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#### Michigan CM negates the resolution as a site of interrogation to analyze the historical paradigm of Settlerism that undergirds energy production in the United States.

in the context of the resolution the most productive thing is to say no – we live amidst an ongoing genocide against native americans perpetuated by the energy industry intent on making slightly higher profit margins at the expense of human lives – the resolution cannot be reformed and affirming it only continues and erases this historical legacy

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GENOCIDE AGAINST NATIVE AMERICANS CONTINUES in modern times with modern techniques. In the past, buffalo were slaughtered or corn crops were burned, thereby threatening local native populations; now the Earth itself is being strangled, thereby threatening all life. The government and large corporations have created toxic, lethal threats to human health. Yet, because "Native Americans live at the lowest socioeconomic level in the U.S." (Glass, n.d., 3), they are most at risk for toxic exposure. All poor people and people of color are disadvantaged, although "[flor Indians, these disadvantages are multiplied by dependence on food supplies closely tied to the land and in which [toxic] materials . . . have been shown to accumulate" (ibid.). This essay will discuss the genocide of Native Americans through environmental spoliation and native resistance to it. Although this type of genocide is not (usually) the result of a systematic plan with malicious intent to exterminate Native Americans, it is the consequence of ac-tivities that are often carried out on and near the reservations with reckless disregard for the lives of Native Americans.1

One very significant toxic threat to Native Americans comes from governmental and commercial hazardous waste sitings. Because of the severe poverty and extraordinary vulnerability of Native American tribes, their lands have been targeted by the U.S. government and the large corporations as permanent areas for much of the poisonous industrial by-products of the dominant society. "Hoping to take advantage of the devastating chronic unemployment, pervasive poverty and sovereign status of Indian Nations", according to Bradley Angel, writing for the international environmental organization Greenpeace, "the waste disposal industry and the U.S. government have embarked on an all-out effort to site incinerators, landfills, nuclear waste storage facilities and similar polluting industries on Tribal land "( Angel 1991, 1).

In fact, so enthusiastic is the United States government to dump its most dangerous waste from “the nation’s 110 commercial nuclear power plants” (ibid., 16) on the nation’s “565 federally recognized tribes” (Aug 1993, 9) that it “has solicited every Indian Tribe, offering millions of dollars if the tribe would host a nuclear waste facility” (Angel 1991, 15; emphasis added). Given the fact that Native Americans tend to be so materially poor, the money offered by the government or the corporations for this “toxic trade” is often more akin to bribery or blackmail than to payment for services rendered? In this way, the Mescalero Apache tribe in 1991, for example, became the ﬁrst tribe (or state) to ﬁle an application for a U.S. Energy Department grant “to study the feasibility of building a temporary [sic] stor- age facility for 15,000 metric tons of highly radioactive spent fuel” (Ale- wesasne Notes 1992, 11). Other Indian tribes, including the Sac, Fox, Ya- kima, Choctaw, Lower Brule Sioux, Eastem Shawnee, Ponca, Caddo, and the Skull Valley Band of Goshute, have since applied for the $100,000 exploratory grants as well (Angel 1991, 16-17).

Indeed, since so many reservations are without major sources of outside revenue, it is not surprising that some tribes have considered proposals to host toxic waste repositories on their reservations. Native Americans, like all other victimized ethnic groups, are not passive populations in the face of destruction from imperialism and paternalism. Rather, they are active agents in the making of their own history. Nearly a century and a half ago, the radical philosopher and political economist Karl Marx realized that peo- ple “make their own history, but they do not make it just as they please; they do not make it under circumstances chosen by themselves, but under circumstances directly found, given and transmitted from the past” (Marx 1978, 595). Therefore, “[t]ribal governments considering or planning waste facilities”, asserts Margaret Crow of California Indian Legal Services, “do so for a number of reasons” (Crow 1994, 598). First, lacking exploitable sub- terranean natural resources, some tribal governments have sought to em- ploy the land itself as a resource in an attempt to fetch a ﬁnancial return. Second, since many reservations are rural and remote, other lucrative business opportunities are rarely, if ever, available to them. Third, some res- ervations are sparsely populated and therefore have surplus land for busi- ness activities. And fourth, by establishing waste facilities some tribes would be able to resolve their reservations’ own waste disposal problems while simultaneously raising much-needed revenue.

As a result, “[a] small number of tribes across the country are actively pursuing commercial hazardous and solid waste facilities”; however, “[t]he risk and beneﬁt analysis performed by most tribes has led to decisions not to engage in commercial waste management” (z'bz'a'.). Indeed, Crow reports that by “the end of 1992, there were no commercial waste facilities operating on any Indian reservations” (2'bz'd.), although the example of the Campo Band of Mission Indians provides an interesting and illuminating exception to the trend. The Campo Band undertook a “proactive approach to siting a com- mercial solid waste landﬁll and recycling facility near San Diego, California. The Band infonned and educated the native community, developed an en- vironmental regulatory infrastructure, solicited companies, required that the applicant company pay for the Band’s ﬁnancial advisors, lawyers, and solid waste industry consultants, and ultimately negotiated a favorable contract” (Haner 1994, 106). Even these extraordinary measures, however, are not enough to protect the tribal land and indigenous people from toxic exposure. Unfortunately, it is a sad but true fact that “virtually every landﬁll leaks, and every incinerator emits hundreds of toxic chemicals into the air, land and water” (Angel 1991, 3). The U.S. Environmental Protection Agency concedes that “[e]ven if the . . . protective systems work according to plan, the landﬁlls will eventually leak poisons into the environment” (ibid.). Therefore, even if these toxic waste sites are safe for the present genera- tion—a rather dubious proposition at best—they will pose an increasingly greater health and safety risk for all future generations. Native people (and others) will eventually pay the costs of these toxic pollutants with their lives, “costs to which [corporate] executives are conveniently immune” (Parker 1983, 59). In this way, private corporations are able to extemalize their costs onto the commons, thereby subsidizing their earnings at the expense of health, safety, and the environment.

Sadly, this may not be the worst environmental hazard on tribal lands. Kevin Grover and Jana Walker try “[t]o set the record straight” by claiming that “the bigger problem is not that the waste industry is beating a path to the tribal door [although it is of course doing so]. Rather, it is the unau- thorized and illegal dumping occurring on reservations. For most Indian communities the problem of open dumping on tribal lands -is of much greater concern than the remote prospect that a commercial waste disposal facility may be sited on a reservation” (Haner 1994, 107)?

There are two major categories of people who illegally dump waste on tribal land. They have been called “midnight dumpers” and “native entre- preneurs.” Midnight dumpers are corporations and people who secretly dump their wastes on reservations without the permission of tribal governments. Native entrepreneurs are tribal members who contaminate tribal land, without tribal permission, for private proﬁt or personal convenience. Both midnight dumpers and native entrepreneurs threaten Native American tribes in two signiﬁcant ways: tribal health and safety, and tribal sovereignty. First, toxic waste poses a severe health and safety risk. Some chemical agents cause leukemia and other cancers; others may lead to organ ailments, asthma, and other dysfunctions; and yet others may lead to birth defects such as anencephaly. Toxic waste accomplishes these tragic consequences through direct exposure, through the contamination of the air, land, and water, and through the bioaccumulation of toxins in both plants and animals. And because of what Ben Chavis in 1987 termed “environmental racism,” people of color (and poor people) are disproportionately affected by toxic waste. Native Americans are especially hard hit because of their ethnicity, their class, and their unique political status in the United States.

A second problem that Native Americans must confront when toxic waste is dumped on their lands is the issue of tribal sovereignty, and more speciﬁcally the loss of this sovereignty. “Native American governments re- tain all power not taken away by treaty, federal statute, or the courts. As an extension of this principle, native governments retain authority over members unless divested by the federal government” (Haner 1994, 109- 110). Jennifer Haner, a New York attorney, asserts that illegal dumping threatens tribal sovereignty because it creates the conditions that make federal government intervention on the reservations more likely (ibid., 121). The federal govemment can use the issue of illegally dumped toxic waste as a pretext to revert to past patterns of patemalism and control over Native American affairs on the reservations; Native Americans are viewed as irresponsible, the U.S. government as their savior.

Less abstract examples of threats to sovereignty include the experience of the Kaibab-Paiute Tribe. The Waste Tech Corporation “wanted to restrict the Kaibab-Paiute Tribe from having full access to their own tribal land . . . [and also wanted] the unilateral right to determine where access roads would be built, and the unilateral right to decide to take any additional land they desired” (Angel 1991, 3). Another concrete example is Waste Management, Inc.’s attempt to curtail the powers of the Campo Environ- mental Protection Agency and to dilute other tribal regulations. Amcor of- ficials at the Pine Ridge Reservation in South Dakota, as a further example, sought exemption from any environmental laws mandated for tribal lands after the contract was signed. All of these acts are threats to the sovereignty of Native American tribes and contribute to the genocidal project.

Tribal lands are detrimentally affected through other extemal and un- wanted environmental inﬂuences, as well. Indeed, “[olff-site pollution is [also] a major problem for Native Americans” (Lewis 1994, 189). There are many examples, and each one is a very signiﬁcant tragedy:

When tankers like the Exxon Valdez spill their cargoes of crude oil, they pollute thousands of miles of coastline . . . Pollutants from mining and processing plants migrate into reservation air and water. Cyanide heap-leach mining in Montana is pol- luting water on the Fort Belknap reservation. Radioactive pollution and toxic waste from the Hanford nuclear weapons plant threaten all tribes who depend on the Co- lumbia River . . . The Mdewakanton Sioux of Prairie Island, Minnesota, fear the health impacts of a nuclear power plant built on the edge of their small reservation, while the Western Shoshones protest the use of their land as a nuclear test site. Industrial waste dumps surround the St. Regis Indian Reservation, fouling the St. Lawrence River. Poorly treated urban waste and agricultural efﬂuent threatens nearby reservation en- vironments (z'bid.).

Deadly environmental threats also emanate from uranium and coal mining, U.S. military target practice and war games, spent ammunition shells, dis- cardedbatteries, and asbestos. Sadly, this is only a partial list. In fact, a survey of only 25 Indian reservations revealed “that 1200 hazardous waste generators or other hazardous waste activity sites were located on or near . . . [those] reservations selected for the survey” (Williams 1992, 282). The issue is serious, the scope is wide, and the results are disastrous.Native Americans have always altered their environment, as well as hav- ing it altered by others. The environment, like culture, is inherently dy- namic and dialectical. Native Americans “used song and ritual speech to modify their world, while physically transforming that landscape with ﬁre and water, brawn and brain. They did not passively adapt, but responded in diverse ways to adjust environments to meet their cultural as well as material desires” (Lewis 1994, 188). However, the introduction of toxic waste and other environmental hazards, such as military-related degrada- tion, have catastrophically affected the present and future health and cul- ture of Native Americans.

Yet, Native Americans and other people of color, along with poor peo- ple, women, and environmentalists, have been organizing against toxic waste and ﬁghting back against the government and the corporations. In- deed, “the intersection of race discrimination and exposure to toxic haz- ards”, according to Andrew Szasz, Professor of Sociology at the University of Califomia, Santa Cruz, “is one of the core themes of the lanti—ltoxics movement” (Szasz 1994, 151).“ In spite of the often desperate poverty of Indian tribes, “a wave of resistance has erupted among Indian people in dozens of Indian Nations in response to the onslaught of the waste industry” (Angel 1991, 5). Sporadic resistance has also developed into organized and sustained opposition. Facing the threat of a toxic waste facility on their land in Dilkon, Arizona, in 1989, the Navajo formed a group called Citizens Against Ruining our Environment, also known as CARE. CARE fought the proposed siting by educating and organizing their community, and their success inspired other similarly situated Native Americans. (CARE later merged with other Navajo groups ﬁghting for the community and the en- vironment, to create a new organization, called Dine CARE). The following year, in June 1990, CARE hosted a conference in Dilkon called “Protecting Mother Earth: The Toxic Threat to Indian Land”, which brought together “over 200 Indian delegates from 25 tribes throughout North America” (ibid.).

The following year’s conference in South Dakota included “[o]ver 500 Indigenous delegates from 57 tribes” (z'bz'd., 6). It was at this second annual conference that the delegates created the Indigenous Environmental Net- work. The IEN states that it is “an alliance of grass roots peoples whose mission is to strengthen, maintain, protect and respect the traditional teach-ings, lifestyles and spiritual interdependence to the sacredness of Mother Earth and the natural laws” (Aug 1993, 7). This is wholly in concert with “the most enduring characteristic of American Indians throughout the his- tory of the continent: the ability to incorporate technological, natural, and social changes while maintaining cultural continuity” (Crow 1994, 593). Therein lies the natural afﬁnity between Indian opposition to toxic waste and the broader environmental justice movement. “Environmental justice,” according to the journal of the Citizens’ Clearinghouse for Hazardous Waste, Everyoneis Backyard, “is a people-oriented way of addressing ‘en- vironmentalism’ that adds a vital social, economic and political element . . . When we ﬁght for environmental justice, we ﬁght for our homes and families and struggle to end economic, social and political domination by the strong and greedy” (Szasz 1994, 152-153).

Fighting for environmental justice is a form of self-defense for Native Americans. As the Report of Women of All Red Nations declared, “To con- taminate Indian water is an act of war more subtle than military aggression, yet no less deadly . . . Water is life” (February 1980, in Collins Bay Action Group 1985, 4). Toxic pollution—coupled with the facts of environmental racism, pervasive poverty, and the unique status of Native Americans in the United States—“really is a matter of GENOCIDE. The Indigenous peo- ple were colonized and forced onto reservations . . . [Native Americans are] poisoned on the job. Or poisoned in the home . . . Or forced to re- locate so that the land rip—offs can proceed without hitch. Water is life but the corporations are killing it. It's a genocide of all the environment and all species of creatures” (Bend 1985, 25; emphasis in original). In effect, toxic pollution is a genocide through geocide, that is, a killing of the people through a killing of the Earth.

Environmental threats are, unfortunately, not new. In the mid-1800s, Chief Seattle of the Suquamish tribe reportedly stated that “[t]he Earth does not belong to [human beings]; [hurnansl belong to the Earth. This we know. All things are connected like the blood which unites one family. All things are connected. Whatever befalls the Earth befalls the [children] of the Earth. [Human beings] did not weave the web of life; [they are] merely a strand in it. Whatever [they do] to the web, [they do to themselvesl” (Chief Seattle 1987, 7). In this vein, genocide is ultimately also suicide.

Five hundred years after the commencement of colonialism and geno- cide, “the exploitation and assault on Indigenous people and their land continues. Instead of conquistadors armed with weapons of destruction and war, the new assault is disguised as ‘economic development’ promoted by entrepreneurs pushing poisonous technologies. The modem-day invad- ers from the waste disposal industry promise huge amounts of money, make vague promises about jobs, and make exaggerated and often false claims about the alleged safety of their dangerous proposals” (Angel 1991, 1). Yet, also 500 years later, Native Americans are still resisting the on- slaught and are still (re)creating themselves and their cultures. And increas- ingly, Native Americans are better organized and more united than ever in their struggle against environmental racism and for environmental justice.

#### The freedom they seek in energy functions only as absolution from the responsibility of our culture – this eliminates culture and ensures our destruction

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Fossil fuel culture marks a form of the aestheticization of the political that extends more deeply into representation than that identified by Benjamin in Trauerspiel or in mechanical reproduction. The spirit of seventeenth century Baroque Trauerspiel was despair and destruction in the face of desertion, a relation of inner anxiety and outer ruin. The Baroque spirit of the twenty first century masks destruction behind a freedom from desertion. This is the phenomenology of spirit in modem social relations. Unfreedom is experienced as a spirit of mourning which is aberrated in the sense that it is effaced, or. put slightly differently, when the inner and outer correspond to each other in a freedom from desertion by the universal. In this phenomenology the inner and the outer are the ideology of ideology and are image and reality, related in such a way as to eschew relation. Freed from a relation to each other, freed from the object per se, this aesthetic representation Is no longer anxiety, ruin, or intrigue felt as the desertion by God. but rather a representation of absolution from that desertion. This representation is the aesthetic of image as reality. It is culture become the immediacy of the representation of this freedom and it is representation become the immediacy of the culture of this freedom. Together they are the form and content of image and reality. Together they arc ideology not of freedom but as freedom. The ‘reality’ of this freedom is what I am calling fossil fuel culture. It is not just a way of representing freedom; it is also a way of reproducing itself in and for modern experience, as culture without culture. Its representation is its reproduction; its reproduction is its representation. Fossil fuel culture is the circle that knows no negation, only pure return, (and pure returns). This self-sufficiency combines the aesthetic with a categorical imperative, forming a (non) culture that is total. Its real power lies in being the condition of the possibility of everything and the condition of the impossibility of the totality of anything other. Fossil fuel culture is the fetishism of power made image and this image become political reality. Without an object which is other than itself fossil fuel culture releases each of us from any relation, debt, guilt, anxiety or fear and trembling. It is the freedom of a godless spirituality, a version of Hegel’s spiritual animal kingdom - but not an individuality free from substance by withdrawing from the world, rather, an individuality whose freedom in the world is freedom from substance. As such, this freedom, or this experience of unfreedom, is actual as the {non} culture of the Being who is a driver or a consumer, or who turns on the air conditioning or the central heating. These are the freedoms of fossil fuel culture; freedom to travel without the recognition of nature as other; freedom to shop without the recognition of labour and poverty; freedom as the master who needs no slaves and who knows no slaves; freedom to burn fossil fuels without having to recognize either inner anxiety or outer chaos. Free, because released from implication. Free as voyeur of a negation which is not mine. Hence, traffic jams are caused by everyone except me; I can watch the destruction of the earth’s resources knowing that my life is not to blame; I can watch the struggles for freedom knowing they will never be my struggle. This is the modern phenomenology of modernity, where universality is absolutely other and freedom is my deliverance from it. It is the logic of civil society par excellence. It is not the fetishism of the particular. It is the particular become image and reality, released from the object. The phenomenology of modernity we can say here is absolute freedom from the concept. As such, fossil fuel culture represents and reproduces itself in my freedom as a voyeur of destruction (which is, of course, also my own destruction).

**As long as we ignore that we are on stolen land we allow for the continuation of an incalculable cultural genocide that is systematically destroying and absorbing Indian culture.**

**Churchill 92** [Ward, codirector of the Colorado chapter of the American Indian Movement and previous professor at the University of Colorado/Boulder. 1992. “Fantasies of the Master Race.” pg. 194-195]

"We are resisting this," Means goes on, "because spirituality is the basis of our culture; if it is stolen, our culture will be dissolved. If our culture is dissolved, Indian people as such will cease to exist. By definition, the causing of any culture to cease to exist is an act of genocide. That's a matter of international law; look it up in the 1948 Genocide Convention. So, maybe this’ll give you another way of looking at these culture vultures who are ripping off Indian tradition. It's not an amusing or trivial matter, and it's not innocent or innocuous. And those who engage in this are not cute, groovy, hip, enlightened, or any of the rest of the things they want to project themselves as being. No, what they're about is cultural genocide. And genocide is genocide, regardless of how you want to 'qualify' it. So some of us are starting to react to these folks accordingly." For those who would scoff at Meanss' concept of genocide, Mark Davis and Robert Zannis, Canadian researchers on the topic, offer the following observation: If people suddenly lose their 'prime symbol/ the basis of their culture, their lives lose meaning. They become disoriented, with no hope. A social disorganization often follows such a loss, they are often unable to insure their own survival...The loss and human suffering of those whose culture has been healthy and is suddenly attacked and disintegrated are incalculable. Therefore, Davis and Zannis conclude, "One should not speak lightly of 'cultural genocide' as if it were a fanciful invention. The consequence in real life is far too grim to speak of cultural genocide as if it were a rhetorical device to beat the drums for 'human rights.' The cultural mode of group extermination is genocide, a crime. Nor should 'cultural genocide' be used in the game: 'Which is more horrible, to kill and torture; or remove [the prime cultural symbol which is] the will and reason to live?' Both are horrible."

#### This is a first priority

**Churchill 96** [Ward, former professor of ethnic studies at university of colorado, boulder, “i am indigenist,” from a native son pgs 89-94

The question which inevitably arises with regard to indigenous land claims, especially in the United States, is whether they are “realistic.” The answer, of course is, “No, they aren’t.” Further, no form of decolonization has ever been realistic when viewed within the construct of a colonialist paradigm. It wasn’t realistic at the time to expect George Washington’s rag-tag militia to defeat the British military during the American Revolution. Just ask the British. It wasn’t realistic, as the French could tell you, that the Vietnamese should be able to defeat U.S.-backed France in 1954, or that the Algerians would shortly be able to follow in their footsteps. Surely, it wasn’t reasonable to predict that Fidel Castro’s pitiful handful of guerillas would overcome Batista’s regime in Cuba, another U.S. client, after only a few years in the mountains. And the Sandinistas, to be sure, had no prayer of attaining victory over Somoza 20 years later. Henry Kissinger, among others, knew that for a fact. The point is that in each case, in order to begin their struggles at all, anti-colonial fighters around the world have had to abandon orthodox realism in favor of what they knew to be right. To paraphrase Bendit, they accepted as their agenda, a redefinition of reality in terms deemed quite impossible within the conventional wisdom of their oppressors. And in each case, they succeeded in their immediate quest for liberation. The fact that all but one (Cuba) of the examples used subsequently turned out to hold colonizing pretensions of its own does not alter the truth of this—or alter the appropriateness of their efforts to decolonize themselves—in the least. It simply means that decolonization has yet to run its course, that much remains to be done. The battles waged by native nations in North America to free themselves, and the lands upon which they depend for ongoing existence as discernible peoples, from the grip of U.S. (and Canadian) internal colonialism are plainly part of this process of liberation. Given that their very survival depends upon their perseverance in the face of all apparent odds, American Indians have no real alternative but to carry on. They must struggle, and where there is struggle here is always hope. Moreover, the unrealistic or “romantic” dimensions of our aspiration to quite literally dismantle the territorial corpus of the U.S. state begin to erode when one considers that federal domination of Native North America is utterly contingent upon maintenance of a perceived confluence of interests between prevailing governmental/corporate elites and common non-Indian citizens. Herein lies the prospect of long-term success. It is entirely possibly that the consensus of opinion concerning non-Indian “rights” to exploit the land and resources of indigenous nations can be eroded, and that large numbers of non-Indians will join in the struggle to decolonize Native North America. Few nonIndians wish to identify with or defend the naziesque characteristics of US history. To the contrary most seek to deny it in rather vociferous fashion. All things being equal, they are uncomfortable with many of the resulting attributes of federal postures and actively oppose one or more of these, so long as such politics do not intrude into a certain range of closely guarded self- interests. This is where the crunch comes in the realm of Indian rights issues. Most non-Indians (of all races and ethnicities, and both genders) have been indoctrinated to believe the officially contrived notion that, in the event “the Indians get their land back,” or even if the extent of present federal domination is relaxed, native people will do unto their occupiers exactly as has been done to them; mass dispossession and eviction of non-Indians, especially Euro-Americans is expected to ensue. Hence even progressives who are most eloquently inclined to condemn US imperialism abroad and/or the functions of racism and sexism at home tend to deliver a blank stare or profess open “disinterest” when indigenous land rights are mentioned. Instead of attempting to come to grips with this most fundamental of all issues the more sophisticated among them seek to divert discussions into “higher priority” or “more important” topics like “issues of class and gender equality” in which “justice” becomes synonymous with a redistribution of power and loot deriving from the occupation of Native North America even while occupation continues. Sometimes, Indians are even slated to receive “their fair share” in the division of spoils accruing from expropriation of their resources. Always, such things are couched in terms of some “greater good” than decolonizing the .6 percent of the U.S. population which is indigenous. Some Marxist and environmentalist groups have taken the argument so far as to deny that Indians possess any rights distinguishable from those of their conquerors. AIM leader Russell Means snapped the picture into sharp focus when he observed n 1987 that: so-called progressives in the United States claiming that Indians are obligated to give up their rights because a much larger group of non-Indians “need” their resources is exactly the same as Ronald Reagan and Elliot Abrams asserting that the rights of 250 million North Americans outweigh the rights of a couple million Nicaraguans. Leaving aside the pronounced and pervasive hypocrisy permeating these positions, which add up to a phenomenon elsewhere described as “settler state colonialism,” the fact is that the specter driving even most radical non-Indians into lockstep with the federal government on questions of native land rights is largely illusory. The alternative reality posed by native liberation struggles is actually much different: While government propagandists are wont to trumpet—as they did during the Maine and Black Hills land disputes of the 1970s—that an Indian win would mean individual non-Indian property owners losing everything, the native position has always been the exact opposite. Overwhelmingly, the lands sought for actual recovery have been governmentally and corporately held. Eviction of small land owners has been pursued only in instances where they have banded together—as they have during certain of the Iroquois claims cases—to prevent Indians from recovering any land at all, and to otherwise deny native rights. Official sources contend this is inconsistent with the fact that all non-Indian title to any portion of North America could be called into question. Once “the dike is breached,” they argue, it’s just a matter of time before “everybody has to start swimming back to Europe, or Africa or wherever.” Although there is considerable technical accuracy to admissions that all non-Indian title to North America is illegitimate, Indians have by and large indicated they would be content to honor the cession agreements entered into by their ancestors, even though the United States has long since defaulted. This would leave somewhere close to two-thirds of the continental United States in non-Indian hands, with the real rather than pretended consent of native people. The remaining one-third, the areas delineated in Map II to which the United States never acquired title at all would be recovered by its rightful owners. The government holds that even at that there is no longer sufficient land available for unceded lands, or their equivalent, to be returned. In fact, the government itself still directly controls more than one-third of the total U.S. land area, about 770 million acres. Each of the states also “owns” large tracts, totaling about 78 million acres. It is thus quite possible—and always has been—for all native claims to be met in full without the loss to non-Indians of a single acre of privately held land. When it is considered that 250 million-odd acres of the “privately” held total are now in the hands of major corporate entities, the real dimension of the “threat” to small land holders (or more accurately, lack of it) stands revealed. Government spokespersons have pointed out that the disposition of public lands does not always conform to treaty areas. While this is true, it in no way precludes some process of negotiated land exchange wherein the boundaries of indigenous nations are redrawn by mutual consent to an exact, or at least a much closer conformity. All that is needed is an honest, open, and binding forum—such as a new bilateral treaty process—with which to proceed. In fact, numerous native peoples have, for a long time, repeatedly and in a variety of ways, expressed a desire to participate in just such a process. Nonetheless, it is argued, there will still be at least some non-Indians “trapped” within such restored areas. Actually, they would not be trapped at all. The federally imposed genetic criteria of “Indian –ness” discussed elsewhere in this book notwithstanding, indigenous nations have the same rights as any other to define citizenry by allegiance (naturalization) rather than by race. NonIndians could apply for citizenship, or for some form of landed alien status which would allow them to retain their property until they die. In the event they could not reconcile themselves to living under any jurisdiction other than that of the United States, they would obviously have the right to leace, and they should have the right to compensation from their own government (which got them into the mess in the first place). Finally, and one suspects this is the real crux of things from the government/corporate perspective, any such restoration of land and attendant sovereign prerogatives to native nations would result in a truly massive loss of “domestic” resources to the United States, thereby impairing the country’s economic and military capacities (see “Radioactive Colonialism” essay for details). For everyone who queued up to wave flags and tie on yellow ribbons during the United States’ recent imperial adventure in the Persian Gulf, this prospect may induce a certain psychic trauma. But, for progressives at least, it should be precisely the point. When you think about these issues in this way, the great mass of non-Indians in North America really have much to gain and almost nothing to lose, from the success of native people in struggles to reclaim the land which is rightfully ours. The tangible diminishment of US material power which is integral to our victories in this sphere stands to pave the way for realization of most other agendas from anti-imperialism to environmentalism, from African American liberation to feminism, from gay rights to the ending of class privilege – pursued by progressive on this continent. Conversely, succeeding with any or even all of these other agendas would still represent an inherently oppressive situation in their realization is contingent upon an ongoing occupation of Native North America without the consent of Indian people. Any North American revolution which failed to free indigenous territory from non-Indian domination would be simply a continuation of colonialism in another form. Regardless of the angle from which you view the matter, the liberation of Native North America, liberation of the land first and foremost, is the key to fundamental and positive social changes of many other sorts. One thing they say, leads to another. The question has always been, of course, which “thing” is to the first in the sequence. A preliminary formulation for those serious about achieving (rather than endlessly theorizing and debating), radical change in the United States might be “First Priority to First Americans” Put another way this would mean, “US out of Indian Country.” Inevitably, the logic leads to what we’ve all been so desperately seeking: The United States – at least what we’ve come to know it – out of North America altogether. From there it can be permanently banished from the planet. In its stead, surely we can join hands to create something new and infinitely better. That’s our vision of “impossible realism.” Isn’t it time we all went to work on attaining it?

**Belief in our ability to control the world is part of the problem. Complete control is never possible, but more often creates cycles of paralyzing anxiety and reactive desire to take action that only recreates the crisis**

**Peat, 08 –** theoretical physicist, Ph.D., founder of the Pari Centre for New Learning (F. David, “Gentle Action: Surviving Chaos and Change”, http://www.gentleaction.org/library/paper2.php)

Many rapid changes that are taking place around us. These include globalization, developments in technology; fears of terrorism, the instability of the Third World; the rise of the Pacific Rim and a United Europe; the breakdown of inner cities; economics that appear to be out of control with the consequent challenges of inflation, recession and unemployment; spiraling health costs; revolutions in communication technology and information processing; the demands of consumers and special interest groups; threatened species and ecologies; the dangers of global warming and ozone depletion; increasing rates of teenage suicide and drugs use; the transformation of management and the breakdown of conventional institutions. Governments, institutions, organizations and individuals experience considerable anxiety in the face of such rapid change and **feel powerless to ameliorate the problems** that surround them. Indeed, it sometimes appears as if their plans and policies, as well as the traditional structures of their institutions, **are themselves part of the problem**. In so many cases policies, plans, interventions and other actions, all taken in good faith, **have not only failed to resolve an existing situation but in many cases have acted to magnify and render the problem even more intractable.** In other cases, the attempt to impose a solution in one location or context **has had the effect of creating an even larger problem elsewhere**. Organizations and individuals feel control slipping from their grasp and their natural reaction is to become even more intransigent in their attempt to clamp down on events and exert ever more control. **The result is a spiral of control that has literally gone out of control!** The realization that plans and policies are ineffective leads to a sense of depression and hopelessness. Faced with the insecurities and flux of the modern world many institutions fall into a state that, where it to be detected in an individual, would be diagnosed as manic-depression! How did this cycle of anxiety, hopelessness, panic and the desire for ever more control arise? I would argue that it is a paradigm of thought and behavior that originates in our particular view of reality, a view, moreover, that modern science had now demonstrated to be fundamentally erroneous. Thus, when our perception of the world around us is astigmatic, the actions we take become increasingly inappropriate and incongruous. It is only by entering into new modes of perception and acknowledging a new paradigm of reality that more appropriate forms of action can be taken. The Myth of Control One of the great themes of Western civilization, a theme of virtually mythic proportions, involves the way in which nature has been tamed and controlled over the course of the last few thousand years. Other cultures and civilizations have, for example, developed the techniques of farming but it appears that only the civilizations that expanded from their Neolithic birthplace in Northern Europe and the Fertile Crescent of the near East possessed the hubris necessary to impose themselves to such a marked extent upon the landscape. Thus, even in prehistoric times, European forests were cleared, marshes drained, vast tracts of land converted to farming, and tracks and walkways established as human beings sought to recreate the landscape according to their own needs. And, as ever more powerful technologies and social control became available, this path of domination continued. Within our own time, social critics have pointed out that this desire to exert control has led to our distancing ourselves from the natural world. The effect has been for us to place an **increasing faith in human reason, science, technology and the effectiveness of plans**, directives **and policies** while, at the same time, to decrease our sensitivity for the complex and subtle nature of the world around us. In short, **we tend to stand outside the world**, like observers, **indulging in constant analysis,** **making predictions and exerting corrective control** when situations do not move in the direction we desire. When human society and its associated technology were relatively simple and localized, and the resources that it called upon were unlimited, then this pattern of control was relatively successful. But as societies attempt to deal with ever more complicated issues, their boundaries became more open, their resources are found to be finite, the environment fragile, and technologies and world economics become increasingly complex then these conventional approaches simply fail. Ultimately, by virtue of its early success, the desire to dominate grew to the point where **it began to subvert itself and**, in the process, **endangered the whole planet**. And increasingly actions taken in one sphere **have unintended consequences in another**. Engaging complexity Over the last decades, however, there have been indications of a remarkable transformation within this traditional vision; a revolution in the perception of ourselves, our culture and the nature of reality that is truly Copernican in its implications. Just as in the 16th century astronomical observations were to dethrone the human race from a central place in the universe, so too in our own century relativity, quantum theory, chaos theory and systems theory, along with new insights in psychology, ecology and economics, have demonstrated the fundamental fallacy of our belief in definitive control. At the same time they are affirming our basic connectedness to the whole of creation. These scientific insights happen to have come at a time when the world has been experiencing rapid revolutionary change. States have risen and fallen. The notion of government is being transformed. Institutions are questioning their effectiveness. Businesses are desperately searching for new ways of operating. Technologies have developed so rapidly that people are unable to keep up with their implications. The overall effect has been to create **a profound sense of anxiety**, a fear that things are out of control, that the future is increasingly uncertain and that we have been left with nothing to hang on to. Yet what if this anxiety actually **points to an essential truth about the world**, that ultimately control and definitive prediction are strictly limited and that we must discover new ways of being and acting? Our current economic, social, ecological, environmental and institutional systems are now enormously complex to the extent that **we may never have complete knowledge** **about the inner dynamics of** such **systems**, nor the ability to predict exactly or exert total control. In this we can draw on metaphors from the new sciences of quantum theory, chaos theory, systems theory, and so on which also indicate essential limits to prediction, description and control. It is for such reason that so many of our plans and policies have been unable to meet the complexities of the modern world and why some supposed "solutions" have created even deeper problems and more intractable situations. The myth of eternal progress and control that has lain behind Western civilization can no longer sustain itself. The island of order and certainty on which we have been living has turned out to be not solid land but a rapidly melting iceberg, and we have no alternative but to **plunge into the boiling sea of flux, uncertainty and change that surrounds us**. The Dilemma of Action These are the dilemmas that many organizations find themselves in today, dilemmas that translate into the anxieties and uncertainties faced by many individuals. Programmed by their goals and mission statements, as well as by their very structures, many organizations inevitably seek ways of exerting control and believe that they must always take positive action in the face of uncertainty. Yet increasingly they discover that these actions are inappropriate. And so organizations, institutions, governments, groups and individuals retrench, break apart or in some other way get trapped into a spiral of ineffective decision making, paralysis and anxiety. These organizations, governments and institutions have been created according to our traditional image of reality; that is, of **a world that is external to us, predictable, relatively mechanical, and whose dynamics can be controlled** by the application of directed force. As a result, organizations are themselves relatively rigid in their nature, operating from fixed plans, policies and mission statements. Their internal structures are often hierarchical in nature, their lines of communication are limited rather than being flexible and dynamic, and their response to challenge and change is often predictable. In other words, most organizations are far less subtle and complex than the very systems they are attempting to address. **The basic problem** facing our modern world **is:** **How can society respond to the flux and challenge of the modern world** when all its institutions are inflexible and over-simplistic? When situations move more rapidly than an organization is capable of responding, policies and programs are outdated even before they are put into operation. Rather than acting to render organizations and policies more flexible, the apparatus of modern technology tends to **rigidify and entrench the problems** and rigidities that already exist within an organization. Organizations are composed of individuals and here too the conditioning of our society tends to inhibit natural creativity and abilities. Just as organizations have areas of rigidity, limitations also apply to the psychology of the individual. The issue becomes, therefore, one of freeing and fostering the natural intelligence and creativity of individuals and allowing them to operate fully within society, governments and institutions. In other words, how can organizations and individuals transform themselves so that they can become as subtle, sensitive, intelligent and fast-responding as the world around them? How can institutions heal their separation from society; society from the individual; and the individual from the natural world? Creative Suspension Paradoxically it is the very effort to change that establishes an internal resistance and rigidity that sustains the blocks that are to be removed. The first step towards transformation lies in an act of "creative suspension" and "alert watchfulness". This is an action that has the effect of relevating and making manifest the internal dynamics, rigidities, fixed positions, unexamined paradigms, interconnections and lines and levels of communication within the organization and the individual. A form of "creative suspension" is taught to paramedics and rescue workers who have to deal with serious accidents. While a layperson may wish to rush in an "help", a professional will suspend immediate response in order to make a careful assessment of the whole situation and determine how to use resources most effectively. Likewise doctors and paramedics made a visual examination of the wounded before carefully touching and then determining what medical action should be taken. The nature of this creative suspension is related to other approaches and techniques whereby unexamined assumptions and rigidities are brought into conscious awareness. For example, Sigmund Freud's notion of "non-judgmental listening" as well as various meditative practices. Artists, composers, scientists and other creative people often describe how their work unfolds from a form of creative "listening". These acts of listening and watchfulness have the effect of dissolving rigidities and rendering a system more flexible. Of course the lights will begin to flash and the alarm bells ring. Like Pavlov's dog an organization is conditioned to react and respond. But what if it does nothing--but it a very watchful way, and this applies not only to organizations but to individuals as well? The first stage will be one of panic and chaos, a flow of commands and information. All of this is not being generated by any external threat but through the internal structure of the organization itself. By remaining sensitive to what it going on it may be possible to become aware of the whole nature of the organization, of its values, the way its information flows, its internal relationships, dynamics and, in particular, its fixed and inflexible responses-- the organizational neuroses and psychoses if you like. Arthur Koestler suggested that a scientific revolution is born out of the chaos as a paradigm breaks down. It is possible that something new and more flexible could be born out of the break-down of fixed patterns in an organization, policy group or individual. Through a very active watchfulness it may be possible to detect its unexamined presuppositions, fixed values and conditioned responses and in this way allow them to dissolve by no longer giving energy to support them. The idea would be to permit the full human potential for creativity within each individual to flower, it would enable people to relate together in a more harmonious way and human needs and values to be acknowledged. In this fashion the organization or group dies and is reborn. In its new form it becomes at least as flexible and sensitive as the situation it faces. Now, using science, human creativity and the art of working with complex systems it may be possible to perceive a complex system correctly and model it within the organization. This new understanding would be the basis for a novel sort of action, **one that** **harmonizes with nature and society**, that does not desire to dominate and control and but **seeks balance and good order** and is based on respect for nature and society. Gentle Action explores images of new organizations and institutions that would be able to sustain this watchfulness. In place of relatively mechanical, hierarchical and rule-bound organizations there would exist something more organic in nature. In place of relatively mechanical, hierarchical and rule-bound organizations there would exist something more organic in nature. By way of illustrate one could draw upon ideas and concepts in systems theory, Prigogine's dissipative structures, cooperative and coherent structures in biology, neural networks, quantum interconnectedness and non-locality. In such a way organizations will be able to reach a condition in which they are as sensitive, subtle and as intelligent as the systems and situations that surround them. New Organizations, New Dynamics With this increased flexibility, organizations will now be able to internalize and model the complex dynamics of the systems that surround them. Rather than seeking to predict and control, they will now be able to enter the flux of change and engage in those actions that are appropriate to each new situation.

#### The alternative solves

**McWhorter 92,** Professor of Philosophy at Northeast Missouri State, 92 (LaDelle, Heidegger and the Earth, ed: McWhorter, p. vii-viii)

Heidegger frustrates us. At a time when the stakes are so very high and decisive action is so loudly and urgently called for, Heidegger apparently calls us to do - nothing. If we get beyond the revulsion and anger that such a call initially inspires and actually examine the feasibility of response, we begin to undergo the frustration attendant upon paradox; **how is it possible, we ask, to choose, to will, to *do nothing****?* The call itself places in question the bimodal logic of activity and passivity; it points up the paradoxical nature of our passion for action, of our passion for maintaining control. **The call itself suggests that our drive for acting decisively and forcefully is part of what must be thought through, that** the narrow option of will versus surrender is one of the power configurations of current thinking that must be allowed to dissipate.But of course, those drives and those conceptual dichotomies are part of the very structure of our self-understanding both as individuals and as a tradition and a civilization. Hence, Heidegger's call is a threatening one, requiring great courage, "the courage to make the truth of our own presuppositions and the realm of our own goals into the things that most deserve to be called in question." Heidegger's work pushes thinking to think through the assumptions that underlie both our ecological vandalism and our love of scientific solutions, assumptions that also ground the most basic patterns of our current ways of being human.

### 1NC

**The interests of the 1ac and dominant elites CONVERGE to form a compromise in the form of a BALLOT—the structural precondition for minority advances is that the AFF benefit the interests of white elites.**

**Harpalani ’04.** Vinay Harpalani, professor of interdisciplinary studies in Development at U. Penn, “Simple Justice or Complex Injustice?: American Racial Dynamics and the Ironies of Brown and Grutter,” Penn GSE Perspectives on Urban Education, Volume 3, Number 1, Fall, http://www.urbanedjournal.org/notes/notes0014.html

One of the central tenets of Critical Race Theory is *interest convergence*, the notion that both racism and seemingly anti-racist measures advance the interests of the majority group, White Americans (Delgado & Stefancic, 2001). When social changes occur that benefit people of color (or at least seem to benefit people of color), it is only because the interests of Whites (particularly elite Whites) and people of color (sometimes only particular groups of people of color) have temporarily converged. Thus, social changes that appear to benefit people of color actually have greater benefits for White Americans, and the interests of people of color are served only when they coincide with the interests of White Americans. The idea of interest convergence can be applied to *Brown* and *Grutter* both individually and in relation to one another. The relationship between these two cases also illustrates how socio-political interests can shape the development of racial ideology and discourse. Several ironies are apparent here, as I will illustrate.

**The structures of white supremacy will RE APPROPRIATE the 1ac—the exchange between debate acknowledging the legitimacy of the 1ac is accepting the current terms of American nationalism—the antiracism advocate must remain blind to the linkage between race and the imperialism of American capital. Interest CONVERGENCE inevitably results in interest DIVERGENCE.**

**Melamed ’06.** Jodi Melamed, professor of African American Studies Marquette University, “The Spirit of Neoliberalism: From Racial Liberalism to Multicultural Neoliberalism,” Social Text 89, Volume 24, Number 4, Winter, pp. 1-25 at 6

It is important to note that the study’s purview is as much geopolitical as racial. As racial liberalism incorporated antiracism and “the Negro” into the calculations of U.S. governmentality, racial equity became a means to secure U.S. interests. Racial equity was not an end in itself. Consequently, racial epistemology and politics were altered such that state-recognized antiracisms would have to validate culturally powerful notions of the U.S. nation-state and its foremost interests. Because the scope of the political in the postwar United States precisely shields matters of economy from robust democratic review, the suturing of liberal antiracism to U.S. nationalism, which manages, develops, and depoliticizes capitalism by collapsing it with Americanism, results in a situation where “official” antiracist discourse and politics actually limit awareness of global capitalism.

*An American Dilemma* omits from its capacious study practically any mention of black left politics and culture, as Nikhil Singh has recently observed.10 One of its only indications that economy has something to do with racism comes in a discussion of employment discrimination. Thus years before red-baiting would narrow mainstream race politics into what has been called the civil rights compromise, liberal nationalism all on its own, without anticommunism, can be seen to bracket the global political economic critique of race and capitalism that had pervaded anticolonial and antiracist thinking in the first half of the twentieth century.

In short, as racial liberal discourse became hegemonic in the 1950s, not only did race disappear as a referent for the inequality of the historical development of modern capitalism (a referentiality hard-won by earlier antiracisms). Official antiracism now explicitly required the victory and extension of U.S. empire, the motor force of capitalism’s next unequal development. Where placing the United States in the history of European colonialism had energized earlier antiracist movements led by people of color, from the “victory” of racial liberalism over white supremacy onward, official antiracisms in the United States remain under the injunction to take U.S. ascendancy for granted and to remain blind to global capitalism as a race issue.

**Moments of interest convergence acts as a safety valve for white elites to defuse the possibility of black revolution.**

**Lee ’07.** Cynthia Lee, professor of law at George Washington University, “Cultural Convergence: Interest Convergence Theory Meets the Cultural Defense?” Arizona Law Review, Vol. 49, No. 4, Winter [49 Ariz. L. Rev. 911], George Washington University Legal Studies Research Paper No. 248; George Washington University Law School Public Law Research Paper No. 248, p. 922. [PDF Online @] http://ssrn.com/abstract=968754

Bell also posited that the Brown decision helped America in its efforts to persuade African Americans that they were a welcome part of the United States. Bell pointed out that Blacks who had fought for this country in World War II were returning home to widespread racial discrimination. Elite whites worried that in the event of another war, African Americans might be reluctant to fight again. The Brown decision was thus important domestically as a symbol of America’s commitment to equality.52 In later work, Bell elaborated upon his theory, explaining: [Only] when whites perceive that it will be profitable or at least cost-free to serve, hire, admit, or otherwise deal with blacks on a nondiscriminatory basis, they do so. When they fear—accurately or not—that there may be a loss, inconvenience, or upset to themselves or other whites, discriminatory conduct usually follows.53 According to Bell, “racism is a permanent feature of American society, necessary for its stability and for the well-being of the majority of its citizens.”54 Interest convergence explains how Blacks “are able to achieve political gains despite the essentially racist nature of American society.”55 Commenting on Bell’s theory, Charles Ogletree notes that interest convergence works as a safety valve, permitting “short-term gains for African Americans when doing so furthers the short- or long-term goals of the white elite. . . . This is an important check on widespread disaffection that may end in revolution.”56

**The interest convergence represented by the ballot is temporary at best. The implicit bargain that grants empowerment in exchange for minority support of elite policy demands cannot last—the 1ac results in radicals being rounded up and destroyed because they don’t conform quite enough—this turns the case.**

**Delgado ’02.** Richard Delgado, professor of Law at the University of Colorado-Boulder ““Explaining the Rise and Fall of African American Fortunes: Interest Convergence and Civil Rights Gains,” Review of Mary L. Dudziak, Cold War Civil Rights: Race and the Image of American Democracy, Harvard Civil Rights-Civil Liberties Law Review, Volume 37 [37 Harv. C.R.-C.L. L. Rev. 369], pp. 369-387 at 376-7

Dudziak impressively demonstrates that Brown v. Board of Education n62 and the landmark civil rights legislation of the 1960s n63 were a result of interest convergence and Cold War concerns. n64 But these forces not only explain how the Civil Rights era came about; they also provide insight into why the Civil Rights movement came to an end ten years later.

One corollary to the softening of domestic attitudes exemplified by Brown and the 1964 Civil Rights Act was an implicit bargain in which African Americans, in return for civil rights gains, were expected to demonstrate loyalty to America and hostility to communism. They were expected to support foreign wars and purge their ranks of overt communists. n65 Dudziak's own data suggest this implicit bargain. She offers the early examples of singer Josephine Baker n66 and actor-singer Paul Robeson n67 [\*377] to support the implicit understanding--if not overt warning--that if blacks did not support the government, the government would take action.

With this implicit bargain in mind, Dudziak's thesis can also be used to explain some of the traumatic events of the late 1960 and early 1970s. During this period Black Power (as well as its Chicano counterpart) appeared on the scene, challenging the role assigned to blacks in the implicit bargain. n68 Panthers began reading and quoting from Marx and Lenin. n69 Malcolm X called white people "satanic" and America "the devil-nation." n70

With that bargain breaking down, the government and other elite groups responded in two ways. First, they cracked down on the Panthers with brutal force. n71 Second, to assure that minority leaders were indebted to the government, they instituted the War on Poverty program and enlisted many minority leaders, including former militants like Denver's Corky Gonzales, in that program, giving them federal grants, jobs, and patronage in the form of positions they could fill with their friends. n72 Additionally, at this time mainstream elite groups in the private sector poured millions of dollars into the black community. n73 As a result, black economic well-being surged a second time, but the radical thrust of the Civil Rights movement was largely lost.

**You should refuse to make a deal with the structures of the 1ac. Instead use historically contingent and realistic frameworks to decide on strategies of resistance. Our alternative is the ONLY WAY OUT.**

**Price ‘10.** Patricia L. Price, professor of global and sociological studies at Florida International University, “At the cross roads: critical race theory and critical geographies of race,” Progress in Human Geography 34(2) (2010) pg. 147–174, wiley

The immediate project of CRT was to question the outcomes of Civil Rights era legislation, as well as the underlying approach to understanding and thus redressing the racialized injustice in the United States that framed this legislation(Crenshaw et al., 1995). Early CRT contributors, composed mainly of legal scholars and practicing law- yers, were both troubled by what they viewed as erosion of early momentum of the previous decade of the 1960s, and skeptical of the mindset which held racial equality through the law as the mechanism and the goal of the civil rights movement. Advocating what DerrickBell (1992) termed ‘racial realism’, early CRT focused specifically on the experience of black Americans in what was framed as a pervasively, thoroughly racialized society. Only through stepping entirely outside of the reformist, liberal paradigm of civil rights, and thus coming to terms with the all-pervasiveness of race in the USA, would real change ever be brought about. In her brilliantly poetic key text, The alchemy of race and rights, Patricia Williams (1991) writes ‘this will be so because much of what is spoken in so-called objective, un- mediated voices is in fact mired in hidden subjectivities and unexamined claims that make property of others beyond the self, all the while denying such connections’ (p. 11). Thus CRT shifts paradigms from the goal of equality, to that of social justice through radical reform. ‘In spite of dramatic civil rights movements and periodic victories in the legislatures, black Americans by no means are equal to whites. Racial equality is, in fact, not a realistic goal. Byconstantly aiming for a status that is unobtainable in a perilously racist America, black Americans face frustration and despair. Over time, our persistent quest for integration has hardened into self-defeating rigidity’ (Bell, 1992: 363). Thus, fromits outset and despite the central position of ‘theory’ in its name, CRT has explicitly centralized activism. It is not enough to critique, and thereby intellectually rework, racism; rather, racism must be addressed and redressed through action, what Crenshaw et al. (1995) term ‘a desire not merely to understand the vexed bond between law and racial power but to change it’ (p. xiii, emphasis in original). Many of the scholarly contributions to CRT have been fashioned and sharpened through the actual courtroom practice of law. For this reason, practicing lawyers are found among CRTs major contributors.

**They are correct to criticize the propaganda of American politics—however; the focus on selling their position ensures they feed back into this corrupt form of politics.**

**Hedges, 09** – Thom interviews Chris Hedges (fifteen years as a war correspondent for the New York Times, author, senior fellow at The Nation Institute in New York City, Pulitzer Prize winning journalist, received the Amnesty International Global Award for Human Rights Journalism, taught at Columbia University, New York University and Princeton University, and is currently the F. Ross Johnson-Connaught Distinguished Visitor in American Studies at the Centre for the Study of the United States at The University of Toronto) about his book "Empire of Illusion", 21 July 2009, Transcribed by Suzanne Roberts, Portland Psychology Clinic, *http://www.thomhartmann.com/blog/2009/07/transcript-chris-hedges-empire-illusion-21-july-2009*

Thom: So great to have you here. In synopsis you paint a rather dire portrait of a bread and circus America. Chris Hedges: Yeah. It’s the story of an America that has transferred its allegiance to spectacle, to pseudo-events, that **no longer can determine what is real and what is illusion**, that confuses how they’re made to feel with knowledge, that confuses propaganda with ideology, and that’s exceedingly dangerous. All totalitarian societies are image-based societies, and that’s what our society has become. Thom: Already. We’re past the point of saying we’re at a threshold. You’re saying we have passed the threshold . Chris Hedges: Yeah. I think that you can easily, there’s enough indicators within the culture, to illustrate that print-based culture, those people who deal in nuance and ambiguity and ideas are a minority. Thom: But can’t there be a nuanced and thoughtful electronic, I mean I read you all the time on the Internet. You’ve got a piece up today on Commondreams.org. As do I, by the way. Chris Hedges: Sure, but the fact is shows like yours, in the cultural mainstream, are marginal. Thom: We’re anomalies. We’re the exception that proves the rule. Chris Hedges: Yeah. You’re not interrupting me, you’re not insulting me, you’re not shouting. It’s not carnival barking. You use the airwaves to actually try and discuss ideas and allow your guests to flesh out opinions, opinions that you may not even agree with. That’s very different from almost everything we see. And look, newspapers are dying, the publishing industry is dying, you have 42 million Americans who are illiterate. You have another 50 million Americans who are semi literate, meaning they read at a 4th of 5th grade level. And then you have people who are functionally literate, but they don’t read. There are tremendous consequences for that, because as you well know, having worked in the advertising industry, these images are not benign. They are skillfully orchestrated and manipulated by for-profit corporations to get us to do a lot of things that are not in our interests. And of course, this all ties into the rise of celebrity culture, well on display with our 3 week coverage of the death of Michael Jackson. Thom: Right, yeah, the whole circus around him. So how do we fix this? How do we recover some sense, I mean you read DeTocqueville, you know, DeTocqueville's story, Democracy in America is the title, 1838. And he only spent 6 months here, he was in his late 30s, French nobleman, came over, looked around, blew his mind. The average farmer was as literate as the average scholar. Chris Hedges: Yeah. That’s the tragedy, isn’t it? Thom: Yeah. And I would submit to you that while we could go back to the founding of the modern P.R. industry, and Woodrow Wilson, and you know all that kind of stuff, in the 19 teens, that the idea of corporate personhood has played a big role in this. The rise of corporate dominance and the theft of human rights, essentially, has played a big role in this. And that it really began going downhill fast when the Reagan administration came to power. And particularly when they decided that they were going to change our schools. Chris Hedges: Yeah. Although I think that, you know, it’s been decades in the making. And I think that we have seen profound cultural transformation in American culture, or cultures. Because, you know, we once had distinct regional and ethnic cultures, these were all systematically destroyed in the early part of the 20th century by corporate interests who used mass communications as well as an understanding of human psychology to turn consumption into an inner compulsion . And with that we lost the old values of thrift, of regional identity that had it’s own iconography, esthetic expression and history, as well as diverse immigrant traditions. Thom: But, you know, Chris, I guarantee it there’s somebody listening right now going, “These young kids these days! They don’t understand!” You know, kind of thing. And is it possible that there is some redeeming value in this new culture that has been created out of corporatocracy and what I would argue is a form of fascism, basically an external control of our government? Or is it something that we just need to pull down and start over? And if so, how? Chris Hedges: Well, Sheldon Wolin, the great political philosopher who taught at Berkeley and later Princeton, now 86, has written his sort of magnum opus called, “Democracy Incorporated.” And he argues that we live in a system that he calls inverted totalitarianism. § Marked 08:25 § The classical totalitarianism, in classical totalitarianism, like fascism or communism, economics is always subordinate to politics. But in inverted totalitarianism, politics is subordinate to economics. And with a rise of the consumer society, with the commodification of everything, including human beings and natural resources, you have built in to it a form, an inevitable form of self annihilation. Because nothing has intrinsic value when society is no longer recognized as sacred. You exhaust everything for their, for its ability to make money. No matter how much human misery you create, no matter how much you go, how far you go to destroy the ecosystem that is sustaining the human species. And that with the rise of celebrity culture, of consumer culture, and on federate capitalism, you get what Benjamin Demott has called, I think quite correctly, junk politics. Thom: Yeah. And we have a junk politics junk culture. And I think perhaps the most important point you just made is, and we just talked about for the last hour, is this loss of a sense of the sacred. And, you know, it’s interesting, I think some months ago I had you on, and I was taking the atheist position and we were having this debate because in the previous hour I had had an atheist on and I had taken the religious position and had a debate, my reality is a little bit of both, and between heart and mind, I guess, to use Jefferson’s old letter to his girlfriend in France. How do we, it seems to me that we are wired for the sacred. And that there is still, within the zeitgeist of America, within the soul of America, there is still this belief, that for example, the constitution is something that is sacred. That the founding ideals of the enlightenment are sacred. And I’m using that word in its broadest sense. Secular religion of America, as it were. Some people call it American exceptionalism and ridicule it, but I think that in that, setting aside the two major parties, in that in citizen movements, we can perhaps recapture those original dreams. Am I just being hopelessly optimistic? Chris Hedges: No, no. The sacred, understanding the sacred, is absolutely key. And although I don’t like the new atheists, you know, I must throw in that almost any orthodox believer would consider me an atheist and lead, the London Review of Books when they reviewed "I Don't Believe in Atheists" began by saying I was a non-believer. Thom: Right. Chris Hedges: But what does tie me to, and to you, is that utter importance of the sacred. And you know Karl Polanyi, this great economist in 1944, wrote a book called "The Great Transformation" in which he said that a society that no longer recognizes the sacred, that exhausts everything for profit, always kills itself. And I think that’s what we’re seeing. And as an economist, he actually used the word sacred. That human beings have an intrinsic worth, that the natural world has an intrinsic worth, beyond it’s potential to generate profit. Thom: And this has nothing to do with religion. Chris Hedges: No. Thom: That’s why I said. This is resacrilizing America. Chris Hedges: Right. Thom: And thus, perhaps, to the extent that we’re an example to the world, perhaps saving the world. I mean these are big words. Chris Hedges: We live in a corporate state. We live in a state that no longer responds to the interests of its citizens, but does the bidding of corporations. There is no shortage of examples of that, from the largest transference of wealth upwards in American history, to the so-called healthcare debate, where for profit healthcare industries are literally profiting off of death, any debate about healthcare must begin from the factual understanding that the for profit healthcare industry is the problem. Then **we can debate what we do**. But unfortunately, and many, many citizens know that, across the floor, but we can’t have it because **we are completely controlled**. We’ve undergone a kind of coup d‘etat in slow motion. We live in a kind of inverted totalitarianism where the façade of democracy and the constitution are held up as an ideal but the actual levers of power are driven by very destructive forces.

The affirmative is not an example of antagonism – they say yes. Instead, the alternative refuses to affirm the resolution and that refusal is necessary to solve colonialism.

Wilderson ’10 [Frank, Assoc prof of African American Studies – Cal-Irvine, Red, White, & Black, pp 2-5 //liam]

 What are we to make of a world that responds to the most lucid enunciation of ethics with violence? What are the foundational questions of the ethico-political? Why are these questions so scandalous that they are rarely posed politically, intellectually, and cinematically—unless they are posed obliquely and unconsciously, as if by accident? Give Turtle Island back to the "Savage." Give life itself back to the Slave. Two simple sen- tences, fourteen simple words, and the structure of U.S. (and perhaps global) antagonisms would be dismantled. An "ethical modernity" would no longer sound like an oxymoron. From there we could busy ourselves with important conflicts that have been promoted to the level of antagonisms, such as class struggle, gender conflict, and immigrants' rights. One cannot but wonder why questions that go to the heart of the ethico-political, questions of political ontology, are so unspeakable in intellectual meditations, political broadsides, and even socially and politically engaged feature films. Clearly they can be spoken, even a child could speak those lines, so they would pose no problem for a scholar, an activist, or a filmmaker. And yet, what is also clear—if the filmogra-phies of socially and politically engaged directors, the archive of progressive scholars, and the plethora of left-wing broadsides are anything to go by—is that what can so easily be spoken is now (500 years and 250 million Settlers/Masters on) so ubiquitously unspoken that these two simple sentences, these fourteen words not only render their speaker "crazy" but become themselves impossible to imagine. Soon it will be forty years since radical politics, left-leaning scholarship, and socially engaged feature films began to speak the unspeakable.2 In the 1960s and early 1970s the questions asked by radical politics and scholarship were not Should the United States be overthrown? or even Would it be overthrown? but when and how—and, for some, what would come in its wake. Those steadfast in their conviction that there remained a discernable quantum of ethics in the United States writ large (and here I am speaking of everyone from Martin Luther King Jr. prior to his 1968 shift, to the Tom Hayden wing of Students for Democratic Society, to the Julian Bond and Marion Barry faction of the Student Nonviolent Coordinating Committee, to Bobby Kennedy Democrats) were accountable, in their rhetorical machinations, to the paradigmatic Zeitgeist of the Black Panthers, the American Indian Movement, and the Weather Underground. Radicals and progressives could deride, reject, or chastise armed struggle mercilessly and cavalierly with respect to tactics and the possibility of "success," but they could not dismiss revolution-as-ethic because they could not make a convincing case—by way of a paradigmatic analysis—that the United States was an ethical formation and still hope to maintain credibility § Marked 08:23 § as radicals and progressives. Even Bobby Kennedy (as a U.S. attorney general) mused that the law and its enforcers had no ethical standing in the presence of Blacks.3 One could (and many did) acknowledge America's strength and power. This seldom rose to the level of an ethical assessment, however, remaining instead an assessment of the "balance of forces." The political discourse of Blacks, and to a lesser extent Indians, circulated too widely to wed the United States and ethics credibly. The raw force of COINTELPRO put an end to this trajectory toward a possible hegemony of ethical accountability. Consequently, the power of Blackness and Redness to pose the question—and the power to pose the question is the greatest power of all—retreated as did White radicals and progressives who "retired" from the struggle. The question lies buried in the graves of young Black Panthers, AIM warriors, and Black Liberation Army soldiers, or in prison cells where so many of them have been rotting (some in solitary confinement) for ten, twenty, or thirty years, and at the gates of the academy where the "crazies" shout at passersby. Gone are not only the young and vibrant voices that effected a seismic shift on the political landscape, but also the intellectual protocols of inquiry, and with them a spate of feature films that became authorized, if not by an unabashed revolutionary polemic, then certainly by a revolutionary Zeitgeist. Is it still possible for a dream of unfettered ethics, a dream of the Settlement and the Slave estate's4 destruction, to manifest itself at the ethical core of cinematic discourse when this dream is no longer a constituent element of political discourse in the streets or of intellectual discourse in the academy? The answer is "no" in the sense that, as history has shown, what cannot be articulated as political discourse in the streets is doubly foreclosed on in screenplays and in scholarly prose, but "yes" in the sense that in even the most taciturn historical moments, such as ours, the grammar of Black and Red suffering breaks in on this foreclosure, albeit like the somatic compliance of hysterical symptoms—it registers in both cinema and scholarship as a symptom of awareness of the structural antagonisms. The election of President Barack Obama does not mitigate the claim that this is a taciturn historical moment. Neoliberalism with a Black face is neither the index of a revolutionary advance nor the end of anti-Blackness as a constituent element of U.S. antagonisms. If anything, the election of Obama enables a plethora of shaming discourses in response to revolutionary politics and "legitimates" widespread disavowal of any notion that the United States itself, and not merely its policies and practices, is unethical. Between 1967 and 1980, we could think cinemati-cally and intellectually of Blackness and Redness as having the coherence of full-blown discourses. From 1980 to the present, however, Blackness and Redness manifest only in the rebar of cinematic and intellectual (political) discourse, that is, as unspoken grammars. This grammar can be discerned in the cinematic strategies (lighting, camera angles, image composition, and acoustic design), even when the script labors for the spectator to imagine social turmoil through the rubric of conflict (i.e., a rubric of problems that can be posed and conceptually solved) as opposed to the rubric of antagonism (an irreconcilable struggle between entities, or positions, the resolution of which is not dialectical but entails the obliteration of one of the positions). In other words, even when films narrate a story in which Blacks or Indians are beleaguered with problems that the script insists are conceptually coherent (usually having to do with poverty or the absence of "family values"), the nonnarrative, or cinematic, strategies of the film often disrupt this coherence by posing the irreconcilable questions of Red and Black political ontology—or nonontology. The grammar of antagonism breaks in on the mendacity of conflict. Semiotics and linguistics teach us that when we speak, our grammar goes unspoken. Our grammar is assumed. It is the structure through which the labor of speech is possible.5 Likewise, the grammar of political ethics— the grammar of assumptions regarding the ontology of suffering—which underwrites film theory and political discourse (in this book, discourse elaborated in direct relation to radical action), and which underwrites cinematic speech (in this book, Red, White, and Black films from the mid-1960s to the present) is also unspoken. This notwithstanding, film theory, political discourse, and cinema assume an ontological grammar, a structure of suffering. And this structure of suffering crowds out others, regardless of the sentiment of the film or the spirit of unity mobilized by the political discourse in question.