### 1

#### Background: The debate community avoids discussing Anti-Asian racism like the plague…

#### China has been a major part of each college resolution for the past three years, but people still can’t pronounce President Xi. Those are the same people who are the first to dock speaker points from Asian debaters for vocal inflections, tonal shifts, and accents that dance past white ears. Furthermore, every core neg argument the past four years outlined in topic papers have included iterations of Chinese deterrence that demonstrate a consistent and desired effort to make Sinophobia a stable and predictable research item

#### First question: Who/What killed Vincent Chin?

Warikoo 17 (Niraj Warikoo, Reporter for the Detroit Free Press, “Vincent Chin murder 35 years later: History repeating itself?,” June 23, 2017, <https://www.freep.com/story/news/2017/06/24/murder-vincent-chin-35-years-ago-remembered-asian-americans/420354001/>)

Thirty-five years ago this week, Gary Koivu visited a Detroit hospital to see his friend Vincent Chin, his head swathed in bandages after being slugged in Highland Park by a man with a baseball bat. "It was very upsetting," recalled Koivu, 61, of Harrison Township, who was 26 at the time of the incident. "I had been friends with him for 20 years. I asked the nurse, How is he doing? What are his chances? She said, he has no chance, she said his brain was dead." A couple of days later, Chin died, 35 years ago Thursday. The tragic death — and subsequent lenient punishment (probation and a $3,000 fine) — outraged Asian Americans in Detroit. They organized, forming new coalitions and the civil rights group American Citizens for Justice, sparking an Asian-American civil rights movement that continues today. On Saturday, a forum will be held at a Chinese-American center in Madison Heights to remember Vincent Chin with a documentary screening, panel discussion with Koivu and the director of Michigan's Civil Rights Dept. and a visit to Chin's grave site in Detroit. Of Chinese descent, Chin was an adopted son of immigrants from China in metro Detroit. The case of Vincent Chin reverberates today amid renewed concern about hate crimes and anti-immigrant sentiment, say Asian-American attorneys in metro Detroit. They point to the shooting death in Kansas in February of an Indian-American man, Srinivas Kuchibhotla, by a suspect who yelled, "Get out of my country" and asked if he was a legal immigrant before shooting him and another Indian American. Federal prosecutors have filed hate crime charges in the case. In Michigan, there was an upswing in hate crimes against minorities after the November election, according to state officials. And Michigan had the highest number of hate crimes post-election in the Midwest, according to the Southern Poverty Law Center. "History seems to be repeating itself," said James Shimoura, a Sylvan Lake attorney of Japanese descent who was active in organizing after the Chin case in the 1980s. "Some always try to find scapegoats for social and economic ills. The target changes, but same issue." The June 1982 incident started after an attacker yelled at Chin: "It's because of you little (expletives) that we're out of work!" and anti-Asian racial slurs denigrating Chinese and Japanese people. In 1982, metro Detroit was going through a recession with many autoworkers out of work as anti-Asian racism, in particular against Japan, began to rise. Auto executives, union leaders and politicians in Michigan made anti-Japanese remarks, creating a climate that made many Asian Americans uneasy. Anyone who looked Japanese in the early 1980s or any Asian American, we all felt like moving targets," said author Helen Zia, who was an unemployed autoworker of Chinese descent living in Detroit at the time of the Vincent Chin killing. "People who drove cars of Japanese models were shot at on the freeway. ... That's the climate I remember 35 years ago." Shimoura said "it was a powder keg" of racial animosity that exploded at a bar Chin was at in Highland Park with friends to celebrate before his upcoming wedding. After a scuffle inside the bar, Ronald Ebens, who worked in the auto industry, and his stepson, Michael Nitz, later chased down Chin, smashing his head with a bat.

#### Second Question: Who/What will they kill next?

Espiritu 93 (Yen Le, Espiritu, Distinguished Professor of Ethnic Studies at UC San Diego, “Asian American Panethnicity,” 1993, Temple University Press) \*inserted quotations marked by brackets

Factors Contributing to Anti-Asian Activities Social scientists continue to debate the etiology of intergroup conflicts. Most of the dialogue has been structured around a confrontation between class-based and race-based theorists. For class-based theorists, economic competition plays the central role in structuring social relations (Bonacich 1972; Cummings 1980). In contrast, race-based theorists insist that unfavorable attitudes toward a racial group cause intergroup conflicts (Allport 1958; Myrdal 1962). As III many cases of racial conflicts, factors that contribute to antiAsian activities include class as well as ideational elements. Economic Competition Resource competition theory posits that self-interest explains public animosity toward immigrants. Especially during economic downturns, the [“]native-born[“] blame immigrants for the nation's problems and regard them as unwanted competitors (Bonacich 1972; Light 1983: ch. 13). Historically, Asians in the United States have borne most of the blame for economic woes (Saxton 1971; Kitano 1980; K. Wong 1985). Recent anti-Asian activities coincided with the deteriorating economic conditions that began after 1975. In a context of high unemployment, climbing inflation, and skyrocketing interest rates, competition between Asians and non-Asians often escalated into intergroup conflicts (California, Governor's Task Force on Civil Rights 1982; Los Angeles County Commission on Human Relations 1984; U.S. Commission on Civil Rights 1986). A 1980 poll conducted in nine cities indicated that 47 percent of the respondents believed that "Indochinese refugees take jobs away from others in my area" I Starr and Roberts 1982). According to a 1989 Los Angeles Times poll, a quarter of the respondents believed that Asian Americans were gaining too much economic power; no other group was similarly described by more than 7 percent IRoderick 1989Q). The mushrooming of Asian businesses across the country has also evoked anti-Asian sentiment, often expressed in efforts to ban Asian-language business signs (Fong 1987; Siao 1989Q). The rapid influx of Asian immigrants to the United States since 1965 further exacerbated the tension between Asians and non-Asians IDesbarats 1985: 522-523). In particular, the growing presence of Korean businesses in black neighborhoods in Baltimore, Philadelphia, Washington, D.C., New York City, and Los Angeles has fueled black anger, at times leading to racial violence II. Kim 1981; Light and Bonacich 1988: ch. 12; Cheng and Espiritu 1989). In addition to actual or alleged domestic economic competition, Asian Americans are resented for the United States' international trade imbalances. A period of economic recession in the United States coincided with a rise of Pacific Rim economies, not only that of Japan but also those of Taiwan, South Korea, Hong Kong, and Singapore. Unable to keep pace with Asian competition, traditional industries such as steel and automobiles experienced severe downturns. American businesses and labor unions, as well as elected officials, blamed the ills of American industry on business competition with Asian countries ISmollar 1983; US. Commission on Civil Rights 1986: 36-37). A prime example is automobile manufacturing: many Americans attributed the unemployment among American automobile workers to the large Japanese share of automobiles sold in the United States IUS. Commission on Civil Rights 1986: 36). A 1982 national poll indicated that 44 percent of the public blamed US. economic problems "almost completely" or "very much'! on Japanese business competition 1M. Woo 1983). Anti-Japanese sentiment appeared on bumper stickers that read "Toyota-Datsun-Honda-and Pearl Harbor" and "Unemployment Made in Japan" IUS. Commission on Civil Rights 1986: 40). Unfortunately, anger against Asian nations is often transferred to Americans of Asian ancestry, who have suffered from a long history of anti-Asian attitudes and behaviors (Los Angeles County Commission on Human Relations 1984: 2; R. Matsui 1984: 63). Attitudinal surveys reveal that anti-Asian sentiments are still alive and well today. In a survey of 2,000 Americans, the Roper Organization (19821 asked respondents to indicate whether each of the fifteen ethnic groups listed has "on balance . .. been a good thing or a bad thing for this couptry." No European group received lower than a 53 percent positive ratingj in contrast; no Asian group received higher than a 47 percent positive rating. Survey results also indicate that many Americans do not welcome Asian immigrants and refugees. According to a 1975 Harris poll, more than 50 percent of the American people thought Southeast Asian refugees should not be allowed to enter the United Statesj only 26 percent favored their entry. Many seemed to share Congressman Burt Talcott's conclusion that, "Damn it, we have too many Orientals" (cited in Rose 1985: 2051. Five years later, public opinion toward the refugees had not changed. A 1980 poll of American attitudes in nine cities revealed that nearly half of those surveyed believed that the Southeast Asian refugees should have settled in other Asian countries (Starr and Roberts 198 I I. This poll also found that over 77 percent of the respondents would disapprove of the marriage of a Southeast Asian refugee into their family and 65 percent would not be willing to have a refugee as a guest in their home (Roberts 1988: 811· Anti-Asian sentiment seemed to be symptomatic of the general anti-immigrant mood beginning in the late 1970s. Poll results indicated that, between 1965 and 1981, the proportion of the US. public favoring a decrease in legal immigration rose sharply (California, Governor's Task Force on Civil Rights 1982 : 521. However, opposition toward immigrants was not directed equally toward all groups. A survey of San Diego County found that 36 percent of the respondents believed Asian immigrants had a negatIve impact on the city, but only 17 percent thought Western European immigrants had a negative impact (Cornelius 1982: 161. Along the same lines, the media decry Japanese ownership of US. property but largely ignore European investment-even though Europeans own the most American real estate.2 In 1985, the British held $44 billion and the Dutch $38 billion in US. real estate. In contrast, the Japanese owned $35 billion in US. real estate in 1988. The disproportionate political and media attention to Japanese ownership suggests "that the professed concern for overseas ownership is a smokescreen for racial animosity toward Asians" (California, Attorney General's Commission 1986: 27-28).

#### Third question: Who/What is the aff cooperating for/against?

Espiritu 93 (Yen Le, Espiritu, Distinguished Professor of Ethnic Studies at UC San Diego, “Asian American Panethnicity,” 1993, Temple University Press)

Research on ethnicity has indicated that external threats intensify group cohesion as members band together in defensive solidarities. The threatened destruction creates a common interest where none may have existed before (Coser 1956; Portes 19841. Most often, a group is sanctioned for its actual or alleged wrongdoing. But a racially defined group can also suffer reprisals because of its externally imposed membership in a larger group. In the Asian American case, group members can suffer sanctions for no behavior of their own, but for the activities of others who resemble them (Light and Bonacich 1988: 3241· Thus anti-Asian activities necessarily lead to protective pan-Asian ethnicity. True, as indicated by the discussion on ethnic "disidentification" in Chapter 2, external threat does not always consolidate groups, but can also disintegrate them. However, it is also true that these early attempts by Asian immigrant groups to "disidentify" themselves from the targeted Asian group often failed. The most notorious case of mistaken identity was the 1982 killing of Vincent Chin, a Chinese American who was beaten to death by two white men who allegedly mistook him for Japanese. The Chin case activated both Chinese and pan-Asian levels of solidarity. To understand the web of reactive solidarities better, this chapter analyzes Asian American organizational responses to anti-Asian activities, particularly their responses to the Chin case. The Chin case is substantively important because many Asian Americans now consider it to be the archetype of anti-Asian violence in this country. It is also theoretically instructive because it sheds light on the pluralism of reactive groups. Anti-Asian Activities Anti-Asian activities in the United States can be traced back to the middle of the nineteenth century. For the most part, Americans meted out sanctions against Asians via the political and legal systems (McKenzie 1928i Ichioka 1988). From the late nineteenth to the early twentieth century, more than six hundred pieces of anti-Asian legislation were enacted, either limiting or excluding persons of Asian ancestry from citizenship, intermarriage, land ownership, employment, and other forms of participation in American life (Japanese American Citizens League 1987 : 65i Chan 1991 : ch. 3). As indicated earlier, the gravest government mistreatment of Asians occurred when Japanese residents and citizens were placed in relocation camps at the beginning of World War II (Daniels 1971). Anti-Asian hostility also took violent turns. In the mid-nineteenth century, whites "were stoning the Chinese in the streets, cutting off their queues, wrecking their shops and laundries" (Dulles 1946: 89). In some instances, such as the Rock Springs Massacre in Wyoming in 1885, these violent outbursts ended in brutal killings. For the most part, these atrocities were legally sanctioned. For example, in 1854, the California Supreme Court ruled that Chinese could not testify against whites. So long as no white person was available to witness on their behalf, any crime perpetrated against the Chinese went unpunished (Dulles 1946). During World War II, the United States Congress began to chip away at the legislative barriers to Asian immigration and citizenship. By the early 1970s, Asian Americans were finally accorded the civil rights long guaranteed to other residents and citizens. But in the late 1970S, reports of rising anti-Asian activities also began to surface. At a congressional hearing on the impact of the new Asian immigration, an Asian American attorney contended that "today we are witnessing a resurgence of anti-Asian sentiment manifest by growing problems of vandalism, physical attack, and on occasion murder" (K. Wong 198 s: 1731· In a statement submitted to the US. Commission on Civil Rights, US. Representative Robert Matsui (19841 warned of the danger of rising anti-Asianism. In a 1988 keynote speech, the founding president of the Asian/ Pacific Bar of California similarly warned, "The danger I see in the next decade is the revitalization of anti-Asian hostility" (Asian Pacific American Coalition 1989al. Because no systematic data on anti-Asian Activities exist, it is difficult to substantiate the claim of rising anti-Asianism. As the US. Commission on Civil Rights (1986: 5) reported, "There is currently no way to determine accurately the level of activity against persons of Asian descent, or whether the number of incidents has increased, decreased, or stayed the same in recent years." On the other hand, rising anti-Asianism has become so alarming that it has entered the public discourse, as evidenced by an increase in the number of articles on anti-Asian violence published not only in the ethnic press but also in major newspapers such as the New York Times, Wall Street Journal, Boston Globe, Washington Post, San Francisco Examiner, and Los Angeles Times (Japanese American Citizens League 1987: 66-671. Federal, state, and local civil rights bodies extended this public discourse by holding official hearings on anti-Asian crimes. At a Los Angeles County hearing, twenty-two persons testified that the "Asian community has been alarmed by an increase anti-Asian vandalism and violence in Los Angeles County and in other parts of the country" (Los Angeles County Commission on Human Relations 19841· These racial incidents ranged from hostile bumper stickers to racial name-calling to physical assaults. In Washington, a state commission reported that Asians in the state had experienced harassment of "very serious proportions" at the hands of "native workers" (Koreatown 19831. In California, the attorney general's Asian and Pacific Islander Advisory Committee concluded that, "in recent years, there has been an intensification of anti-Asian hostility" (California, Attorney General's Asian and Pacific Islander Advisory Committee 1988: 23). At the national level, a multisite study by the U.S. Commission on Civil Rights (1986: 5) concluded that "anti-Asian activity exists in numerous and demographically different communities across the Nation." In the absence of longitudinal data, these studies cannot substantiate the claim of rising violence against Asians; however, they do confirm that anti-Asianism is, indeed, a serious problem.

#### Yellow Peril is an existential threat – American policymaking drives pathological understandings of Asianness that threatens the very health of US Empire – this produces an apocalyptic form of securitization where contact itself becomes the legitimation of exclusion

Man 18. Jessica Man, Master of Arts degree in Asian American Studies, “The Perfect Type of Industry”: 2012 and Apocalyptic Visions of the Asian Century, *UCLA Electronic Theses and Dissertations*, Published 2018-01-01

“Eschaton” (from the Greek éskhaton, “the last”) refers specifically to the events of the end which bring about the future state that apocalypse reveals; the apocalypse is the method through which John delivers his description of the eschaton. An eschatology orders and gives meaning to those events. Whereas an apocalypse is an interpretive system that imputatively reframes an historical narrative, an eschatology selects the events that represent the culmination of that narrative, describing their fruition in teleological terms. John’s apocalypse is an eschatological device. In this way, the Exclusion Act, the Asiatic Barred Zone Act, and other turn-of-the century immigration acts can be understood to constitute a state or state-sanctioned eschatology. Protective and nationalist legislation is always instated to narrow down the possible futures of empire and empire’s end. If American triumphalism is a belief in the inevitable dominance of U.S. government, culture, and ways of life over those of other nations, it must be maintained and driven by an eschatological imaginary that exposes weaknesses in the imperial strategy and thinks about the ways through which the empire could be destroyed. London’s “Unparalleled Invasion” provides an apocalypse that exposes the eschatological nature of the Exclusion Act and how it anticipated the fundamental threat Chinese laborers posed to the American nationstate. The Exclusion Act and all other anti-Asian immigration laws function on, and are justified through, an imagined future predicated on the destructive power of Yellow Peril, validating a specific vision of eschaton and apocalyptically reframing the nature of Asian immigration. Apocalypse necessarily deals with periodicity. Christian theology recognizes several “marks” in its historical record: pre- and post-lapsarian time, ante- and post-diluvian time, pre and post-messianic time, pre- and post-apocalyptic time, and so forth. It also recognizes the nebulous and intractable nature of time – Giorgio Agamben notes in Infancy and History that Christianity “resolutely separates time from the natural movement of the stars to make it an essentially human, interior phenomenon” (95). The Second Epistle of Peter corroborates this observation, famously stating that “with the Lord one day is as a thousand years, and a thousand years as one day” (3:8, ESV). Eschatology therefore must be understood to extrapolate from a specific system of periodizing or marking history, but purposefully leave the actual span of the period it envelops unclear in order to avoid foreclosing itself at a certain date. In a state sanctioned eschatology, the effect is to suspend, extend, and frame the period of imperial life so that the end state of totalized destruction hangs ominously over the present moment, continually presenting a justification for exclusion and border maintenance as nationalist projects of conservation. A state-sanctioned eschatology can be expressed both through law and through cultural production, as Jack London, Robert Heinlein, and Philip F. Nowlan have aptly demonstrated. Alongside London’s “Unparalleled Invasion,” Heinlein’s The War in the Air and Nowlan’s Armageddon 2149 AD present speculative narratives that describe a Sino-American war and an American landscape under Chinese rule. Aris Mousoutzanis makes a critical intervention here in Fin-de-Siècle Fictions, 1890s/1990s by identifying apocalypse as “a form of colonization that is enacted at the interstices of technoscientific and biopolitical discourses, a motif whose early traces may be identified… as ‘reverse colonization’ narratives” (154-155). All three of these texts anticipate Chinese ascendancy and hypothesize about methods of American resistance to invasion, a tradition that has evolved alongside American anxieties about China. Now, in a global economy where China has become not only a source of stigmatized and abjected labor but also a formidable creditor of the United States,American fears have left traditional military invasions behind in favor of anticipating a networked apocalypse, where annihilation can be transmitted through bank transfers, airports, computers, and other points of international contact, including, as always, state borders. During the period of 2007-2009 known as The Great Recession, these anxieties were made explicit in the attribution of global economic recession to Chinese insistence on keeping the value of the renminbi stable instead of allowing it to depreciate alongside the American dollar (Kamrany, 2011). By the end of 2010, China owned about $900 billion of the U.S. debt (“Datablog,” 2011), a number which has appreciated beyond $1 trillion in 2018, rousing concerns that China would simply “buy” America and maintain a fiscal stranglehold with unspoken but surely destructive cultural and political consequences. Military conquest is no longer the primary mediator of relations between East Asia and the United States, although this by no means indicates a demilitarization of the area. The creditor-debtor relationship has subsumed the master-coolie relationship, where the status of “creditor” legitimizes a national ownership and therefore control over the labor force, controlling outward migration for its own nationalist projects. The partial upending of the master-coolie relationship, adding the creditor Chinese to the image of the coolie Chinese, and the creation of a global economic system of financial capital, has largely transferred anxieties about Chinese migrant laborers onto the entanglement of Chinese bankers and investors with the American economy and thus the American future, a disorderly relationship that comes much closer to realizing the threat of the Yellow Peril than anything early 20th century writers imagined. State-sanctioned eschatology has also changed since the days of London and Heinlein to reflect globalization and pathological understandings of how the world has been networked and flattened. Before the Great Recession, there was SARS, a disease that originated in southern China but was transmitted through air travel to 37 countries worldwide, including the United States. The worst of the SARS outbreak lasted for five months and was declared the first pandemic to occur in the 21st century (LeDuc and Barry, 2004), confirming fears about increased globalization and the pathological consequences of movement for networked nations that was once the sole claim of immigration. As early as the 1880s and 1890s, American apocalypticism regarding Asia had begun to incorporate ideas about disease, pathogenesis, contagion, and power quite naturally into its ideas about borders and the body politic. Mousoutzanis points out quite clearly that eugenics, disease, entropy, and imperial time were all closely linked at the turn of the 20th century; the second half of the 19th century saw the rise of the germ theory of disease, the laws of thermodynamics and the theory of the heat death of the universe, and eugenics (71-90). Disease and deformity were treated in literature and in popular discourse as entropic indicators of moral and physical decline that contradicted the triumphalist timeline of Christian empire. Entropy itself was extremely upsetting to eternist concepts of time and human survivability, putting an apocalyptic timer on the existence of the entire universe. Eugenics became popular at the time as a way to manage these indicators of declining society – disease, disability, mental illness, and race – and fight entropy, denying the possibility of the death of the universe and reasserting sociopolitical, cultural, and spiritual hierarchies of ability, race, and gender through legislation, medicinal practice, and border control. The idea of border control as preventative medicine already admits to the porous nature of policed boundaries, which McKeown discusses in great depth in his study of the enforcement of the Exclusion Act. Invasion is a type of pathology that completely obliterates borders through phagocytosis, dissolving any identity based on geographical or organ-based (i.e., state) markers. However, in fiction, this sort of dissolution can actually be a source of positive anticipation, because it aesthetically effaces the settler-colonial country and provides a chance to distill its colonial ethos. Paul Williams observes that “the post-apocalyptic world can be an arena for the replaying of the colonial encounter, frightening in its unintelligibility but alluring in its virgin promise… [it] was the most plausible arena in which imperial adventurism could be restaged” (304-305). A state-sanctioned eschatology can therefore also be understood as a contingency plan for the end and the time beyond the end, and not only as a warning system or a means of avoidance. It is also an understanding that the end of empire is not synonymous with the end of its people, and crucially provides a way to propagate its intrinsic power structures and hegemonic values in hopes that it will one day be reestablished in a different form. Postapocalyptic work that does not deconstruct the interlocking forces of patriarchy, criminality, and racialization must envision the nation and the empire as ideology. One of the best examples of this is from the final scene of Werner Herzog’s Aguirre, the Wrath of God, where the titular character stands on the remains of his ruined colonial expedition and declares: “We will produce history as others produce plays… I, the wrath of God, will marry my own daughter, and with her found the purest dynasty the world has ever seen.” Although the particular material structures of empire and means of asserting imperial ambition may crumble with time, a persistent desire for its renewal and recreation will remain – the superstructure will persevere – if the survivors of the eschaton do not enact a radical shift in the nostalgia and desires they carry through the end times.

#### Historic use of antitrust was signaled as the “cure-all” for an increasing racialized fear of communism in Asia and the Middle East. From Hayek’s preaching of the “competition ideal” to the amendment of the Clayton Act,[[1]](#footnote-1) antitrust was repurposed for combatting the growing Red and Yellow Scare.

#### Even now – and even under the aff’s analytic of domination – Biden preaches

Biden 21 <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/07/09/remarks-by-president-biden-at-signing-of-an-executive-order-promoting-competition-in-the-american-economy/>

Decades later, during the Great Depression, his cousin Franklin Roosevelt saw a wave of corporate mergers that wiped out sec- — scores of small businesses, crushing competition and innovation. So he ramped up antitrust enforcement eightfold in just two years, saving families billions in today’s dollars and helping to set the course for sustained economic growth after World War Two. He also called for an economic bill of rights, including, quote, “the right of every businessman, large and small, to trade in an atmosphere of freedom from unfair competition and domination by monopolies.” End of quote. Between them, the two Roosevelts established an American tradition — an antitrust tradition. It is how we ensure that our economy isn’t about people working for capitalism; it’s about capitalism working for people. But, over time, we’ve lost the fundamental American idea that true capitalism depends on fair and open competition. Forty years ago, we chose the wrong path, in my view, following the misguided philosophy of people like Robert Bork, and pulled back on enforcing laws to promote competition. We’re now 40 years into the experiment of letting giant corporations accumulate more and more power. And where- — what have we gotten from it? Less growth, weakened investment, fewer small businesses. Too many Americans who feel left behind. Too many people who are poorer than their parents. I believe the experiment failed. We have to get back to an economy that grows from the bottom up and the middle out. The executive order I’m soon going to be signing commits the federal government to full and aggressive enforcement of our antitrust laws. No more tolerance for abusive actions by monopolies. No more bad mergers that lead to mass layoffs, higher prices, fewer options for workers and consumers alike.

#### Concluding his speech, he states under the rhetoric of democracy

Biden 21 <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/07/09/remarks-by-president-biden-at-signing-of-an-executive-order-promoting-competition-in-the-american-economy/>

In the competition against China and other nations of the 21st century, let’s show that American democracy and the American people can truly outcompete anyone. Because I know that just given half a chance, the American people will never, ever, ever let their country down. Imagine if we give everyone a full and fair chance. That’s what this is all about. That’s what I’m about to do.

#### No link defense

Espiritu 93 (Yen Le, Espiritu, Distinguished Professor of Ethnic Studies at UC San Diego, “Asian American Panethnicity,” 1993, Temple University Press)

Asian Lumping It is difficult to trace the etiology of any racial incident. Motives are often mixed, so economically motivated acts may also carry a racist message and vice versa (Light 198 Y 354-355). For the purpose of this chapter, it is not necessary to choose between class-based and race-based explanations of anti-Asianism. What is Important is to recognize that, whatever the cause, hostilities directed at any of the Asian subgroups tend to affect the others as well. All Asians are at risk because outsiders perceive them as a single group. Because outsiders do not or cannot distinguish among Asian subgroups, they target all Asians for their "message of hate" 3 or punish one group for another's behavior. They also fail to distinguish recent immigrants and refugees from third- or fourth-generation citizens (Allen 1983 : 62; U.S. Commission on Civil Rights 1986: 2-3; Harrison 198]: 16). Worse yet, non-Asians seldom distinguish Asian Americans from Asian nationals. In public discourse, victims of antiAsian incidents are often referred to as foreign nationals when, in fact, they are American citizens (Japanese American Citizen League 198]: 69). In a testimony submitted to the U.S. Commission on Civil Rights, U.S. Representative Matsui (1984: 64) contended that the difference between Asian nations and Americans of Asian ancestry becomes so blurred that Asian Americans are the scapegoats to foreign industries." This misconception is reflected in the recurrent blaming of Japanese Americans for the bombing of Pearl Harbor and for the trade imbalance with Japan. Along the same lines, those who resent Asian entrepreneurs often confuse small-scale Asian American businesses with high-profile investment projects funded largely with overseas Asian capital (Fong 1987). More than any other incident, the beating death of Vincent Chin epitomizes the racism of Asian lumping: blamed for Japan's economic advantage, a Chinese American, mistaken for Japanese, was murdered. On the night of 19 June 1982, Vincent Chin, a twenty-seven year-old Chinese American draftsman, stopped in a Detroit bar with three friends to celebrate Chin's upcoming wedding. While in the bar, Chin became involved in a fist fight with Ronald Ebens, a white Chrysler factory foreman. The dispute continued into the parking lot, where Ebens pulled a baseball bat from his car. Chin and his friends fled. For the next half-hour, Ebens and his stepson, Michael Nitz, allegedly stalked Chin, eventually locating him in front of a fast food restaurant. There, while Nitz grabbed Chin from behind, Ebens struck at least four blows to Chin's head. The Highland Park police arrested Ebens and Nitz at the scene. Chin died four days later from severe head injuries. Instead of celebrating Chin's wedding, his guests attended his funeral (American Citizens for Justice 1983a; Beer 1983; Weingarten 1983). In filing charges, the Wayne County prosecutor opted for second degree murder-homicide with no premeditation. In a later plea bargain, Ebens pleaded guilty to manslaughter (a lesser charge); Nitz did not contest his charge (Zia 1984a). Although a manslaughter conviction in Michigan carries a maximum sentence of fifteen years in prison, Wayne County Judge Charles Kaufman imposed no prison time on Ebens and Nitz. Instead, he sentenced both to three years' probation and fined each a mere $ 3,000 (American Citizens for Justice 1983a; Kaufman 1983).4 In explaining his lenient sentence, Judge Kaufman cited the defendants' stable working backgrounds and lack of criminal records: "You don't make the punishment fit the crime; you make the punishment fit the criminal" (cited in American Citizens for Justice 1983a). Although shocked by Chin's brutal death, Detroit's Asian American community did not immediately respond to the killing. They fully expected the court to punish the killers. When the court did not, the outraged and disbelieving community quickly formed American Citizens for Justice (ACT) to seek prosecution of Chin's killers. Kaufman's lenient sentence also outraged Asian Americans across the country, who read in it an official condonation of anti-Asian violence. Letters of protest streamed into Kaufman's office from as far away as New York and San Francisco (Beer 1983). Kaufman's decision also received extensive and bitter media coverage. 5 "The headlines can only be described as scathing. One large cartoon . .. even showed the trial judge putting a baseball bat in one ear, as if it were a pencil, and sharpening it with a pencil sharpener m the opposite ear" (U.S. Court of Appeals, Sixth Circuit 1986: 1426). In June 1983, a year after Chin's death, Kaufman announced that he would not reverse his sentence (Weingarten 1983). Initially, ACT did not call the killing a racial attack. Its focus of protest was Kaufman's lenient sentence. But as ACT's members reconstructed the events of that evening, they became convinced that the slaying had been racially motivated. Three eyewitnesses stated that Ebens directed racial slurs at Chen. One witness recalled hearing, "Because of you .. . we're out of work" (U.S. Court of Appeals, Sixth Circuit 1986).6 It was this testimony that gripped the nation. It implied that Chin's killers mistook him for Japanese and blamed him for the layoffs in the automobile industry (Zia 1 984a: 18). In 1980, Detroit City had one of the highest unemployment rates in the country, 18.5 percent compared to the national average of 5.8 percent (U.S. Bureau of the Census 1983a: table 120 and 1983b: table 124). In this Motor City, where one in three auto workers had lost his or her job in the five preceding years, Japanese imports-almost a quarter of the market-took the blame (Weingarten 1983 : 12i Nanto 1985). A recent film documentary on the Chin case showed Detroit in deep recession with long unemployment lines and closed car plants (Tajima and Choy 1988). At the United Auto Workers headquarters, a red and white sign summed up anti-Japanese sentiments: "300,000 laid-off UAW members don't like your import. Please park it in Tokyo" (Weingarten 1983). Numerous videocasts showed auto workers and others in Detroit attacking Japanese-made automobiles with sledgehammers (U.S. Court of Appeals, Sixth Circuit 1986: 1439). Calling for a new U.S. industrial policy that would limit imports, a Michigan congressman labeled Japanese trade practices "an economic Pearl Harbor" and another referred to Japanese workers as "little yellow people" (Smollar 1983). The linkage between Chin's death and anti-Japanese sentiment became the hallmark of the case.7 Because of the racial overtones, ACT petitioned the U.S. Justice Department to bring civil rights charges against Chin's killers. Responding to heavy public pressure, the Justice Department ordered an FBI investigation of Chin's death for possible civil rights violations (American Citizens for Justice I983b). Applying additional pressure, California Congressman Norman Mineta wrote the US. attorney general urging him to act on the Chin case (Rafu Shimpo I983). In November I983, a federal grand jury indicted Ebens and Nitz on two counts of civil rights violations (US. Court of Appeals, Sixth Circuit I986 : I427).9 Seven months later, a federal jury convicted Ebens of violating Chin's civil rights but acquitted him of conspiracy; Nitz was acquitted on both charges. Ebens was sentenced to twenty-five years in prison but was freed after posting a $20,000 bond (US. Court of Appeals, Sixth Circuit I986: I425). In I986, the Chin case hit another legal snag when a federal appeals court overturned the civil rights conviction on a technicality. Deluged with letters demanding a retrial, the Department of Justice agreed to retry Ebens. Citing the extensive publicity surrounding the case in Detroit, the department moved the trial to Cincinnati. 11 In May I987, five years after Chin's death, the Cincinnati jury acquitted Ebens of federal civil rights charges. Much to the outrage of Asian Americans across the country, neither Ebens nor Nitz ever spent any time in prison for the killing (Mar I987). Though the case did not turn out to the satisfaction of Asian Americans, it did leave an important organizational legacy.

#### No protections

Blakemore 21 (Erin Blakemore, journalist and publisher of the Heroine’s Bookshelf that won the Harper Award, “The Asian American ‘model minority’ myth masks a history of discrimination,” May 27 2021, national geographic, <https://www.nationalgeographic.com/culture/article/asian-american-model-minority-myth-masks-history-discrimination>)

There was another price to pay: A pervasive myth of docile Asian American achievement took root in the 1950s and 1960s. For over a century, Asians had been scapegoated as racial others not worthy of citizenship or equality. But now as the U.S. courted its potential Cold War allies, Asians were lauded as a desirable, hardworking minority—and upheld as a contrast to other groups, such as Latino and Black Americans, who were characterized as a threat to white supremacy. Japanese Americans, in particular, were singled out as paragons of the American dream. “In spite of being interned by their own government, [Japanese Americans] managed to succeed and become contributing members of society without making a big fuss about being imprisoned against their will,” says Angie Chuang, an associate professor in journalism at the University of Colorado, whose research focuses on race and identity. Though it was fueled by fear, this seeming docility was praised by commentators who were alarmed by other marginalized groups’ growing insistence on their own civil rights. “This is a minority that has risen above even prejudiced criticism,” wrote sociologist William Petersen in a 1966 article in the New York Times Magazine credited with first articulating the myth. Even better, he wrote, they had achieved all of this “by their own almost totally unaided effort.” Law-abiding, hard-working, well-educated, and even well-dressed, Petersen wrote, Japanese Americans had risen above everything American society had thrown at them. He contrasted them with Black Americans, whom he claimed were “problem minorities” who had rightfully earned some of the prejudices against them. The reality, though, was that Asian Americans still faced systemic bias and racial discrimination. So did other people of color, says Chuang. “The model minority myth was used as a way to divide and conquer and to use Asian American immigrants against particularly the Black population,” she says. Even as they were celebrated for their hard work, Asian Americans were used as an excuse not to provide social services or meaningful assistance to any marginalized population. And their labor, says Chuang, continued to be devalued by a nation that had long relied on a “compliant” Asian workforce. Challenging the stereotype Not everyone bought into the myth, however. The same civil rights movement that galvanized Black and Latino communities in the 1950s and 1960s also energized Asian Americans, particularly those who had seen their immigrant parents struggle against all odds only to be used as a wedge against other groups. Over time, a broad coalition of students, educators, labor activists, and community members seeking redress began to assert a common identity and find pride in the languages, cultural practices, names, and physical attributes they had long been taught to suppress. Today, the myth’s consequences are better understood. Lumping together Asian Americans and Pacific Islanders—diverse communities that trace their heritage to over 50 countries and approximately twice as many languages and dialects—collapses individual achievements and can mask disparities and discrimination. Though aggregated data can paint a rosy picture of Asian American accomplishment, Christian Edlagan and Kavya Vaghul, policy experts at the Washington Center for Equitable Growth, note that there is significant variation in income levels, employment rates, and educational attainment. The model minority myth “overstates the success of Asian Americans in terms of resiliency, health, wisdom, and wealth,” wrote a group of public health experts from the New York University School of Medicine in a 2016 commentary. They note that since Asian Americans are assumed not to experience disparities, they are not given vital resources. The pressure of supposedly inherent Asian excellence can also have mental health consequences; the myth has been correlated with everything from increased depression and anxiety to higher suicide rates and lower likelihood of seeking mental health services.

#### Movements are growing and connecting at a greater rate than ever for anticolonial futures. The conglomeration of COVID, accelerating racial violence, and economic inequality put us in a unique position to break away from norms that have brought us to this present crisis. Don’t fear contamination, instead reach out and grasp for a new and better future in this round.

Liu 20 (Wen, Assistant Professor of women’s gender and sexuality studies at the University of Albany, “Internationalism Beyond the ‘Yellow Peril’: On the Possibility of Transnational Asian American Solidarity,” 2020, UC Santa Barbara Journal of Transnational American Studies)

In the midst of a global pandemic and social upheavals, how will transnational Asian–Black solidarity take shape? Currently living in Taipei, Taiwan, I am involved in an emergent circle of diasporic Asian radicals who write and organize around the vibrant left-leaning movements in Taiwan and Hong Kong and seek to build international solidarity based on a critique of both US and Chinese imperialism. This new activist milieu that has been described as “transnationally Asian”5 not only rejects Asian American assimilationist politics and the narrow focus of liberal international politics around democracy and human rights, but also actively seeks cross-national and cross-racial points of racial encounters and challenges the orthodox Western leftist takes on social movements that often defer to a reductionist binarism of “capitalism versus communism.” For example, a Hong Kong activist was excluded from participating in a BLM solidarity event hosted by the Sunrise Movement, an American youth–led climate organization, due to some US leftists’ Twitter commentaries that misrepresented Hong Kong’s protests against Beijing’s increasingly harsh conditions of authoritarian control as being funded by the US military. Writers from Lausan, a leftist Hong Kong press, have condemned such mischaracterization of Hong Kong’s ongoing mass movement as merely manipulated by US imperialism and, instead, insisted on the importance of building alliances between Hong Kong’s struggle against authoritarianism and BLM’s vision of police abolition.6 From this single case, one can understand that building transnational solidarity is complex and arduous work, both conceptually and practically. It requires us to maneuver from one ideological trap to another across geopolitical contexts and locally specific historical conditions. While transnational iteration is emancipatory and necessary to achieve a genuine form of Asian–Black solidarity, it must be built on a bidirectional and bifocal analysis instead of merely relying on the US-centric epistemology of what constitutes leftist politics. By seeking transnationalism from the West toward the non-West and not vice versa, it’s easy to fall into the logic of Western “China apologists” or neo-Cold War logic, dismissing the interasian conflicts that also have global ramifications. To put it in another way, as China criminalizes Hong Kong’s fight for fundamental democratic rights and implements mass arrests of young activists under the National Security Laws,7 a progressive Asian American politics must not only be focused on racial relations domestically but challenge multiple forms of Empire beyond the borders of the US. Only through this multidimensional transnational praxis can we begin to see the underlying mechanisms that allow BLM activists from Minneapolis to Seattle to adopt Hong Kong protesters’ strategies against the police. 8 These possibilities for alliance among “transnationally Asian” activists include protesters in Hong Kong and the US using umbrellas and tennis rackets to protect themselves from tear gas, the joint coalition between Taiwanese indigenous organizations and Black Lives Matter Taiwan calling out racism,9 and Singaporeans debating whether to topple their colonial monuments.10 Our current shared struggles against the rapid right-wing turn of global hegemonies do not draw lines between the simple binaries of “East vs. West,” “white vs. Black,” or “authoritarianism vs. democracy,” but underscore the interconnected fights against the militarized police state, neoliberal capitalist order, Han supremacy, and the continued impacts of Euro-American coloniality. The “yellow peril” may have been a useful metaphor describing the shared racialization of the Asian body against white supremacy and US imperialism; the politics of internationalism in the present conditions requires a much more nuanced analysis of interregional geopolitics across the transpacific. The possibility of transnational Asian American solidarity must be situated beyond the framework of “one united race against one empire.” Indeed, the fast growing infection and mortality rates of Covid-19 show that the virus cannot be simply contained by national borders, and our racial critique must also be extended transnationally. When a disease is racialized, it not only exposes the racial inequalities built in the global public health infrastructures but also how mechanisms of national security require the domination of subjects who are deemed to be “outsiders.” Rather than falling into a nationalistic blame game based on the Cold War logic—choosing sides between one empire (the US) and another (China)—the pandemic requires us to engage in the racial justice and antinativist struggles in our different localities as well as hold one another’s movements accountable to an internationalist vision of collective survival.

#### Antimonopoly policy is not anti-trust policy! Only the alt’s use of grassroots, minority led movements prevents monopoly consolidation and circumvention. The aff may breakup companies but FAILS to end the power relations that maintain corporatism

Greer and Rice 21(Jeremie and Solana, co-founders and co-executive directors of Liberation in a Generation “Anti-Monopoly Activism: Reclaiming Power through Racial Justice,” <https://www.liberationinageneration.org/wp-content/uploads/2021/03/Anti-Monopoly-Activism_032021.pdf>)

We believe that the movement—within research and advocacy spaces especially—should embolden grassroot leaders of color to deliver antiracist policy solutions aimed specifically to curtail monopoly power. Below, we provide considerations for future action that are not policies or regulations or campaigns in and of themselves, but ideas that could transform the anti-monopoly movement in ways that require it to reimagine itself and approach the work through a racial justice lens.

Develop More In-Depth, Intentional Research

Part of the impetus for writing this document is that Liberation in a Generation believes that the power to change our economic systems rests with the organizers of color who are (re)building the political strength of communities of color. The research and advocacy to limit monopoly power needs to better quantify, center, and reflect the ways that people of color are being harmed. This means conducting research that centers the impact of monopoly power on people of color (as workers, consumers, community members, and participants in our democracy). The research and advocacy need to be relevant to the organizers who are indeed experiencing and fighting many of these forces on the ground, and it should inform solutions that they develop, nurture, and advance through activism. The research and advocacy must use less jargon and abstraction, focusing less on markets, firms, or efficiencies, and it should talk more about the impact of corporate decisions on people, their lives, and their futures. The tent of advocates working on anti-monopoly needs to widen as well. Bringing in the people most impacted is essential to shaping and accomplishing the path forward.

Draw Connections Between Monopoly Power and Current Movement Priorities

As discussed earlier in this paper monopoly power has enormous impact on other movement priorities led by leaders of color, such as environmental justice, worker justice, housing justice, police and prison abolition, closing the racial wealth gap, and democratic disenfranchisement. Anti-monopoly policy can be a powerful tool to accomplish existing movement priorities, including the Green New Deal, a Homes Guarantee, a federal jobs guarantee, and Medicare for All. In order to fully utilize it as a tool, anti-monopoly advocates must support—mainly in the background—grassroots leaders of color in integrating anti-monopoly policy and advocacy strategies into the existing campaigns they are leading. By following their lead, and by working together to curb corporate power, we as a collective progressive movement can accomplish an array of movement priorities and move the US closer to liberation for people of color.

Build Solutions That Are Antiracist and Center People of Color as Beneficiaries

It’s not enough to speak virtuously about racial equity and economic justice; we have to intentionally center people of color in the development of policy change. To the previous point, advocates and researchers who evaluate solutions to corporate concentration should include a measure of impacts on Black, Latinx, Indigenous, Asian, and Pacific Islander people. As consumers, entrepreneurs, and residents, we are the ones most vulnerable to the inequities, the forced scarcity, and price gouging inflicted by corporate concentration, among other problems. History has shown us that race-neutral approaches only exacerbate that vulnerability by entrenching current systems—systems that are inherently racist. We know that “race-neutral” policies assume whiteness as the norm and thus serve and preserve white supremacy. So, advancing anti-monopoly policy that is antiracist and centers people of color must be the standard that we all follow moving forward.

Think Bigger and Bolder Than Existing Regulations and Agencies

Large segments of the current anti-monopoly legal and regulatory infrastructure are corrupted beyond repair. Further, these systems are complicit in the economic oppression of people of color. The goals of the anti-monopoly movement should be to completely dismantle our systems of oppression and replace them with government systems that deliver economic liberation. Our regulatory structure is complicated, spread across many agencies, and lacking enforcement power. The complexity of our nation’s anti-monopoly laws, regulations, and oversight have been designed to advantage monopolists with unlimited resources to navigate the labyrinth of our anti-monopoly laws.

Racial oppression thrives in this environment and the antimonopoly movement must resist the urge to settle for small marginal victories that allow this oppression to continue. Breaking up Amazon or Facebook will be a hollow victory if they are able to reform years later and continue to harm Black and brown workers, consumers, and small businesses. The path forward should be to join grassroots leaders of color to create new, bold and transformative solutions (e.g., new agencies and new authorities) that will ensure that federal and state governments advance the economic well-being of people of color and not that of the monopolists that oppresses them.

Tell a New Visionary Story About the Role of Corporations

We need a story that is visionary and that repositions corporations as beholden to serving the public interest, re-examining the purpose of corporations and developing mechanisms that evaluate, even redefine, that purpose. Currently, companies’ driving purpose is to create wealth for their shareholders, and this ideology is to the detriment of people of color. We must integrate solutions that challenge our current approach to corporate governance, incorporation, and tax policy that reinforce economic systems of oppression that allow monopolies exploit to harm people of color.

### 2

#### CP Text: Istadus unidos ukampirus jan masi pashna.

#### J’ani amuyu

Belcourt 17 (Billy-Ray Belcourt is from Driftpile Cree First Nation. He is a PhD student in the Department of English and Film Studies at the University of Alberta. “The Optics of the Language: How Joi T. Arcand Looks with Words.” 8-29-17. <https://canadianart.ca/features/optics-language-joi-t-arcand-looks-words/> //shree)

What did Bushby see? In his formulation, “one” brings into focus a sinister optic, where “optic” is the lens or filter by which one looks and from this looking ropes what is seen into an encounter humming with all sorts of potential. Bushby’s is an optic that mediates the interpellative call “one” seeks to enact—it is a part of the grammar of settler horror. “One” is thus a modality by which we, the ante-Canada, those of us who bear that which is prior to and beneath Canada, are racialized and roped into a representational field where all things, like trailer hitches, can be put to violent use. We cannot survive in the visual register of “one.” Words are worldly; not just in the sense that they proliferate and float up into the sky and become cloud-like. Words world too. Words like “one” incubate death-worlds (see Achille Mbembe’s 2003 essay “Necropolitics”) inside which those of us who look like Kentner are made to inhabit modes of enfleshment that fix the stares of the grim reapers of the present. On the other hand, some of us recruit words in the name of something like freedom. We might call this duality the double-bind of enunciation. How do we refuse a savage call to being with a more spacious one? Joi T. Arcand is a photo-based artist and industrial sculptor from Muskeg Lake Cree Nation, and she knows that words, that letter forms, shapes and glyphs, “change the visual landscape,” that they are how we go about practicing new ways of looking. Words are emotional architectures, and Arcand calls hers “Future Earth.” In her 2015 book The Argonauts, Maggie Nelson tends to a debate about whether words do or do not potentiate. She takes up a claim of a partner’s that words do nothing but nominalize, and what is left unnamed is subject to a host of horrors. Nelson, however, holds out more hope for words; she contends that they are “good enough,” that how one speaks makes all of the difference and that words can, following Deleuze, incite “the outline of a becoming.” Bushby’s angered vocalization of a genre of non-being—where “one” is the refusal of a name and the humanity that comes with it—is evidence of the terrible mechanics of language. But, it is in opposition to this linguistic state of killability, this metaphysics and rhetoric of coloniality, that Arcand articulates a grammar of subjectivity vis-à-vis the time and space of a native future. Here on Future Earth is a series of photographs that Arcand produced in 2010. In a phone interview, Arcand explained to me that this is where her photo-based practice and her interest in textuality synched. Arcand wants us to think about these photographs as documents of “an alternative present,” of a future that is within arm’s reach. For this series, Arcand manipulated signs and replaced their slogans and names with Cree syllabics. By doing this, Arcand images something of a present beside itself and therefore loops us into a new mode of perception, one that enables us to attune to the rogue possibilities bubbling up in the thick ordinariness of everyday life. Arcand wanted to see things “where they weren’t.” Hers is not a utopian elsewhere we need to map out via an ethos of discovery. Rather, Arcand straddles the threshold of radical hope. She asks us to orient ourselves to the world as if we were out to document or to think back on a future past. That is, Arcand rendered these photographs with a pink hue and a thick, round border, tapping into what she calls “the signifiers of nostalgia.” Importantly, these signifiers are inextricably bound to the charisma of words, to the emotional life of the syllabics. The syllabics are what enunciate; they potentiate a performance of world-making that does not belong to the mise-en-scene of settlement. It is this mise-en-scene of settlement that Arcand conjures to then obliterate, which is to say that her photographs evince a prairie world that is crowded with meaning, meaning that belongs differently to the logic of terra nullius (that a place exists without history or politics prior to European settlement) and to myths of Indian savagery and degeneracy. It is against this system of signs that Arcand opens the prairies up to radical resignification. It is where we build a future atop the decayed remains of coloniality. Perhaps Here on Future Earth visually captures the tempos of “Indian time,” which is always a scene of errant temporality. Indian time is less about the absence of rhythm and more about an inability to fix or to analytically hold up the rhythmic as a mode of feral movement itself. Words like “one” are spun such that they stomp us into the rut of social death. But: Indian time evinces an otherwise kinetics. In Here on Future Earth, this kinetics is energized by the textual, by the stories that they tell, and their visual culture. The modified signs exploit our ability to look; that we see them and conceptualize them as out of place or untimely is how we transport ourselves to a different time, to a place governed by Indian time. The syllabics themselves map a visual field. This is what Arcand calls “the optics of the language.” It is around these words that sociality orbits. This thematic persists in Arcand’s latest project, a set of large neon signs that light up Cree words like keyam. For Arcand, all of her engagements with the Cree language are partly elegiac. She is mourning language loss, but puts this negative affect to rebellious use to signify a world-to-come. Like the syllabics in Here on Future Earth, the bright signs prop up affective structures for a time and place where our relations to Cree are not always-already bound up in performances of grief. In one sign, Arcand translates the English phrase “I don’t have the words” into Cree. “I don’t have the words” is a paradoxical speech act; it uses words to announce their absence. These signs are installed in gallery spaces where Arcand’s work is commissioned; one was recently installed at the second gesture of the Wood Land School at the SBC Gallery of Contemporary Art in Montreal, another outside the Walter Phillips Gallery in Banff. These signs interrupt the visual terrain of the gallery, as if welcoming onlookers to a new world, to a new geographic form. The signs something like kinship around a common wordlessness in the service of a new world-making praxis. These photographs and signs, then, are all relics of a future past. They emerge from something of an anthropological interest in a future-in-the-present, in the affects of Indian time. Arcand thus writes the world wrong so that she can write it anew.

### 3

#### Dartmouth made the ACTIVE choice to break new, not disclose in front of THIS panel, and strike the only Indigenous woman on the panel – reason to reject the team cuz it proves their investment in debate overtly focused on competition that crowds out education, limits, and Native community building.

### Case

#### Circumvention:

#### A) Courts wont enforce and roll back the aff – empirics prove courts incrementally begin returning to common law interpretations – guts every internal link of the plan and leads to uneven enforcement long term even if initially honored by the courts.

Crane 21 (Daniel Crane Frederick Paul Furth, Sr. Professor of Law, University of Michigan. “ANTITRUST ANTITEXTUALISM” Notre Dame Law Review Volume 96 iss 3 article 7) DAH

This Article has shown that, historically, the judiciary has treated the antitrust statutes as broad delegations to the courts to create a pragmatic common law of competition, even when the statutes plainly said something more specifically prohibitory. What, then, are the strategies available to a reformist Congress seeking to rein in business power through remedial antitrust legislation? The one strategy that does not seem especially promising is simply writing clearer statutes. The antitrust statutes that the courts wrote down in favor of big business did not suffer from a lack of clarity or, if they did, not in the textual implications the courts chose to ignore. Strikingly, the courts continue to insist that the antitrust statutes are indeterminate delegations of common-law power, even while admitting in candor that they have simply chosen to ignore the statutes’ plain meaning in favor of a common method of deciding antitrust cases. For instance, in Professional Engineers, Justice Stevens remarked for the Court that “the language of § 1 of the Sherman Act . . . cannot mean what it says” and therefore that Congress must not have intended “the text of the Sherman Act to delineate the full meaning of the statute or its application in concrete situations,” thus justifying the courts in shaping the “statute’s broad mandate by drawing on common-law tradition.”255 Given over a century’s tradition of interpreting antitrust statutes as invitations to continue a common-law process whatever else is suggested by the statute’s text, it is difficult to see how simply accumulating stern new language in new texts would lead to a different result. Even where reform statutes are textually honored in their immediate aftermath, history shows a creeping judicial tendency to begin integrating the reform statutes into the mainstream of antitrust jurisprudence within a few decades. This has been the fate of the four major antitrust reform statutes— the FTC, Clayton, Robinson-Patman, and Celler-Kefauver Acts—each of which was meant to rein in capital in ways that the Sherman Act did not. In all four instances, however, the courts incrementally began mainstreaming the statutes into Sherman Act precedent, creating a homogenous antitrust jurisprudence that read the textual distinctiveness out of the reform statutes. Thus, today, cases under the FTC Act, section 3 of the Clayton Act, and the Robinson-Patman Act are largely indistinct from Sherman Act cases,256 and merger cases have been rolled into the same modes of price-theoretic analysis that would be employed in a Sherman Act case.257 Given that neither statutory text nor legislative history seems to have deterred the courts from this process within a few decades after the passage of the statutes, there is little reason to believe that a “this time we mean it” statutory reform would not meet the same fate. If the courts continue to understand aspects of the antitrust statutes as aspirationally motivated and operationally impracticable, the previously observed pattern is likely to continue. Again, it would be an overstatement to claim that statutory words have no consequences or that antitrust reform statutes are doomed ab initio to judicial culling. But the courts’ pattern of antitrust antitextualism and their perennial insistence that the antitrust statutes are delegations of common-law power rather than textually actionable injunctions in all of their particulars provide a cautionary tale for future legislatures: the dynamic of antitrust legislation, enforcement, and adjudication plays out against a longstanding backdrop of contestation over bigness, power, and efficiency that has muted the ordinary importance of statutory language. Writing more definite statutes will not necessarily curb these habits of mind.

#### B) Expanding goals increases inequalty – vote neg on presumption

Brenan 21 (Tim Brennan is Professor Emeritus of Public Policy, University of Maryland-Baltimore County, and former T.D. MacDonald Chair in Industrial Economics in the Competition Bureau. “Adding Goals to Consumer Welfare Can Undercut Everything” <https://www.cdhowe.org/intelligence-memos/tim-brennan-%E2%80%93-adding-goals-consumer-welfare-can-undercut-everything>) DAH

Competition law has had the goal of promoting consumer welfare through banning practices that would reduce competition. The short version of “consumer welfare” is keeping prices low, but practices that reduce product quality, marketing effectiveness, and innovation all fall within this standard. The aphorism summarizing the tradition has been that competition law is about protecting consumers, not competitors. A colleague long ago summarized this in what he called the First Theorem of Antitrust: “If a competitor complains about something, it must be good.” In recent years, this tradition has come under attack. Critics cite the growth of the Big Tech platforms, such as Google, Facebook and Amazon, which offer services to customers at a zero price. Under traditional practice, these companies would be deemed to be acting legally unless they engaged in practices that subverted competition that would have made consumers better off. However, under what has come to be called neo-Brandeisian antitrust, antitrust became detached from concerns with political and economic fairness. Many have called into question the veracity and relevance of the Neo-Brandeisian critique. Others have pointed out that moving away from the consumer welfare standard will make antitrust unworkable in the courtroom. These critiques are sound, but I want to call your attention to another cause for concern that might give some pause to those applauding these developments. Expanding the range of goals to pursue with antitrust, may end up not only doing a poor job protecting consumer welfare, but also impede achieving the equity, employment, fairness, and other social objectives motivating the critics of traditional antitrust – many of which I share with neo-Brandeisian critics. The simple version of the argument is a policy principle familiar to economists: The number of policy tools needs to equal the number of policy goals. If you try to address two or more problems with one policy tool – in this case, competition law enforcement – one will be ineffective at achieving either. Competition law enforcement arises on only a case-by-case basis – we see only those mergers that are proposed or those cartels that are undertaken – whereas these other concerns pervade the economy. Other than very rare instances of price regulation, we have no policy to protect consumer welfare by deterring the deleterious creation of market power other than antitrust. Competition law ought not be subverted to promote economy-wide goals for which there are more effective economy-wide tools. Advocates of expansion should address how much consumer welfare should we be willing to sacrifice to promote these other goals. To take but one example, one might be able to protect small stores in the name of “consumer choice” by limiting the ability of large big box or electronic retailers to expand operations, resulting in higher prices. How high should the price go? Not knowing the answer, I can imagine that the neo-Brandeisian response is that there is no trade-off. If there is no trade-off, then the neo-Brandeisian approach is nothing more than promoting consumer welfare, with some extra benefits on the side. Advocates of expanding antitrust should realize that policy indignation is a scarce resource. If a star chamber of plutocrats ran the world, nothing would please them more than to have their opponents squander their energy on attacking them through competition law rather than policies that might really address inequality and other social ills. If you care about these other problems, please do not waste our energy by pursuing the ineffective path of Competition Act amendments.

#### Realist assumptions of antitrust policy precede Dartmouth’s utopian justification

Rahman 20 (Sabel Rahman Law @ Brooklyn “Structuralist Regulation” Prepared for NYU Law School Public Law Colloquium, September 2020)

The rest of the paper proceeds as follows. Part I provides a conceptualization of ‘structuralist’ policymaking, identifying the underlying assumptions that animate structuralism as a regulatory strategy. This Part also notes that this concept of regulatory strategy (or what I call “regulatory logic”, as defined below) should be understood as a distinct way of unpacking and analyzing the patterns of policymaking judgment distinct from other modes of analysis like cost-benefit analysis or the rules-versus-standards debate. Part II then looks at examples of structuralist policy proposals in recent economic policy debates: the debate over tech platforms, the debate over too-big-to-fail financial firms and systemic risk, and the renewed interest in anti-trust and anti-monopoly law. These examples help illustrate structuralist regulatory logics in action, and their distinctive assumptions and potential benefits over more conventional regulatory approaches. The purpose of this Part is not to offer a full-throated defense of structuralist policies in each of these sectors (although I am perhaps unsurprisingly sympathetic to the arguments on the merits); rather the purpose here is simply to illustrate structuralism as a distinct mode of thinking about policymaking. Part III articulates some broader implications for how to implement and institutionalize structuralist policies. Part IV concludes with some closing thoughts on how structuralism as a way of thinking about regulation connects to this broader moment of intense political and scholarly interest in inequality and racial (in)justice.

I. Structure as regulatory subject and strategy

Regulatory logics

The task of creating an effective and responsive regulatory system is often thought of in terms of questions of institutional design the balance of responsibilities between legislatures, agencies, and judges; how agencies should be structured; how agency heads should be appointed; how agencies can generate sufficient expertise to regulate effectively without falling prey to industry capture. But part of the challenge in ensuring effective and responsive regulation lies within the ways in which regulators and policymakers more broadly think about their task—the concepts and worldviews that operate within the ‘black box’ of policy decisionmaking and judgment.

However stringently we might read the external legal constraints on regulatory action— whether through judicial review or command—the fact of regulator discretion and judgment is inescapable.25 So how then should we think about the analytical methods or frameworks employed by regulators themselves? Regulators and legislators are not merely technical automatons executing the public will or legislative command. Nor are they simply political ideologues. Rather, policymakers are necessarily making decisions that involve degrees of subjective, normative, and policy judgments. The ways in which that judgment is exercised has an impact on the dynamics of regulatory policy.

Embedded in these judgments are a range of assumptions, values, and concerns. How are policymakers understanding the purposes of regulation in a given domain? Do they see their enterprise as complementary to existing private parties and practices? Or as fundamentally critical and oppositional? How do regulators view their own capacities and institutional competency—particularly relative to other private or governmental actors? Do they see themselves as outgunned and undermanned? Or well-informed and capable? What is their analysis of the systems and causes that drive the problems they are trying to solve—and which of those causes are, in their view, most amenable to the tools they have on hand? These are the kinds of underlying questions that operate upstream from a discrete policy issue or costbenefit analysis inquiry.

These questions often aggregate into distinctive patterns of judgment, consistent regulatory strategies, or what I call in this paper “regulatory logics”. Regulatory logics live squarely in the midst of the black box of regulatory judgment; they are more reasoned and grounded in understandings of the empirical nature of the world than pure political ideology, but at the same time they also share some degree of normative, subjective judgment beyond merely technical calculations of risk, costs, and benefits. We can think of “regulatory logics” as analogous to canons and methods of statutory interpretation in the judiciary. Just as canons offer a conceptual framework and method of reasoning forjudges seeking to fill in the gaps between statutory text and a new fact situation, regulatory logics can be thought of as a bundle of presumptions about the social goals of regulation, about the relative institutional competency of regulators in comparison to private actors, and about the appropriate methods of analysis required in formulating rules responding to new circumstances. And, like modes of interpretive reasoning, regulatory logics do not predetermine a specific outcome—though they may shade in some directions making some policy determinations and outcomes more likely than others. Nor are the same logics necessarily appropriate in all circumstances; different conditions may demand different regulatory logics.

### 2NC

#### Dartmouth wants you to conflate antimonopoly with antitrust – Greer and Rice indict that stating activists and organizes can center

Greer and Rice 21(Jeremie and Solana, co-founders and co-executive directors of Liberation in a Generation “Anti-Monopoly Activism: Reclaiming Power through Racial Justice,” <https://www.liberationinageneration.org/wp-content/uploads/2021/03/Anti-Monopoly-Activism_032021.pdf>)

As discussed earlier in this paper monopoly power has enormous impact on other movement priorities led by leaders of color, such as environmental justice, worker justice, housing justice, police and prison abolition, closing the racial wealth gap, and democratic disenfranchisement. Anti-monopoly policy can be a powerful tool to accomplish existing movement priorities, including the Green New Deal, a Homes Guarantee, a federal jobs guarantee, and Medicare for All. In order to fully utilize it as a tool, anti-monopoly advocates must support—mainly in the background grassroots leaders of color in integrating anti-monopoly policy and advocacy strategies into the existing campaigns they are leading. By following their lead, and by working together to curb corporate power, we as a collective progressive movement can accomplish an array of movement priorities and move the US closer to liberation for people of color.

### 1NR

#### Mundane Citation Link – “the” before united states federal government provides “shelter for despots” and deifies the Settler’s institutions as a geopolitical unity that unconsciously primes us towards aggression

Thrift 0 (Nigel | University of Warwick Vice Chancellor, University of Bristol Professor of Geography | “It’s the Little Things” | Geopolitical Traditions: A Century of Geopolitical Thought p.383-385. Google Books DOA: 3/11 //shree)

Let us finally come to one more arena: the arena of words. After all, here we might be thought to have the clearest example of representation at work, the word. Yet, what we do not get from critical geopolitics is a clear enough sense of how words function to bring about geopolitical change and it is not possible to do so as long as geopolitical forces continue to be framed as ‘big’ and ‘commanding’ (with all the masculine overtones). Some of the most potent geopolitical forces are, I suspect, lurking in the ‘little’ ‘details’ of people’s lives, what is “carried” in the specific variabilities of their activities’ (Shotter and Billig 1998: 23), in the context of utterances. And these variabilities have immediate consequences. Thus, as Bakhtin notes, and as is confirmed by the work in conversational analysis, ‘we sensitively catch the smallest shift in intonation, the slightest interruption of voices in anything of importance to us in another person’s practical everyday discourse. All those verbal sideward glances, reservations, loopholes, hints, threats do not slip past our ear, are not foreign to our own lips’ (Bakhtin 1984: 201). And we in turn show our stance to what they do or say also in fleeting bodily reactions, facial expressions, sounds of approval or disapproval, etc. Indeed, even in the continuously responsive unfolding of non-linguistic activities between ourselves and others—in a dance, in a handshake, or even a mere chance collision on the street—we are actively aware of whether the other’s motives are, so to speak, ‘in tune’ or ‘at odds’ with ours. And in our sense of their attunement or lack of it, we can sense their attitude to us as intimate or distant, friendly or hostile, deferential or arrogant, and so on. Thus, very effective work has been done in disciplines like anthropology and discursive psychology (Billig 1995, 1997) which attempts to provide a sense of how national identity and an accompanying geopolitical stance are inscribed through the smallest of details. Thus, for example, national identity is not accomplished in grand displays which incite the citizen to wave the flag in a fit of patriotic fervor. Instead, it goes on in more mundane citations: it is done unobtrusively on the margins of conscious awareness by little words such as ‘the’ and ‘we’. Each day we read or hear phrases such as ‘the prime minister’, ‘the nation’, or the ‘weather’. The definite article assumes deictically the national borders. It points to the homeland: but while we, the readers or listeners, understand the pointing, we do not follow it with our consciousness – it is a ‘seen but unnoticed’ feature of our everyday discourse. (Shotter and Billig 1998:20) Such work goes some way towards understanding the deep, often unconscious aggressions which lurk behind so much geopolitical reasoning’, which through small details build a sense of ‘us’ as not like ‘them’, and from which political programmes then flow as infractions are identified and made legible. In these few brief comments, I hoped to have outlined a parallel agenda for critical geopolitics, one still based on discourse, but on discourse understood in a broader way, and one which is less taken in by representation and more attuned to actual practices. In turn, such an agenda leads us away from interpretation of hyperbolic written and drawn rhetorics (which, I suspect, are often read by only a few and taken in by even fewer) towards the (I hesitate to say ‘real’) work of discourse, the constant hum of practices and their attendant territorializations within which geopower ferments and sometimes boils over.

1. Maurice Stucke and Ariel Ezrachi, “The Rise, Fall, and Rebirth of the U.S. Antitrust Movement,” December 15, 2017 [↑](#footnote-ref-1)