community. Most recently, 2020 saw a flurry of work stoppages in support of the Black Lives Matter movement.[186](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref186) These ranged from Minneapolis bus drivers’ refusal to transport protesters to jail, to Service Employees International Union’s Strike for Black Lives, to the NBA players’ wildcat strike.[187](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref187) Some of these protests violated legal restrictions. The NBA players’ strike for instance, was inconsistent with a “no-strike” clause in their collective-bargaining agreement with the NBA.[188](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref188) And it remains an open question in each case whether workers sought goals that were sufficiently job-related as to constitute protected activity.[189](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref189) Whatever the conclusion under current law, however, striking workers demonstrated in fact the relationship between their workplaces and broader political concerns. The NBA players’ strike was resolved in part through an agreement that NBA arenas would be used as polling places and sites of civic engagement.[190](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref190) Workers withheld their labor in order to insist that private capital be used for public, democratic purposes. And in refusing to transport arrested protestors to jail, Minneapolis bus drivers made claims about their vision for public transport. Collectively, all of these strikes have prompted debates within the labor movement about what a strike is, and what its role should be. These strikes are so outside the bounds of institutionalized categories that public data sources do not always reflect them.[191](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref191) And there is, reportedly, a concern by some union leaders that these strikes do not look like the strikes of the mid-twentieth century. There has been a tendency to dismiss them.[192](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref192) In response, Bill Fletcher Jr., the AFL-CIO’s first Black Education Director, has argued, “People, who wouldn’t call them strikes, aren’t looking at history.”[193](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref193) Fletcher, Jr. analogizes these strikes to the tactics of the civil-rights movement.

#### Strikes fail and spark backlash – leads to fragmentation.

Grant and Wallace 91 [Don Sherman Grant; Ohio State University; Michael Wallace; Indiana University; “Why Do Strikes Turn Violent?” University of Chicago Press; March 1991; <https://www.jstor.org/stable/pdf/2781338.pdf?refreqid=excelsior%3Aca3144a9ae9e4ac65e285f2c67451ffb>]//SJWen

\*\*RM = Resource-Mobilization, or Strikes

3. Violent tactics.-Violent tactics are viewed by RM theorists exclu- sively as purposeful strategies by challengers for inciting social change with little recognition of how countermobilization strategies of elites also create violence. The role of elite counterstrategies has been virtually ig- nored in research on collective violence. Of course, history is replete with examples of elites' inflicting violence on challenging groups with the full sanction of the state. Typically, elite-sponsored violence occurs when the power resources and legal apparatus are so one-sidedly in the elites' favor that the outcome is never in doubt. In conflicts with weak insiders, elites may not act so openly unless weak insiders flaunt the law. Typically, elite strategies do not overtly promote violence but rather provoke violence by the other side in hopes of eliciting public condemnation or more vigorous state repression of challenger initiatives. This is a critical dynamic in struggles involving weak insiders such as unions. In these cases, worker violence, even when it appears justified, erodes public support for the workers' cause and damages the union's insider status.

4. Homogeneity and similarity.-Many RM theorists incorrectly as- sume that members of aggrieved groups are homogeneous in their inter- ests and share similar positions in the social structure. This (assumed) homogeneity of interests is rare for members of outsider groups and even more suspect for members of weak-insider groups. Indeed, groups are rarely uniform and often include relatively advantaged persons who have other, more peaceful channels in which to pursue their goals. Internal stratification processes mean that different persons have varying invest- ments in current structural arrangements, in addition to their collective interest in affecting social change. Again, these forces are especially prev- alent for weak insiders: even the group's lowest-status members are likely to have a marginal stake in the system; high-status members are likely to have a larger stake and, therefore, less commitment to dramatic change in the status quo.

Internal differences may lead to fragmentation of interests and lack of consensus about tactics, especially tactics suggesting violent confronta- tion. While group members share common grievances, individual mem- bers may be differentially aggrieved by the current state of affairs or differentially exposed to elite repression. White's (1989) research on the violent tactics of the Irish Republican Army shows that working-class members and student activists, when compared with middle-class partici- pants, are more vulnerable to state-sponsored repression, more likely to be available for protest activities, and reap more benefits from political violence. When we apply them to our study of strike violence, we find that differences in skill levels are known to coincide with major intraclass 1120 Strikes divisions in material interests (Form 1985) and are likely to coincide with the tendency for violent action. For instance, skilled-craft workers, who are more socially and politically conservative than unskilled workers, are less likely to view relations with employers as inherently antagonistic and are prone to separate themselves from unskilled workers, factors that should decrease their participation in violence.

Extra T potential violation -