### 1AC – POW Camp #344

#### In Prisoner of War Camp #344, the guards have left but the prisoners remain. Detained indefinitely on the Pine Ridge Reservation, the Lakota are forced to endure the structural violence of colonialism—mass unemployment, suicide, alcoholism, and degraded life chances are an everyday reality for the Lakota. Through executive dictum, the Bureau of Indian Affairs was created in the Department of War, setting the violent tone that has characterized US-Indian relations for centuries. Further executive orders have abrogated the treaties signed between the Lakota and the American government, dispossessing the Lakota of the sacred Black Hills. The only ethical politics today must demand Native American land reclamation.

Mani 9 (Wowitan Yuha (American Name - David Swallow, Jr.) Tetoh Lakota of the Wa Naweg’a Band and lives on the Pine Ridge Indian Reservation in South Dakota, “[The Black Hills Are Everything!](http://www.russellmeansfreedom.com/2009/the-black-hills-are-everything-by-david-swallow/)”, <http://www.russellmeansfreedom.com/tag/prisoner-of-war-camp-344/>, Vance)

The Black Hills used to be occupied by the Crow Tribe.  That was way back, like in the 1700’s, even the 1600’s.  Then, the Black Hills were taken by the Shahiyela (the Cheyenne).  Then, the Lakota took them from the Cheyenne.  Finally, the white man took them from the Lakota. The Lakota look at the Black Hills as having spiritual power.  All the Plains Tribes look at them that way.  But the white man saw only the yellow rock called gold.  They tried to make deals to get the land in the Treaties of 1825, 1851, 1868, and even the Bradley Bill of the 1980’s. However, the only Treaty that should be recognized concerning the Black Hills is the Treaty of 1851.  At that time, all the tribes signed this Treaty and they signed it in a holy way.  The Lakota brought the Sacred White Buffalo Calf C’anunpa, the Cheyenne brought their 7 sacred arrows, and the Crow, Arikara, and other tribes brought their sacred bundles. They all held ceremonies before they held the pen.  They all agreed that no settlers should enter that sacred area, the Black Hills.  The way that Treaty was written, this became a non-negotiable matter from that time on.  No other Treaty would have the right to change that. But the government and homesteaders, the settlers and prospectors kept invading the Black Hills. As a result, the Federal Government renegotiated the terms and called it the Fort Laramie 1868 Treaty.  This time, the original signers of the 1851 Treaty didn’t want to sign.  Many were fighting.  There were no sacred ceremonies done and only one sacred c’anunpa, only one sacred prayer pipe, was present.The prospectors and homesteaders brought in whiskey to get many of the signers drunk so they would sign.  My grandfather told me all about this.  He saw it, personally. Mni wakan, sacred water, is what the Lakota called alcohol because it affected our people so strongly. So this is how we lost the Black Hills. Six years later, in 1874, General George Armstrong Custer took an expedition into the Black Hills which included a geologist and numerous miners.  What they found immediately caused a major gold rush and the white settlers and miners began pouring into the Black Hills.  The treaties were completely ignored. In 1876, the Indian Appropriations Act demanded the Sioux give back the Black Hills or starve under siege.  Then they ordered the destruction of all the buffalo herds.  By 1889, the Federal Government had forced the Lakota into prisoner of war camps which they now call Reservations.  According to government documents, Pine Ridge Indian Reservation is prisoner of war camp #344. Around 1990, I rode 7 years with many young people to the Crazy Horse Monument.  When we crossed our so-called homelands, we were stopped by the white landowners because we didn’t have their permission.  One old homesteader showed us his deed showing where he had bought the land from the Federal Government.  He told us that if we didn’t like it, we should go talk to the Federal Government who got it from the Louisiana Purchase. So, we lost our Black Hills.  Some said we sold them.  If so, I believe somebody took the money without any of us Lakota, Dakota, Nakota, Cheyenne or Arikara knowing it.  There is no money. In 1980, the United States Supreme Court said the Black Hills did rightfully belong to the Lakota.  They wanted to buy them from us but our People have refused that money.  The sacred Black Hills are not for sale. But that’s why the Bradley Bill was introduced in 1987 in Congress, to make it look good.  It supposedly would have let us live in the Black Hills while the Federal Government could still mine, trespass, and do whatever they wanted.  But even that was never approved. So, saying the Black Hills are ours and belong to us are just hollow, empty words.  If they are really ours, why can’t we live there?  It’s only occupied by white people with land deeds. We cannot even go to the Black Hills and exercise our spiritual ways.  We are forbidden.  We have to get permission from the Government and the BLM and then we have to follow their rules and regulations.  But if we are a sovereign nation like they said, we would have our own jurisdiction (county-state-reservation). If we do still own the Black Hills, we need a new treaty, to renegotiate a new treaty.  All the other treaties were violated or abandoned, often with the approval of Congress, without us knowing about it.  That’s not supposed to happen in nation to nation dealings. We have a treaty council, a council of elders, all kinds of councils but none of them are effective.  The government and state have kept us hungry and distracted with their projects which accomplish very little. Every other foreign nation conquered by the United States has received huge efforts towards rehabilitation and rebuilding.  Yet, while the U.S. cries about 20% unemployment, we have 80% unemployment.  We remain isolated and have living conditions which are as bad as or worse than any “third world country.”  Our life expectancy is only 48 years old for men and 52 years old for women. We are the longest prisoners of war in the world’s history.  It must change.  We need to be set free so we can deal with our own people and our children and their children. Unfortunately, most of our old people are in the spirit world.  Today, our young people have no knowledge of the treaties, the massacre of Wounded Knee, the struggle of Wounded Knee 2, or our history.  These are the reasons our culture is dying.  No one remembers the language, culture, virtues, or spirituality.  No one knows the real history. But they need to know.  If we are to survive, people need to understand.  When we’re talking about the Black Hills, it’s not just the land that was lost but our way of life.  It’s not just money.  Money is the least important thing.  We have lost our way of life. When we talk about the Black Hills, it is about everything.  That place is holy and sacred. Ho he’cetu yelo, I have spoken these words.

#### To add insult to injury, the settler state has carved into the Six Grandfathers the white faces of four agents of genocide and renamed this monstrosity Mount Rushmore. Marisa Snider explains: (10:28-12:22)

#### This foundational American violence has structured presidential war powers throughout United States’ history. Drone strikes and Guantánamo are merely the logical conclusion of a process of expropriation which denied indigenous land rights.

Pugliese 13 (Joseph [Associate professor of cultural studies @ Macquarie University]; State Violence and the Execution of Law Biopolitical Caesurae of Torture, Black Sites, Drones; p.217-220; kdf)

From its drone bases across the breadth of this militarized archipelago, the US is conducting globalized shadow wars in Central and Western Asia, the Arabian Peninsula, and Africa. Situated in this geopolitical arena, drones emerge as the new weapon of choice for the globalized maintenance and extension of US empire. In the words of the US military, drones 'provide global vigilance, global reach, and global power.'130 In this alliterative summation of the power of drones, the global is framed as coextensive with the US state: the inside (US state) has encompassed its outside (the rest of the world). The US speaks in the name of the global precisely because it now enfolds it as an extension of its sovereign domain. As I move toward my conclusion, it is this very enmeshing of the inside/outside that I want to examine in more detail. The transnational dimensions of this imperial drone archipelago are foundationally enabled by domestic policies of imperial expropriation of Native American lands for the location of drone ground control stations. As I discussed in Chapter l, one of the key sites for the conduct of the drone killings in Afghanistan and Pakistan, Nellis Air Force Base (AFB), Nevada, occupies expropriated Western Shoshone land. The drone archipelago, then, must be seen in terms of a trans/national matrix of imperial state violence that inextricably binds an ensemble of diverse subjects (Native Americans and Afghans) and seemingly unrelated geographical sites (Western Shoshone country/Nellis AFB and the Afghan tribal lands). The US state's intensive deployment of drones along its Mexican and Canadian borders in order to surveil and capture its other alien 'patterns of life' - 'illegal aliens' - underscores the need continually to reassert its sovereignty over those expropriated spaces of the nation that are constituted by borders that cut across Native American homelands. These militarized borders dismember and efface First Nation constituencies and peoples that fail to conform to the hegemonic cartographies of the imperial state. In his unpacking of the double logic that constitutes the exercise of state sovereignty, Jens Bartleson writes that 'Without a "foreign policy" there can be nothing domestic, since the former has as its task precisely to define the latter by domesticating what initially was foreign to it, buried in the depths of its violent prehistory and inserted as a state of nature in its contractual justification.' 131 In contemporary formations of state sovereignty, Bartleson adds, 'what is now Other to the state is not primarily contained in its own prehistory, but temporally simultaneous yet spatially distinct from it.' t:l2 I want to flesh out Bartleson's theoretical unpacking of state sovereignty by transposing it to the concrete territorial operations of the US state. The US state's foreign policy on imminent threat and preventative wars, as conducted through the war on terror/al-Qaeda, re-enacts the violent domestication of what was 'foreign' to it even prior to its formal, constitutional establishment: Native Americans. The 'violent prehistory' that comes before the enunciative foundation of the US state through its formal Declaration of lndependence figures precisely as a time synchronous with 'a state of nature' in which Native Americans are made, through the violence of the biopolitical caesura, coextensive with nature and are thereby relegated to the vestibule of 'the culture' where, as animals and lawless savages, they are compelled to undergo the colonial practices of 'violent domestication.' From the depths of this violence, the imperial domestication of the internal other works to establish the political and territorial sovereignty of the US state. Only after this fact can the US state delineate its territorial sovereignty, proceed to name its external/foreign others, and work to manage and control them through its foreign policies- all the while relegating its Indigenous peoples to the 'spatially distinct' zones of reservations, where a range of militarized and ecocidal practices can be performed by the imperial state with impunity. These two indissociable time-spaces, as chronotopes that found imperial state sovereignty, continue to inscribe the present: they topologically conjoin the violent 'prehistory' of the US state to contemporary trans/national iterations of state violence. The topological fold enabled by the prosthetics of drones evidences the indissociable conjoining of inside/ outside in the conduct of the US state's declared and shadow wars. In the exercise of sovereignty, Bartleson contends that a state's foreign policy is 'as much a policy for dealing with a traumatic past, as it is a policy for dealing with a spatial outside.' 1:13 The topological fold that inscribes this particular exercise of imperial sovereignty instantiates the conjoined double movement of deploying foreign policy in order to deal with the internal trauma of the past and the trauma of an alien exteriority. The unresolved trauma of the US state's Native American past is sutured to its contemporary trauma of alien exteriority in the conduct of the war on terror/ al-Qaeda. The topological manifestation of this sovereign double trauma is graphically emblematized by the double execution of Geronimo/bin Laden that, in one killer instant, synchronizes the trauma of past and ongoing domestic Indian wars and the extra-national war on terror/al-Qaeda. The contemporized double killing of Geronimo as revenant attests to the failure of the US state to deal with a past trauma that, in fact, cannot be relegated to the past because it continues to inform the present. As an emblem of Native American resistance and of a history of colonial violence that has not been nationally acknowledged or overcome, Geronimo is the figure of internal alterity and unresolved trauma that, as spectre, cannot be 'killed': that is, he cannot be dialecticized and sublated through the murderous operations of imperial state violence. At the close of 2011, the Obama administration signed into law the National Defense Authorization Act that, among other things, effectively codifies indefinite military detention without trial, ensures that Guantanamo will remain open indefinitely, expands and integrates the drone program into the system of US national airspace, and that, in the words of Senator Lindsey Graham, 'basically say[s] in law for the first time that the homeland is part of the battlefield' of the ongoing war on terror, as it enables the imprisonment without charge or trial of US citizens. 134 For Native Americans, the homeland has been part of the battlefield for hundreds of years, and the wars of terror that have ensued have been enabled by nothing less than the arsenal of white law and the violence of its 'contractual justification.' The fiction of the inaugural status of this momentous 'first time,' as identified by the said senator, can only be maintained by continuing to bury in the depths of prehistory all the other battles, past and present, that have harrowed the homelands of Native Americans.

#### This genocidal assaults on indigenous populations set the foundation for serial policy failure in imperialist campaigns abroad—risks extinction

Street 4 [Paul, writes on imperialism, racism, and thought control for ZNet, “Those Who Deny the Crimes of the Past,” 11 March 2004, <http://www.zcommunications.org/those-who-deny-the-crimes-of-the-past-by-paul-street>] // myost

It is especially important to appreciate the significance of the vicious, often explicitly genocidal "homeland" assaults on native-Americans, which set foundational racist and national-narcissist patterns for subsequent U.S. global butchery, disproportionately directed at non-European people of color. The deletion of the real story of the so-called "battle of Washita" from the official Seventh Cavalry history given to the perpetrators of the No Gun Ri massacre is revealing. Denial about Washita and Sand Creek (and so on) encouraged US savagery at Wounded Knee, the denial of which encouraged US savagery in the Philippines, the denial of which encouraged US savagery in Korea, the denial of which encouraged US savagery in Vietnam, the denial of which (and all before) has recently encouraged US savagery in Afghanistan and Iraq. It's a vicious circle of recurrent violence, well known to mental health practitioners who deal with countless victims of domestic violence living in the dark shadows of the imperial homeland's crippling, stunted, and indeed itself occupied social and political order. Power-mad US forces deploying the latest genocidal war tools, some suggestively named after native tribes that white North American "pioneers" tried to wipe off the face of the earth (ie, "Apache," "Blackhawk," and "Comanche" helicopters) are walking in bloody footsteps that trace back across centuries, oceans, forests and plains to the leveled villages, shattered corpses, and stolen resources of those who Roosevelt acknowledged as America's "original inhabitants." Racist imperial carnage and its denial, like charity, begin at home. Those who deny the crimes of the past are likely to repeat their offenses in the future as long as they retain the means and motive to do so. It is folly, however, for any nation to think that it can stand above the judgments of history, uniquely free of terrible consequences for what Ward Churchill calls "imperial arrogance and criminality." Every new U.S. murder of innocents abroad breeds untold numbers of anti-imperial resistance fighters, ready to die and eager to use the latest available technologies and techniques to kill representatives - even just ordinary citizens - of what they see as an American Predator state. This along with much else will help precipitate an inevitable return of US power to the grounds of earth and history. As it accelerates, the U.S. will face a fateful choice, full of potentially grave or liberating consequences for the fate of humanity and the earth. It will accept its fall with relief and gratitude, asking for forgiveness, and making true reparation at home and abroad, consistent with an honest appraisal of what Churchill, himself of native-American (Keetoowah Cherokee) ancestry, calls "the realities of [its] national history and the responsibilities that history has bequeathed": goodbye American Exceptionalism and Woodrow Wilson's guns. Or Americans and the world will face the likely alternative of permanent imperial war and the construction of an ever-more imposing U.S. fortress state, perpetuated by Orwellian denial and savage intentional historical ignorance. This savage barbarism of dialectically inseparable empire and inequality will be defended in the last wagon-train instance by missiles and bombs loaded with radioactive materials wrenched from lands once freely roamed by an immeasurably more civilized people than those who came to destroy.

#### As privileged white men from Oklahoma, Austin and I feel a unique responsibility to align ourselves with decolonial politics. We are confronted on a daily basis with the legacy of violence in our home state, as we traverse stolen land littered with monuments to genocide. Each day, as I walk around the UCO campus for school, I gaze upon a mural glorifying the Land Run of 1889 which settled Indian Territory and made possible the state we inhabit. Our Native friends are denied the opportunities to speak afforded to us, as we are privileged by colonization. Oklahoma is the land of forced relocation, where the useless red clay dirt was only suitable for the lowest forms of life—until people who look like us decided that they wanted that land, too.

#### Given our positionality, Austin and I believe that the most constructive deployment of our privilege on this year’s debate topic is to affirm a decolonial pedagogy which situates land return as our first political priority.

Malott 8 [Curry, faculty member in Professional and Secondary Education at West Chester University, *A Call to Action: An Introduction to Education, Philosophy, and Native North America*, p. 88-91] // myost

While the similarities between a Marxist and an Indigenous dialectical (relational) study of human affairs are not hard to discern, there is one area of contestation less easily resolved, which brings us back to the central focus of this chapter: land, which also tends to be presented dualistically by Native scholars and activists. For example, Winona LaDuke (1992) describes industrial society, the result of primitive accumulation, as synthetic because it has been disconnected from the natural organic connection between people and the land where the settler-community represents the violent imposition of the inorganic. At the end of Chapter Ten, I put it like this: can the subordinate classes of the settler-community conceive of a way to liberate themselves from the grip of their own ruling class (the same ruling class that has exploited the labor power of the settler community in not only putting them to work in production, but as slaughterers and wealth extractors of everyone from American Indians to Iraqis) without continuing to deny Native Americans their Native American ancestral lands? Or, will a liberated settler-community working class continue to occupy 99% of Native land? Because North America's working class seems far from liberating itself from its ruling class, the cause of which has been associated with many interconnected factors including whiteness (see McLaren & Farahmandpur, 2005), such a consideration is a moot point. What is not a moot point, however, is how to work together. Winona LaDuke (1992) has addressed this issue situating the solution within a process of collective relearning and collaboration: I would argue that Americans of "foreign" descent must become Americans. That is not to become a patriot of the United States, a patriot of the flag, but a patriot to the land of this continent ... You were born here, you will not likely go away, or live anywhere else, and there are simply no more frontiers to follow. We must all relearn a way of thinking, a state of mind that is from this common ground ... If we are in this together, we must rebuild, redevelop, and reclaim an understanding/analysis which is uniquely ours. (p. 1) What this has, does, and could look like in practice is explored in detail here and in Chapter Four. Ultimately, LaDuke is challenging all of us to rethink the philosophies that inform the way we read the world and subsequently the choices we make in the world, which, for educators, translates into curriculum and pedagogy (what we teach and the way we teach it). For Churchill (2002), LaDuke's "common ground" is a unified (settlers and Natives) movement against the colonialist governments of the United States and Canada in support of Native land reclamation as dictated by international law. Churchill (2002) notes that fully one third of the United States is unceded Native land and thus proposes a land base that would not disrupt the financial heart of the U.S. that could be the new Native North America. The new Native America would of course be governed under Native law, which Churchill (2002) argues is, in its pre-Columbian state, inherently environmentalist, antiracist, anticapitalist/economic inequality, anti-homophobic and anti-sexist, in short, democratic, and would therefore probably be appealing to many people from the settler-community, who, contrary to popular opinion, would not be expected to give up their homes or small businesses if located on Native land. Aware of the erosive effect the colonizers' system of indoctrination has had on these egalitarian Native values, Churchill (2002) notes that "the extent to which these realities do not now pertain in native societies is exactly the extent to which Indians have been subordinated to the mores of the invading, dominating culture" (p. 379). Because the process of colonization has perverted traditional ways contributing to deep philosophical divisions among Native communities, where none were before, suggesting that land reclamation would result in an automatic return to traditional ways is, at best, romantic and naïve. However, this is not to suggest current arrangements are satisfactory. The fact that Native peoples, as a whole, based on every social indicator of oppression, such as poverty, are by far the most oppressed group in North America warrants serious attention and major changes, as does the suffering of many other groups in North America (and throughout the world, the focus of Chapter Four) such as African Americans, or Africans in America as Europeans are in America but not of America, as only those indigenous to the land can be. As this seems to be a simple "fact," deciphering who is European, who is African and who is "Indian" is not so clear-cut after five hundred years of intermingling. With these complexities in mind, as alluded to above by LaDuke, what is needed in this day and age are workable pedagogies of unity and accompanying philosophies of praxis. While land reclamation is undoubtedly part of the solution, alone, it is not enough. A radical social education is also needed for everyone, Native and non-Native alike. Such an education, outlined in Chapter Four, following critical pedagogy and Native American-conceived and -controlled tribal education systems, should be designed to facilitate the development of critical multicultural citizens, able to not only read the word, but their world as well, and therefore endowed with a land-centered revolutionary consciousness complete with the sense of empowerment needed to put it into action, that is, the restoration of dignity, justice, self-determination, and humanization generally in North America, both philosophically and geographically, and the possibility of a utopian future. Providing a more concrete place of departure for considering what the settler-Left's role might look in this process, through summarizing what he understands is the general sentiment of Native Nations engaged in land reclamation regarding non-native progressives and radicals, Churchill (2002) notes: ...When Indigenist movements like AIM advance slogans like "U.S. Out of North American," non-Indian radicals should not react defensively. They should cheer. They should see what they might do to help. When they respond defensively to sentiments like those expressed by AIM, what they are ultimately defending is the very government, the very order they claim to oppose so resolutely. And if they manifest this contradiction often enough, consistently enough, pathologically enough, then we have no alternative but to take them on their word: that they really are at some deep level or another aligned, all protestations to the contrary notwithstanding, with the mentality that endorses our permanent dispossession and disenfranchisement, our continuing oppression, our ultimate genocidal obliteration as self-defining and self-determining peoples. In other words, they make themselves part of the problem rather than becoming part of the solution. (p. 383) As Churchill alludes, the heart of the antagonistic relationship between settlers and communities Native to North America is control of ancestral lands. The significance of these land issues lies within the fact that settler/colonizer populations have overwhelmingly pursued an agenda of replacing the Native philosophies with foreign conceptions of land. While aware of the complexities that emerge when entire civilizations are brought together under dubious circumstances, addressed in the second half of this chapter, we continue by considering the two poles of perception (immigrant and Native) when considering land in post-Columbian North America and the historical development of the two in context.

#### Specifically, this space is an opportunity to deploy Red Pedagogy, a praxis which forefronts Native intellectualism and allows us to create a decolonized space. The role of your ballot is to vote for the team which best activates indigenous political agency.

Grande 8 [Sandy, Associate Professor of Education at Connecticut College, “Red Pedagogy: The Un-Methodology,” *Handbook of Critical and Indigenous Methodologies*, eds. Norman K. Denzin, Yvonna S. Lincoln, and Linda Tuhiwai Smith, p 249-250] // myost

From the standpoint of Red pedagogy, the primary lesson in all of this is pedagogical. In other words, as we are poised to raise yet another generation in a nation at war and at risk, we must consider how emerging conceptions of citizenship, sovereignty, and democracy will affect the (re)formation of our national identity, particularly among young people in schools. As Mitchell (2001) notes, "The production of democracy, the practice of education, and the constitution of the nation-state" have always been interminably bound together. The imperative before us as citizens is to engage a process of unthinking our colonial roots and rethinking democracy. For teachers and students, this means that we must be willing to act as agents of transgression, posing critical questions and engaging dangerous discourse. Such is the basis of Red pedagogy. In particular, Red pedagogy offers the following seven precepts as a way of thinking our way around and through the challenges facing American education in the 21st century and our mutual need to define decolonizing pedagogies: 1. Red pedagogy is primarily a pedagogical project. In this context, pedagogy is understood as being inherently political, cultural, spiritual, and intellectual. 2. Red pedagogy is fundamentally rooted in indigenous knowledge and praxis. It is particularly interested in knowledge that furthers understanding and analysis of the forces of colonization. 3. Red pedagogy is informed by critical theories of education. A Red pedagogy searches for ways it can both deepen and be deepened by engagement with critical and revolutionary theories and praxis. 4. Red pedagogy promotes an education for decolonization. Within Red pedagogy, the root metaphors of decolonization are articulated as equity, emancipation, sovereignty, and balance. In this sense, an education for decolonization makes no claim to political neutrality but rather engages a method of analysis and social inquiry that troubles the capitalist-imperialist aims of unfettered competition, accumulation, and exploitation. 5. Red pedagogy is a project that interrogates both democracy and indigenous sovereignty. In this context, sovereignty is broadly defined as "a people's right to rebuild its demand to exist and present its gifts to the world ... an adamant refusal to dissociate culture, identity, and power from the land" (Lyons, 2000). 6. Red pedagogy actively cultivates praxis of collective agency. That is, Red pedagogy aims to build transcultural and transnational solidarities among indigenous peoples and others committed to reimagining a sovereign space free of imperialist, colonialist, and capitalist exploitation. 7. Red pedagogy is grounded in hope. This is, however, not the future-centered hope of the Western imagination but rather a hope that lives in contingency with the past—one that trusts the beliefs and understandings of our ancestors, the power of traditional knowledge, and the possibilities of new understandings. In the end, a Red pedagogy is about engaging the development of "community-based power" in the interest of "a responsible political, economic, and spiritual society." That is, the power to live out "active presences and survivances rather than an illusionary democracy." Vizenor's (1993) notion of survivance signifies a state of being beyond "survival, endurance, or a mere response to colonization" and of moving toward "an active presence ... and active repudiation of dominance, tragedy and victimry?" In these post-Katrina times, I find the notion of survivance—particularly as it relates to colonized peoples—to be poignant and powerful. It speaks to our collective need to decolonize, to push back against empire, and to reclaim what it means to be a people of sovereign mind and body. The peoples of the Ninth Ward in New Orleans serve as a reminder to all of us that just as the specter of colonialism continues to haunt the collective soul of America, so too does the more hopeful spirit of indigeneity.

#### Forgetting was never an option for us—the Indian Wars continue even today in daily acts of violence that don’t even register as wars due to settler control of institutions

Pugliese 13 (Joseph [Associate professor of cultural studies @ Macquarie University]; State Violence and the Execution of Law Biopolitical Caesurae of Torture, Black Sites, Drones; p. 46-55; kdf)

The articulation of a series of carceral and genocidal caesurae predicated on biopolitically separating out the human/culture from the animal/vestibule must be tracked back to those foundational moments of colonial violence that continue to shape and inform the US nation. Spillers' concept of the vestibule works to articulate a defining feature of colonial violence; specifically, a seriality of power that survives by being flexible and adaptive to different geopolitical sites and bodies. Moreover, this colonial violence must be seen, in the context of the US's ongoing war on terror, as operating at once intra- and internationally; the two categories conjoined through the concept of 'relational geographies.' 'Relational geographies' is a term coined by Trevor Paglen in his detailed identification and mapping of 'black sites,' that is, secret government and military sites that are beyond public scrutiny and accountability. 56 One of the black sites that Paglen discusses is Nellis Range, Nevada, occupying Western Shoshone land. Created in 1940, Nellis Range has been described as 'the single largest gunnery range in the world' and 'the single largest "peacetime militarized zone on earth." '57 The Western Shoshone peoples, the traditional owners of this land, call the Western Shoshone nation 'the most bombed nation on earth.' In his analysis of Nellis Range, which houses one of the ground control centres for the international operation of drones, Paglen insistently draws attention to the past history of white colonial invasion and violent displacement of the Native Americans of the region and the contemporary relations of violence exercised by the US state in their ongoing persecution of Indigenous Americans attempting to claim back lands sequestered by the US government in their establishment of black sites and areas for nuclear weapons testing. He describes being welcomed into a trailer in Crescent Valley, Nevada, that was home to the Western Shoshone Defense Project, and from this remote location, an elderly Native American woman named Carrie Dann and her staff of two full-timers and two part-timers take on the military, the Bureau of Land Management, mining and defense contractors, and the US government itself. Dann says that the United States has been illegally occupying Western Shoshone land for 150 years and that she has the paperwork to prove it. Paglen documents the repeated violent raids that Dann and her people are compelled to endure. The US state has repeatedly attempted to charge Dann and her people with trespassing on government land. This a charge that Dann derisively rejects, arguing that she cannot be accused of trespassing 'land she saw as rightly belonging to her people' precisely because 'the Shoshone NEVER gave, ceded, or sold their land to the United States government, by treaty or otherwise.' In the face of this defiance, the US government has attempted to crush Western Shoshone resistance by deploying the full arsenal of state terror, including federal agents, helicopters, a plane and a fleet of All-Terrain Vehicles: ' "I could not help but think of how this is how our ancestors felt when they saw the cavalry coming. So many of my people were killed on this land and now it's happening again." The Feels rounded up Dann's cattle and loaded them into trucks to be sold at auction. The ranch was devastated.'62 Paglen connects this national exercise of contemporary colonialism and state-violence to the larger, transnational picture he has been delineating in order to underscore the system of continuities that hold between the two: 'For the collection of [Native American] activists sitting in an unmarked trailer in the recesses of Nevada's vast valleys, the black world is much more than an array of sites connected through black aircraft, encrypted communications, and classified careers. It is the power to create geographies, to create places where anything can happen, and to do it with impunity.'63 The enormity of this power to create geographies while simultaneously obliterating others is perhaps best exemplified by the Pentagon's ambitious proposal to create a virtual 'drone state' that will further expropriate large tracts of Native American land, creating 'the largest Joint Forces Future Combat Systems training site in the world':61 'Under this plan, 7 million acres (or 11,000 square miles) of land in the southwest corner of Colorado, and 60 million acres of air space (or 94,000 square miles) over Colorado and New Mexico would be given over to special forces testing and training in the use of remote-controlled flying machines. '65 Paglen's concept of 'relational geographies' can be productively amplified by conjoining it with the concept of 'relational temporalities,' that is, diachronic relations that establish critical connections across historical time and diverse geographies. Relational temporalities draw lines of connection between seemingly disparate temporal events: for example, the US state's genocidal history against Native Americans and the killing of civilians in places such as Iraq, Afghanistan or Pakistan. In her tracking of the violent history of attempted genocide against Native Americans, Andrea Smith writes: 'the US is built on a foundation of genocide, slavery, and racism. '66 Situated in this context, what becomes apparent in the scripting of the 9/11 attacks as the worst acts of terrorism perpetrated on US soil is the effective erasure of this foundational history of state-sponsored terrorism against Native Americans. This historicidal act of whitewashing effectively clears the ground for contemporary acts of violence against the United States to be chronologically positioned as the 'first' or hierarchically ranked as the 'worst' in the nation's history. The colonial nation-state deploys, in the process, a type of Nietzschean 'active forgetting' that ensures the obliteration of prior histories of massacre and terror such as the catastrophic Trail of Tears that resulted from the Indian Removal Act of 1830. This Act enabled the forced removal of a number of Native American nations and their relocation to Oklahoma; in the process, at least four thousand Native Americans died. The Trail of Tears has been described as 'the largest instance of ethnic cleansing in American history.'67 This example of state terror is what must be occluded in order to preserve the 'innocence' of the nation so that it can subsequently claim, post 9/11, to have lost the very thing it had betrayed long ago. Jimmie Durham remarks on the repetition of this national ruse: 'The US, because of its actual guilt ... has had a nostalgia for itself since its beginnings. Even now one may read editorials almost daily about America's "loss of innocence" at some point or other, and about some time in the past when America was truly good. That self-righteousness and insistence upon innocence began, as the US began, with invasion and murder Such acts of white historicide are constituted by a double logic of taken-for-grantedness and obsessive repetition. Steve Martinot and Jared Sexton, in their forensic analysis of the operations of white supremacy, articulate the seemingly contradictory dimensions of this double logic: It is the same passive apparatus of whiteness that in its mainstream guise actively forgets that it owes its existence to the killing and terrorising of those it racialises for that purpose, expelling them from the human fold in the same gesture of forgetting. It is the passivity of bad faith that tacitly accepts as 'what goes without saying' the postulates of white supremacy. And it must do so passionately since 'what goes without saying' is empty and can be held as a 'truth' only through an obsessiveness. The truth is that the truth is on the surface, flat and repetitive, just as the law is made by the uniform.1"l The it 'goes without saying' is the moment in which the very ideology of white supremacy is so naturalized as to become invisible: it is the given order of the world. Yet, in order to maintain this position of supremacy, a logic of tireless iteration must be deployed in order to secure the very everyday banality, and thus transparency, of white supremacy's daily acts of violence. For those in a position to exercise these daily rounds of state violence, their performative acts are banal because of their very quotidian repetition; yet, because their racialized targets continue to exercise, in turn, acts of resistance and outright contestation, these daily acts of state violence must be obsessively reiterated. Underpinning such acts of white supremacist violence and historicidal erasures is the official - government, media and academic - positioning of Native Americans as a 'permanent "present absence" 'that, in Smith's words, 'reinforces at every turn the conviction that Native peoples are indeed vanishing and that the conquest of Native lands is justified.'70 Precisely what gets erased in the process are the contemporary Indian wars that are being fought across the body of the US nation. These are wars that fail to register as 'wars' because the triumphant non-indigenous polity controls the ensemble of institutions - legal, military, media and so on - that fundamentally determines what will count as a 'war' in the context of the nation. In her work, Smith establishes critical points of connection between the war on terror being waged in Afghanistan or Pakistan and the issue of Indigenous sovereignty within the context of the US nation: 'it is important to understand that the war against "terror" is really an attack against Native sovereignty, and that consolidating US empire abroad is predicated on consolidating US empire within US borders. For example, the Bush administration continues to use the war on terror as an excuse to support anti-immigration policies and the militarization of the US/Mexico border. The exercise of the war on terror becomes, in other words, another way of entrenching and legitimating the usurpation of Native American sovereignty in the name of the colonial nation-state. The militarization of the US's borders has seen the Department of Homeland Security oversee the domestic transposition of military technologies such as drones- that have been used to fight the war on terror in Afghanistan, Pakistan, Yemen and the Horn of Africa- to the borders of both Mexico and Canada. Ted Poe, Congressman, 2nd District of Texas, has introduced legislation that 'mandates the Secretary of Defense transfer 10% of eligible returning equipment from Iraq to state and local law enforcement agencies for border security purposes. Operative here is what Roberto Lovato has termed 'ICE's [Immigration and Customs Enforcement] AI Qaeda-ization of immigrants and immigration policy: building a domestic security apparatus, one made possible by multi-billion contracts to military-industrial companies like Boeing, General Electric, and Halliburton. The massive scale of this militarization of US borders becomes evident in the context of a recent US government report on border security that states that 'The Department of Homeland security (DHS) has the largest enforcement air force in the world ... As of September 2011, OAM [Office of Air and Marine] had approximately 267 aircraft, 301 marine vessels, and 1,843 personnel in 70 locations primarily on the southwest, northern and southeast borders.'74 The deployment of such militarized border technologies creates a virtual fence that effectively amplifies the securitizing effects of the concrete and steel fence that is already in place in many sections of the US--Mexico border. Understood in Smith's terms, the militarization of the US border and the repulsion of attendant 'aliens' constitute a re-assertion of colonial sovereignty.

#### The call for a literal interpretation of the resolution is guided by rhetorical imperialism which aims at elimination of Native culture

Lyons 0 (Scott Richard, “Rhetorical Sovereignty: What Do American Indians Want from Writing?”, College Composition and Communication, Vol. 51, No. 3 (Feb., 2000), pp. 447-468, Vance) \*Counting Coup to Plains Indians means to win honor through battle

That laughter, which is not in Standing Bear's book but remains my guess, my desire, would nonetheless be short-lived, as is known by anyone familiar with the boarding school story. As David Wallace Adams tells it in Education for Extinction, this tale "constitutes yet another deplorable episode in the long and tragic history of Indian-white relations"-specifically, the development of education designed to promote "the eradication of all traces of tribal identity and culture, replacing them with the commonplace knowledge and values of white civilization" (336, 335). This forced re-placement of one identity for another, a cultural violence enabled in part through acts of physical violence, was in so many ways located at the scene of writing. More horrific than most scenes of writing, however, the boarding school stands out as the ultimate symbol of white domination, even genocide, through assimilation in the American Indian experience. And although Standing Bear and others would recall multiple forms of Indian resistance, from torching schools to running away to counting coup on the Western text, the duplicitous interrelationships between writing, violence, and colonization developed during the nineteenth-century-not only in the boarding schools but at the signings of hundreds of treaties, most of which were dishonored by whites-would set into motion a persistent distrust of the written word in English, one that resonates in homes and schools and courts of law still today. If our respect for the Word remains resolute, our faith in the written word is compromised at best. What do Indians want from writing? Certainly something other than the names of white men sewn to our backs. And for its part, resistance to assimilation through the acts of writing should entail something more than counting coup on the text (or for that matter, torching the school). I suggest that our highest hopes for literacy at this point rest upon a vision we might name rhetorical sovereignty. Sovereignty, of course, has long been a contested term in Native discourse, and its shifting meanings over time attest to an ongoing struggle between Americans and the hundreds of Indian nations that occupy this land. Our claims to sovereignty entail much more than arguments for tax-exempt status or the right to build and operate casinos; they are nothing less than our attempt to survive and flourish as a people. Sovereignty is the guiding story in our pursuit of self-determination, the general strategy by which we aim to best recover our losses from the ravages of colonization: our lands, our languages, our cultures, our self-respect. For indigenous people everywhere, sovereignty is an ideal principle, the beacon by which we seek the paths to agency and power and community renewal. Attacks on sovereignty are attacks on what it enables us to pursue; the pursuit of sovereignty is an attempt to revive not our past, but our possibilities. Rhetorical sovereignty is the inherent right and ability of peoples to determine their own communicative needs and desires in this pursuit, to decide for themselves the goals, modes, styles, and languages of public discourse. Placing the scene of writing squarely back into the particular contingency of the Indian rhetorical situation, rhetorical sovereignty requires of writing teachers more than a renewed commitment to listening and learning; it also requires a radical rethinking of how and what we teach as the written word at all levels of schooling, from preschool to graduate curricula and beyond. In what follows, I hope to sketch out some preliminary notes toward the praxis that is rhetorical sovereignty. I begin with a discussion of the concept of sovereignty, followed by a dialogue between the fields of composition and rhetoric and Native American studies, concluding with some very general recommendations for expanding our canons and curricula. My argument is motivated in part by my sense of being haunted by that little boy's backward glance to those other Indian children: Is it right for me to take a white man's name? Sovereignty is (also) rhetorical Sovereignty, as I generally use and understand the term, denotes the right of a people to conduct its own affairs, in its own place, in its own way. The concept of sovereignty originated in feudal Europe, and as a term it arrived to the English language by way of France; sovereign signified a ruler accountable to no one save himself or God (Duchacek 47). Early modern European monarchs employed the language of sovereignty to secure their grip on state power in the face of a threatening nobility and papacy. A declaration of one's right to rule, a monarch's claim to sovereignty "stood as a ringing assertion of absolute political authority at home, one that could imply designs on territory abroad" (Fowler and Bunck 5). As modern nations and states underwent their various forms of development, the concept was consistently deployed to address not only domestic authority at home but a state's relative independence from and among other states; thus, sovereignty came to mean something systemic and relational. A sovereign's power was generally a force understood in relation to other sovereigns in the emerging international scene; hence, "a sovereign was to respect the sovereignty of its peers" (Fowler and Bunck 6). As political institutions continued to develop under modernity, the meanings of sovereignty changed with them, signifying such matters as the right to make and enforce laws, notions of political legitimacy and international recognition, and national self-determination. While the meanings of sovereignty have shifted and continue to shift over time, the concept has nonetheless carried with it a sense of locatable and recognizable power. In fact, the location of power has depended upon the crucial act of recognition-and vice versa. From the early moments of first contact on this continent, the construction of Indian and non-Indian senses of sovereignty was a contested and contradictory process. It was also a rhetorical one. Although there is no possible way to describe its many and complicated logics in necessary detail here, we can see that for at least two centuries following Columbus, "European states were compelled to recognize and engage Indian nations as political actors in their diplomatic activities" (Berman 128). They did this in large part through making treaties with Indian nations, a process that created a relationship between groups of an international rather than internal character":' even in sites of severe colonizing activity (Berman 129). This acknowledged sense of Indian national sovereignty was so strong among European states that it actually became a means of legitimizing European claims to new world resources; a territorial dispute between the English and the Dutch, say, might be settled by one side producing a treaty with the sovereign nation who actually owned the land (Berman 132). After the American revolution, the United States maintained the practice of treaty-making with Indian nations begun by European powers, and "from the beginning of its political existence, recognized a measure of autonomy in the Indian bands and tribes" (Prucha, Treaties 2). During the years 1778-1868, the U.S. signed and ratified some 367 treaties with Indian nations, all of which presumed a sense of sovereignty on the part of Indian groups. About two-thirds of those treaties were land deals, and as Prucha points out, "cession of Indian lands ... was an indication of Indian sovereignty over those lands, and the recognition by the United States of Indian ownership to the lands remaining strengthened the concept" (Treaties 4). You can't give up what you don't own, after all; nor can you buy what's already yours. However, the Americans would gradually assume a dominant stance in Indian-white relations, leading to an erosion of Native sovereignty that Prucha credits to over-whelming American military strength, growing Indian economic dependence on white goods, and treaty provisions that left stipulations to be carried out by Congress (Prucha, Treaties 6-7). After the American revolution, it wasn't long before the nation-to-nation stance Indians and their interlocutors had operated from was simultaneously attacked and affirmed in a couple of landmark U.S. Supreme Court cases concerning the Cherokee of Georgia facing removal in the early nineteenth century. In Cherokee Nation v. Georgia (1831), Chief Justice John Marshall's famous pronouncement of the Cherokees as a "domestic dependent nation" constituted the United States' first major, unilateral reinterpretation of Indian sovereignty, one further tinkered with a year later by the same court in Worcester v. Georgia (1832). In the former opinion, Marshall deemed the Cherokees limited in their claim to sovereignty, seeing them as a nation not-quite-foreign, but suggested nonetheless that the Cherokees still formed "a dis-tinct political society, separated by others, capable of managing its own affairs and governing itself" (Prucha, Documents 58). This somewhat glaring contradiction was explained in the latter decision, where Marshall opined that "Indian nations had always been considered as distinct, independent political communities, retaining their original natural rights, as the undisputed possessors of the soil, from time immemorial, with the single exception imposed by irresistible power" (Prucha, Documents 60; emphasis mine). In other words, while recognizing Indian sovereignty in terms we can fairly describe as eternal and absolute, the Supreme Court's decisions on the Cherokee cases ultimately caved in to what would become a persistent, uniquely American, and wholly imperialist notion of recognition-from-above. The United States could limit Cherokee sovereignty simply because it could, and it could because it is the United States. American exceptionalism won the day, thanks to its "irresistible power," and while U.S. plenary power wouldn't become fully articulated in a legal sense until United States v. Kagama in 1886, it found its rhetorical groundwork laid solidly in the Chero-kee cases of the 1830s. In a sense, these cases exemplify what we might call rhetorical imperialism: the ability of dominant powers to assert control of others by setting the terms of debate. These terms are often definitional-that is, they identify the parties discussed by de-scribing them in certain ways. Take, for example, Marshall's rather self-reflective analysis of the language of sovereignty in his Worcester v. Georgia opinion: ... 'treaty' and' nation' are words of our own language, selected in our diplomatic and legislative proceedings having each a definite and well-understood meaning. We have applied them to Indians, as we have applied them to the other nations of the earth. They are applied to all in the same sense. (Prucha, Documents 60) In short, Indians are defined here as fellow nations requiring treaties. Yet in Cherokee Nation v. Georgia, Marshall wrote that "the term foreign nation" wasn't quite applicable to Indian nations, suggesting instead that the Cherokee Nation's "relation to the United States resembles that of a ward to his guardian." This was because Indians-"savages" newly arrived on "civilization's" fresh path-were "in a state of pupilage" (Prucha, Documents 59). More than an agonistic legal contest over sovereign rights, the language of this decision shows Indian people being completely redefined by their interlocutors: a ward or pupil-that is, a child-is quite a different animal than a fellow nation in the community of sovereigns. As the exercise of rhetorical imperialism, Marshall's metaphors effectively paved the way for the United States to assume a position of political paternalism over Indian nations that has thrived up to this very day-chalk one up for the "Great White Father." The lesson here seems obvious: namely, he who sets the terms sets the limits. And likewise the rewriting of Indian sovereignty would continue over time. As Prucha points out, the word "tribe" increasingly came to replace" nation" in treaties, substituting one highly ideological European word for another, and with the Abolition of Treaty-Making Act of 1871, a powerful little rider tacked on to an Indian appropriations bill that formally ended the practice of treaty-making," treaties" henceforth came to be called "agreements" by the authoring Americans (Prucha, Treaties4 , 211-13). From "sovereign" to "ward" from "nation" to "tribe” and from "treaty" to "agreement," the erosion of Indian national sovereignty can be credited in part to a rhetorically imperialist use of writing by white powers, and from that point on, much of the discourse on tribal sovereignty has nit-picked, albeit powerfully, around terms and definitions.

#### The normative adoption of governing institutions has already failed the Lakota and subjugated ethics to the legal system. Instead of empty legal tactics, we encourage an ethical education.

Deloria 93 ([Philip Deloria, Yale University](http://digitalcommons.unl.edu/do/search/?q=author_lname%3A%22Deloria%22%20author_fname%3A%22Philip%22&start=0&context=52045), “[Review of Black Hills/White Justice: The Sioux Nation Versus the United States, 1775 to the Present by Edward Lazarus](http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1101&context=greatplainsresearch)”, Great Plains Research 3:1 (February 1993), pp. 127-128, Vance)

For observers following the Sioux Nation's legal and legislative struggles over Black Hills land claims, historical contextualization has been stunningly incomplete. The reader can find numerous detailed accounts of nineteenth century military conflict, the Treaties of 1851 and 1868, and the Agreement of 1877. The political rhetoric that followed the 1980 Supreme Court decision Ending America's longest running legal battle makes up an equally voluminous body of material. Between the two points lies a poorly illuminated century of legal maneuvering and Sioux activism and cultural change. Informed by a legal education and the insights of social history, Edward Lazarus has sifted through the briefs and opinions to cast a bright light on the judicial maneuvers that unfolded during the dim decades of the mid-twentieth century. But the book offers more than a straightforward legal history. As its title implies, Black Hills/White Justice contains a series of twinned narratives in which different worlds collide in both misunderstanding and symbiotic interaction. The intertwined stories of native people and non-Indians, "traditionals" and "progressives," personable bumblers and cold legal craftsmen weave a compelling and disturbing fabric around larger distinctions between moral justice and rational law and, in the end, between Lakota and American societies. One of the central narratives, for example, outlines the differences between the author's father (Arthur Lazarus, Jr., the attorney who salvaged the Black Hills case and guided it to a successful conclusion) and the original attorney, Ralph Case, who for almost forty years had been pursuing a moral and historical argument that consistently failed in court. Case's continued rapport with the Sioux people derived, in part, from the cultural congruence between his "representation" (the word has a wonderful double meaning here) of the Lakota and their own understanding of the lawsuit as a moral and historical issue. Black Hills/White Justice makes it clear why law has perhaps been less disturbed than history by postmodern "chicken or egg" questions about the relative primacy of "reality" and "representation." Legal precedents narrow an attorney's choices, force the adoption of pragmatic strategy over moral argument, and emphasize technique, mechanics, and "representation" at the expense of more abstract, but equally "real" ideas of truth and justice. The differences between the Sioux desire for "justice" and the legalities finally required to achieve a "settlement" define the book's balanced narratives: Case/Lazarus, Justice/Law, Lakota/America. It is therefore disappointing that Lazarus concludes by rejecting Sioux land restoration advocates as naive absolutists with no comprehension of American politics. This characterization may or may not be true, but with his dismissal, Lazarus aligns himself firmly with the pragmatic and the politic, abandoning the equilibrium maintained throughout the book and contributing to the cultural distinctions it has revealed.