## Off Case

### 1NC – T

#### Our interpretation is that the affirmative must demonstrate the desirability of the resolution either in totality or in a particular instance to meet the necessary win condition of being topical.

#### United States federal government means the three branches of government

USA.gov 13 "USA.gov is the U.S. government's official web portal" http://www.usa.gov/Agencies/federal.shtml

U.S. Federal Government … power and functions.

#### Increase means to make greater.

Merriam-Webster ND

“increase,” Merriam-Webster Dictionary, https://www.merriam-webster.com/dictionary/increase

#### Interpretation: The core antitrust laws are only sections 1 and 2 of the Sherman Act and section 7 of the Clayton Act.

The Antitrust Division 07 – Law enforcement agency that enforces the U.S. antitrust laws

“Antitrust Division Statement … to protect competition.

#### “business practices” are a repeated pattern of conduct

Lucas 88 – Judge, California Supreme Court

Malcolm Millar Lucas, Cal. ex rel. Van De Kamp v. Texaco, 46 Cal. 3d 1147, Supreme Court of California, October 1988, LexisNexis

\*\* Italics in original.

The statute defines "… of conduct" (ibid.).

#### Prohibit means Affirmative teams must completely ban a type of anticompetitive business practices – they don’t

Feldman 86 – Member of Procopio's Native American Law practice

Glenn M. Feldman, On Appeal from the United States Court of Appeals for the Ninth Circuit, California v. Cabazon Band of Mission Indians, 1986 U.S. S. Ct. Briefs LEXIS 1221, Supreme Court of the United States, 1986, LexisNexis

In arguing that …and not prohibitory.

#### We have three impacts

#### Fairness – The resolution is the only predictable stasis point to determine both affirmative and negative ground, severing the affirmative requirement to defend it denigrates the distribution of burdens that structure the way debate function, making impossible this activity we all seem to enjoy in the first place.

#### Research – forcing teams to defend and negate the resolution creates incentives for in depth research into the scope and content of antitrust. This both makes debaters more reflexive about their assumptions, allows them to better understand a topic that’s core to how our economy functions, and gives debaters valuable skills in understanding and grasping complex topics

#### That outweighs --- we’re cognitively biased to cling to preexisting beliefs, which breeds epistemic arrogance that culminates in Trumpism --- only submitting beliefs for reexamination by others and taking a risk of being wrong cultivates scrutiny.

Resnick 19

Brian Resnick, Science Writer for Vox, “Intellectual humility: the importance of knowing you might be wrong,” Vox. January 4, 2019. <https://www.vox.com/science-and-health/2019/1/4/17989224/intellectual-humility-explained-psychology-replication>

\*\*\*Modified with a strikethrough – Raffi

It’s been fascinating … what we believe.

### 1NC – Dispossession K

#### Settler colonialism is structured by the dispossession of land due to capitalist profit incentives – their focus on the epistemic underpinnings of conquest and settlement deny the material conditions underpinning indigenous genocide

Camfield 19 – Professor of labor studies and sociology at the University of Manitoba. He has a PhD in Social and Political Thought from York University.

David Camfield, “Settler Colonialism and Labour Studies in Canada: A Preliminary Exploration,” *Labour/Le Travail*, vol. 83, Spring 2019, pp. 152-154

In light of these …society, and restitution.”30

#### Theorizing settler colonialism through the relationship between land and the political economy is key – their theory of conquest as an ongoing process of genocide rather than a historically situated relationship of land dispossession fractures indigenous resistance

Ioris 20 – Reader in human geography at the School of Geography and Planning at Cardiff University.

Antonio Ioris, “Indigeneity and Political Economy: Class and Ethnicity of the Guarani-Kaiowa,” *Capital and Class*, 21 September 2020, pp. 3-8, https://journals.sagepub.com/doi/full/10.1177/0309816820959828

A Political Economy … the subject process.

#### The alternative is to affirm a scholarly praxis of decolonization – the alt explicitly aligns with indigenous demands to give back the land

Michael 19 – M.A. in Communication Studies from Baylor University.

Robert Joshua Michael, “Chapter Two,” *Articulating a Decolonial Materialist Rhetoric*, Master’s Thesis, May 2019, pp. 45-48, https://baylor-ir.tdl.org/bitstream/handle/2104/10708/MICHAEL-THESIS-2019.pdf?sequence=1

Central to the … for further analysis.

## Case

### 1NC – Refusal Fails

#### The aff is not radical. Refusal does not produce the material changes that ameliorate social problems.

Rosiek, 20 – professor of Education Studies at the University of Oregon

Jerry Lee, “Unrepresentable Justice: Looking for a Postqualitative Theory of Social Change.” *Qualitative Inquiry*, 1–6. https://doi.org/10.1177/1077800420922263

Abstract

I believe posthumanist … to definitively represent.

### 1NC – Antitrust Good

#### Antitrust focus is good – economics is interrelated with racialized violence, which makes antitrust a key lens to address it

Greer and Rice 21 – Jeremie Greer and Solana Rice are Co-founders and Co-executives of Liberation in a Generation, a national movement-support organization working to build the power of people of color to transform the economy.

Jeremie Greer and Solana Rice, “Anti-Monopoly Activism: Reclaiming Power Through Racial Justice,” *Liberation in a Generation*, March 2021, pp. 3-14, https://www.liberationinageneration.org/wp-content/uploads/2021/03/Anti-Monopoly-Activism\_032021.pdf.

In spite of … and car title lenders.

### 1NC – Pessimism Bad

#### Their structural reading relies on pessimistic “traps” – those are diametrically opposed to Indigenous agency and efforts to reassert nationhood both here and abroad

Lightfoot, PhD, Canada Research Chair of Global Indigenous Rights and Politics at the University of British Columbia, her research focuses on Indigenous global politics, especially Indigenous rights and their implementation in global, national and regional contexts, Dr. Lightfoot is Anishinaabe from the Lake Superior Band of Ojibwe, ‘20

Sheryl, “The Pessimism Traps of Indigenous Resurgence,” Chapter 10 in *Pessimism in International Relations*, Eds. Stevens, T., & Michelsen, N., Palgrave)

Despite all of …towards better futures.

### 1NC – Institutional Engagement Key

#### Alt forecloses best opportunity to transform Indigenous-state relations – state-based rights claims are transformational, but legal/policy engagement is key

Lightfoot 16 – Senior advisor to the president on Indigenous Affairs and Canada Research Chair in Global Indigenous Rights and Politics at the University of British Columbia. She is Anishinaabe, a citizen of the Lake Superior Band of Ojibwe, enrolled at the Keweenaw Bay Indian Community in Baraga, Michigan.

Sheryl Lightfoot, “8: The transformative potential of Indigenous rights,” *Global Indigenous Politics*, Routledge 2016, pp. 206-211, https://sci-hub.se/https://doi.org/10.4324/9781315670669.

Implementation of Indigenous … hopeful global future.

### 1NC – Structural Lens Bad

#### Viewing settler colonialism as a structure exceptionalizes it, reproducing colonial thought and ignoring contingent and complex historical formations

Vimalassery et al 16 – Assistant professor of history at Texas Tech. He teaches courses on the frontier, race, capitalism, slavery, indigenous peoples, migration, and imperialism.

Manu Vimalassery, Juliana Hu Pegues, and Alyosha Goldstein, “Introduction: On Colonial Unknowing,” *Theory & Event*, vol. 19, no. 4, 2016, https://muse.jhu.edu/article/633283#bio\_wrap.

Structures and Events…colonial sovereignty claims.

#### It's substantively wrong – shifts over time in the effects of colonization prove settlement is contingent

Rowse 14 – Professorial Fellow at the University of Western Sydney. He is the author of several books on Australian indigenous affairs.

Tim Rowse, “Indigenous Heterogeneity,” *Australian Historical Studies*, vol. 45, no. 3, 19 September 2014, pp. 297-310, https://sci-hub.se/https://www.tandfonline.com/doi/abs/10.1080/1031461X.2014.946523.

ONE OF THE …and projected futures.

### 1NC – Not a Monolith

#### Their arguments that the settler state has never and can never do anything good in this context is reductive and obscures the possibilities for effective resistance

Shit is complex, historically contingent, and not homogeneous

Ford 12 – Associate Professor in History at the University of New South Wales.

(Lisa, with Tim Rowse, *Between Indigenous and Settler Governance*, introduction. https://www.taylorfrancis.com/books/9780203085028)

In 2007, Australia, … and indigenous governance.