



1AC

While we talk about the res
I would like to talk about the harms which befall
Those from the place where I come from
South Asia, the home where I can stand tall
When the white man can come
And throw an old man facedown
I look at this “land of the free” and “home of the brave”
With a frown
I don’t understand
How this can persist
But I shall do my best
To resist.

South Asians are the intersection of both African American and Asian American violence – not only are we seen as “black” and our identity is misunderstood, any achievement we have is attributed to the model minority myth. Here is the story of Mr. Patel.

Khan '15,

When 57-year-old **Sureshbhai Patel was slammed facedown to the ground by an Alabama police officer** in February, **leaving him partially paralyzed**, the Hindu American Foundation moved quickly to announce that it was developing a Hinduism 101 training for first responders “to improve the cultural competency of police officers and avoid the escalation of incidents based on language and cultural barriers.” While a completely understandable reaction, on its own, it is also a narrow and shortsighted one. What many South Asian Americans do not understand is that **the violence perpetrated against them and other nonblack people of color is directly linked to the culture of bias and racism in the U.S. against African Americans** **Police only approached Patel because they had received a call that a “skinny black guy” had been seen wandering the neighborhood. Squad-car footage from the scene suggests that the police officer**, who was indicted Friday, knew that Patel was Indian by the time he attacked him. But the fact that he **was primed to see Patel as black before approaching him [which] meant that the officer entered the situation much more likely to use excessive or even lethal force.** No amount of cultural training about South Asians can eliminate that bias. **South Asians in the U.S. are often held up as part of the wider myth about Asian Americans being a “model minority”** in comparison with African Americans. **Conservatives and liberals alike perpetuate this myth**, essentially pitting Asian minorities against African Americans. As Spelman College professor Jamillah Karim points out, by accepting the label of “model minority,” South Asians inadvertently “bolster fictions about African-American incompetence and laziness.” Trying to distinguish themselves from African Americans is understandable, as historian Vijay Prashad explains: “Since blackness is reviled in the United States, why would an immigrant, of whatever skin color, want to associate with those who are racially oppressed ... ?” SK

The 1AC is a confrontation with the racism which pervades the USCJS. The 1AC isolates Sureshbhai Patel’s experience as a starting point to analyze the entire system. We cannot abstract and treat every single experience as the same, but we can draw connections between different systems of violence and build coalitions. The 1AC is an act of strategic essentialism – we isolate one experience in relation to the broader experiences of individuals. Anything else would collapse into only essentialism which is a net benefit to using strategic essentialism.

Phillips,

This paper identifies and discusses four distinct meanings of **essentialism**. The first **is the attribution of certain characteristics to everyone subsumed within a particular category**: the **‘(all) women are caring and empathetic’, ‘(all) Africans have rhythm’, ‘(all) Asians are community oriented’** syndrome. The second is the attribution of those characteristics to the category, in ways that naturalise or reify what may be socially created or constructed. The third is the invocation of a collectivity as either the subject or object of political action (‘the working class’, ‘women’, ‘Third World women’), in a move that seems to presume a homogenised and unified group. The fourth is the policing of this collective category, the treatment of its supposedly shared characteristics as the defining ones that cannot be questioned or modified without undermining an individual’s claim to belong to that group. Focusing on these four variants enables us to see that the issue is sometimes one of degree rather than a categorical embargo. 2 **Work on feminism and multiculturalism increasingly summons up for criticism the spectre of cultural essentialism.** This runs as a thread through the essays in a recent collection on Sexual Justice/ Cultural Justice (Arneil et al, 2006). It figures in a ‘mapping of the terrain’ as the object of an entire school of post-colonial feminism (Shachar, 2007). And though I do not much use (or like) the term, I have been willing enough to hear my own work on Multiculturalism without Culture described as a critique of cultural essentialism. As its deployment in such works confirms, essentialism is thought to be a bad thing. We do not, on the whole, say, ‘that position is essentialist and that’s why I like it’; or, ‘I have some sympathy with your argument, but find it insufficiently essentialist’. As Ian Hacking (1999:17) puts it, ‘most people who use (essentialism) use it as a slur word, intending to put down the opposition’. Yet it is also commonly argued that **we cannot avoid at least some kind of essentialism**: that it is a politically necessary shorthand; or even, in some arguments, a psychologically inevitable feature of the way human beings think. Diana Fuss (1989) has argued that the essentialism/ constructionism binary blocks innovative thinking, providing people with too easy a basis for unreflective dismissal. Gayatri **Spivak** (1988) famously **wrote of a strategic essentialism that could invoke a collective category** – like the subaltern or women – **while simultaneously criticising the category as theoretically**



unviable. Though she subsequently distanced herself from what she saw as misuses of the notion of strategic essentialism, the idea that **we may have to ‘take the risk of essence’ in order to have any political purchase** remains an important theme in feminist theory and politics. SK

As such, locating individual stories is key. Reading the story is of Sureshbhai contextualizes the focus of the 1AC as well as the role of the ballot BUT IS NOT a proactive reason to vote aff nor it is a tool to the ballot

Jarman and **McDonald**,

In their 1985 article Hollihan, Riley, and Baaske call for “academic debate [to] move in the direction of a “communication style” which manages to preserve many of the best elements of the policy-making systems theory perspective -- the emphasis on careful and deliberate considerations of policy alternatives -- while also teaching debaters to make arguments that appeal to and have meaning for broader audiences.” Turning to Walter Fisher’s work on the narrative paradigm, the authors point to **narrative** as the **is the pluralist “exemplar”** they desire debate to emulate. Narrative becomes **the means to open the debate community to larger audiences, including university administrators, politicians, and the general population**. For debaters, narratives are **the vehicle to enact their “social knowledge,”** thereby **locating their claims in particular historical moments**. Moreover, the narrative format would allow debaters to attend to the value dimensions of the many different policy alternatives”. Many of the functions described by authors who advocate a paradigmatic view of narrative in academic debate are useful and constructive. Hollihan, Riley and Baaske (1985) argued that a narrative approach to debate would not change the rigor and research of the activity of policy debate. Moreover, the authors contend the narrative mode would increase the argumentative repertoire of competitors. Debaters and debate critics would continue to possess a very shrewd and well-defined sense of argument. They would still be involved with research, and through this research they would learn how the “experts” in the field evaluated stories. Thus **rather than sacrificing rationality, debaters would be enriching their education by supplementing their rational arguments with narrative capability**. Debaters, according to Hollihan, Riley, and Baaske would receive more preparation in real world argumentation through a paradigmatic view of narrative in debate. Additionally, programs may benefit, they argue, as **a narrative approach would increase accessibility and openness to debate activities**. Continuing their earlier work, Hollihan, Baaske, and Riley return to the narrative paradigm for guidance in the conduct of academic debate. **One central concern** they cite **is the distance or removal of the critic as an active participant in the process of adjudication**. The authors claim they are searching for a means to increase debater involvement and engagement with issues. **We want debaters to create compelling arguments that audiences will find impossible to ignore**. Thus **debate can train its participants** not just for leadership roles in society, although we hope and expect that debaters will continue to become leaders, but also **to serve as critics of the values being promulgated in our society**. **A narrative perspective would be important for shaping the experience of individual debaters for future leadership as** well as forcing them to make MORE compelling arguments. Additional benefits cited by the authors include elevating public knowledge and judgement, as “[a] narrative perspective celebrates the ability, wisdom and judgment of the public;” **increasing judge and participant interaction in co-creating the debate as the process of “constructing, communicating, and evaluating their respective understandings of the world”** would engage judges and **participants in a highly dialectical process**; increase the focus on context and biography of sources, thereby giving greater emphasis to the warranting function within argument; and finally help reduce some barriers to competition created by lack of prior high school debate experience. SK

This puts a face and a name to oppression’s manifestations. In order to ask, “Justice for whom”, in order to ask, “criminal to whom”, we first have to determine who is whom. Generalizing experiences and qualities does nothing for individuals cheated by the CJS

Jarman and **McDonald**,

First, **narratives do have an epistemological function**. Too often **critics of the narrative paradigm tend to overlook the benefits of narratives choosing to focus on the specific problems of application**. It is important to keep in mind that narratives do provide knowledge. **A story has the power to convey information and humanize a situation** which might be unavailable in other formats. For instance, **issues of racism and discrimination seem aptly suited to discussions via narratives**. **Statistics and facts seem less capable of describing racism than a story**. An example of this comes from Cornell West (1993) when he describes several instances of racism: This past September my wife, Eleni, and I made our biweekly trek to New York city from Princeton. I dropped my wife off for an appointment on 60th Street between Lexington and Park Avenues. I left my car--a rather elegant one--in a safe parking lot and stood on the corner of 60th Street and Park Avenue to catch a taxi. ... I waited and waited and waited. After the ninth taxi refused me, my blood began to boil. The tenth taxi refused me and stopped for a kind, well-dressed, smiling female citizen of European descent. As she stepped in the cab, she said, “This is really ridiculous, is it not?” Ugly racial memories of the past flashed through my mind. Years ago, while driving from New York to teach at Williams College, I was stopped on fake charges of trafficking cocaine. When I told the police officer I was a professor of religion, he replied, “Yeh, and I’m the Flying Nun. Let’s go, nigger!” I was stopped three times in my first ten days in Princeton for driving too slowly on a residential street with a speed limit of twenty-five miles per hour. (And my son, Clifton, already has similar memories at the tender age of fifteen.) Needless to say, these incidents are dwarfed by those like Rodney King’s beating or the abuse of black targets of the FBI’s COINTELPRO efforts in the 1960s and 1970s. Yet the memories cut like a merciless knife at my soul as I waited on that godforsaken corner. Finally I decided to take the subway. I walked three long avenues, arrived late, and had to catch my moral breath... When I picked up Eleni, I told her of my hour spent on the corner, my tardy arrival, and the expertise and enthusiasm of the photographer and designer...As we rode back to Princeton...we talked about what race matters have meant to the American past and how much race matters in the in the American present. And I vowed to be more vigilant and virtuous in my efforts to meet the formidable challenges posed by Plato and Du Bois. For me, it is an urgent question of power and morality; for others, it is an everyday matter of life and death. The point of the story is to illustrate the massive inequalities which are associated with racism. Simply counting the number of times racist behavior occurs does not do justice to the claim. **Only through a story can the significance of the problem be understood**. In this way narratives serve an epistemological function. Second, **narratives can function as evidence within the academic debate context because** they fulfill the criteria established by Winebrenner. Narratives do meet the requirement of expertise. When establishing claims of authority two issues are involved: either **the author is knowledgeable on the subject** (expert) **or s/he has some experience which make their comments relevant**. When individuals relate or retell actual events from their life experience, they are accorded the later type of expert status. Other stories are created by authors who have some level of education, expertise, or training in a given field and are accorded expert status of the former type. These stories draw on the first type of authority. It is also possible for certain stories to utilize both levels of authority, as with Cornell West: he is a professor of cultural studies and a victim of racism. Not only do stories fulfill the expertise requirement, they also meet the standards of warranting claims established by Winebrenner. His argument is that we should not accept arguments which are only conclusory. Rather, a basis for the claim should be explicit in the evidence. He writes: “an authoritative inference involves expert opinion, but presents that opinion in a manner which reveals the thinking of the authority...Such testimony not only identifies the opinion a witness holds, it identifies the inference upon which that opinion has been based. Opinions which combine substance with deference create a stronger web of proof than do opinions which rely upon deference alone.” Stories clearly meet this criteria. **The development of the story functions as pieces of evidence in support of the claim**. Each example within the story further supports the major claim. The plot functions to warrant the claim of the story. The plot ties together each of the small descriptions into an argument. For example, in the Cornell West story, the refusal of a taxi to stop only for a black man functions as evidence of some racist act. In this manner, the necessary components of a story would fulfill Winebrenner’s requirement that evidence contain within itself warrants for the claims. This understanding of narratives provides a Burkean “both/and” solution to the problem of narratives in academic debate. On the one hand, it maintains the usefulness of narratives within debate. **Narratives are clearly powerful types of evidence which can and should be utilized in the construction of persuasive arguments**. At the



same time, narratives as evidence maintain the expert model of debate advanced by those opposed to narratives. The key is that debaters are still required to construct viable arguments with sound reasoning. The only change is that this interpretation would expand the realm of what is acceptable "evidence." Instead of relying solely on the policy-analyst expert, debaters and judges would be required to broaden their understanding of what constitutes an expert. Authority-based reasoning should include those who have knowledge about the claim advance. Clearly, anyone who studies racism or who has been the victim of racism or discrimination is in a position of expertise on the subject. Moreover, not only can we test their expertise on a given subject, but we can also test the validity of their argument without resorting to judicial intervention. Stories can be read for internal consistency. This is the mark of warrants within a story. Judges and debaters can evaluate how well the events of a story function to warrant a conclusion about the events. The fact that the events are told as a story, instead of some other format, does not preclude this type of analysis. Winebrenner's discussion of the role of testimony in debate is also instructive in applying narrative arguments. The dominance of authority evidence within contemporary debate practice, especially without complete or meaningful qualification for the source providing testimony, produces fewer warrants and increased unchallenged claims. Winebrenner illuminates the issue of warranting claims during a debate round. SK

I would bet that you've never heard of Sureshbhai Patel, or the historic culture of violence against Indian Americans. This is especially true in New Jersey, which has been characterized by the history of "Dot Busters" who sought to eliminate Indian Americans. This contextualizes my speech act as my action in *this space*, within New Jersey, uniquely pinpoints the location of the oppression.

Lal,

The most contemporary phase of the political history of Asian Indians in the United States begins, however, **with the Immigration and Naturalization Act** of 1965, which set a quota of 20,000 immigrants from each country. The greater number of Indians, at least in the first fifteen years, were to arrive as professionals, though subsequently many more have come under family reunification preferential categories. By 1975 the number of Asian Indians had risen to well over 175,000, and it is around this time that the question of self-representation, and how they wished to be known collectively to others, first surfaced among members of the Indian community. One American scholar who published in 1980 a study of Asian Indians in New York City reported that her informants variously described themselves as Aryan, Indo-Aryan, Caucasian, Oriental, Indian, Asian, Mongol, and Dravidian. **The earlier nomenclature of "Hindus" for all Indians had long been abandoned, but their designation as "Indians" was scarcely more acceptable, since what are now known as "Native Americans" were also known as "Indians". The term "Asian American" was not much in vogue**, and in any case referred primarily to those from the Far East (and later South-east Asia); **and unlike in Britain, where Indians appeared to tolerate being lumped together with Africans and Caribbean people as "black",** even deriving new political coalitions and formations in the common interest of combating oppression, **in the United States the designation "black" was seen as condemning one to membership in a permanent underclass.** The aversion of Indians to being viewed as part of a "black" community no doubt owes something also to their own racism, and as one black man wrote of Indian college students in the 1920s, "the Indian wore turbans so as not to be identified with negroes; they kept their distance, wanted nothing to do with negroes."**To be assimilated into the category of "Caucasian" or "white" might consequently seem desirable, but Indians could not then claim those entitlements due to members of "minority groups" that faced the real hazards of prejudice.** where, **at one time, Indians were zealous in pressing forth the claim that they ought to be considered "white", they now sought to disassociate themselves from this identity without disavowing the category of "Caucasian", which was seen as prestigious and having scientific credibility.** Writing to the US Civil Rights Commission in 1975, the recently formed Association of Indians in America (AIA) submitted that "Indians are different in appearance; they are equally dark-skinned as other non-white individuals and are, therefore, subject to the same prejudices." These efforts at preserving the minority status of Indians, while allowing them a distinct identity, were to bear fruit when **the Census Bureau agreed to reclassify immigrants from India as "Asian Indians". However opportunistic** the position of the AIA, **there was something of a case to be made for disadvantages suffered by Indians,** for as the 1980 census showed, U.S.-born Asian Indians, whose numbers were growing, had an unemployment rate "five times that of other Asian American groups." Moreover, though among Indians there were proportionately more professionals than among any other ethnic group, with every passing year the number of Indians employed as taxi drivers, gas station owners and attendants, subway newsagent vendors, and in other working-class jobs would continue to grow, and the apprehension that these Asian Indians might have to bear the brunt of racial prejudice and ethnic jokes, whether at work or at home, was not entirely misplaced. In the late 1980s, **this racism which had taken a violent turn on previous occasions, acquired a systematic patterning.** **In New Jersey** for instance, **a number of Indians**, whose material success rendered them visibly open to attack, **were murdered by young white men who came to be known as "dot busters", a reference to the bindi or colored dot placed by some Hindu women on their forehead between the eyebrows.**

The jury is thus the best place to begin the struggle. Nullification is transformative – it is an act of change and dissent and endorsement regardless of whether the jury actually nullifies.

Carroll, [The Jury's Second Coming, JENNY E. CARROLL (Associate Professor of Law, Seton Hall University School of Law.)© 2012, 7 THE GEORGETOWN LAW JOURNAL, Vol. 100:657. SK]

Nullification is a conspiracy among the most unlikely of allies: the defendant, who would challenge the legitimacy of the law, **and the community** which lends legitimacy to the law by agreeing to serve as both its source and the subject of its application. **In this alliance, the jury and the defendant assume their roles as political actors, lending meaning and viability to the law. For a defendant, nullification is transformative. It** is a mechanism that **changes the defendant's act from a potentially criminal one to one of civil disobedience** in this transformation, the underlying act may remain criminal—and ultimately **the jury may vote to convict the defendant—but the defendant's call to nullify lends the act another meaning, and so other powers. It** ceases to be a single act and **joins a larger narrative of change and dissent. The act takes on a symbolic meaning previously absent. It becomes a call to arms, to revolution, to redefine the law** (or some aspect of it) **in favor of some larger truth or even just the opportunity to express belief in that truth.** 2012] 705 JURY'S SECOND COMING **The jury is the ideal ally** in the defendant's struggle to redefine the law. **Jurors are in a unique position to encompass the community's values within the rule of law.** To the extent that the law flows from communal compromise of morals and practicality forged in the hallowed chambers of power—the legislative, executive, and judicial branches—jurors occupy a fourth branch that exists in the borderland between what the community hopes the law can achieve and the reality of its application on and by everyday citizens. **Through nullification, the jurors claim for themselves the right to interpret and define the law in a manner that weighs the narratives of their fellow citizens, including narratives of dissent and resistance,** against the written body of the law. **Nullification forces**



the law into motion and expansion The law cannot remain idle and static in the face of ordinary men and women granted a momentary and limited power to judge, interpret, and define the law by their very commonality. It is a call for accounting rooted in a long tradition of bottom-up lawmaking. This tradition is premised on the notion that any man (and, at least in recent decades, any woman) can take his or her vision of the law and make it whole by applying it as a juror. Whether one believes that nullification represents a rejection of the law or merely a redefinition of the law beyond writing, there is no doubt that it represents a moment of transformation

**But you may say
That this is “unfair”
As if that is a reason
For you to not care.
But here let me
Be as clear as day
I am affirming the topic
Will that make it ok?**

THUS, my advocacy is that juries ought to nullify in the face of the injustice suffered by Sureshbhai Patel. I will defend any right to nullify but disads to the ability to nullify don’t link to my position. I say it is an inherent obligation to fight in the face of injustice regardless of consequences.

The defense keeps putting the blame on Sureshbhai because he “didn’t follow the laws”. That is not a reason that this man should not receive justice. Tell me, DO YOU BELIEVE ERIC PARKER SHOULD GO FREE?

Joshi '15,

WASHINGTON: South Asian American organisations have expressed “outrage” **at the second mistrial** of a former police official charged with use of excessive force against an elderly Indian man that left him partially paralysed. “SAALT (South Asian Americans Leading Together) is outraged that a second mistrial was declared on November 4, after **a deadlocked jury once again failed to convict** Madison, Alabama police officer, **Eric Parker** on a civil rights charge brought against him by the US Department of Justice earlier this year, for attacking Sureshbhai Patel,” a statement said. “While the trial was supposed to focus on the unreasonable use of force that Parker used on Patel, **it was Patel's immigration status and English proficiency skills that were really on trial,**” said Lakshmi Sridaran, Director of National Policy and Advocacy at SAALT. Indeed, in his opening remarks, **Parker's attorney said: "When you come to the US we expect you to follow our laws and speak our language. Mr Patel bears as much responsibility for this as anyone".** Parker was captured on video beating Patel, a grandfather, to the point of partial paralysis in February after Patel, initially identified by a neighbour as a “suspicious Black man,” repeatedly told the officer he could not speak English, SAALT said. **“We continue to believe in the strength of the evidence and that the defendant's actions violated the constitutional rights of the plaintiff.”** said Bhavani Kakani, president of AshaKiran. “It is absolutely devastating to hear **the news** from Alabama as it **reflects a deep pattern of unfairness for people of colour** Although grounded in anti-blackness, **police brutality by law enforcement and immigration enforcement is no stranger to South Asian communities and it is indicative of this political moment to be on the path to justice**” said Dante Barry, executive director of Million Hoodies United.SK

We have to situate debate discourse in relation to Anti-Black Violence, in relation to the other violence. Sure, my speaking up won’t solve the problem and conscious raising is not an end all be all. RATHER, it is the first step. It is essential. It is how we can rebel against the system. A vote aff is not a vote for Shankar [SHANKTHATANK]. It is a vote for my speech act that separates our discourse in this debate context from the logic which justifies racism.

Iyer '15,

In early September, a jury in Huntsville, Alabama, began to hear testimony in the case of Eric Parker, a white police officer who faced federal charges for violating the civil rights of Sureshbhai Patel, a 57-year-old Indian immigrant and grandfather. On September 11th, the jury of ten white men and two Black women reached a stalemate in their deliberations for the third time, leading the judge to declare a mistrial. What happened during the trial should concern all Asian Americans and anyone working on police brutality cases. The facts in the case against former Officer Eric Parker of the Madison, Alabama police department seemed fairly straightforward at first glance. In February of this year, Parker and another cop were in Mr. Patel’s suburban neighborhood to follow up on a 9-11 call from someone who claimed that a suspicious “skinny Black guy” was walking around. **Officer Parker** and his partner **approached Mr. Patel**. Their exchange, captured on dashcam video, shows that **Mr. Patel could only utter a few words in English**. Video footage also shows what happened next. **Officer Parker performed what is known as a front leg sweep, throwing Mr. Patel onto the ground. Mr.** Patel was hospitalized for months, and became partially paralyzed as a result. Once the video footage was released, the city immediately suspended and then terminated Officer Parker. The governor of Alabama even offered an apology on behalf of the state to the Indian government. The Department of Justice began an investigation and found cause to bring federal charges against Officer Parker. Advocacy organizations such as South Asian Americans Leading Together in consultation with Alabama-based nonprofit, Asha Kiran, demanded that the police department make significant reforms, including addressing the gaps in its language access practices. Given these facts, **the announcement of the mistrial in the case sent waves of disappointment and shock through the South Asian community in particular**. Over at Medium, South Asian American activist Anirvan Chatterjee noted one of the lessons from this case, that video footage cannot erase implicit bias. He writes, “[t]he mistrial shows us that **the video evidence we can plainly see with our eyes isn’t enough to overturn deep-seated implicit bias, structural racism, and our puzzling willingness to forgive the acts of violence committed by government employees**.” Indeed, **the jurors** viewed the video footage multiple times to determine whether Officer Parker had used unreasonable force in his treatment of Mr. Patel. But **during the trial, they were also focused on** another set of questions: whether Mr. Patel had a right to be walking around in the first place without identification of his immigration status, and **whether Mr. Patel’s inability to speak English was a reasonable factor in assessing Officer Parker’s actions** **Xenophobic comments came up**



quite often during the trial according to a courtroom blog that documented the proceedings. At one point, the defense attorney, when cross-examining Mr. Patel's son (Chirag Patel) asks: Defense Attorney: "Do you understand it is a federal crime for your father to not have his green card in his possession at all times?" Chirag Patel: "He does not need his green card to just walk 10 minutes down the street." Defense Attorney: "That's your interpretation of the law." Why were Mr. Patel's immigration status and his ability to speak English even relevant in a case of police misconduct? On one hand, we should be prepared for this sort of victim-blaming – especially in police brutality cases. From Michael Brown to Tamir Rice to Sandra Bland, we have seen how Black people are portrayed as being aggressive, insulting, threatening or deserving of punishment – even when they are unarmed and under the full control of law enforcement. It is no different in the case of Sureshbhai Patel: he was perceived as non-compliant because he spoke no English and was an immigrant. In fact, one of the questions that the jury had for the judge during their last round of deliberations was whether Mr. Patel was breaking the law when he left home without his green card. **"I Speak No English" Doesn't Mean**

"I Won't Comply" During the trial, Sureshbhai Patel testified through a Gujarati interpreter. He told the jury that he was a farmer in India and that he did not make it past the fifth grade. He had come to Madison, Alabama, to help care for his grandson.

He regularly took walks in the neighborhood, but never too far from the house so that he would not get lost. **During the encounter with the cops, Mr. Patel apparently said "No**

English" five times In the video footage, Officer Parker himself observes this: "He kept jerking away from me. My thought was he had something in his pockets...I asked him his name and he told me, then said 'No English.' It might be a language barrier but I don't think so." At that moment, what should the officers have done? According to Susan Shah, Chief of Staff at the Vera Institute for Justice, Officer Parker should have sought qualified language assistance to ascertain more information. "Once there is a sign that there may be a language barrier, an officer can briefly proceed in the interaction to confirm that the individual has limited English proficiency. This can include asking a few questions that require a narrative response, listening for responses that are fragments, or identifying signs of confusion. If a language barrier seems likely, officers should always err toward providing language access. This means seeking out qualified language assistance through the police department, which could be an authorized interpreter (through a language line) or bilingual staff." This isn't just the right or practical thing to do to ensure safe and humane community-police interactions. It's also the law. Police departments have an obligation to ensure language access under Title VI of the Civil Rights Act of 1964. Shah notes that there are various efforts underway by police departments around the nation to identify and successfully overcome with language barriers. During the trial, the defense framed the case as one in which Officer Parker was worried for his safety because Mr. Patel was not complying with his

instructions. **Apparently, not speaking English, argued defense lawyers, can indicate not "I don't understand" but "I won't comply."** In fact, media reports refer to this statement made by the defense attorney to the jury: "[the government] wants you to believe anyone who doesn't speak English gets a free pass." **What's Next? The federal**

government will retry the case. A preliminary hearing has been set for October 6th and the trial is expected to begin in

late October Bhavani Kakani, president of AshaKiran – a non-profit organization that supports women facing domestic violence in Alabama – plans to carefully monitor the proceedings. "At AshaKiran, we were disappointed and outraged by the mistrial in this case," she told me. "We expected a different outcome." AshaKiran volunteers regularly conduct cultural and linguistic trainings for police officers. As a result of the Sureshbhai Patel case, their trainings have expanded to include issues beyond domestic violence. Nationally,

groups like South Asian Americans Leading Together (SAALT) are also closely watching the case, while situating it in the context of state violence against Black communities. **It is critical that South Asians situate our**

relationships with law enforcement by first understanding the impact of anti-Black racism and then adding the layers of Islamophobia and anti-immigrant sentiment directed at our own communities through state sanctioned policies after

9/11 Lakshmi Sridaran, SAALT's Director of National Policy and Advocacy, told me. Indeed, it is important to remember, as Subhash Kateel and I wrote earlier this year in India Abroad, that this case would likely have received little attention and outrage if it were not for the movement for Black lives, which has opened our eyes to the pattern of police brutality that is routinely targeted at Black people. The names of Sandra Bland, Michael Brown, Eric Garner, Rekia Boyd, John Crawford, Ezell Ford, Freddie Gray, Akai Gurley, Mya Hall,

Trayvon Martin, Tamir Rice, Walter Scott, and Aiyana Stanley-Jones make up just part of a distressingly long list of Black men, women, and children who have lost their lives in encounters with law enforcement. **South Asians who are**

disturbed and outraged by the Sureshbhai Patel case have an opportunity to make connections with the broader efforts around the country to address anti-Black racism, particularly in the criminal justice and law enforcement contexts. We

must understand that what happened to Sureshbhai Patel is an example of the insidious and pervasive nature of anti-Black racism. Simultaneously, we must point to how Patel's immigration status and limited English proficiency were unique and additional factors that influenced the actions of the police officers. We must ensure that any police reforms related to the criminal justice system and community policing efforts include attention to factors such as limited English proficiency and immigration status. And, we must encourage more of our own community members who are outraged by what happened to Sureshbhai Patel to support the movement for Black lives. As the new trial commences in October, let's keep our eyes on Alabama. Follow the updates of Asha Kiran and SAALT. Turn up in court if you're in Alabama. Share statements of support. Hold a workshop or conversation on campus and in your community to raise awareness. Reach out to a Black Lives Matter chapter in your city. It's time for #JusticeforMrPatel. SK

Regardless of the actual feasibility of the policy, the education from our policy is key to promote anti-racist epistemology. Two Reasons.

A. Discussions about Sureshbhai Patel are key in relation to other violence such as that caused by anti-blackness and islamophobia.

Resistance.

On February 6, 2015 in Madison, Alabama, Sureshbhai Patel, a 57-year-old Indian grandfather from Pij, Gujarat, was outside his son's house when a neighbor called the police alleging that a "skinny Black man" was outside. When the police arrived, Patel, who speaks limited English, could not communicate with them, reportedly stating "No English, no English" repeatedly as he tried to point out his son's home nearby. Madison police officer Eric Parker slammed him to the ground, and Mr. Patel was left partially paralyzed. This past month,

during the second trial of Officer Parker, the defense argued that Mr. Patel, whose primary language is Gujarati, has visited America several times and should understand and speak English. They blamed him for his own injuries, claiming that "Mr. Patel bears as much responsibility for this as anyone." Patel and Cop Sureshbhai Patel and Officer Eric Parker. Photo source: Counter Current News. As South Asian organizers

invested in ending white supremacy, **we see clear ties between anti-immigrant sentiment and Islamophobia, violence against South Asians, especially those of us with darker skin, and anti-Black racism. We brought this work home — asking ourselves and other**

South Asian organizers to initiate conversations with our families, **to take a look at the different ways they understand how racism**

operates in this country. We wanted to explore how our lived experiences are tied to Black Lives Matter movements with our families. We are hoping that during this "holiday season," other South Asians can talk to their families as well, and continue to bring these conversations into the often-fraught spaces of our homes, when safe and possible. We asked South Asian organizers to talk to their mainly first-generation immigrant parents about the Sureshbhai Patel case and Black Lives Matter. Several themes emerged

– **South Asian racialization and experiences with police, the internalization of mainstream racism, and the ways that**

conversations about race and Black Lives Matter affect the relationships between immigrant parents and their kids. By no means are these stories wholly representative of our communities, nor do we think anything can fully capture the nuance and complexity of feeling. This is merely an extended snapshot of some of our families, intended to highlight some of the themes and challenges that come up when we talk about race. The Participants: South Asian Organizers & Our Parents The brave and brilliant participants in this project are: Naaz Diwan and her parents; Alex and their parents; Vidushani and her ammi Vinitha; Alina Bee and her baba Jahanzaib Usmani; and Anjali and her parents Hema and Srin. Some of these names are pseudonyms; others are not used at all. We know that these conversations are hard and participants vulnerable, and respected wishes to participate anonymously if anyone so desired. Our participants are from a range of ethnicities connected to three different South Asian countries — Sri Lanka, Pakistan and India — and a range of religious backgrounds, including Christianity, Buddhism, Hinduism and Islam. The organizers and their families included hetero, queer, cis, trans, and gender non-conforming people. They live across multiple states and regions here in the U.S., including California, the DC/DMV area, Wisconsin, Alabama, and Ohio. We also acknowledge that we are all non-Black South Asians talking to parents who identify as middle to upper-middle class. These experiences can be radically different when speaking with people of mixed racial heritage, Indo-Caribbean people, and South Asians living in working-class communities here in the U.S. That said, as middle and upper-middle class South Asians, this is our work, and we are committed to doing it. SK

B. Education about jury nullification is key. People have to know that they can do something before they actually take positive action.

James [James, Aram, "Take Back our Criminal Justice System, Use Jury Nullification". May 8, 2012. [http://www.siliconvalleydebug.org/articles/2012/05/08/take-back-our-criminal-justice-system-use-jury-nullification.](http://www.siliconvalleydebug.org/articles/2012/05/08/take-back-our-criminal-justice-system-use-jury-nullification)]



The right of jurors to veto or **nullify** an unjust law—or a law that may be fair on its face but is being applied in a discriminatory fashion—**is critical** to our democracy and **to our ability to serve** as citizen jurors while being fully informed of our rights and options **as decision makers**. These rights are essential when our government calls us to sit in judgment regarding the guilt or innocence of our fellow citizens and community members. **In an era where** our **government is increasingly cracking down on dissent** (consider the response of the government to the occupy movement or to high profile whistle blowers such as Bradley Manning or Julian Assange) **the decision** by a federal judge to toss out an indictment against an 80-year-old citizen advocate for handing out materials to members of the public in front of a courthouse **is a powerful rebuff to the U.S. government's ongoing efforts to intimidate and steal from its citizens the right to think and speak freely and to exercise their independent judgment** in the context of their jury service. The judge's decision to toss the indictment goes a long way to prevent—or at least to mitigate—jury tampering activity by judges and or prosecutors who—on occasion—purposely attempt to leave jurors with the wrong and intimidating impression: that to do anything other than to convict the person on trial is itself a criminal act. Historically brave and courageous jurors refused to convict those charged with violating the Fugitive Slave Act and other immoral laws despite the best efforts of prosecutors and judges to steer jurors towards a conviction. In the contemporary setting, if more jurors were fully informed of their right to disregard immoral or discriminatorily enforced laws—such as California's "Jim Crow Drug Laws" and the racially motivated three-strike law—they would undoubtedly refuse to convict many defendants charged under these morally repugnant and frequently discriminatory laws. The bottom line is that **any grassroots organization attempting to reform or rebuild the criminal justice system from the ground up must understand and be willing to educate members of the public regarding their basic rights as jurors—including the right to** veto or **nullify** bad laws. **Failure to educate** the public in this regard **is to assist and aid the state in wrongfully convicting members** of our own communities. **Knowledge is power and it's time we go out into our communities and spread the word**—we can just say no to bad laws. Judge Kimba Wood's action in dismissing the indictment in the Julian Heicklen case is cause for wide celebration—since we now know we are on solid legal ground when we decide to organize our communities around fundamental concepts of justice and our desire to take back our criminal justice system. **We can take back our criminal justice system** from the forces that would prefer that justice be administered and understood **for the benefit of the few to the detriment of the majority of people**. The majority of people who must interact daily with the intentionally maintained mysterious and often baffling criminal justice system. **In California**—pursuant to the holding in *People v. Williams* 25 Cal. 4th 441 (2001), **jurors are explicitly precluded from exercising the** doctrine of **jury nullification**—in fact if a judge discovers that a juror is refusing to apply the law to a case—he or she may be discharged from the jury. On the other hand, if the judge is unaware that the jury has engaged in nullifying what they perceive to be an unfair or bad law—the double jeopardy clause would prohibit retrial of an acquitted defendant. In *Sparf v. U.S.* 156 U.S. 51 (1894) the U.S. Supreme Court—in a 5 to 4 decision—held that federal judges are not required to instruct jurors on their right to nullify bad laws. **Understanding the power of jury nullification is one way to even the odds of obtaining justice of all.** To learn more about the power of jury nullification check out the Fully Informed Jury Association (FIJA).SK

Both my Resistance and James evidence are internal links to why evaluating Sureshbhai's story is intrinsic to the topic – also this topic is uniquely key.

Mathur '15,

I appreciate the diversity of styles in the debate community, but I think that **for this topic** in particular, if you want to read a purely philosophical position, you should realize that you are abstracting from reality. I think that **for topics that are [is] literally about the livelihoods of millions of individuals, we should put them at the focal point of our discussions**. **Telling someone who has faced injustices that their life is secondary to an abstract discussion is the reason the criminal justice system continues to prey and devastate the lives of many. By failing to analyze real world issues, debaters mirror the writers, enactors, and enforcers of unjust laws by turning a blind eye to the consequences of such injustices.** Therefore, I think that **this topic has great ground for critical arguments that analyze the nature of the criminal justice system and the laws that end up subjugating many. I would urge everyone to view the topic through the lens of individuals affected by jury nullification.**

The judge has the unique obligation to endorse the 1AC which was a dramatic reveal of power and an affirmation of many voices, including the voice of Sureshbhai Patel, regardless of whether or not he speaks English.

Koh and **Niemi**,

For as long as there has been debate, there has been the debate about what debate is. We are not against a discussion of what constitutes debate. In fact we are absolutely for it. We argue that this **is a crucial debate within debates**. The question should not be "what is debate?" **The proper question is "what can debate do?"** The constitutive feature of debate that we are most abstractly interested in is the precise one that is so often banished by debate pundits – the possibilities of what it can do. We do not yet know what debate can do. **All are welcome to accept the challenge of forcing debate into a linear and instrumental framework, but be warned it will certainly fail. Debate is a process and a field, not a mechanism.** This is the case for polyvocal debate. Our current definition (which is open to redefinition) is that **debate should be thought of as a complex assemblage of voices** (the debaters, the judge, audiences, coaches, the authors quoted, and so on), **and that it is wrong to limit the possible voices or the possible enunciations of those voices. Debate is always about multiple voices** – multiple ways of sensing/expressing. Even non-sense and non-expression have their own voices. This is not a paradigm. It is a hypothesis about the system of relations that co-creates debate. **The power and potential of polyvocal debate is right here right now,** and it is also capable of contact with the outsides of one perspective on time and space. To paraphrase June Tyson – Don't you know? It's after the end of the world. Within the system of relations composed by polyvocal debate, we always have the ability to ask "should we believe in something in the first place?" as well as "if we believe it, what are its normative implications?" These questions, in whatever form they take, are some of the most primal elements of debate. **Restricting the scope of debate** to only some of these questions **is a serious loss. More absurd is the justification for restriction based on the value of being able to ask and engage with these questions in the first place. It is wrong to assume that chaos and doubt are bad.**



It is even worse to argue for a progressive fallacy that chaos and doubt can be removed from debate without debate ceasing to be debate at all. Debate is not soccer, or chess, or playing the trumpet. Perhaps it can do similar things to those activities, but if so it is because it does not feature the limits that define soccer or chess or playing the trumpet. It is

apparently very easy to make assumptions about what education is. Most often this is accomplished without citing a single theorist on the subject of education OR a robust understanding of what education could be outside of “commonsensical” assumptions (which are less

common and relatable than they initially seem). As we often like to tell our students – read the literature. **We call the kind of education that is often assumed “banking-style education”** after Paulo Friere. This is the notion that education is about accumulating knowledge. 100 facts are better than 99 facts. **People devalue education because they think of it only in**

these **calculated terms**. To the banking conception, the end game of education would not be an increase in self-respect, a commitment to social justice, or a development of communication and empathetic powers. It would be the resume statement of “things

I’ve learned.” **We must not buy into this conception of education. In debate, the collaborative way voices intertwine builds a**

world of speech and frames it. No debate performance can be perfectly reproduced. The judge’s interpretation and voice are then added. The desire for absolutely

objective or procedurally exact judging is a desire for an impossibility. We should not be afraid of **the judge’s voice**. We recognize it as **[is] one among many**. Some judges speak loudly and have particular desires. We do not

brudge them this. What is important is that they acknowledge that theirs is only one voice among the many and one way of sensing among all sense and nonsense. **It is not a question of excluding the chaos or even**

controlling it, but understanding the value in hearing the clash of multiple voices. For **nowhere else in school are we given**

the vibrant opportunity to be as real in the academic space as is in debate; where we are able to read multiple arguments

from multiple views from multiple bases. We must encourage debate to be an outlet for the chaotic and doubtful elements of our beliefs for it’s an opportunity to bridge debate’s separation from the real world into our own

world. **Our lives** aren’t always smooth unwavering stories. They **are often a chaos that is hard to grasp outside the lens of community**. Polyvocal debate

is inclusive and encouraging of this chaos, of the hard questions and life changing moments of realization. A form of

debate that acts as if it can omit doubt is not a true form of debate at all. This isn’t just an argument for “unique educational value” in the banking-sense. Debate should not be thought

of as an esoteric extracurricular designed to spice up the resume. Paradigms of debate that stop at the moment of rational justification treat the issue of what world we create for ourselves as an unnecessary step, but this conversation is what must happen in our lives and further

what must happen in debate. Polyvocal debate allows for this discussion. **We should not just ask “is deontology true” but further “is it good for me to believe in**

deontology” or util or contractarianism, etc. Rationality cannot be trusted to judge itself but abandoning logic altogether isn’t necessary just yet. It is too easy

to take up one side or the other (only truth matters or only the good matters). Debate is harder. The tenets of logic and justification can create questionable conclusions, and **a truly valuable form of debate must allow us**

to criticize and reevaluate these conclusions to live our lives to the fullest. We must be able to ask if beliefs empower or disempower our lives. **We always have**

the power to ask should we believe it or is it correct, and exercising this capacity is the practice of debate. There are two ways in which we

can understand and consider what we ought to believe – what is rationally justifiable, and what is good for us to believe for ourselves. **In our lives we cannot just ask “what do I think is true.” We**

must always end up asking “is it good for me to believe in what I believe?” This is how we must act in our own lives outside of just the debate space. When we are faced with a

difficult situation be it in our personal lives, work, etc., we are inevitably going to be confronted with moments of seemingly undeniable hopelessness; where despite our best efforts and our thinking, we cannot justify or rationally see a way to be happy or push ourselves through

to the other side. Is it good for me to believe that no matter what I will do, that I will get a bad grade in this class? Is it good for me to believe that I will fail in my work? Is it good for me to believe in hopelessness? Our answer is no. Our answer is that **debate helps**

you learn new questions as well as new answers. Again and again we’ve heard the articles and arguments that collapse everything to the old questions: education versus fairness, the rules versus innovation and

expansion, correct ways of being versus incorrect ones. Bizarrely there are some who like to play with the same questions forever, perpetually flipping bits between one and zero, never writing new code. We are tired of these questions. Perhaps they would be enlivened by new

voices. **Polyvocality is the necessary and explosive generation of new questions.** The practice of **debate is an educational activity**

because it is generative and interrogative of voices. Use it for what it’s used for. **Education can be praxis** – where the abstraction of theory becomes lived abstractness inside the

fabric of everyday experience. Where a radical new way of thinking-feeling the world become possible. Where you don’t just learn about quantum physics, but cry at how beautiful the expression of quantum interactions can be and feel blessed to be a part of them, and then teach

them to your friends and family. But this is only part of what education is. **Education is a becoming that is necessarily political.** Often times it is anti-reactionary or anti-conservative, not because it includes

some biased political position, but because it is impossible to actually experience learning without it changing you – what you think is right and wrong, what you want to do, and who you think of yourself as. On our view, this makes education necessarily anti-fascist (where

fascism is defined as the tendency to over-represent and prefer certain ways of being to others based on normative, intuitive, or ontological claims). No matter your petty political affiliations, too many people in our world must attempt escape everyday. Live as targets, suffer, and

experience domination. If education is not a force to help us address this, it is not a properly empathetic education. **Even if the educational space of debate allows for slightly more**

opportunities to escape the everyday and find new connections and places to dwell, this is a greater benefit to everyone

than any obedience to respectability politics, norms of conduct, or “correct ways of being” could ever achieve. This is how the world

works. **We should not abandon** the cause of **empathy** just because we can have that elsewhere. It’s not as if we should not care about others at certain times because

we do so in others Debate is foundationally about empathy. Arguments are only persuasive in the ability for their to be foster a shared experience of understanding. Judges vote for arguments that have a particular effect on them – the effect of “being convincing.” Arguments that

win send the judge on a path of becoming-convinced. In order for this to happen, the debater must actually get through to the judge on some level, whether intuitively, emotively, via rhetoric, the flow, or explanation. **The best debating promotes**

empathy. Not empathy defined by biased terms - empathy defined by actual contact with actual others, perspectives, and

ways of expressing oneself. It is not that young people are in need of moral training or must be told what is right and wrong or that debate should erase and conquer disagreement. Rather, it is that **we should strive to**

learn to live with disagreement. For it is too simple and brute to believe in a monovocal system of thought – that your language is the only Rosetta Stone to translate the world through. Debate must be a place to see how to live with

ourselves and live among others. **If being the better debater means being the worse person, we should NOT endorse this conception of**

better debating There is no value to improving a debate related skillset that is not bracketed by being caring and

affirming of the world The argument against education, methodology, and performance debates is that these will

somehow sacrifice an essential part of what makes debate debate. This perspective is entirely wrongheaded. **What a polyvocal understanding of**

debate underscores is that what makes debate is multiple voices. Our belief is that it is possible to promote incredible skill, learning, and growth in students and be better debaters while at the

same time being better people. Debate is a field where participants of all kinds create real experiences and real change. Students have the ability to speak their individual truths and have real academic and personal conversation about what creates, sustains, and restricts their

worlds – and **if the current “rules of debate” do not allow for that, we advocate breaking those rules.** SK



The 1AC is a starting point, not *the* starting point, but one of many ways in which we can analyze anti-blackness and other forms of oppression.

The judge has the obligation to cast a ballot arguments that promote a discourse that embodies an anti-racist perspective. This should be your primary concern because any other benefit in the debate sphere can only be accessed by an equal space for dialogue.

Smith, [Smith, Elijah. History maker, A Conversation in Ruins: Race and Black Participation in Lincoln Douglas Debate. SK]

It will be uncomfortable, it will be hard, and **it will require continued effort but the necessary step in fixing this problem**, like all problems, **is the community as a whole admitting that such a problem** with many “socially acceptable” choices **exists** in the first place. Like all systems of social control, the reality of racism in debate is constituted by the singular choices that institutions, coaches, and students make on a weekly basis. I have watched countless rounds where **competitors attempt to win by rushing to abstractions** to distance the conversation from the material reality that black debaters are forced to deal with every day. One of the students I coached, who has since graduated after leaving debate, had an adult judge write out a ballot that concluded by “hypothetically” defending my student being lynched at the tournament. Another debate concluded with a young man defending that we can kill animals humanely, “just like we did that guy Troy Davis”. Community norms would have competitors do intellectual gymnastics or make up rules to accuse black debaters of breaking to escape hard conversations but **as someone who understands that experience** **the only constructive strategy is to acknowledge the reality of the oppressed, engage the discussion from the perspective of authors who are black and brown, and then find strategies to deal with the issues** at hand. It hurts to see competitive seasons come and go and have high school students and judges spew the same hateful things you expect to hear at a Klan rally. **A student should not, when presenting an advocacy that aligns them with the oppressed, have to justify why oppression is bad. Debate is** not just a game, **but a learning environment with liberatory potential.** Even if the form debate gives to a conversation is not the same you would use to discuss race in general conversation with Bayard Rustin or Fannie Lou Hamer, that is not a reason we have to strip that conversation of its connection to a reality that black students cannot escape. **Current** coaches and **competitors** alike **dismiss concerns of racism and exclusion**, won’t teach other students anything about identity in debate other than how to shut down competitors who engage in alternative styles and discourses, **and refuse to engage** in those discussions, even outside of a tournament setting. A conversation on privilege and identity was held at a debate institute I worked at this summer and just as any theorist of privilege would predict it was the heterosexual, white, male staff members that either failed to make an appearance or stay for the entire discussion. No matter how talented they are, we have to remember that the students we work with are still just high school aged children. If those who are responsible for participants and the creation of accessible norms won’t risk a better future for our community, it becomes harder to explain to students who look up to them why risking such an endeavor is necessary. As a student provided with the opportunity and privilege of participation by the Jersey Urban Debate League, I can remember plenty of tournaments in high school where the only black students at the tournament were individuals from my high school. It was a world shattering experience; no one spoke to us first and those we did approach didn’t have to acknowledge the fact that, every weekend, our failures and successes made us the representatives of black America in the minds of students and judges that never had to freely associate with black people. The irony of participation for black students is that to understand your existence in an academic, usually white, space throws that very space into question. They are both told that joining debate will make you smarter, more personable, and better able to communicate; however those who are already there don’t speak to them, they don’t vote for them, and they don’t associate with them. The unanswered question, then, is “For which bodies does LD exist?” **Continuing to parade LD under the guise of neutrality will reproduce the problem at hand.** Hiring practices, Judge Preferences /Strike Sheets, invitations to Round Robins, and who coaches don’t require their students to associate with all contribute to the problem at hand because they “accidentally” forget to include people of color. When only two major debate workshops bothered to hire anyone black to work with their students this summer it spoke to the reality of which bodies are seen as being competent enough to teach. Their skills as pedagogues weren’t dismissed because they aren’t qualified, but because they are black. **If we are to confront structural discrimination** against the black community, **we** can’t retreat to a defense of neutrality **but have to take strides in addressing and ending the cycle of exclusion.** If black students do not feel comfortable participating in LD they will lose out on the ability to judge, coach, or to force debate to deal with the truth of their perspectives.SK

The role of the judge is thus to endorse the debater who provides the in round discourse that aims to break down oppressive racist norms.

Spoken word poetry is a way in which we can break down oppressive structures – poetry engagement is key to anti-oppressive education.

Dill,

After sharing the poem with an audience, I felt like I understood more about the plight of the people who experienced the earthquake. Connecting with an audience about such an emotional plight affirmed my feelings and my personal connection to the disaster. Since then, I have written and performed numerous poems about race and oppression, each time learning more about my own experiences, deepening my understandings, and feeling a sense of liberation. Somewhere along the line, I began spelling my name “Khodi” Dill on all of my writing and in any circumstances related to my poetry, instead of the legal “Cody” Dill. I’d adopted the alternate spelling in university rather unceremoniously and without much thought, using it in most social situations in which the legal spelling of my name was not required. In retrospect, it may have been a somewhat subconscious way for me to mark myself as ethnic and not mainstream, in rebellion against my own assimilation; the spelling did arise around the same time that I essentially “realized” that I was black, and has stuck ever since. Because most of my writing is anti-oppressive and indeed comes from a place of being othered, the alternate spelling seems appropriate, and I use it with much pride. The fact that I do employ both this spelling and the legal spelling in different circumstances might stand as a symbol for the duality of mixed race identity. In my epistemology, knowledge can be constructed/derived through creating art, and in this case, through writing and performing spoken word poetry. **I believe that mental liberation through conscientization of oppressive structures is plausible in spoken word poetry engagement as well, and that this conscientization is a key forerunner to anti-oppressive action. This ontology and this epistemology will help inform my research on spoken word poets and their experiences of oppression.** It is worth noting that in his eloquent exploration of biracial ambiguity, Black Berry, Sweet Juice: On Being Black and White in Canada (2001), Lawrence Hill also spoke of creative writing as a means of racial identity formation and meaning-making. That author, who also penned The Book of Negroes, is a certain inspiration to me in all of my writing. My attachment to my research is intimate. As a visible minority, I have experienced oppression. **As a spoken word artist, I have experienced the liberation that accompanies writing and performance.** Finally, as a secondary school teacher and anti-racist educator, I recognize the need for practicable anti-racist educational tools. Even when teachers understand some of the theory behind anti-racist education, they often have trouble translating it into engaging, curriculum-relevant student learning. Because of my deep desire **to promote anti-oppression and affect the conscientization of oppressed youth, I hope to build a convincing argument that a niche for anti-oppression exists in** English Language Arts (and other) **classrooms, where, using spoken word poetry, educators can help widen the circle of anti-oppressive allies.** SK