# 1NC Round 2

## OFF

### T Must Break Up---1NC

#### Prohibitions are distinct from remedies that only block the anticompetitive elements of a practice, rather than the practice itself.

Jo Seldeslachts et al. ‘7. Professor of Industrial Organization at KU Leuven and a Senior Research Fellow at DIW Berlin, with Joseph A. Clougherty and Pedro Pita Barros. “Remedy for now but prohibit for tomorrow: the deterrence effects of merger policy tools.” https://www.ssoar.info/ssoar/bitstream/handle/document/25862/ssoar-2007-seldeslachts\_et\_al-remedy\_for\_now\_but\_prohibit.pdf;jsessionid=A244005110FDB5816E0347D9F1B75436?sequence=1

Let us now think about the differences between the two antitrust actions of prohibitions and remedies.7 In the case of a prohibition, the penalty for proposing a merger with significant anti-competitive problems involves the full prohibition of the merger: both the pro-competitive and the anti-competitive profits for merging firms are negated by the prohibition. The throwing out of the pro-competitive profits along with the anti-competitive profits is important, as this brings about the punitive measure that Posner (1970) acknowledges as being crucial for deterrence. The big difference between remedies and prohibitions is that remedies attempt to identify and eliminate the anti-competitive elements of a merger. In essence, the merging firms are able to hold on to the pro-competitive elements of the merger—so they keep (ΠPC), but the anti-competitive elements of the merger (ΠAC) are negated by the remedial action. If an antitrust authority imposes remedies, then the disincentive for firms to propose anti-competitive mergers is clearly lower. In short, prohibitions seemingly involve more deterrence than do remedies, as prohibitions represent larger punishments.

#### Business practices are ongoing conduct defined by the behaviors of many market participants

Kerry Lynn Macintosh 97. Associate Professor of Law, Santa Clara University School of Law. B.A. 1978, Pomona College; J.D. 1982, Stanford University, “Liberty, Trade, and the Uniform Commercial Code: When Should Default Rules Be Based On Business Practices?,” 38 Wm. & Mary L. Rev. 1465, Lexis.

These new and revised articles reflect a strong trend toward choosing default rules 4 that codify existing business practices. 5 [FOOTNOTE 5 BEGINS] In this Article, the term "business practices" is used to refer to practices that emerge over time as countless market participants exercise their freedom to engage in profitable transactions. For an account of the evolution of business practices, see infra Part II. As used here, "business practices" is broader and less technical than "trade usage," which the Code narrowly defines as "any practice or method of dealing having such regularity of observance in a place, vocation, or trade as to justify an expectation that it will be observed with respect to the transaction in question." U.C.C. 1-205(2). [FOOTNOTE 5 ENDS] This is particularly true of the recent revisions to Articles 3 (Negotiable Instruments), 4 (Bank Deposits and Collections) and 5 (Letters of Credit).

#### Violation: The plan only increases behavioral remedies that target anticompetitive aspects of the practice---topical affs must increase prohibitions on the practices themselves.

#### Vote neg for limits and ground---infinite behavioral remedies and no link uniqueness for offense.

### T-CWS---1NC

#### The scope of anti-trust law defines it goals---attempts to meet current goals by banning practice are implementation questions.

ESE No Date. Erasmus School of Economics (as per their website, “The Erasmus Center for Economic and Financial Governance is an international multidisciplinary network of leading researchers and societal stakeholders initiated by researchers from Erasmus School of Economics and Erasmus School of Law. ECEFG conducts interdisciplinary research (law, economics and political science) and contributes to current debates in public and in academia on issues relating to European and global economic and financial governance.”). "Competition Policy". <https://www.eur.nl/en/ese/affiliated/ecefg/research/competition-policy>

Competition Policy

Research in this field consists of two broad areas. The first area – Theory and Implementation of Competition Law and Policy – refers to fundamental and applied research into topics that are traditionally seen as the core of competition policy. The second area – Scope of Competition Law and Policy – refers to all research on the effect and desirability of including new considerations in competition law and policy in order to address the challenges of our time, such as the increasing power of big tech firms, or global warming.

Theory and Implementation of Competition Policy

This covers for instance collusion, abuse of dominance, mergers, market regulation and state aid. Some examples of research topics are:

* the practices firms can use to engage in collusion and its welfare consequences;
* the practices firms can use to abuse a dominant position and its welfare consequences;
* which practices can be considered proof of such activities;
* how to regulate access to a market;
* how to properly assess the effects of a particular practice or merger;
* the practices, by which the state and public authorities distort competition such as subisidies and tax measures
* the interpretation and application of EU and national competition law by Competition Authorities and Courts and the extent to which they achieve the goals of competition policy

Scope of Competition Policy

The effectiveness of European competition law and policy in combination with rapid technological changes have raised questions about its proper scope. Which policy objectives can and should be pursued by means of competition law and policy, and which should be delegated to other legal fields and policies? Some examples of specific research questions include:

* Can and should competition law be used to protect the privacy of consumers on the internet?
* Information gathered by firms can be used to increase their own profits. How does this affect consumers, and what does this depend on? Can and should competition law deal with market power derived from information gathering? For instance, should the big five tech giants be forced to divest activities?
* Should competition policy also include considerations of economic inequality or environmental effects?
* Can competition law remain effective if it is used for more than safeguarding fair competition?

#### That means the aff must change the consumer welfare standard.

Trevor Wagener 21. "The Curse of Tradeoffs: Neo-Brandeisians vs. Consumers". Disruptive Competition Project. 5-21-2021. https://www.project-disco.org/competition/052121-the-curse-of-tradeoffs-neo-brandeisian-antitrust-versus-consumers/

Neo-Brandeisians seek to replace the longstanding objective and principles-based framework of the consumer welfare standard in antitrust enforcement with an amorphous, process-based framework guided by an ethos one Neo-Brandeisian described as: “Big is bad. Just don’t let big firms merge. The end.” A movement dedicated to replacing a consumer welfare-maximizing approach with an assortment of competing goals has proven unable to offer a quantified, systematic cost-benefit analysis justifying such a radical change, instead relying upon anecdotal evidence and moving prose. The many goals of the Neo-Brandeisian approach are often rhetorically appealing, but the rhetoric hides a simple truth: When you target every variable, you effectively target none. Addressing a wide range of goals through antitrust policy requires de-emphasizing consumer welfare, creating fundamental tradeoffs expected to harm consumers relative to the status quo.

The willingness to sacrifice consumer welfare in order to achieve other ends is a defining characteristic of Neo-Brandeisian antitrust. This is illustrated by concrete Neo-Brandeisian critiques, which typically emphasize perceived harms to businesses rather than harms to consumers. For example, the Neo-Brandeisian activist group American Economic Liberties Project (AELP) published a pair of policy briefs on May 3 that criticize online service operators for a litany of purported inconveniences to businesses over a combined 22 pages, but struggle to quantify any harms to ordinary consumers and users. Those few purported harms to consumers that AELP raised are distinctly qualitative rather than quantitative, consistent with the broader reluctance of prominent Neo-Brandeisian thinkers to conduct a rigorous quantitative cost-benefit analysis of their antitrust policy prescriptions relative to the consumer welfare standard.

#### Vote negative for limits and ground---only “change goals” creates key economy and legal disads over what antitrust should consider---the affs topic races to tiny exemptions and technical changes with no core ground.

### Advantage CP---1NC

#### The United States federal government should

#### close the prison at Guantánamo Bay, pass a new Voting Rights Act, ban gerrymandering, and end the filibuster,

#### increase its investigations and prosecutions of white-collar crime, including accounting fraud, insider trading, and corporate disclosure cases, increase its investigations and prosecutions of hate crimes and civil rights violations, and adopt clear and non-partisan interpretations of immigration law

#### Plank 1 solves democracy---fixes a slew of problems

Hasan 18 [Mehdi; contributing writer for the New Statesman and the co-author of Ed: The Milibands and the Making of a Labour Leader; 11-1-2018; "Eight simple steps to fix American democracy"; New Statesman; https://www.newstatesman.com/world/north-america/2018/11/eight-simple-steps-fix-american-democracy; Accessed 10-30-2020; BM]

If a backswing brings us a Democratic government with a mandate for reform, here are eight simple steps they could take to try and fix, reform and improve our “flawed” democracy. \*\*\*\* 1) Abolish the electoral college “The electoral college is a disaster for a democracy.” So said Donald Trump on election night in 2012, when it looked for a brief moment as if Mitt Romney might win the popular vote against Barack Obama. Today, of course, Trump sits in the Oval Office as a result of that very same electoral college – which, unbeknownst to many Americans, was created to boost the political power of slave-owning southern states. Since the start of this century, the United States has elected two Republican presidents – Trump and George W Bush – who lost the national popular vote but won the majority of electoral college votes. How so? The electoral college elevates smaller, rural Republican states at the expense of bigger, more urban Democratic states. Compare California to Wyoming: the former has one electoral vote per 712,000 people, while the latter has one per 195,000 people. That means a vote in Wyoming has 3.6 times the impact in the electoral college as a vote in California. The core of democracy is supposed to be the principle of one person, one vote, but the electoral college makes a mockery of that principle. And guess what? Most Americans agree. In June, a PRRI poll found that two-thirds (68 per cent) of Americans would prefer electing their presidents on the basis of the national popular vote, as opposed to the electoral college. Abolishing the electoral college won’t be easy. It would need a constitutional amendment, which itself requires a two-thirds vote in both the House and the Senate and the ratification of three-quarters (38) of the 50 states. There is, however, an alternative to outright abolition. The National Popular Vote Interstate Compact (NPVIC) is an agreement between a growing number of US states to pool their electoral college votes for the presidential candidate who wins the popular vote. The agreement is supposed to take effect once the participating states represent at least 270 electoral votes, the minimum number required to elect a president. As of October 2018, the NPVIC had been adopted by 11 states which, between them, have 172 electoral votes or 32 per cent of the total Electoral College. 2) Pass a new Voting Rights Act Turnout in the United States is abysmally low by international standards – according to a Pew study in May 2018, the US came 26th out of 32 OECD countries. But Republicans are bent on reducing it even further. Voter suppression has become an integral part of the GOP’s election strategy at the federal and state levels. Take Georgia, where Republican gubernatorial candidate Brian Kemp – who, as secretary of state, also doubles as Georgia’s top election official – is trying to block 53,000 people from registering to vote, nearly 70 per cent of whom are black. His Democratic opponent, Stacey Abrams, is black. In 2013, conservatives on the Supreme Court gutted a key section of the landmark 1965 Voting Rights Act which had required state and local governments in areas with a history of racial discrimination to obtain federal “preclearance” before making any changes to their voting laws. The Democrats, if they retake the House and the Senate, should immediately pass a new, beefed-up Voting Rights Act, which would: – Prohibit racist voter ID laws at the state level. Over the past decade, more than a dozen Republican-led states have introduced restrictive voter ID laws. Their justification? To combat (mythical) voter fraud. The reality? A 2017 academic study found “a significant drop in minority participation when and where these laws are implemented”. – Mandate that every state automatically register every voter. Thirteen states plus the District of Columbia have already approved automatic voter registration (AVR). In 2016, after Oregon introduced AVR, the state’s turnout increased by 4 per cent compared to the 2012 elections. - Restore the right to vote to ex-felons. In the swing state of Florida, more than one in ten people of voting age – and a whopping one in five black adults! – are barred from voting due to a felony conviction. In total, and nationwide, around six million Americans with a felony conviction are currently disenfranchised – some of them for life. As the Sentencing Project points out: “We know of no other democracy besides the United States in which convicted offenders who have served their sentences are nonetheless disenfranchised for life.” – Make election day a federal holiday. Countries such as Germany, France, Spain, Brazil and India either vote at the weekend or recognize election day as a public holiday. One recent study found that “creating a national holiday for election day would increase voter turnout by about 16 percentage points” and cause “voter turnout in the US to be consistent with other developed democracies.” 3) Ban gerrymandering Is there anything more brazenly anti-democratic than redrawing the boundaries of electoral districts to secure a partisan advantage? That’s gerrymandering. Take Pennsylvania. In November 2012, according to the Washington Post, “Democratic candidates for the state’s 18 US House seats won 51 percent of their state’s popular House vote. But that translated to just 5 out of 18, or a little more than one-quarter, of the state’s House seats.” How come? Because Republicans had drawn ridiculously-skewed district maps the year before. Republicans in control of statehouses and governors’ mansions across the United States have gerrymandered their way to the “the most audacious political heist of modern times,” in the words of investigative journalist David Daley. Remember, as political scientist Lee Drutman, of the New America think tank, observed in January, “Gerrymandering is largely a US phenomenon … We’re the only country that uses single-member districts but doesn’t use independent districting commissions to draw them.” Americans from across the political spectrum have expressed their dislike of gerrymandering. A bipartisan poll conducted by the Campaign Legal Center in September 2017 found that 71 per cent of respondents, including 65 per cent of Republicans, want the Supreme Court to define “clear, new rules” that end blatant partisan gerrymandering. There is, however, a glimmer of light on the horizon: in Michigan, an anti-gerrymandering ballot measure, calling for an amendment to the state’s constitution that would put redistricting in the hands of an independent commission, will go to a statewide vote in November. If voters in Michigan vote Yes, expect other states to follow their lead. 4) End the filibuster “With the ridiculous Filibuster Rule in the Senate,” tweeted an irate Trump in April,“Republicans need 60 votes to pass legislation, rather than 51. Can’t get votes, END NOW!” I hate to agree with this president, but he has a point. Why should a political party with a majority in the Senate require 60 votes to end a filibuster and get bills passed into law? Which other democratic country insists on a supermajority to pass routine legislation? The filibuster was supposed to be an exception to majority rule; a way of ensuring that minority opinions were heard and considered before a Senate vote. In recent years, though, it has become the norm. As Yale University law professor Akhil Reed Amar and former Democratic senator Gary Hart noted in a joint op-ed for Slate in 2011, the filibuster has “metastasized into a rule requiring a 60-vote supermajority for every important piece of Senate business.” In theory, the filibuster helps whichever party is in the minority in the Senate. In practice, it is the Republicans who have disproportionately used it to engage in cynical and anti-democratic obstructionism whenever they find themselves in the minority. One of the main reasons that Americans continue to lack universal healthcare, for example, is the Senate filibuster: it was used by Republicans to stymie Bill Clinton’s healthcare plan in 1993 and again in 2009 to prevent Barack Obama from including a public health insurance option in his healthcare legislation. So the filibuster has to go. Such a move may have been dubbed the “nuclear option”, but it isn’t very … nuclear. There is no need for a constitutional amendment or a supermajority to eliminate it. To quote Amar and Hart, “The upper house has the clear constitutional authority to end the filibuster by simple majority vote on any day it chooses.” 5) Get ‘dark money’ out of politics “People with average levels of income have almost as much influence on politics as rich people in many Western countries – but not in the United States,” concluded a study by political scientists at the Varieties of Democracy (V-Dem) Project earlier this year. “On this indicator, the United States scores lowest among all Western countries, ranking 75th globally.” Campaign spending doubled in the five years after the Supreme Court’s now-notorious Citizens United decision in 2010, which gave corporations and unions permission to spend unlimited sums of cash – called “dark money” because it is anonymous and untraceable – on elections as long as they spend it through groups which are nominally independent from the parties or candidates that they support, known as “super-PACs”. And with the Supreme Court now in Republican hands perhaps for decades to come, there is no chance of Citizens United being undone via judicial avenues. “Citizens United is taking the legs out from underneath democracy,” progressive superstar and possible 2020 Democratic presidential nominee Senator Elizabeth Warren told me earlier this year. “And we have to be willing to overturn Citizens United. One of the tools available to us is a constitutional amendment.” One popular option is the “Democracy for All Amendment”, sponsored by Democratic senator Tom Udall, which would give state and federal government the power to “regulate and set limits on the raising and spending of money by candidates and others to influence elections.” It would also prevent corporations “or other artificial entities created by law” from spending dark money to influence election campaigns. In 2014, it received 54 votes in the Senate – but it needs 60 to move forward to the next stage in the constitutional amendment process. The public is onboard: three-quarters of Americans – including 66 per cent of Republicans – support a constitutional amendment to reverse Citizens United, according to a University of Maryland poll in May 2018. 6) Introduce term limits for the Supreme Court No other constitutional court in the West guarantees jobs for life. Canada’s Supreme Court justices have a mandatory retirement age of 75. In Germany, it’s 68. One of the reasons the Kavanaugh confirmation hearings were so divisive was because of what was at stake: the ability to decide on the laws of the United States for decades to come. As I have noted on these pages before, the two justices appointed so far by this president, Neil Gorsuch, 50, and Brett Kavanaugh, 53, “could still be writing opinions in 2048 or even 2058” which would make Trump the most consequential president of our lifetimes. This is the Republican strategy. As Senate Majority Leader Mitch McConnell explained to Politico on 6 October, the day of Kavanaugh’s confirmation: “Putting strict constructionists, relatively young, on the courts for lifetime appointments is the best way to have a long-term positive impact on America.” Long-term? Yes. Positive? Not for women, minorities or workers. It’s so random too: Obama appointed two supreme court justices in eight years; Trump has appointed two in his first two years. Jimmy Carter appointed none. Is it any wonder then that a Morning Consult/Politico poll in July found 61 per cent of Americans support term limits for Supreme Court justices, including a clear majority (58 per cent) of Republicans? Technically, introducing such term limits would require another constitutional amendment, but there might be an easier fix: the president and Congress could “seek a commitment from a Supreme Court nominee that he or she will serve a sensibly limited period of time,” wrote lawyer (and later White House Counsel under Barack Obama) Robert Bauer in the Washington Post in 2005. “The president could announce such a commitment when he introduces the candidate to the media.” The Senate Judiciary Committee could also request such a public commitment and “over time, a custom or expectation would develop. No law would be necessary to assure that justices act in the socially accepted fashion.” 7) Grant statehood to Washington DC and Puerto Rico The nation’s capital, Washington DC, has a population of 694,000 – higher than both Wyoming and Vermont. The population of the territory of Puerto Rico, at 3.3 million, exceeds that of 21 US states. Yet neither DC nor Puerto Rico are states, which means they lack representation on Capitol Hill. But why shouldn’t the residents of DC have a say in the Senate appointment of Supreme Court justices? Why shouldn’t Puerto Ricans, who are US citizens, have a say in the presidential election? Also: if Puerto Rico had been a state of the union with full voting rights in Congress and in the electoral college when Hurricane Maria struck, in 2017, would it have been ignored and abandoned by the Trump administration in the shameful way that it was? Statehood for DC and Puerto Rico isn’t as radical a proposal as it might seem. New states have been added to the country 37 times since the founding of the United States in 1787. Alaska and Hawaii joined the union, becoming the 49th and 50th states respectively, as recently as 1959. The locals are keen too: in 2016, 79 per cent of voters in the District of Columbia backed a ballot measure petitioning Congress to become a state. In a referendum in 2017, 97 per cent of Puerto Ricans voted for statehood. An extra four senators from Puerto Rico and DC – almost all of whom would likely be Democrats – would be a first step towards redressing the current imbalance in the US upper chamber, which gives Republican senators from smaller and more rural states the power to overrule Democratic senators from bigger and more urban states. Then there is the small-d democratic argument for statehood – whatever happened to the credo of the American Revolution, “no taxation without representation”?

#### Plank 2 solves DOJ cred---their 1AC author [EMORY GK = Blue]

**Coe, 21** -- Law360

[Aebra, "In Their Words: What Attys Expect If Garland Becomes AG," Law 360, 1-7-21, l/n, accessed 2-18-22]

D.C. Circuit Judge Merrick Garland has a big job ahead of him as President-elect Joe Biden's pick for U.S. attorney general, according to top attorneys, who say the nomination portends steep departures from the Trump administration in areas like white collar crime, immigration and civil rights.

If he is confirmed, Garland's top priority is likely to be **restoring the reputation** of the U.S. Department of Justice as a nonpartisan, independent entity and **rebuilding the** American public's **trust** in the institution — no small feat, said many of the lawyers who provided their thoughts on the nomination to Law360 on Wednesday and Thursday.

But Garland's priorities for the position likely also extend into white collar enforcement, a potential pullback on the Trump administration's immigration policies and a heightened focus on civil rights, among other legal matters that stand to have major impacts on the legal industry in the U.S.

Here are six areas in which attorneys speculate a DOJ headed by Garland will diverge most when compared to the Trump administration.

Restoring Faith in the Institution

Justin C. DanilewitzSaul Ewing Arnstein & Lehr LLP partner Justin C. Danilewitz: "The storming of the U.S. Capitol and recent riots starkly illustrate the depth of distrust, across party lines, in governmental institutions. The highest priority of a future Attorney General Garland would be to restore trust in the U.S. Department of Justice and FBI, ensuring fair-minded and evenhanded use of federal investigatory and prosecutorial power."

Stephen HasegawaPhillips & Cohen LLP partner Stephen Hasegawa: "Attorney General nominee Merrick Garland's first priorities must be restoring DOJ's traditional role as a nonpartisan defender and enforcer of the rule of law and rebuilding the confidence of DOJ's deep bench of dedicated civil servants in the institution itself."

John E. KellyBass Berry & Sims PLC member John E. Kelly: "The DOJ's priorities under AG nominee Merrick Garland will be driven from the top down and start with repairing what appears to be, at least from the outside, a politicized and fractured department."

White Collar Crime Enforcement

Robert Edward DugdaleKendall Brill & Kelly partner Robert Edward Dugdale: "Merrick Garland's appointment signals a significant shift in priorities for white collar investigations and prosecutions that make it incumbent on companies and their leadership to seek legal counsel early and establish robust compliance programs to avoid becoming a target of federal prosecutors. We likely will see stricter enforcement of environmental laws and greater scrutiny of public corruption, including increased whistleblower cases. In addition, the new administration is likely to pursue more [Foreign Corrupt Practices Act] investigations and settlements and increased [U.S. Securities and Exchange Commission] and criminal investigations of larger financial services firms and public companies for accounting and other financial fraud."

Chuck ConnollyAkin Gump Strauss Hauer & Feld LLP partner Chuck Connolly: "We expect the Department of Justice under Merrick Garland to focus on corporate fraud, civil rights and environmental matters. Early in the Obama-Biden administration, the DOJ created the Financial Fraud Enforcement Task Force, which helped lead to unprecedented enforcement against financial institutions. **Given the financial difficulties caused by COVID** and the volume of money the government has pumped into the private sector, **we anticipate a** similar **focus on corporations**, financial institutions and private sector actors who benefited from COVID-related assistance. We believe DOJ will also add accounting fraud, insider trading schemes and corporate disclosure issues to its enforcement priorities."

Civil Rights Concerns

Cory PattersonNelson Mullins Riley & Scarborough LLP of counsel Cory Patterson: "Merrick Garland is a highly respected jurist whose top priority will be to assert a nonpartisan posture toward enforcement and defending the interests of the United States. ... Given the recent social unrest, Garland will likely reestablish the department's stance on fully investigating and prosecuting hate crimes and other civil rights matters."

Stephen L. BragaBracewell LLP partner Stephen L. Braga: "Judge Merrick Garland's priorities as attorney general will be driven by the world as he finds it upon taking office. It is a chaotic world indeed. Recent events fuel specific concerns about cybersecurity, domestic hate groups, political corruption, racial fairness in policing, international terrorism, civil rights and government program fraud. One can accordingly expect Department of Justice initiatives in these areas. In addition, the primacy of the rule of law is in major need of restoration, and one can be sure, given his background, that AG Garland will fully and fairly enforce the nation's laws toward equal justice for all."

Shanlon WuCohen Seglias Pallas Greenhall & Furman PC partner Shanlon Wu: "One of Garland's priorities will be the Justice Department's Civil Rights Division. He will face pressure to send a strong message that DOJ is investigating injustices via prosecutions, and to revive the use of oversight of police departments through consent decrees overseen by special masters and courts."

A Shift on Immigration

Maridex AbrahamReeves Immigration Law Group attorney Maridex Abraham: "It will be interesting to see how a Merrick Garland-led Justice Department will unfold and whether immigration will be a priority. Judge Garland is known for his centrist record, so his nomination appears to be a call for unity and a move to restore integrity to the Justice Department. One way to restore the DOJ's credibility is to reverse the damage done by the Trump administration, including taking on immigration cases and providing a clear, unbiased interpretation of vague concepts in immigration law rather than using the AG powers to weaponize the immigration court system to serve a political agenda."

Antitrust Enforcement

Robin AdelsteinNorton Rose Fulbright global head of antitrust and competition Robin Adelstein: "We can expect a DOJ headed by Merrick Garland, a jurist with a reputation for taking a measured approach to the law and a leader expected to rise above politics, to more aggressively enforce the laws in certain areas while pulling back in others. On the **antitrust** front, we anticipate the DOJ's challenges to technology companies will continue apace. While we don't anticipate the pursuit of new legal theories, we expect to see an increase in enforcement in novel ways. Additionally, we anticipate a more traditional separation from the White House and independence given to the attorney general."

### Cap K---1NC

#### Capitalism causes environmental extinction---depletion and waste crisis outpace technological gains.

Tony Smith 21. Professor emeritus of philosophy at Iowa State University. "The Deadly Metabolic Rift". https://againstthecurrent.org/atc211/the-deadly-metabolic-rift/

Monthly Review editor and University of Oregon professor of sociology John Bellamy Foster has written several books and numerous articles, beginning with Marx’s Ecology: Materialism and Nature (2000), exploring the relevance of classical Marxist thought to grasping today’s existential environmental crises. Co-author Brett Clark is professor of sociology and sustainability studies at the University of Utah.

A small subset of the authors’ main claims will be highlighted here.

(1) There is indeed “an existential crisis in the human relation to the earth.” (1) Over the last 10,000 years planetary conditions fluctuated within relatively narrow and stable boundaries. The entire history of settled human civilizations has unfolded in this “Holocene” period of our planet’s life.

This period has now concluded. In a number of areas crucially important to humanity, these boundaries have been (or are about to be) transgressed: climate change, ocean acidification, stratospheric ozone depletion, nitrogen and phosphorus cycles, global freshwater use, changes in land use, biodiversity loss, atmospheric aerosol loading, and chemical pollution. (244)

Human activity is the main causal factor explaining this development, leading earth scientists to refer to the new period as the “Anthropocene.”

The authors of an important study cited by Foster and Clark warn that if the upper-range of projections of global warming were to occur it “would severely challenge the viability of contemporary human societies.”(1) When we recall how little has been done to prevent increased global warming, and how y-it is only one of the numerous planetary transformations imposing comparable risks on human societies, talk of an “existential threat” is fully warranted.

(2) There is no “technological fix” for this existential crisis. The more intelligent representatives of capital do not deny that serious environmental challenges must be faced. For them, however, this is best done by working with capitalist markets and not against them.

A carbon tax on polluting firms would give companies a strong market incentive to lower their costs by using technologies requiring fewer carbon emissions. Having to purchase rights to release carbon into the atmosphere in carbon markets would supposedly have the same effect, in their view.

There are also calls for the state to support firms undertaking massive geoengineering projects, such as sending aerosols into the upper atmosphere to reflect away the sun’s rays before they increase the planet’s surface temperature. Another proposal is to install technologies capable of extracting and sequestering significant amounts of carbon from the atmosphere.

As Foster and Clark remind us, technological change in capitalism tends to develop “greener” technologies without any special spur. Over the course of the industrial revolution, for example, each succeeding generation of steam engines became “greener” over time, burning less coal per unit of output than the one before. The total amount of coal burned in England increased nonetheless. (245)

This “Jevons paradox” (named after the British political economist who first brought it to attention) is easily explained: the increase in the number of units produced overwhelmed the reduction of coal use per unit, leading to more coal being burned overall.

Is there any reason to think that introducing technologies “greener” than those employed today won’t have a similarly paradoxical result? Investors in the stock market, whose pricing of oil companies’ stocks assumes that the last drop of oil in the ground will be profitably extracted, do not seem to think so. (243-4)

Engineering Disaster

Regarding geoengineering projects, Foster and Clark repeat the warning of many scientists that such unprecedented technological experiments would almost surely have pernicious consequences as harmful as the harms they are supposed to alleviate. (278)

Further, their massive scale would leave few resources for other social needs. An infrastructure capable of handling annual throughput 70 percent larger than that handled currently by the global crude oil industry would be required, along with ridiculous quantities of water — 130 billion tons annually just to capture and store U.S. emissions. (280)

Far from being a step towards socialism (as some techno-utopians of the left hold), government funded geoengineering would simply solidify an environmental industrial complex alongside the military industrial complex, the pharmaceutical industrial complex, and other complexes of big capital. (281-2)

Finally, once again, climate change is only one way in which present environmental trends will soon “severely challenge the viability of contemporary human societies.” In all the other cases too the sorts of technologies that have been developed, and the ways they have been used, have been part of the story of how we got to the present “existential crisis.”

Unless we figure out why that has been the case and eliminate that reason, to think we will be saved by technologies is to indulge in fantasy.

(3) Capitalism is the fundamental cause of the existential crisis in the relation between humans and the earth. All living beings appropriate resources from their environment and all generate wastes back into their surroundings. For a species to successfully occupy an environmental niche, the rate at which it depletes resources from its ecosystem must correspond to the rate they are replenished, and the rate it generates wastes must be aligned with the rate wastes can be processed.

When the social forms of capitalism are in place, neither condition is met, creating the metabolic rift between human society and its environment.

Capitalist market societies are distinguished from other societies in that products generally take the form of commodities sold for a profit. Any capitalist producers who do not attempt to make as much profit as possible, as fast as possible, will find themselves losing market share to those who do, if not forced out of existence altogether.

Making as much profit as possible, as fast as possible, generally means producing and selling as many commodities as possible, as fast as possible. This accelerated temporality is in tension with the temporality of our environment; resources tend to be depleted at a faster rate than they can be replenished, and wastes generated at a faster rate than they can be processed.

From this standpoint the “Jevons Para­dox” is less a paradox than a general description of how capitalism works. Any environmental benefits from technologies using fewer natural resources or generating fewer wastes per unit of production necessarily tends to be overwhelmed by the increase in the number of commodities produced in response to the “Grow or die!” imperative so ruthlessly imposed by the demands of capital accumulation.

From Local to Global Destruction

In the early phases of capitalist development, environmental destruction was relatively localized. After a handful of centuries of global expansion, it has sucked in re­sources from the natural world and spewed out wastes on a global scale, creating a fundamental rift in the metabolic relationship between human beings and the earth that is our home.

#### Anti-trust is capitalist---competition inevitably replicates market collapse.

Richard Wolff 19 Professor Emeritus of Economics at University of Massachusetts, Amherst. Transcript from YouTube video: “Economic Update: Competition and Monopoly in Capitalism.” Democracy @ Work. December 9th, 2019. https://www.democracyatwork.info/eu\_competition\_monopoly\_in\_capitalism.

Today I'm going to devote the program to something many of you have asked me to present, to talk about, to analyze, and that is the question of monopoly. It has to do with the assertions we hear often these days that somehow our capitalist system, here in the United States and beyond, is being negatively affected because monopolies have replaced or displaced competition. The idea here is if only we can get competition back, recreate a competitive capitalism, why then the problems we face will go away. Today's program is a design to show you how and why that is not the case, to think about these things in a different way from this nice story that capitalism is basically fine; it's just the monopoly form we have to get rid of so we get back to the competition which we're all supposed to believe is wonderful and presents us with no problems to solve. So let's go, and let's do it in a systematic way.

First, it is of course easier, faced with a declining capitalism, a capitalism that's all around us with its extreme inequalities, with its instabilities – here we are, trying to cope with the effects of the Great Crash of 2008, even while we anticipate the next downturn coming down the road soon – an economic system that has shown (that is, capitalism) that it is not respectful of the natural environment; it is not, as the words now go, sustainable in a reasonable way. Yeah, we're surrounded by problems of capitalism. So it's comforting in that situation to get the idea from somewhere that this really isn't a problem of capitalism as a system but rather the problem brought in somehow from the outside – monopoly – a situation in which competition among many companies gives way in some way we're not quite sure about to a domination by one or a small handful of companies. And so the argument goes, we don't have to be critical of capitalism; we don't have to think about an alternative system. No, no, we just have to deal with this little detail, the monopoly problem. And if we can deal with that, well, we'll get back to a competition, to a competitive capitalism that is good.

There are three big mistakes involved in this way of thinking, which is nonetheless very widespread and very popular, more so now than in quite some years. First mistake: Capitalism has been wrestling with the problem of monopoly from day one. We have had repeated periods of monopoly. They have eventually led to movements, often of many people, to destroy or remove monopoly. We used to call that in America trust-busting, or antitrust. We even have a department within the Department of Justice in Washington devoted to antitrust activities. Yeah, we've been waging battles against monopoly over and over again, and you know why? Because we keep having monopolies over and over again. Google is a monopoly. Amazon is a monopoly. They're all around us: companies that have effectively no real competition. This is a problem that capitalism has always displayed. And that ought to lead you to wonder whether thinking about it as something we can do away with isn't maybe the best possible example of wishful thinking.

The second big mistake is to imagine that competition is some unmixed blessing. It never was, and it isn't today. A competitive market is a human institution. Like every other human institution, it has strengths, and flaws, and weaknesses. To think of competition as some magical perfection is a silly abnegation of your own rational capability to evaluate something. It's sort of advertising thinking. By that, I mean the advertiser tells you what's good about the product they've been told to advertise; they don't tell you what's bad about it. If you want to evaluate it, you don't talk to an advertiser because they only give you one side. The people who promote competition use advertising logic. We're not going to do that here. Competition is no unmixed blessing.

And finally, I'm going to show you that competition is itself the major cause of monopoly. So that even if we ever got back to a competitive capitalism, all that would mean is we're back in the process that produces monopoly – as it always has.

All right, so let's begin. I'm going to start with explaining how competition has all kinds of consequences that most of you, like me, don't like, don't want. It's a discussion, if you like, of competition's other side: you know, the part that the advertiser doesn't tell you about. The used-car salesman who wants you to buy that junk doesn't tell you about what happened last week in the car crash that that was part of, etc., etc.

All right, let's begin. One of the major reasons that American corporations shut down their operations in the United States and moved them to China, among other places, is because of – you guessed it – competition. They wanted to make more money than they had been before. They were afraid of other companies beating them in the competitive game, so they said wow, let's go to China, because there you can pay workers a lot less. There you don't have the same rules to obey. There they don't care that much about pollution as they do here. So we can save on all kinds of costs, and that will allow us to undercut our competitors. Yeah, one of the consequences of competition was the exodus of American companies to other parts of the world, and the enormous unemployment that resulted from it. Yeah, that was a result, among other things, of competition.

Here's another one: Capitalists, employers, seeking to compete with one another, often engage in what we call automation. They bring in machines that are cheaper to use than human laborers, and that gets them a step ahead of their competitors. Okay, if we replace people with machines, we throw those people out of work. That has an impact on them, their self-esteem, their relationship to their spouse, their relationship to their children, their relationship to alcohol – should I continue? What are the social costs of automation? They're huge. They've been documented over and over again. Competition provokes and produces automation.

Let me give you another example: Companies are competing, say, in the food business – you know, trying to get a customer like you or me to buy this kind of cereal rather than another. So they get their labs to go to work, and they discover we can replace wheat, which we used to put in our little flakes, with – Lord help us – some chemical that is cheaper than wheat. We're not going to worry about what that chemical does to your chemistry in your body because we can now lower the price of our cereal, because we're saving on wheat, and undercut the competitor. The human beings who eat this stuff will suffer, now and in the future, but competition left our producer of cereal no choice.

And in case you think I'm making some up, let me give you some concrete ones. The Boeing Corporation, the major producer of airplanes in this country, is in a crisis as a corporation. You know why? Because the 737 Max crashed a couple of times, killing hundreds of people. And you know why? It turns out they economized on safety measures, and training measures. And you know why they did that? Because they're in a very tight competition with European and other airplane manufacturers, and that leads them – as it usually does – to look to cut corners: that race for, quote, "efficiency." Yeah, it was competition that contributed to those deaths and to that problem. That's competition too. You can't whitewash this story; they're real. One of the ways Amazon beats its competition is it speeds up the work process. It has figured out ways to make people work much more intensely, using up their brains, their muscles, their nerves, in ways that cause real long-term physical damage to working people. That, too, is a result of the competitive effort.

And you know, it wasn't so long ago that children were part of the labor force. That's right, kids as young as five and six years of age. We were told they have little fingers, you see. They can be more productive than people who are adults with big fat fingers, you know – that doesn't work. And by the way, you should be grateful because poor kids are the ones we hire, and that gives their poor families more income than they would otherwise have. We heard those arguments. Competition, the companies said, required them to use the more productive, and the lower-wage, children rather than adults. So child labor was also a result of competition. It was so ugly and so troubling to so many people that finally there were movements in the United States and many other countries simply to outlaw child labor. So it became a crime for any employer to use a worker who was under 16 or 18 years of age. That was a way in which people said we are not going to allow competition among capitalists to destroy our children. They were recognizing that competition has an awful effect in what it does to children.

Well, it has many awful effects. So let's be clear: In the history of capitalism, the monopoly problem (which we're going to get to in the second half of today's program) is no worse, it's just different, from the competition problems. Capitalism goes through phases of competition and monopoly, going from one to the other, as I will explain. But we shouldn't bemoan the one in favor of the other, any more than vice-versa. These are neither of them solutions; they are both phases of the problem. And the problem is capitalism, which does its number on us both in the period when it's competitive and in the period when it's monopoly. People who want us to engage one more time in an anti-monopoly crusade are doing something that in the end evades the problem, which is the system – capitalism – not this or that form of that system, such as competition and monopoly.

We've come to the end of the first half of today's Economic Update. This gives me an opportunity to remind you, please, to sign up if you haven't already, to subscribe to our YouTube channel. It's a way easily for you to support us, doesn't cost any money, and it is a big help to us in terms of our reputation and what we can accomplish. Likewise, please make use of our websites. They are there for your communication with us. They are there for you to be able to, with a click of a mouse, to follow us on Facebook, Twitter, and Instagram. And finally, a special thanks goes, as always, to our Patreon community for their ongoing enthusiastic support. It means the world to us. My final, very final for this first half, is about a new book that we have just produced and released. It's a follow-up to an earlier volume I have spoken to you about that was called Understanding Marxism. For the same reason, we have now produced a brand-new book, just out, called Understanding Socialism. It is a response, as this program is, to issues, questions, comments you have sent to us in large numbers. It's an attempt to give an overview of the different interpretations of what socialism means, of what happened in countries like Russia and China that tried to create this – the strengths, the weaknesses, the lessons to be learned, what to do, and what not to do. Please, if you're interested and want to follow up, check us out, check the book out: lulu.com is how you find both books. And I will be right back; stay with us.

Welcome back, friends, to the second half of today's Economic Update. This program, as I explained, is devoted to the analysis of competition and monopoly as two interactive, sequential phases of capitalism as a system. The first part of the program was devoted mostly to competition, so let's turn now to monopoly. What is the basic definition and criticism of monopoly? Strictly speaking, monopoly is defined simply as a situation in which the producers of a particular commodity – shoes, software programs, haircuts, it doesn't matter – have been reduced to only one. Literally one seller – a monopolist. But in general language, it includes also situations where many producers who once competed with one another have been reduced to only a handful. The strict term for only a handful is "oligopoly," but we don't have to split hairs about this. "Monopoly" will be the word we use for either one or a very small number.

For example, there were once dozens of automobile companies, but very quickly their competition reduced them to basically three for much of the post-World War II period, and you know their names: Ford, General Motors, and Chrysler. And likewise there were once many cigarette producers, there were once many television-set producers, and they became very few, whose names, therefore, we all know.

What's the criticism of a monopoly or oligopoly situation? Again, very simple: The idea is, if there's only one seller of something, that seller can jack up the price way above what he might have otherwise because he doesn't have any competitor. If he had a competitor, if he raised the price, the competitor would get all the business because we'd all go to the competitor who hadn't raised the price rather than buy it at a higher price from the monopolist. So we don't like monopolies, because they can jack up their prices and their profits because they don't have a competitor. And if it's a few, a handful, well then we talk about things like cartels: arrangements when a few get together over dinner, or out on the golf course, and tell us what the price is. If you ever wondered why the prices of different cars, different cigarettes, and so on, are so close to one another – mm-hmm – that's because there are few sellers, and somehow they worked it all out. But the basic criticism is that a monopoly is a situation in which the seller of something jacks the price up way beyond what they could otherwise get because there are no more competitors.

So let's talk about this monopoly problem and where the monopolies come from. Well, the first and most important lesson is this: Competition produces monopoly. It's not something external, imposed on competition. It has nothing to do with human greed or anything else. Are people greedy? You betcha – some more, some less – but that's really a separate matter. It's competition that produces monopoly, and let me show you how that works. In competition, we have, by definition, a whole bunch of producers. They all produce the same thing. They compete with one another, hoping we, the consumer, will buy from one rather than the other. They compete in the quality of what they produce and in the price of what they produce. And we are supposed, as consumers, to go look for the best quality at the lowest price, and to patronize that one who offers that to us better than the others that we could buy from but choose not to.

Okay, that's a fair definition. Now let's follow the logic. Company A produces – however it manages it – a better quality and/or a lower price than Company B. So we all go to Company A. Company B can't find any buyers because it's not competitive. Or to say the same thing in other words, Company A outcompetes Company B. Here's what happens: Company B collapses. Because it can't sell its goods, we're all going to Company A. So Company B sooner or later declares bankruptcy. It can't continue. It lays off its employees, it stops buying inputs, because it can't compete. Good. Now what happens in Company A? Company A says hey, there's a whole bunch of workers that have just lost their job at Company B; they're trained in producing what we produce; let's go hire some of them. And likewise, Company A says, they're not using their computers, or their trucks, or their other inputs. They're going to have to sell them on the secondhand market. We can get some important inputs we need at a lower price than we would have to pay if we bought them new. So what begins to happen is, where before there were two companies, A and B, there's now one larger A, and B has disappeared. Or to say the same thing in simple English, A – the winner in the competitive struggle – eats, absorbs into itself, what's left of Company B.

And this process is repeated over and over, until 30, or 300, companies have become one, or two, or three. That's the result of competition. That's how competition is supposed to work. That's how competition does work. It's important to understand: Monopoly is where competition leads. And as if that weren't enough, let me make sure you understand this from the business point of view: It is the great dream of every entrepreneur to become the last one standing in the competition, to win the competition, not just because it makes you feel good you outmaneuvered your competitors, but because if you're the last one standing, you're the monopolist. The reward for having outcompeted the others is that you're now in a position to jack up the profits, and the prices, way beyond what you could have done before.

So we have a system that produces monopoly, and all the incentives for every entrepreneur in competition to work as hard as possible to become the monopolist. So why is anyone surprised that monopolies keep happening, because they're the whole point and purpose of capitalist competition. If you ever were – and we never have, but if you ever were – able to get rid of all the monopolies and re-establish competition, all you would be doing is setting this same process in motion again for the umpteenth historical time. In other words, fighting against monopoly is pointless as long as you have capitalism, because it is the endless reproducer of this problem – as it always has been.

Now, how do monopolies maintain themselves? If you're the only one standing, you're a monopolist. Or you're an oligopoly, you're a few, and you get together and jack up your prices together. The question becomes look, a monopolist makes very high profits – much higher than a competitor can achieve – and isn't that an enormous incentive for other capitalists to get in on that business? Because look at the profits they're earning, because they're the only one. Apple, Amazon, Google – the profits are staggering. Everybody wants to get in. So the way a monopolist has to think is, I've got to create obstacles that block other people from coming in to get a piece of the enormous profits my monopoly allows me to get. We call that in economics "barriers to entry." Monopolists need to create barriers. Let me give you a couple of examples.

The major soft drink makers in the United States – basically Coca-Cola and Pepsi Cola – they produce a drink that has sugar and coloring in it, and lots and lots of water. Let me assure you, there is nothing difficult or complicated about producing a mixture of sugar, color, and water. It doesn't take a genius; it never did. Pepsi and Coca-Cola make a fortune off of their product, as we know, and they have for decades. They have a virtual monopoly. Now, lots of other people could produce water, sugar, and color close to, if not identical with, whatever they produce, but they can't break through. They can't really get to that status. And you know why? Because Coca-Cola and Pepsi erected a barrier to entry. And the way they did that was with advertising. Every billboard, every magazine cover, every doorway of every institution you've ever been to has a picture of smiling, happy people drinking one or the other. You've learned: that's the drink, that's the drink. Another company might make a perfect substitute, but they can't afford the enormous cost of advertising. The advertising costs more than the water, and the sugar, and the color. What you pay for when you buy Pepsi and Coke is the advertising that got you to buy it. You're paying for being hustled. But it works, because it means other companies know that they can't get in there by cheaply producing an alternative, because you have to produce the advertising that goes with it, or else you can't do it. And so their monopoly is maintained.

Here's another way to maintain a monopoly: Get the government to step in. Here the famous example is the milk producers. Some years ago, there was a crisis with milk. There was contamination; people were getting sick. So the clever milk monopolies came in and said, we're going to support the enormously expensive, special equipment to guarantee pasteurization, and so on, of milk. Why did they support it? Because your small farmer, your small dairy producer, can't afford it, so they go out of business. Only the big, rich few that are left can afford the enormous equipment. They used governmental rules to create a barrier to entry.

Here's another way: corrupt public officials. President Trump denounces Huawei corporation because it compromises our national security. It denounces European car producers because somehow their shipping cars here compromises our security. Who cares? As long as the president blocks other companies from getting into the business that might compete with an American, a barrier to entry exists. Monopolists have been very creative in coming up with ways to preserve their monopolies.

I don't want to lose the basic point. The basic point is: Capitalism oscillates, back and forth between competition and monopoly – first this industry, then that one. For a while, Ford, General Motors, and Chrysler were the monopolies – or the oligopoly, if you like – in automobiles. But eventually, Toyota, and Nissan, and Peugeot, and Fiat broke the monopoly. In that case, it was foreigners who did it. And then we had some competition, and that, then, is now shrinking. The French – the last two producers in France – have just agreed to merge. You get the picture. Industry by industry, first this one, then that one, go through one phase or another.

The important point is: The phases are not our problem. They merge into, and incentivize, each other. Each provokes movement in the other direction. The point to understand is that the problems of a capitalist system are not about this oscillation of phases. We're not going to solve the problem of monopoly by getting rid of them and re-establishing competition. We've been there; we've done that; it reproduces monopoly; and it doesn't change the basic inequality, unsustainability, instability of capitalism. We need to get beyond that stale, old debate – competition versus monopoly – and face the underlying reality: Capitalism is the problem, and getting beyond it is the solution.

#### Vote neg to endorse global movements---pressures towards socialist state action are building, forces the hand of monopolies.

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An ostensible goal of all research on the social production of health inequalities is not merely to describe or explain such inequalities, but to effectively reduce them (Muntaner and Lynch, 2002; O'Campo and Dunn, 2011; Muntaner et al, 2012b). A Neo-Marxist class approach has implications for the way that researchers think about and engage with efforts to reduce health inequalities, implications that invert the mainstream relationship between research and action. A cursory glance at the conclusion sections of many population health studies reveals an almost rote focus on ‘policy implications’ relevant to policymakers. We argue here that, although this mainstream orientation to social class and health inequalities may appear innocuous or politically neutral, it in fact functions in the service of incremental, apolitical, technical changes that are ultimately system-justifying and status-quo-reproducing (Chomsky, 1971).

As we described at the outset, the individual attribute approach to social class tracked broader trends in social science theory and research towards reductionism and methodological individualism. This absolves researchers from engaging with social processes and relations, which demand analyses of exploitation, domination, and even employment relations. These intellectual trends, in turn, reflect structural changes in the political economy of academic institutions that produce such knowledge (Muntaner et al, 2012a). While a complete discussion of the impact of neo-liberalism on health inequalities research is beyond the scope of this analysis, we contend that such trends conform to political options that often perpetuate inequalities, because they produce knowledge that explicitly avoids the mechanisms that generate social and health inequalities.

What can a Neo-Marxist approach to social and health inequalities add? Aside from doing the opposite of the mainstream approach (that is, re-engaging with analyses of employment relations, exploitation, domination and other class processes), an important contribution of Neo-Marxist class analysis is to break the chain between health inequality research and the ‘policy mystique’. It can do this by flipping its orientation from the top-down to the bottom-up, and rediscovering and engaging with the rich diversity of poor people's and working class social movements whose struggles - class struggles - against inequality, including health inequalities, can become a target audience for research and action. Adopting a relational class approach means recognizing - not just politically, but from a pragmatic research design and implementation perspective - that the vast majority of ‘the 99 per cent’ are completely alienated from the policy space, both professionally and electorally. Examples of such bottom up class approaches would be the ‘Housing First’ program in Canadian cities (van Draanen et al, 2013) or public health action research with labour unions in the United States (Malinowski et al, 2015). A resurgence of poor, working class, and climate-justice activism, from the international outgrowths of Latin America's left turn and the Arab Spring (Muntaner et al, 2011) to the anti-austerity movements in the European Union (Tugas, 2014), provides compelling opportunities for researchers to address new, grassroots stakeholders.

Recognizing that the vast majority of the population is on the opposite side of the class struggle than 'policymakers' does not imply that we should abandon progressive health policy reforms, but it means that we should adopt a more critical, bottom-up perspective towards how policy changes affecting the public's health are ultimately achieved. This is not to say that all researchers of social inequalities in health must become public social scientists (Burawoy, 2005) but it is to say that we cannot consign ourselves, under a thin veil of neutrality, to de facto approaching policy from a privileged position of access to elites, that is, from the orientation of serving policymakers. At the very least, we should have a more class-conscious perspective (Burawoy, 2014). Returning to and advancing relational approaches to class may be the only way this will be possible.

### Politics DA---1NC

#### China competition bill centered on semiconductors passes through a fragile bipartisan consensus now---but Biden’s push is key.

Brittney Washington 3-18. "Why China Has U.S. Congress Focused On Computer Chips". Washington Post. 3-18-2022. https://www.washingtonpost.com/business/energy/why-china-has-us-congress-focused-on-computer-chips/2022/03/17/94ca635a-a608-11ec-8628-3da4fa8f8714\_story.html

A rare point of bipartisan consensus in Washington is the desire to spend more than $50 billion to bolster U.S. chip production. That’s a key part of bills pending in both houses of Congress intended to increase U.S. competitiveness with China. The bills are similar, but not identical, and differences on auxiliary issues threaten to stall their progress. 1. What does Congress propose to do? Both the Senate bill, passed last June, and the House bill, passed on Feb. 4, provide $52 billion over five years in emergency appropriations to support semiconductor research and development, legacy chip manufacturing, packaging research and microelectronics development. (Legacy chips are frequently used in cars, aircraft and a variety of military hardware.) The vast majority of that money, $50 billion, would be distributed through a new fund overseen by the Commerce Department; the other $2 billion would be overseen by the Defense Department. On top of that, the House version authorizes $45 billion for grants and loans to support supply chain resilience and manufacturing of critical goods in the U.S. Both measures authorize billions more for research and development at the National Science Foundation, the Energy Department and the National Institute of Standards and Technology. 2. Why is this necessary? While the U.S. is a leader in chip design, roughly 90% of global chip manufacturing capacity is elsewhere -- primarily in Taiwan and South Korea. That puts the U.S. at high risk of supply chain disruptions in the event of trade disputes, military conflicts or, as seen in the past two years, a pandemic. China’s state-led industrial policies, which aim to achieve self-sufficiency in all stages of chip production, also threaten U.S. competitiveness. The Chinese government plans to boost its domestic production using government subsidies and tax preferences. 3. How are the House and Senate bills different? The House bill would authorize $8 billion over two years in contributions to the Green Climate Fund, a United Nations-overseen initiative to help developing countries address climate change. Republicans are opposed; Representative Michael McCaul of Texas said the money would go to an “unaccountable U.N. slush fund.” The two bills also take different approaches to creating a new directorate at the National Science Foundation, the federal agency that funds basic research in science and engineering. The Senate’s version would focus it on technology issues. The House bill would focus it on research and development to address societal issues such as climate change and inequality. 4. In what way are the bills aimed at China? Neither bill explicitly states the U.S. is in a race with China for semiconductor sovereignty, but lawmakers regularly describe the bills that way. The Senate bill “will allow the United States to out-compete countries like China in critical technologies like semiconductors,” Majority Leader Chuck Schumer said last May. Any doubt that China is the real target of the bills is put to rest by the many provisions unrelated to semiconductors. 5. What are those provisions? Both bills include funding to develop alternatives to Chinese 5G telecommunications equipment, which the U.S. worries could be used to carry out cyberattacks or espionage. (China denies that.) Both bills would impose sanctions on China for its treatment of the predominantly Muslim Uighurs in the far-western region of Xinjiang and elevate the rank of U.S. special coordinator for Tibetan issues at the State Department. The Senate bill would require U.S. agencies to treat Taiwan’s elected government as the “legitimate representative of the people of Taiwan” and to stop using China’s preferred term, “Taiwan authorities.” The Senate would also impose additional sanctions on China for cyberattacks and theft of trade secrets. The House bill would allow Hong Kong residents to apply for temporary protected status in the U.S. and extend an export ban on certain crowd control equipment to the Hong Kong police. After the Senate passed its bill last June, Chinese lawmakers said the legislation “smears China’s development path and domestic and foreign policies” and “interferes in China’s internal affairs under the banner of innovation and competition.” 6. What are the prospects? There is broad agreement on the need to support domestic chip production and research, as both bills would do. A bipartisan group of over 140 lawmakers wrote to House and Senate leaders to urge them to make sure the $52 billion for chips is included in whatever final bill emerges from negotiations. House Majority Leader Steny Hoyer, a Maryland Democrat, said in March that he was hopeful the legislation would be finished in the coming months. The Biden administration stated its support for both chambers to reconcile differences and put a bill on the president’s desk “as soon as possible.”

#### Plan drains PC and trades off.

Peter C. Carstensen 21. Fred W. & Vi Miller Chair in Law Emeritus, University of Wisconsin Law School, February 2021. “The “Ought” And “Is Likely” Of Biden Antitrust,” https://www.concurrences.com/en/review/issues/no-1-2021/on-topic/the-new-us-antitrust-administration-en

14. Similarly, despite bipartisan murmurs about competitive issues, the potential in a closely divided Congress that any major initiatives will survive is limited at best. In part the challenge here is how the Biden administration will rank its commitments. If it were to make reform of competition law a major and primary commitment, it would have to trade off other goals, which might include health care reform or increases in the minimum wage. It is likely in this circumstance the new administration, like the Obama administration’s abandonment of the pro-competitive rules proposed under the PSA, would elect to give up stricter competition rules in order to achieve other legislative priorities. 15. Another key to a robust commitment to workable competition is the choice of cabinet and other key administrative positions. Here as well, the early signs are not entirely encouraging. In selecting Tom Vilsack to return as secretary of agriculture, the president has embraced a friend of the large corporate interests dominating agriculture who has spent the last four years in a highly lucrative position advancing their interests. Given the desperate need for pro-competitive rules to implement the PSA and control exploitation of dairy farmers through milk-market orders, the return of Vilsack is not good news. Who will head the FTC and who will be the attorney general and assistant attorney general for antitrust is still unknown, but if those picks are also centrists with strong links to corporate America the hope for robust enforcement of competition law will further attenuate! 16. In sum, this is a pessimistic prognostication for the likely Biden antitrust enforcement agenda. There is much that ought to be done. But this requires a willingness to take major enforcement risks, to invest significant political capital in the legislative process, and to select leaders who are committed to advancing the public interest in fair, efficient and dynamically competitive markets. The early signs are that the new administration will be no more committed to robust competition policy than the Obama administration. Events may force a more vigorous policy—I will cling to that hope as the Biden administration takes shape.

#### Chinese tech edge causes extinction from nuclear war and emerging tech.

Ash Jain 19. Senior fellow with the Scowcroft Center for Strategy and Security, where he oversees the Atlantic Council’s Democratic Order Initiative and D10 Strategy Forum; and Matthew Kroenig, deputy director for strategy in the Scowcroft Center for Strategy and Security and associate professor of government and foreign service at Georgetown University, 10/30/19, “Present at the Re-Creation: A Global Strategy for Revitalizing, Adapting, and Defending a Rules-Based International System,” <https://www.atlanticcouncil.org/wp-content/uploads/2019/10/Present-at-the-Recreation.pdf>

The system must also be adapted to deal with new issues that were not envisioned when the existing order was designed. Foremost among these issues is emerging and disruptive technology, including AI, additive manufacturing (or 3D printing), quantum computing, genetic engineering, robotics, directed energy, the Internet of things (IOT), 5G, space, cyber, and many others. Like other disruptive technologies before them, these innovations promise great benefits, but also carry serious downside risks. For example, AI is already resulting in massive efficiencies and cost savings in the private sector. Routine tasks and other more complicated jobs, such as radiology, are already being automated. In the future, autonomous weapons systems may go to war against each other as human soldiers remain out of harm’s way. Yet, AI is also transforming economies and societies, and generating new security challenges. Automation will lead to widespread unemployment. The final realization of driverless cars, for example, will put out of work millions of taxi, Uber, and long-haul truck drivers. Populist movements in the West have been driven by those disaffected by globalization and technology, and mass unemployment caused by automation will further grow those ranks and provide new fuel to grievance politics. Moreover, some fear that autonomous weapons systems will become “killer robots” that select and engage targets without human input, and could eventually turn on their creators, resulting in human extinction. The other technologies on this lisgt similarly balance great potential upside with great downside risk. 3D printing, for example, can be used to “make anything anywhere,” reducing costs for a wide range of manufactured goods and encouraging a return of local manufacturing industries.61 At the same time, advanced 3D printers can also be used by revisionist and rogue states to print component parts for advanced weapons systems or even WMD programs, spurring arms races and weapons proliferation.62 Genetic engineering can wipe out entire classes of disease through improved medicine, or wipe out entire classes of people through genetically engineered superbugs. Directed-energy missile defenses may defend against incoming missile attacks, while also undermining global strategic stability. Perhaps the greatest risk to global strategic stability from new technology, however, comes from the risk that revisionist autocracies may win the new tech arms race. Throughout history, states that have dominated the commanding heights of technological progress have also dominated international relations. The United States has been the world’s innovation leader from Edison’s light bulb to nuclear weapons and the Internet. Accordingly, stability has been maintained in Europe and Asia for decades because the United States and its democratic allies possessed a favorable economic and military balance of power in those key regions. Many believe, however, that China may now have the lead in the new technologies of the twenty-first century, including AI, quantum, 5G, hypersonic missiles, and others. If China succeeds in mastering the technologies of the future before the democratic core, then this could lead to a drastic and rapid shift in the balance of power, upsetting global strategic stability, and the call for a democratic- led, rules-based system outlined in these pages.63

### DOJ DA---1NC

#### DOJ is making moves towards the Random House suit.

Open Markets 11/5/21. "The Corner Newsletter: November 5, 2021 — Open Markets Institute". Open Markets Institute. 11-5-2021. https://www.openmarketsinstitute.org/publications/the-corner-newsletter-november-5-2021

Welcome to The Corner. In this issue, we take a closer look at the DOJ’s move to block Penguin Random House’s proposed takeover of Simon & Schuster, and how surveillance advertising has harmed user privacy. To read previous editions of The Corner, click here. The DOJ's Move to Block Takeover of Simon & Schuster Is Major Advance in Fight to Rebuild U.S. Market for Books On Tuesday, the Department of Justice sued to block Penguin Random House’s planned $2.18 billion acquisition of rival book publisher Simon & Schuster. The DOJ alleged that the merger would give Penguin — which is owned by the German corporation Bertelsmann and is already the world’s largest publisher — too great of an influence over the books being published in the U.S. and the pay for authors of the books. The Wall Street Journal noted that the lawsuit represents an effort to shift antitrust policy away from economic efficiency and consumer prices to broader attempts to protect economic opportunity. The action by the DOJ amounted to a major win for Open Markets, which has long focused closely on the dangers posed by consolidation of power over the U.S. marketplace for books by Amazon and by super-large publishers. In January, Open Markets submitted a letter to the DOJ opposing the merger — cosigned by the Authors Guild and other groups. After the decision, Open Markets Executive Director Barry Lynn issued a statement celebrating the move. Lynn also discussed the decision on Cheddar TV News.

#### DOJ resources are finite---the plan forces tradeoffs.

Brian Blais 21. Partner in the litigation and enforcement practice group @ Ropes & Gray LLP and a former federal prosecutor, 3/26/21. “Podcast: 2021 DOJ Enforcement Priorities Under U.S. Attorney General Merrick Garland.” Interview with Lisa Bebchick. https://www.ropesgray.com/en/newsroom/podcasts/2021/March/Podcast-2021-DOJ-Enforcement-Priorities-Under-US-Attorney-General-Merrick-Garland

Brian Blais: Well, as I referenced earlier, I think one real challenge for the Garland DOJ will be the many competing demands on the resources available to DOJ leadership. In addition to the many corporate-related priorities I just discussed, there are a large number of Biden administration priorities that implicate the DOJ, many of which represent a sharp break from the priorities of the Trump Department of Justice—so those include things like environmental justice and the prosecution of environmental cases; civil rights and voting act cases; the ongoing fight against domestic terrorism, including as we talked about earlier, the January 6th Capitol attack; immigration reform and potential shifts in immigration prosecution priorities; potentially heightened antitrust enforcement; and criminal justice reform writ large, just to name a few. And putting aside even all these priorities, there’s a huge backlog of cases in the Department more broadly due to pandemic-related shutdowns, including a substantial trial backlog. So there will be a significant amount of prosecutorial time and effort in the near-term devoted to resolving these already charged matters, as well as moving along already opened investigations, so that leaves reduced prosecutorial bandwidth to advance any new enforcement priorities. So all of that’s to say, one big question for the Garland DOJ is: Can it do it all, or will these various competing demands lead to a natural prioritization of certain enforcement priorities over others? We’ll certainly have a better sense in the coming weeks and months as the remaining DOJ leadership is confirmed, as priorities get communicated, and as the first round of investigations under the new leadership start to launch.

#### Its key to challenge monopsony power.

Bryan Koenig 11/3/21. Senior Competition Reporter at Law360."DOJ Reads Up On Monopsony Law In Penguin Merger Fight". No Publication. 11-3-2021. https://www.law360.com/articles/1437128/doj-reads-up-on-monopsony-law-in-penguin-merger-fight

Law360 (November 3, 2021, 7:42 PM EDT) -- By challenging Penguin Random House LLC's bid to buy Simon & Schuster, the U.S. Department of Justice sent a strong signal the Biden administration will continue antitrust enforcers' recent emphasis on protecting sellers in a market, not just end consumers.

If successful, the DOJ's attempt to prevent Penguin Random House from gaining a stranglehold on the purchase of publishing rights could mark an important development in monopsony merger enforcement, which seeks to prevent a single buyer from dominating sellers in a market.

Monopsony cases have traditionally been far less frequent than enforcement actions aimed at preventing monopolies, which lead to a consolidation of sellers and ultimately can raise prices for buyers.

That may be changing, however, as U.S. antitrust enforcers increasingly focus on buyer-side consolidation, especially in labor markets. Antitrust professionals say Tuesday's D.C. federal court complaint could be an important milestone on that path.

"They put their money where their mouth is" when it comes to heightened concerns about protecting sellers, said Steven Salop, an antitrust law and economics professor at Georgetown Law.

#### That’s key to solve inequality.

Eric A. Posner 8/13/21. Kirkland & Ellis Distinguished Service Professor at University of Chicago. How Antitrust Failed Workers. Oxford University Press, 2021.

In the United States, and much of the Western world, economic growth has slowed, inequality has risen, and wages have stagnated. Academic research has identified several possible causes, ranging from structural shifts in the economy to public policy failure. One possible cause that has received increasing attention from economists is labor market power, the ability of employers to set wages below workers’ marginal revenue product.1 New evidence suggests that many labor markets around the country are not competitive but instead exhibit considerable market power enjoyed by employers, who use their market power to suppress wages. This phenomenon—the power of employers to suppress wages below the competitive rate—is known among economists as labor monopsony, or simply labor market power. Wage suppression enhances income inequality because it creates a wedge between the incomes of people who work in concentrated and competitive labor markets. Wage suppression also reduces the incomes of workers relative to those of people who live off capital, and the latter are almost uniformly wealthier than the former. Wage suppression also interferes with economic growth since it results in underemployment of labor and, while it may seem to raise the return on capital, actually depresses it, as capital must lie idle to take advantage of monopsony power. With wages artificially suppressed, qualified workers decline to take jobs, and workers may underinvest in skills and schooling. Many workers exit the workforce and rely on government benefits, including disability benefits that have become a hidden welfare system.2 This in turn costs the government both in lost taxes and in greater expenditures. One estimate finds that monopsony power in the U.S. economy reduces overall output and employment by 13% and labor’s share of national output by 22%.3

The claim that labor market power raises inequality and reduces growth mirrors another claim that has received attention lately—that the product market power of firms has contributed to rising inequality and faltering growth.4 A product market is a collection of products defined by frequent consumer substitution. When a small number of sellers or one seller of these products exist, we say that each seller has product market power, which enables it to charge a price higher than marginal cost, or the price that would prevail in a competitive market. When a small number of employers hire from a pool of workers of a certain skill level within the geographic area in which workers commute, the employers have labor market power.

One major source of market power in both types of markets is thus concentration, where only a few firms operate in a given market. Imagine, for example, a small town with only a few gas stations. Each gas station sets the price of gas to compete with the prices of the other gas stations. When a gas station lowers its price, it may obtain greater market share from the other gas stations—which increases profits—but it also receives less revenue per sale. If only a single gas station exists, it will maximize profits by charging a high (“monopoly”) price because the gains from buyers willing to pay the price exceed the lost revenue from buyers who stay away. If only a few gas stations exist, they might illegally enter a cartel in which they charge an above-market price and divide the profits, or they might informally coordinate, which is generally not illegal, though the social harm is the same. In contrast, if many gas stations compete, prices will be bargained down to the efficient level—the marginal cost—resulting in low prices for consumers and high aggregate output of gasoline.

Labor market concentration creates monopsony (or, if more than one employer, oligopsony, but I use these terms interchangeably) where labor market power is exercised by the buyer rather than (as in the example of gas stations) the seller. Employers are buyers of labor who operate within a labor market. A labor market is a group of jobs (e.g., computer programmers, lawyers, or unskilled workers) within a geographic area where the holders of those jobs could with relative ease switch among the jobs. The geographic area is usually defined by the commuting distance of workers. A labor market is concentrated if only one or a few employers hire from this pool of workers. For example, imagine the gas stations employ specialist maintenance workers who monitor the gas-pumping equipment. If only a few gas stations exist in that area, and no other firms (e.g., oil refineries) hire from this pool of workers, then the labor market is concentrated, and the employers have market power in the labor market. To minimize labor costs, the employers will hold wages down below what the workers would be paid in a competitive labor market—their marginal revenue product. Faced with these low wages, some people qualified to work will refuse to. But the employers gain more from wage savings than they lose in lost output because of the small workforce they employ.

Antitrust law does not distinguish monopoly and monopsony (including labor monopsony): firms that achieve monopolies or monopsonies through anticompetitive behavior violate antitrust law. But product market concentration has received a huge amount of attention by courts, researchers, and regulators, while labor market concentration has received hardly any attention at all.5 The Department of Justice (DOJ) and Federal Trade Commission’s (FTC) Horizontal Merger Guidelines, which are used to screen potential mergers for antitrust violations, provide an elaborate analytic framework for evaluating the product market effects of mergers. Yet, while the Merger Guidelines state that there is no distinction between seller and buyer power,6 they say nothing about the possible adverse labor market effects of mergers. Similarly, while there are thousands of reported cases involving allegations that firms have illegally cartelized product markets, there are few cases involving allegations of illegally cartelized labor markets.7

This historic imbalance between what I will call product market antitrust and labor market antitrust has no basis in economic theory. From an economic standpoint, the dangers to public welfare posed by product market power and labor market power are the same. As Adam Smith recognized, businesses gain in the same way by exploiting product market power and labor market power—enabling them to increase profits by raising prices (in the first case) or by lowering costs (in the second case).8 For that reason, businesses have the same incentive to obtain product market power and labor market power. Hence the need—in both cases—for an antitrust regime to prevent businesses from obtaining product and labor market power except when there are offsetting social gains.

#### Inequality drives diversionary nationalism and makes war inevitable.

Frederick Solt 11. Ph.D. in Political Science from University of North Carolina at Chapel Hill, currently Associate Professor of Political Science at the University of Iowa, Assistant Professor, Departments of Political Science and Sociology, Southern Illinois at the time of publication. “Diversionary Nationalism: Economic Inequality and the Formation of National Pride.” The Journal of Politics, Vol. 73, No. 3, pgs. 821-830, July 2011.

One of the oldest theories of nationalism is that states **instill the nationalist myth** in their citizens to **divert their attention from great economic inequality** and so forestall pervasive unrest. Because the very concept of nationalism obscures the extent of inequality and is a potent tool for delegitimizing calls for redistribution, it is a perfect **diversion**, and states should be expected to engage in more nationalist mythmaking when inequality increases. The evidence presented by this study supports this theory: across the countries and over time, where economic inequality is greater, nationalist sentiments are substantially more widespread.

This result adds considerably to our understanding of nationalism. To date, many scholars have focused on the international environment as the principal source of threats that prompt states to generate nationalism; the importance of the domestic threat posed by economic inequality has been largely overlooked. However, at least in recent years, domestic inequality is a **far more important stimulus for the generation of nationalist sentiments** than the international context. Given that **nuclear weapons**—either their own or their allies’—rather than the mass army now serve as the primary defense of many countries against being overrun by their enemies, perhaps this is not surprising: nationalism-inspired mass mobilization is simply no longer as necessary for protection as it once was (see Mearsheimer 1990, 21; Posen 1993, 122–24).

Another important implication of the analyses presented above is that growing economic inequality may increase ethnic conflict. States may foment national pride to stem discontent with increasing inequality, but this pride can also lead to more **hostility towards immigrants and minorities**. Though pride in the nation is distinct from chauvinism and outgroup hostility, it is nevertheless closely related to these phenomena, and recent experimental research has shown that members of majority groups who express high levels of national pride can be nudged into intolerant and xenophobic responses quite easily (Li and Brewer 2004). This finding suggests that, by leading to the creation of more national pride, higher levels of inequality produce environments favorable to those who would inflame **ethnic animosities**.

Another and perhaps even more worrisome implication regards the **likelihood of war**. Nationalism is frequently suggested as a **cause of war**, and more national pride has been found to result in a much greater demand for national security even at the expense of civil liberties (Davis and Silver 2004, 36–37) as well as preferences for “a more **militaristic foreign affairs posture** and a more interventionist role in world politics” (Conover and Feldman 1987, 3). To the extent that these preferences influence policymaking, the **growth in economic inequality** over the last quarter century should be expected to lead to more aggressive foreign policies and **more international conflict**. If economic inequality prompts states to generate diversionary nationalism as the results presented above suggest, then **rising inequality could make for a more dangerous world**.

The results of this work also contribute to our still limited knowledge of the relationship between economic inequality and democratic politics. In particular, it helps explain the fact that, contrary to median-voter models of redistribution (e.g., Meltzer and Richard 1981), democracies with higher levels of inequality do not consistently respond with more redistribution (e.g., Bénabou 1996). Rather than allowing redistribution to be decided through the democratic process suggested by such models, this work suggests that states often respond to higher levels of inequality with more nationalism. Nationalism then works to divert attention from inequality, so many citizens neither realize the extent of inequality nor demand redistributive policies. By prompting states to promote nationalism, greater economic inequality removes the issue of redistribution from debate and therefore narrows the scope of democratic politics.

## DOJ Advantage---1NC

### Doomed---1NC

#### DPT is a statistical artifact---empirical analysis

Michael **Mousseau 18**. Professor @ UCF, PhD PoliSci @ Binghamton. Conflict Management and Peace Science, “Grasping the scientific evidence: The contractualist peace supersedes the democratic peace”, Vol 35(2) 175-192, SagePub.

A weighty controversy has enveloped the study of international conflict: whether the democratic peace, the observed dearth of militarized conflict between democratic nations, may be spurious and accounted for by institutionalized market ‘‘contractualist’’ economy. I have offered theory and evidence that economic norms, specifically contractualist economy, appear to account for both the explanans (democracy) and the explanandum (peace) in the democratic peace research program (Mousseau, 2009, 2012a, 2013; see also Mousseau et al., 2013a, b). Five studies have responded with several arguments for why we should continue to believe that democracy causes peace (Dafoe, 2011; Dafoe and Russett, 2013; Dafoe et al., 2013; Ray, 2013; Russett, 2010). Resolution of this controversy is fundamental to the study and practice of international relations. The observation of democratic peace is ‘‘the closest thing we have to an empirical law’’ in the study of global politics (Levy, 1988: 662), and carries the profound implication that the spread of democracy will end war. New economic norms theory, on the other hand, yields the contrary implication that universal democracy will not end war. Instead, it is market-oriented development that creates a culture of contracting, and this culture legitimates democracy within nations and causes peace among them. The policy implications could hardly be more divergent: to end war (and support democracy), the contractualist democracies should promote the economies of nations at risk (Krieger and Meierrieks, 2015; Meierrieks, 2012; Mousseau, 2000, 2009, 2012a, 2013; Nieman, 2015). In the literature are five factual claims for why we should continue to believe that democracy causes peace: (1) an assertion that in three of the five studies that overturned the democratic peace (Mousseau, 2013; Mousseau et al., 2013a, b), the insignificance of democracy controlling for contractualist economy is due to the treatment of missing data for contractualist economy (Dafoe et al., 2013, henceforth DOR); (2) a claim of error in the measure for conflict (DOR) that appears in one of the five studies that overturned the democratic peace (Mousseau, 2013); (3) an alleged misinterpretation of an interaction term that appears in one of the five studies (Mousseau, 2009) that overturned the democratic peace, along with in inference of democratic causality from an interaction of democracy with contractualist economy (Dafoe and Russett, 2013; DOR); (4) a claim of reverse causality, of democracy causing contractualist economy (Ray, 2013); and (5) a report of multiple regressions with most said to show democratic significance after controlling for contractualist economy (DOR). This study investigates all five of these factual claims. I begin by addressing the issue of missing data by constructing two entirely new measures for contractualist economy. I then take up possible measurement error in the dependent variable by reporting tests using both my own (Mousseau, 2013) and DOR’s measures for conflict. Next, I disaggregate the data to investigate a causal interaction of democracy with contractualist economy. I then examine the evidence for reverse causality, and scrutinize the competing test models to pinpoint the exact factors that can account for differences in test outcomes. The results are consistent across all tests: there is no credible evidence supporting democracy as a cause of peace. Using DOR’s base model, the impact of democracy is zero regardless of how contractualist economy or interstate conflict is measured. There is no misinterpreted interaction term in any study that has overturned the democratic peace, and the disaggregation of the data yields no support for a causal interaction of democracy with contractualist economy. Ray’s (2013) evidence for reverse causality from democracy to contractualist economy is shown to be based on an erroneous research design. And of DOR’s 120 separate regressions that consider contractualist economy, 116 contain controversial measurement and specification practices; the remaining four are analyses of all (fatal and non-fatal) disputes, where the correlation of democracy with peace is limited to mixedeconomic dyads, those where one state has a contractualist economy and the other does not, a subset that includes only 27% of dyads from 1951 to 2001, including only 50% of democratic dyads. It is further shown that this marginal peace is a statistical artifact since it does not exist among neighbors where everyone has an equal opportunity to fight. The results of this study should not be surprising, as they merely corroborate the present state of knowledge. This is because, while DOR ardently assert that four alleged errors, when corrected, each independently save the democratic peace proposition—multiple imputation, the exclusion of ongoing dispute years, an interaction term, and their alternative measure for contractualist economy—they never actually report any clear-cut evidence in support of their claims. One issue not addressed is Dafoe and Russett’s (2013) challenge to Mousseau et al. (2013a) on the grounds that our reported insignificance of democracy is not significant. Like the four claims of error made by DOR addressed here, Dafoe and Russett (2013) made this charge without supporting it. Mousseau et al. (2013b) then investigated it and showed that it too has no support. This issue appears resolved, as Russett and colleagues (DOR) did not raise it again. Nor have DOR or anyone else disputed the overturning of the democratic peace as reported in Mousseau (2012a), which has not been contested with any assertion, supported or unsupported. The implications of this study are far from trivial: the observation of democratic peace is a statistical artifact, seemingly explained by economic conditions. If scientific knowledge progresses and the field of interstate conflict processes is to abide by the scientific rules of evidence, then we must stop describing democracy as a ‘‘known’’ cause or correlate of peace, and stop tossing in a variable for democracy, willy-nilly, in quantitative analyses of international conflict; the variable to replace it is contractualist economy. If nations want to advance peace abroad, the promotion of democracy will not achieve it: the policy to replace it is the promotion of economic opportunity The economic norms account for how contractualist economy can cause both democracy and peace has been explicated in numerous prior studies and need not be repeated here (Mousseau, 2000, 2009, 2012a, 2013). An abundance of prior studies have also corroborated various novel predictions of the theory in wider domains (Ungerer, 2012), and no one has disputed the multiple reports that contractualist economy is the strongest non-trivial predictor of peace both within (Mousseau, 2012b) and between nations (Mousseau, 2013; see also Nieman, 2015). The only matter in controversy is whether democracy has any observable impact on peace between nations after consideration of contractualist economy. My investigation begins below with the allegation of measurement error.

#### EU and US breakdown.

\*Note---Interview edits in original text by PRI, not by Emory.

The World 1/20/21. US public radio news magazine. "A post-America world: Biden's challenges begin at home, former diplomat Richard Haass says". World from PRX. 1-20-2021. https://www.pri.org/stories/2021-01-20/post-america-world-bidens-challenges-begin-home-former-diplomat-richard-haass

A majority of Europeans think the United States' political system is broken beyond repair — and that President Joe Biden will be unable to halt the country's decline on the world stage as China fills the power void. That's according to a new survey by the European Council on Foreign Relations on how Europeans view the nation Biden is taking over after the tumultuous presidency of Donald Trump. Former diplomat Richard Haass wrote recently that a "post-America world" may come sooner than we think — and that it's been hastened by the Jan. 6 riots at the US Capitol. Haass is president of the Council on Foreign Relations and author of "The World: A Brief Introduction." He spoke to The World's host Marco Werman about the challenges the Biden administration faces. Marco Werman: In a recent essay you wrote, you said that the crisis of the Capitol is hastening the arrival of a post-America world. Just explain that — the connection between the insurrection on Jan. 6 and this incoming post-America world and what that is going to look like. Richard Haass: The connection is that the insurrection raised questions around the world, particularly on the part of our allies, as to our constancy. Even though Mr. Trump will be departing the Oval Office, it raised fundamental questions about the long-term trajectory of the United States, American society and American politics. In order to be an alliance leader, you need to be steadfast, reliable, predictable — and suddenly, those things seem to be in short supply. And more specifically, the concern is, even if Joe Biden is a familiar and traditional American president, what might follow him? Something that you've written about and what's echoed in that European Council on Foreign Relations poll is that many US allies are kind of looking at a pileup of disasters: the response to COVID-19, those Capital riots, police brutality, the attack on civil rights. And they're saying we don't think we can trust the United States to keep us secure anymore. So, how precisely do you think the global world order will shift as a result of that conclusion? Well, I understand that conclusion because Jan. 6 was not a one-off. There are questions about American competence, obviously tied to COVID-19 and our inept response. The Charlottesville to George Floyd reaction showed a really divided society even before any of this. Opioid deaths, gun violence. Europeans and others look at the United States and they shake their head and they basically say, "We're not sure we really recognize this country." And the danger is they start taking matters into their own hands, not just them, but countries in the Middle East, countries in Asia. And they either start becoming much more autonomous, in which case American influence goes down. In some cases, they might defer or even assuage or appease a more powerful neighbor, Russia or China or Iran. We've seen elements of it started a few years ago. We saw the Saudis with the war in Yemen. We see Turkey now active in all sorts of areas. Europeans just went out on their own and signed their own economic deal with China. All of this leads to a loss of American influence. And a lot of people say, "Well, what's so bad about that?" Iraq was bad. Afghanistan was bad. But if you take a step back and you look at the last 75 years, this has been an extraordinary run. We've avoided great power conflict. Cold War ended on terms we could only dream about. We've seen it advance democracy. You've seen enormous improvement in living standards. And all this happened because of America's unique position in the world. And the question is, are we in a position to sustain it? Are others prepared to, in some ways, allow us to continue it? And all of this, again, has been put into question. I go back to George Bush's speech in the early '90s after the collapse of the Soviet Union. He said the US was the last superpower standing. I mean, that line kind of seems quaint now. Do you see China taking America's place or is it possible there won't be any sole superpower leading the way? I remember that because I was working for the president at the White House. And when historians look at these 30 years, they were going to scratch their heads about how the United States could have gone from that pinnacle of extraordinary influence to where we are now. And what's interesting, it's come about only in part because of things like the rise of China or proliferation. It's mainly come about, I think, because of what we've done to ourselves, a lot of which we've seen come to a head over the last few weeks. But this is a different world. There's some things we can't control. One of them is China's rise. Another is the emergence of a Russia much more willing to use military force and other tools, like cybertools, to have its way. We've seen the spread of nuclear weapons and missiles to North Korea. We've seen the emergence of a much more aggressive Iran. So, in many ways, this is a world of much more distributed power, much more authoritarian, much less democratic. So you've got these changes in and of themselves. At the same time, you're having a United States that's having second or third thoughts about its willingness to play a large world role. And what we're also seeing is questions about our capacity to play that role.

#### Coup makes collapse inevitable.

Jude Blanchette and Michael J. Green 1/8/21. Jude Blanchette holds the Freeman Chair in China Studies at the Center for Strategic and International Studies (CSIS). Michael J. Green is the senior vice president for Asia at the Center for Strategic and International Studies and a professor at Georgetown University. He served as the senior National Security Council official on Asia policy during the George W. Bush administration. "The Enduring Damage of This Insurrection to U.S. Diplomacy". Foreign Policy. 1-8-2021. https://foreignpolicy.com/2021/01/08/capitol-trump-insurrection-world-reaction-china-propaganda-u-s-diplomacy/

It is already obvious from the reactions around the world that the violent storming of the U.S. Capitol by pro-Trump insurrectionist-wannabees has damaged the United States’ image badly. But how badly? After all, the insurrectionists were removed, Republican leaders easily defeated the anti-constitutional motions of some of their members, Congress confirmed the Electoral College majority for President-elect Joe Biden, the stock market closed up, and opinion polls in the coming days will undoubtedly show that a large majority of Americans repudiate the actions of a few thousand unhinged MAGA extremists.

Yet images are stubborn things. Photojournalist Eddie Adam’s iconic shot of a Saigon police chief executing a Vietcong prisoner during the Tet offensive in 1968 captured indelibly the sadness, violence, and futility of the Vietnam War. Footage of the violent Democratic Party Convention that summer in Chicago reinforced for years the image of U.S. chaos at home. Neither the American public nor U.S. allies could shake those images from their minds, while Washington’s adversaries use them in propaganda to this day.

Historians may someday view the violent footage of a mob storming the Capitol waving Confederate and MAGA flags as no less damaging representations of American strategic incompetence, disorder, and decline. No U.S. ally will de-align because of what happened and Biden has an unprecedented opportunity to draw together NATO and Asian allies around the common challenges posed by Chinese and Russian coercive revisionism. But as much as allied leaders welcome Biden’s leadership, they will also now face nagging questions from their own publics and officials about Washington’s reliability. The fact that a mob of deadbeats overwhelmed the Capitol Police will reinforce impressions of incompetence already planted by the Trump administration’s inept response to the COVID-19 pandemic. Allies who rely on treaties with the United States for their security know that nothing is automatic, that the decision whether to defend them ultimately rests with the U.S. commander-in-chief, and that only four years ago Americans elected a president who just incited a mob to overturn the results of an election. Invoking the 25th amendment to remove Trump from office has merit, but how chilling that must be for allies who know where their security in a crisis ultimately rests.

#### Crisis globally.

Oliver Stuenkel 19. Associate Professor of International Relations, Getulio Vargas Foundation (Brazil). “The State of Democracy in 2020: Crisis or Renewal?” Council on Foreign Relations. 12-23-19. https://www.cfr.org/councilofcouncils/global-memos/state-democracy-2020-crisis-or-renewal

In many countries around the world, citizens took to the streets this year to vent their anger against political elites, suggesting that **democracy is in crisis.** In Latin America alone, Bolivia, Chile, Colombia, Ecuador, Haiti, Honduras, and Nicaragua—some of them among the region's fastest-growing economies—have been **rocked by social unrest** not seen for many years. While some grievances are unique to their respective countries, most of the protests were at least partly fueled by a perception that the political establishment is unable to address popular demands, be they greater political accountability to combat corruption, as in Honduras, an erosion of democracy, as in Bolivia, or inequality and insufficient public services, as in Chile. This trend is likely to continue into 2020. In many developing countries—particularly in those that saw solid economic growth during the commodities boom—progress over the past decade produced a new middle class that is more politically aware and demanding, and political elites and governance structures have failed to adapt. Antiestablishment politicians will seek to fill the resulting power vacuum, making the emergence of more Jair Bolsonaro–like figures probable. Additionally, relatively low commodity prices and other unfavorable macroeconomic factors—exacerbated by uncertainty due to the U.S.-China trade war—tend to lead to lower growth, lower social spending, lower tolerance for corruption, lower approval ratings, and more social upheaval. At the same time, these protests represent an opportunity to strengthen democracy, increase accountability, and take more effective steps to reduce inequality, just to name a few of the demands that have been voiced. Sook Jong Lee Sook Jong Lee Senior Fellow, East Asia Institute (South Korea) Global Democracy’s Four Daunting Challenges The world will continue to see four major challenges to democracy in 2020. First, authoritarian states will keep up their oppression of media and civil society. The Chinese government’s harsh reaction to the ongoing revolt in Hong Kong and the landslide victory for pro-democracy parties in District Council elections last month deserves great attention. Media suppression in Hungary, Russia, and Turkey is also likely to continue. Second, attacks against certain ethnic or religious minority groups will persist. State-sponsored violence, such as in the Rohingya crisis, has mostly abated, but lone-wolf hate crimes show no sign of decline. Third, **political polarization is weakening institutions** in advanced democracies. The unfolding U.S. presidential impeachment inquiry, the 2020 U.S. presidential election, and the United Kingdom’s Brexit drama promise to put the strength of these democracies to the test. In Asia, both Taiwan and South Korea have upcoming elections that will also be influenced by increasingly partisan politics. Free elections alone will not create the common ground within societies that is critical for a heathy democracy; there must also be political compromise. Fourth, both states and individuals are exploiting digital technology to spread disinformation and incite populism. Wise regulations are needed to curb this worrisome trend. Unless these challenges are met by proactive policies from both international and local defenders of democracy, the prospects for 2020 are not bright. Global Democracy Needs Champions Thirty years ago, democracy was a vehicle for freedom. In its rivalry with totalitarian communism, which suppressed liberty for ideological reasons, every freedom fighter became a democrat. Although not all gained their freedom, their fight saturated the global market of ideas with the desire for deliverance from oppressive regimes. Paradoxically, that’s the reason why the democratic vehicle of freedom has lost its attractiveness. Desperate attempts to rebuild its appeal by expanding the catalog of inalienable human rights are doomed to fail if, as political theorist Hannah Arendt warned, these rights are just empty words, or grotesque. Today, global demand is not for freedom, but for equal access to prosperity. Unfortunately, **democracy is not the only system perceived as capable** of delivering it. Thirty years of communist China’s economic success have undermined the conviction that democracy, the rule of law, human rights, and market economies are preconditions for prosperity. Against the backdrop of crises affecting the West, China’s economic successes have formed an attractive alternative to the Western model used in parts of Asia, Africa, and Europe.

#### OR it’s resilient.

Stéphane Dion 19, 3-18-2019, Ambassador of Canada in Germany and Special Envoy to the European Union and Europe, "European liberal democracies facing populism: Reasons for cautious optimism," GAC, https://www.international.gc.ca/country\_news-pays\_nouvelles/2019-03-18-germany-allemagne.aspx?lang=eng//HM

The European Union is in populism’s line of sight; its structure, philosophy, and policies echo populism’s targets of choice: cosmopolitism, technocracy, supra-national compromises, trade agreements, restrictive budgetary rules, and, above all, open borders within the EU.

The EU relies on a constant need of compromises between member states and Brussels. Populism erodes shared values and the capacity to reach such compromises, making it, for example, more difficult to reach a common ground between the Macron plan for more extensive banking union and more generous mechanisms of solidarity, and Merkel’s preoccupations for more fiscal discipline and member state accountability.

But there is optimism to be shared. The fact is that opinion polls continue to show considerable support for democratic and accountable government and that a clear majority of Europeans cherish the view of themselves as tolerant, open, and diverse. Most Europeans continue to see the European Union with pride, as a grand achievement of and for humankind, a unique fabric of peace and democracy.

No other country followed the United Kingdom in its bitter attempt to exit the European Union. In fact, far from having created a domino effect, the sad spectacle of the Brexit saga is likely to have strengthened Europeans’ support for their union. In polls, the EU’s image is the most positive it has been since 2009, surpassing that of national governments and parliaments, including in Hungary and Poland.15 Meanwhile, Turkey and non-EU Balkan and East European countries want to join this union.

The EU borderless area, called as you know the Schengen zone, allowing the free mobility of 420 million people, covering 26 countries, 4.3 million square kilometers, is certainly a difficult entity to manage, but it is also quite an accomplishment, appreciated every day, in airports, train stations and highways by its citizens. Despite all the controversies about the Eurozone, there is no popular support to leave the common currency. The most Eurosceptic countries remain closer to a reformist approach rather than a rejectionist one.

Despite the strong likelihood that populists and Eurosceptic parties will increase their representation in the next European Parliament, the risks are very low that the May 2019 elections will result in a Eurosceptic parliament. The popular support for these populist parties seems to have reached a plateau, as the migration flow has considerably diminished. Current projections give them around a third of the seats in the EU Parliament, which will make more difficult, but still probable, the negotiation of a functional and stable pro-EU coalition.

The selection of new Presidents of the European Commission and the European Council and the nomination of a new Commission is likely to be a complicated but not insurmountable task in the coming months.

Conclusion

I am confident that populism will not eviscerate liberal democracy in Europe, but it is, and will likely continue to challenge some of its key pillars, especially the rule of law, individual and minority rights, and social, political and religious tolerance.

## Inflation Advantage---1NC

### AT: Internal Link

#### Their link turn is backwards. Inflationary pressures are emerging from highly competitive markets.

Edward Longe 2/22/22. Longe is a policy manager at the [American Consumer Institute](https://www.theamericanconsumer.org/), a nonprofit educational and research organization. “Antitrust will not fix inflation” https://thehill.com/opinion/finance/592502-antitrust-will-not-fix-inflation?rl=1

As U.S inflation [hit a 40-year high of 7 percent](https://www.bloomberg.com/news/articles/2022-01-12/inflation-in-u-s-registers-biggest-annual-gain-since-1982) in January, officials in the Biden administration sought to place the blame squarely upon monopolies manipulating prices. Raising the specter of monopolistic price manipulation, the White House has [encouraged](https://www.wsj.com/articles/bidens-gas-price-diversion-oil-and-gas-companies-ftc-lina-khan-letter-11637190339) the Federal Trade Commission (FTC) to investigate the matter with the possibility of enhanced enforcement. Not only is the allegation entirely without merit or evidence, but it also misses the underlying causes of inflation and represents nothing more than political scapegoating. The allegations also ignore the reality that cracking down on large companies might result in higher — not lower — consumer prices, which does not help inflation. Rather than blaming large companies, the administration should [pursue policies](https://www.cnn.com/2021/11/12/politics/joe-biden-inflation-explainer/index.html) that could have a real impact, notably cutting government waste, easing tariffs, and incentivizing domestic production. The White House’s misguided belief that large companies are driving inflation was made public in November 2021 when [Biden sent a letter](https://www.wsj.com/articles/bidens-gas-price-diversion-oil-and-gas-companies-ftc-lina-khan-letter-11637190339) to the FTC Chairwoman Lina Kahn alleging “mounting evidence of anti-consumer behavior by oil-and-gas companies.” He then instructed the FTC to “bring all of the Commission’s tools to bear if you uncover any wrongdoing.” Biden later issued the same instructions to the [Department of Agriculture](https://www.nytimes.com/2021/12/25/business/biden-inflation.html), ordering them to “investigate large meatpackers that control a significant share of poultry and pork markets.” Despite Biden’s allegations against large companies, economists are skeptical that antitrust enforcement would lower prices. In a [survey](https://www.igmchicago.org/surveys/inflation-market-power-and-price-controls/) of economists from America’s top universities, only 5 percent of respondents agreed that “antitrust interventions could successfully reduce U.S. inflation over the next 12 months.” Additionally, only 7 percent of economists surveyed said that “a significant factor behind today’s higher U.S. inflation is dominant corporations in uncompetitive markets taking advantage of their market power to raise prices.” [President Biden](https://thehill.com/people/joe-biden)’s desire to use antitrust enforcement to lower inflation ignores the reality that it is being [driven by a few goods and services](https://time.com/nextadvisor/in-the-news/rising-inflation-rising-prices-how-to-plan/) in highly competitive markets, specifically: used cars, which saw prices increase by 34 percent; energy, which saw prices increase by 33 percent; and gasoline, which saw a 58 percent increase. While these sectors saw significant increases in prices, they are also among the most competitive. For example, in the [gasoline sector](https://www.cspdailynews.com/fuels/2020-fuels-50-top-5-gas-brands-market-share), five large companies operate in the U.S., and no single company owns more than a 12.5 percent market share. The [used car market](https://mobilityforesights.com/product/used-car-market-in-us/) is also highly competitive — “the top 10 used vehicle retailers contribute to less than 10 percent of used car sales in the U.S.” The [energy market](about:blank) is also highly competitive, with numerous providers existing in the marketplace and offering consumers multiple energy sources. The highly competitive nature of industries driving inflation shows that antitrust enforcement is simply the wrong tool to lower prices for consumers, and the administration needs to address supply-side issues, not market concentration. Biden’s allegation that large companies increase consumer prices also ignores economic realities that they routinely offer lower prices. When [Amazon purchased Whole Foods](https://slate.com/business/2021/06/why-amazon-bought-whole-foods-groceries-online.html#:~:text=In%25202017%252C%2520Amazon%2520entered%2520the,purchase%2520was%2520a%2520cataclysmic%2520event.) in 2017, the tech giant used its supply chain and purchasing power [to cut prices](https://www.bain.com/insights/big-tech-mergers-and-acquisitions-regulate-with-care-tech-report-2021/). Similarly, when Facebook acquired [WhatsApp](https://www.bain.com/insights/big-tech-mergers-and-acquisitions-regulate-with-care-tech-report-2021/https:/www.bain.com/insights/big-tech-mergers-and-acquisitions-regulate-with-care-tech-report-2021/), it cut the annual subscription fee, allowing consumers to access secure mobile messaging for free. The examples of Whole Foods and WhatsApp show that large companies can lower prices for consumers rather than raising them. However, it also raises the possibility that cracking down on large companies could see consumers paying more for goods and services, further inflating prices. While encouraging federal agencies to investigate the practices of large corporations may be a politically smart move given Biden’s low approval ratings and growing concern over inflation and the state of the economy, it is clear that cracking down on large companies will do little to alleviate inflationary pressures. In fact, enhancing antitrust enforcement might have the inverse effect. Further limiting the effectiveness of antitrust enforcement to combat inflation is that inflationary pressures are emerging from highly competitive markets. Rather than scapegoating large corporations, Biden should perhaps acknowledge this reality. Once he does, he might be able to address the real causes of high inflation and diminishing consumer spending power.

#### No causation between concentration and inflation. Sector-specific price reductions can’t solve general inflation.

Dominic Pino 1/19/22. William F. Buckley Fellow in Political Journalism at National Review Institute. “Inflation Isn’t about Antitrust” https://www.nationalreview.com/2022/01/inflation-isnt-about-antitrust/

The Biden administration and key Democrats such as Senator Elizabeth Warren have trotted out a new idea about [inflation](https://www.nationalreview.com/2022/01/europes-energy-crisis-inflation-and-some-of-what-comes-with-it/): It’s caused by greedy monopolies. It’s not a monetary problem or a fiscal problem. It’s an antitrust problem. Paul Glastris, editor in chief of *Washington Monthly*, [asks](https://washingtonmonthly.com/2022/01/12/pretending-monopoly-has-nothing-to-do-with-inflation/) why most economists have dismissed monopolization as an explanation for inflation. He’s responding to the *Washington Post* editorial board, which wrote [a strong editorial](https://www.washingtonpost.com/opinions/2022/01/10/white-house-again-offers-bizarre-message-inflation/) against the idea. Glastris writes, “I’m not sure why the *Post* editorial board, much less economists like [Larry] Summers and [Dean] Baker, are so dismissive of the idea that monopolistic corporations might choose to exploit their pricing power at this moment of maximum leverage.” To understand the argument, let’s start with the economic theory on monopolies. One of the symptoms of monopoly is higher prices than those in a competitive market**.** In a perfectly competitive market, firms have no price-making power at all because the market participants bargain their way to an equilibrium price that no single participant has any control over. That is, of course, a blackboard abstraction, and in the real world, firms set their own prices. But they can’t just set them at whatever they want. If McDonald’s set the price of a burger at $1,000, they probably wouldn’t sell any. They have to keep in mind what Wendy’s, Burger King, Five Guys, etc., are offering. You can see how more competitors would make it more difficult to raise prices; in our example, burger customers could just seek out another restaurant for a similar product. There’s economic logic, then, to the idea that lack of competition would result in price increases. It’s standard textbook theory. It’s an idea with which economists such as Larry Summers and Dean Baker are *very* familiar. The reason they won’t give credence to the White House’s narrative on inflation is because it simply isn’t true. Glastris’s counterexamples illustrate why. First and foremost, inflation is defined as a general increase in the price level. “General” is the operative word there. Glastris writes, “Thanks to lax antitrust enforcement, four companies now control 55 to 85 percent of the markets for beef, pork, and poultry. Since the fall of 2020, the price of beef has risen by more than 20 percent, far higher than the inflation rate.” Possible monopolization, it’s true. But that would only explain why the price for meat is increasing, not why we’re experiencing a general increase in the price level. As to whether it’s even monopolization in the first place, an increase in prices is not the only textbook symptom of monopoly. If an increase in prices is due to monopolization, it would coincide with a reduction in supply. We haven’t seen that in the meat industry. [According to the USDA](https://ers.usda.gov/data-products/livestock-and-meat-domestic-data/), total red-meat and poultry production was higher over the period of January through November 2021 than it was over the same period in 2020, when inflation was at normal levels. And U.S. meat production has been [increasing steadily](https://ourworldindata.org/meat-production) since the early ’60s, more than doubling over that time span. Glastris goes on to note the case of semiconductors. At first blush, the logic is reasonable: Semiconductors are used in many products, so their unavailability would result in many prices increasing across many sectors. “As recently as a decade ago,” he writes, “America was producing vast numbers of cutting-edge semiconductors right here on our shores.” But that “decade ago” part causes problems. The disparity between domestic and international semiconductor production is not a new development. It has gradually developed over years and cannot explain the surge in inflation that began last summer. Another common denominator for many goods is ocean shipping. Glastris writes (correctly) that “three vast carrier alliances, all foreign owned” have gained control over almost all of the ocean-freight market. He says, “These alliances then built super-sized cargo ships that can only dock in a few ports, like the ones in Los Angeles and Long Beach, which now service 40 percent of all U.S. traffic.” That’s all correct. Then, he says, “This highly consolidated system kept shipping prices, and hence overall inflation, low for years. Now, its brittleness is contributing to inflation.” Wait a second, consolidation was keeping prices *low* for years? Then it caused inflation, starting in late summer of 2021? Ocean shipping isn’t any more monopolized today than it was in 2020. And yet [according to the Freightos Baltic Index](https://fbx.freightos.com/), the price of a shipping container has gone up over 600 percent since January 2020. Something else must be going on. Glastris brings up land transportation as well. He says that in the past, many goods were delivered by rail but now move on trucks because “the federal government allowed the railroad industry to monopolize.” First, it must be noted that for passenger rail, the federal government was the monopolizer when it created Amtrak in 1971. For freight rail, it is true that there are fewer Class I railroads in the U.S. today than there were before the industry was deregulated in 1980. But [since deregulation](https://www.brookings.edu/wp-content/uploads/2016/06/10_railact_winston.pdf), freight rates and operating costs have been lower, and innovation has been higher. That’s not symptomatic of monopolization, even though there are fewer competitors, and it wouldn’t explain a general increase in prices, either. And the mere fact that goods are being shipped by truck instead proves that freight railroads have competition, even if it isn’t from other freight railroads. Specific examples of potential monopolization are worth debating. It’s not silly to be concerned that global ocean shipping is effectively controlled by a cartel. But none of these sector-specific examples is sufficient to explain a general increase in the price level. Aha, but they’re all happening at the same time! Exactly, which is why monopolization can’t be the answer. For the monopolization theory to work, proponents would need to explain why nearly every sector of the economy decided to start using its monopolistic price-making power at roughly the same time late last summer after not using it at any time in recent memory before then. That’s not economics; it’s a conspiracy theory. The [cause of the current bout of inflation](https://www.nationalreview.com/magazine/2021/12/20/inflation-birthing-pains-or-chronic-pain/) is the fastest increase in the money supply in the history of the Federal Reserve system combined with record levels of fiscal stimulus combined with supply constraints that are limiting GDP growth. Too much money, not enough goods. The supply constraints are largely due to decades of bad transportation policy and pandemic-related labor shortages. But there wouldn’t be an issue if it weren’t also true that consumers are buying more stuff than ever before with an economy juiced with money from the Fed as the backdrop. Those are separate concerns from antitrust. Economists understand that, which is why even most left-leaning economists aren’t playing ball with the Biden administration as it tries to pin inflation on the “[greed of meat conglomerates](https://www.nationalreview.com/corner/the-greed-of-meat-conglomerates/),” or whatever industry it decides to single out next.

#### Politicians are using monopolies as a scapegoat. Anti-trust can’t remedy inflation.

JD Tuccille 1/5/22. Former managing editor of Reason.com and current contributing editor. Has appeared in publications including the *Arizona Republic*, the *Denver Post* and the *Washington Time* “Biden's Antitrust Enforcement Won't Fix Inflation.” https://reason.com/2022/01/05/bidens-antitrust-enforcement-wont-fix-inflation/

Panicked about rising prices and resulting public anger, the Biden administration is doing what politicians do best: taking advantage of a situation to shift blame. In this case, the White House evokes fears of greedy corporations to call for antitrust action against business. That's rich coming from officials who are largely at fault for inflation as well as for the industrial concentration they criticize. Don't fall for their desperate ploy to divert attention from the mess that government policies created. "Four big corporations control more than half the markets in beef, pork, and poultry," President Biden [harumphed](https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/01/03/remarks-by-president-biden-during-a-virtual-meeting-to-discuss-boosting-competition-and-reducing-prices-in-the-meat-processing-industry/) on January 3 while announcing antitrust actions and subsidies for small producers. "These companies can use their position as middlemen to overcharge grocery stores and, ultimately, families." The meatpacking industry is certainly concentrated, but that isn't new and didn't result in sticker-shock before recent [price hikes](https://www.bls.gov/news.release/cpi.nr0.htm) hit the whole economy. And if collusion was going on, the federal government was a party to the scheme. It's long used its authority to protect big players from competition. "The political power held by the largest companies has meant that the regulatory environment related to markets for live cattle, hogs, and poultry; labor relations; processing inspection; product labeling; and processed meat sales favors large-scale producers and processors," researchers at the University of California at Davis [noted](https://www.ucdavis.edu/food/news/californias-local-meat-suppliers-struggle-stay-business) this past September. "There are concerns about regulatory capture at the local level as well as the federal, where both labor regulations and inspection services appear to favor the largest meat processors." This [isn't the first time](https://reason.com/2021/10/13/facebook-welcomes-regulations-specifically-those-that-hurt-its-competition/) critics [pointed out](https://reason.com/2016/10/24/nj-pool-licensing-means-higher-prices/) that red tape [favors established businesses](https://reason.com/2017/02/10/lack-of-competition-is-leading-to-a-cost/) with the connections and capacity to create and navigate a [complicated regulatory environment](https://nationalinterest.org/blog/reboot/want-stop-coronavirus-meat-shortages-fix-federal-meat-inspection-regime-165964). Instead of more intervention in the market, then, greater competition and the benefits it would offer for consumers would seem to require that the federal government do far *less* of what it's been doing. But the attack on the meatpacking industry is only part of an overall push to tout antitrust enforcement as a cure-all for inflation. The administration pushes the policy even though "White House officials concede that their antitrust moves are unlikely to reduce costs for U.S. businesses or consumers immediately," as *The New York Times* [reported](https://www.nytimes.com/2021/12/25/business/biden-inflation.html) on Christmas Day. They're not even shy about admitting that "fighting inflation was not the initial motivation for Mr. Biden's competition agenda." So, antitrust is an unlikely and opportunistic remedy for price hikes constituting "the largest 12-month increase since the period ending June 1982," as the Bureau of Labor Statistics [announced](https://www.bls.gov/news.release/cpi.nr0.htm) last month. "The emerging claim that antitrust can combat inflation reflects 'science denial,'" [argues](https://twitter.com/LHSummers/status/1475230223985786889) Larry Summers, who headed former President Barack Obama's National Economic Council. "There are many areas like transitory inflation where serious economists differ. Antitrust as an anti-inflation strategy is not one of them." In fact, [he adds](https://twitter.com/LHSummers/status/1475230227265728518), it's "more likely to raise prices than lower them" by reducing supply. To find a solution, then, we need to better identify the problem. "Starting in March 2020, in response to the disruptions of Covid-19, the U.S. government created about $3 trillion of new bank reserves, equivalent to cash, and sent checks to people and businesses," points out economist John Cochrane in a [new paper](https://www.johnhcochrane.com/research-all/fiscal-inflation) for a Cato Institute policy conference. "The Treasury then borrowed another $2 trillion or so, and sent more checks. Overall federal debt rose nearly 30 percent." "It is hard to ask for a clearer demonstration of fiscal inflation, an immense fiscal helicopter drop, exhibit A for the fiscal theory of the price level," he adds. Economist Nicolás Cachanosky [explicitly agrees](https://www.aier.org/article/how-much-can-the-supply-chain-explain-the-rise-of-inflation/) with Cochrane in a December piece for the American Institute for Economic Research "that these stimulus plans are a candidate to explain the recent spike in inflation rates." He argues that officialdom is downplaying the role the massive sums sent directly to consumers and firms by the Trump and Biden administrations played in sending prices through the roof. "It is more convenient for the government to argue that inflation is due to supply-chain shocks or scapegoats (such as evil corporations) than admitting it is of their own doing," Cachanosky comments. "Can you imagine the Biden Administration admitting that the American Rescue Plan and all those checks sent to families across the country are an important part of the reasons why we have higher inflation today?" That means that antitrust policy isn't going to get us out of this mess because the corporate concentration it targets (forget that the government officials pushing antitrust helped create that concentration) isn't the culprit. In fact, more red tape may worsen the problem. For example, the Hoover Institute's David R. Henderson [warns](https://yieldpro.com/2021/12/can-supply-chain-disruptions-get-any-worse-buckle-in/) that White House plans to reregulate railroads threaten further supply-chain disruptions and higher prices. But that doesn't mean that nothing can be done. "The future is not hopeless," Cochrane assures readers in his paper. "Inflation control simply requires our government, including the central bank, to understand classic lessons of history. Forestalling inflation is a joint task of fiscal, monetary, and micro-economic policy." What would understanding classic lessons of history look like for policymakers? Summers [urges](https://twitter.com/LHSummers/status/1475230241920593931) the White House to "consider scaling back 'buy America' in favor of buying cheap, reduce restrictions on entry into energy productions, scale back tariffs and anti-dumping actions and reduce regulatory delays that preclude capacity increases." The Tax Foundation [agrees](https://taxfoundation.org/who-really-pays-tariffs/) that "the Trump-Biden tariffs have been passed almost entirely through to U.S. firms or final consumers" in the form of higher prices. While it suggests that tariffs' effect on overall inflation is relatively small, "a repeal of them would be a directional improvement." And maybe—just a thought—avoiding another "fiscal helicopter drop" of cash manufactured from thin air would be a wise idea. That wouldn't eliminate the price increases we've already experienced, but it would help to forestall further inflation and the very real economic pain people suffer as a result. If the White House wants to battle concentration in certain industries, the best place to start is to eliminate regulatory barriers to competition. That would be a lot more fruitful than raising bogus antitrust claims about an inflation problem that government officials themselves created.

### No Impact---1NC

#### No inflation fueled decline.

[Paul](https://www.nytimes.com/by/paul-krugman) Krugman 3/24/22. Distinguished professor in the Graduate Center Economics Ph.D. program and distinguished scholar at the Luxembourg Income Study Center at the City University of New York. Professor emeritus at the Princeton School of Public and International Affairs. 2008 sole recipient of the Nobel Memorial Prize in Economic Sciences for his work on international trade theory. B.A. from Yale University in 1974 and his Ph.D. from M.I.T. in 1977. He has taught at Yale, M.I.T. and Stanford. At M.I.T. he became the Ford International Professor of Economics. "How High Inflation Will Come Down." <https://www.nytimes.com/2022/03/24/opinion/inflation-united-states-economy.html>

Rising prices will get worse before they get better. Russia’s invasion of Ukraine has caused the prices of oil, wheat and [other commodities](https://www.wsj.com/story/how-war-ripples-through-commodity-markets-6b3acf6d) to soar. Official measures of the cost of shelter don’t yet fully reflect last year’s surge in the cost of [newly rented apartments](https://www.apartmentlist.com/research/national-rent-data). So there’s still a lot of inflation in the pipeline. The [Federal Reserve](https://www.federalreserve.gov/monetarypolicy/files/fomcprojtabl20220316.pdf#page=2), however, believes that high inflation will be a temporary phenomenon. Furthermore, the Fed believes that it can bring inflation down relatively painlessly — that it can achieve a so-called soft landing. But doesn’t this fly in the face of history? After all, the last time America had to bring high inflation under control, during the 1980s, the cost was [immense](https://fred.stlouisfed.org/graph/?g=Nj6F). The unemployment rate soared to 10.8 percent and didn’t get back to 1979 levels until 1987. Are there good reasons to believe that this time is different? Actually, there are. The landing probably won’t be as soft as the Fed envisions, but this time disinflation shouldn’t, or at least needn’t, be an extremely painful process. To see why, we need to look at history more closely and appreciate the important differences between the last big inflation and our current situation. Forty years ago, as many economists will tell you, inflation was “[entrenched](https://www.nytimes.com/2022/03/03/business/economy/federal-reserve-powell-inflation.html)” in the economy. That is, businesses, workers and consumers were making decisions based on the belief that high inflation would continue for many years to come. One way to see this entrenchment is to look at the wage contracts — typically for three years — that unions were negotiating with employers. Even then, most workers weren’t unionized, but these deals are a useful indicator of what was probably happening to wage- and price-setting more generally. So what did those wage deals look like? In 1979, union settlements with large companies that didn’t include a cost-of-living adjustment specified an average wage increase of [10.2 percent](https://www.jstor.org/stable/pdf/41841176.pdf?casa_token=en8ygIa2H8AAAAAA%3Az01VA6geqmVGqU5r211bft75UTwVnokHC5Wkiguj6MsEWmABB9F0TqYRPX84D3eGAL32gt7vcyT7mFl_wwrUyE6qbGE5zzn12rjRU9SrlZGxY8hMRLI#page=3) in the first year and an annual average of 8.2 percent over the life of the contract. As late as 1981, the United Mine Workers negotiated a contract that would raise wages [11 percent annually](https://www.jstor.org/stable/pdf/1814666.pdf?refreqid=excelsior%3Ab44e1685026cf8113fae73266f1948d2&ab_segments=&origin=#page=3) over the next several years. Why were workers demanding, and employers willing to grant, such big pay hikes? Because everyone expected high inflation to persist for a long time. In 1980 the [Blue Chip survey](https://eml.berkeley.edu/~enakamura/papers/StateLevelCPIs.pdf#page=4) of professional forecasters predicted 8 percent annual inflation over the next decade. Consumers surveyed by the [University of Michigan](https://data.sca.isr.umich.edu/get-chart.php?y=2022&m=1&n=33h&d=ylch&f=pdf&k=3054b1df481540afe8d21e01de1e127c53a12e8580862c7315e3cdf0fcdad3c2) expected prices to rise by about 9 percent annually over the next five to 10 years. With everyone expecting inflation to continue, workers wanted raises that would keep up with rising prices, and employers were willing to grant those raises because they expected their competitors’ costs to be rising as fast as their own. What this did, in turn, was make inflation self-perpetuating: Everyone was raising prices in anticipation of everyone else raising prices. Ending this cycle required a huge shock — an economy so depressed both that inflation fell and that workers were compelled to accept [major concessions](https://www.brookings.edu/wp-content/uploads/1985/06/1985b_bpea_mitchell_abraham.pdf). Things are very different now. Back then almost everyone expected persistent high inflation; now few people do. [Bond markets](https://fred.stlouisfed.org/series/T5YIFR) expect inflation eventually to return to prepandemic levels. While consumers expect high inflation over the next year, their longer-term expectations remain “[anchored](https://data.sca.isr.umich.edu/fetchdoc.php?docid=69390)” at fairly moderate levels. [Professional forecasters](https://www.philadelphiafed.org/-/media/frbp/assets/surveys-and-data/survey-of-professional-forecasters/2022/spfq122.pdf#page=4) expect inflation to moderate next year. This means that we almost surely aren’t experiencing the kind of self-perpetuating inflation that was so hard to end in the 1980s. A lot of recent inflation will subside when oil and food prices stop rising, when the prices of used cars, which rose [41 percent](https://www.bls.gov/news.release/pdf/cpi.pdf#page=2) (!) over the past year during the shortage of new cars, come down, and so on. The big surge in rents also appears to be [largely behind us](https://www.apartmentlist.com/research/national-rent-data), although the slowdown won’t show up in official numbers for a while. So it probably won’t be necessary to put the economy through an ’80s-style wringer to get inflation down. That said, the Fed is probably too optimistic in believing that we can get inflation under control without any rise in unemployment. Statistical measures like the unprecedented number of [unfilled job openings](https://fred.stlouisfed.org/series/JTSJOR), anecdotal evidence of labor shortages and, yes, [wage increases](https://www.atlantafed.org/chcs/wage-growth-tracker) suggest that the job market is running unsustainably hot. Cooling that market off will probably require accepting an uptick in the unemployment rate, although not a full-on recession. And for what it’s worth, the Fed’s plan for gradual rate hikes, which has already led to a major rise in [mortgage rates](https://www.freddiemac.com/pmms), is likely to cause that unfortunately necessary cooling-off, especially combined with the fact that fiscal policy has [turned contractionary](https://www.brookings.edu/interactives/hutchins-center-fiscal-impact-measure/) as the big spending of early 2021 recedes in the rearview mirror. So my message for those intoning dire warnings about the return of ’70s-type stagflation — which some of them have been itching to do for years — is that they should look at their history more carefully. The inflation of 2021-22 looks very different, and much easier to solve, from the inflation of 1979-80.

### Renewables---1NC

#### Renewables don’t solve warming.

Jeff Sparrow 11/4/21. Writer, editor, and broadcaster who works at the Centre for Advancing Journalism at the University of Melbourne. "Elites Won’t Save the Planet — We Need a Mass Movement". 11-4-2021. https://jacobinmag.com/2021/11/elites-fossil-fuel-delegates-cop26-conference-climate-crisis-mass-movement

Increasingly, mainstream commentators enthuse about the prospect of Big Business adopting new technologies to pull the planet back from a climate disaster. But Big Business isn’t going to save the world.

A Question of Consumption

The problem isn’t simply that corporations often lie, using environmental rhetoric to “greenwash” their images. It goes much deeper than that.

Capitalism must grow. Its blind search for profit might bring disaster, but it will still sniff out opportunities for expansion, indifferent to experience or consequences. As a result, even measures that might alleviate the environmental crisis become immediately weaponized against the planet.

For instance, the panels that produce solar electricity have improved at a remarkable rate, offering a tantalizing glimpse of a future powered by the sun’s limitless power. The advances made in renewables and associated technologies (such as battery storage) will play a huge role in any serious response to the environmental crisis.

Yet researchers Richard York and Shannon Elizabeth Bell caution that capitalism has already undergone many previous energy transitions: from biofuels (such as wood) to coal, from coal to oil, from oil to natural gas, and now, potentially, from fossil fuels to renewables. They warn that no established energy source has undergone a sustained decline merely because a new one became available. More typically, rather than replacing the older source, the new source is immediately used to intensify growth and thus more overall energy use.

In many cases, the addition of new sources has actually increased consumption of previous types of energy. The embrace of fossil fuels led, in relative terms, to a decline in biofuels. Yet, in absolute terms, the use of petroleum in logging trucks and mills greatly intensified deforestation and thus produced a net increase in the use of wood. Similarly, the rise of petroleum did not curtail trade in whale oil, but instead fostered a dramatic intensification of whaling — partly because whale ships became much more efficient, and partly because the industry developed new uses (such as in margarine) for its products.

It remains to be seen whether renewables will have the same effect. The available figures show a significant shift to renewable energy in terms of new capacity, with investment in renewables outpacing fossil fuels. Yet, internationally, the percentage of renewable energy as a proportion of electricity and other energy has been very slow to change. Renewable energy consumption has increased — but overall energy consumption has increased far, far more. There’s no mystery as to why.

In 1865, William Stanley Jevons published a book entitled The Coal Question. The titular query centered on Britain’s response to the rapid depletion of its coal stocks, with the book most remembered today because of Jevons’s rejection of claims that technologically driven energy efficiency would alleviate the shortage. “It is wholly a confusion of ideas to suppose,” he said, “that the economical use of fuel is equivalent to a diminished consumption. The very contrary is the truth.”

What he meant was that efficiency decreases price and thus encourages use, leading to a rebound that wipes out the supposed savings. The so-called Jevons Paradox has been demonstrated over and over again in the years since. A prosaic example involves refrigerators, with the improvements of new models corresponding not to a decline in the overall environmental impact of white goods, but rather fostering a huge boom in the industry, and so a massive total rise in both energy consumption and carbon dioxide output. Because capital must expand, technologies that, in the abstract, should reduce resource use become the basis for a reorganization that enables fresh accumulation.

The first generation of computer users will remember the claim that screen use would make paper redundant — something that palpably failed to occur, as computerization provided fresh markets supplying home and office printers.

Likewise, the invention of synthetic alternatives did not mean that natural fibers were no longer used — instead, their production massively expanded in parallel with the new options.

Enthusiasts for “green capitalism” insist that, as economies mature, their “material footprint” — the measure of their environmental impact — declines. In the digital era, they say, technological progress decouples capitalist growth from ecological damage, allowing the system to expand safely into infinity.

Yet while some individual economies have reduced their dependence on nonrenewable resources, they’ve generally done so by outsourcing dirty industries. As a meta-analysis of 179 studies between 1990 and 2019 put it, “no evidence for the needed kind of decoupling currently exists.” On the contrary, the materials used by the global economy passed 100 billion tonnes per year — a disturbing new record, and the exact opposite of “dematerialization.”

“Not only is there no empirical evidence supporting the existence of a decoupling of economic growth from environmental pressures on anywhere near the scale needed to deal with environmental breakdown,” explained a major 2019 report for the European Environmental Bureau, “but also, and perhaps more importantly, such decoupling appears unlikely to happen in the future.”

Think of electric vehicles (EVs) — a mode of transport far less destructive than internal-combustion engines. Like solar power, EVs will surely play an important role in a sustainable future. Under capitalism, however, they’ve been seized upon by the automotive industry to preserve and extend car culture. Rather than reducing waste and decoupling transportation from material inputs, the automotive companies see opportunities to renew old markets in Europe and North America, and to open fresh ones in places such as China.

Their success in selling high-tech private vehicles will, accordingly, forestall sustainable options such as bicycles and public transport, push cities to maintain the wasteful infrastructure designed around cars, and foster a new and ruinous race for lithium, cobalt, nickel, manganese, and other rare materials needed for batteries.

Against Corporate Environmentalism

If the tendency of capitalism to respond to a crisis with more capitalism gives the system its disastrous momentum, it also provides the capitalists themselves with insulation from the consequences of their actions. The intensified commodification resulting from each fresh calamity creates opportunities for those with disposable wealth to ensure that they and their loved ones remain more or less unaffected.

The planet might be growing unbearably hot, but if you have the money, you can still live in air-conditioned comfort in a pleasant location. In the midst of mass extinctions, luxury eco-resorts and private zoos allow the well-to-do to gaze on tigers, orangutans, and elephants. That’s why, even a looming apocalypse will not, in and of itself, motivate them to change course.

The technology to prevent climate change exists — and it’s getting better all the time. What we don’t have is a social system that allows us to use it.

The failure of world leaders to deliver meaningful political outcomes at COP26 will give “green” entrepreneurs more room to posture as a meaningful alternative. In that context, it’s crucial for activists not to fall in behind corporate environmentalism, but rather to build an independent movement, one that prioritizes human need over capitalist logic.

#### They don’t increase renewables AND they don’t solve.

Conor Payne and Chris Stewart 8/11/21. “The End of Growth? The Capitalist Economy & Ecological Crisis.” https://www.socialistalternative.org/2021/08/11/the-end-of-growth-the-capitalist-economy-ecological-crisis/

Sustainable future means socialist planning

Some argue that a simple transition to renewable energy will solve the ecological problems we face. This transition is both necessary and possible, but won’t be done under capitalism that will extract every source of fossil fuels down to the last, so long as there is profit to be made from them.

But even if this were achieved, we would still face a range of looming ecological catastrophes. The fact is that capitalism is already exceeding a number of planetary boundaries for safeguarding a safe environment for human civilization on earth.

These include species extinction, soil degradation and deforestation, to name only a few. Their common source is the increasing scale and intensity of humanity’s incursions into nature, which are now undermining the basis of our own existence on the planet.

Nor will technological changes alone solve the problem of a sustainable relationship with nature. Under capitalism, the opposite is the case: while technological changes result in the more efficient use of energy, this then creates the basis for further expansion and so paradoxically technological development often results in a net increase in the amount of energy used.10

While technology may alter to some degree what the limits are, we have to accept the reality that “you can’t have infinite growth on a finite planet”. Capitalism means an increasingly destructive and frantic search for resources that can be extracted and land which can be developed, with the benefits of this activity more and more concentrated in the hands of the few.

Socialist planning can ensure the rational development of the quality of our lives without increasing environmental intensity. Only on this basis can we restructure our society around need, not profit, creating countless socially necessary jobs in pursuit of building a sustainable system.

#### Green assets can’t solve warming.

Katharina Pistor 9/21. Professor of Comparative Law at Columbia Law School. “The Myth of Green Capitalism.” Project Syndicate. 9/21/2021. <https://www.project-syndicate.org/commentary/green-capitalism-myth-no-market-solution-to-climate-change-by-katharina-pistor-2021-09>

NEW YORK – Heat waves, floods, droughts, and wildfires are devastating communities around the world, and they will only grow more severe. While climate-change deniers remain powerful, the need for urgent action is now recognized well beyond activist circles. Governments, international organizations, and even business and finance are bowing to the inevitable – or so it seems. In fact, the world has wasted decades tinkering with carbon trading and “green” financial labeling schemes, and the current vogue is merely to devise fancy hedging strategies (“carbon offsets”) in defiance of the simple fact that humanity is sitting in the same boat. “Offsetting” may serve individual asset holders, but it will do little to avert the climate disaster that awaits us all. The private sector’s embrace of “green capitalism” appears to be yet another gimmick to avoid a real reckoning. If business and finance leaders were serious, they would recognize the need to change course drastically to ensure that this planet remains hospitable for all of humanity now and in the future. This is not about substituting brown assets for green ones, but about sharing the losses that brown capitalism has imposed on millions and ensuring a future even for the most vulnerable. The notion of green capitalism implies that the costs of addressing climate change are too high for governments to shoulder on their own, and that the private sector always has better answers. So, for advocates of green capitalism, public-private partnership will ensure that the transition from brown to green capitalism will be cost-neutral. Efficiently priced investments in new technologies supposedly will prevent humanity from stepping over into the abyss. But this sounds too good to be true, because it is. Capitalism’s DNA makes it unfit to cope with the fallout from climate change, which in no small part is the product of capitalism itself. The entire capitalist system is premised on the privatization of gains and the socialization of losses – not in any nefarious fashion, but with the blessing of the law. The law offers licenses to externalize the costs of despoiling the planet to anybody who is smart enough to establish a trust or corporate entity before generating pollution. It encourages the off-loading of accrued environmental liabilities through restructuring in bankruptcy. And it holds entire countries hostage to international rules that privilege the protection of foreign investors’ returns over their own people’s welfare. Several countries have already been sued by foreign companies under the Energy Charter Treaty for trying to curb their carbon dioxide emissions. Two-thirds of total emissions since the Industrial Revolution have come from just 90 corporations. Yet even if the managers of the world’s worst polluters were willing to pursue rapid decarbonization, their shareholders would resist. For decades, the gospel of shareholder value maximization has reigned supreme, and managers have known that if they deviate from the orthodoxy, they will be sued for violating their fiduciary duties. No wonder Big Business and Big Finance now advocate climate disclosures as a way out. The message is that shareholders, not managers, must spur the necessary behavioral change; solutions must be found through the price mechanism, not through science-based policies. Left unanswered is the question of why investors with an easy exit option and plenty of hedging opportunities should care about the disclosure of future harm to some companies in their portfolio. There is obviously a need for more drastic changes, such as carbon taxes, permanent moratoria on extracting natural resources, and so forth. These policies are often dismissed as mechanisms that would distort markets, and yet they idealize markets that don’t exist in the real world. After all, governments have lavishly subsidized fossil-fuel industries for decades, spending $5.5 trillion (both pre- and post-tax), or 6.8% of global GDP, in 2017. And should fossil-fuel companies ever run out of profits to offset these tax breaks, they can simply sell themselves to a more profitable company, thereby rewarding their shareholders for their loyalty. The script for these strategies has long been written in the law of mergers and acquisitions. 1 But the mother of all subsidies is the centuries-old process of legally encoding capital through property, corporate, trust, and bankruptcy law. It is law, not markets or firms, that protects the owners of capital assets even as they saddle others with enormous liabilities. Advocates of green capitalism are hoping to continue this game. That is why they are now lobbying governments to subsidize asset substitution, so that as the price of brown assets declines, the price of green ones will rise to compensate the asset holders. Again, this is what capitalism is all about. Whether it represents the best strategy for ensuring the planet’s habitability is an entirely different question. Instead of tackling such questions, governments and regulators have once again succumbed to the siren song of market-friendly mechanisms. The new consensus focuses on financial disclosure because that path promises change without having to deliver it. (It also happens to generate employment for entire industries of accountants, lawyers, and business consultants with powerful lobbying arms of their own.) Not surprisingly, the result has been a wave of greenwashing. The financial industry has happily poured trillions of dollars into green-labeled assets that turned out not to be green at all. According to a recent study, 71% of ESG-themed funds (supposedly reflecting environmental, social, or governance criteria) are negatively aligned with the goals of the Paris climate agreement. We are running out of time for such experiments. If greening the economy was really the goal, the first step would be to eliminate all direct subsidies and tax subsidies for brown capitalism and mandate a halt to carbon “proliferation.” Governments should also place a moratorium on shielding polluters, their owners, and investors from liability for environmental damages. Incidentally, these moves would also remove some of the worst market distortions around.

### Grid Resilient---1NC

#### Collapse is impossible.

CNN 3/16/22. Cites multiple cyber security experts, “US has 'significant' cyber vulnerabilities, but a sweeping Russian cyberattack is unlikely.” https://www.wmur.com/article/us-significant-cyber-vulnerabilities-sweeping-russian-cyberattack-unlikely/39448543

But even if localized networks are vulnerable, experts say that the American power grid is far too complex to shut down in one simple motion.

"For a successful attack to be able to take the lights out, they need to gain access to a lot of different points ... and nobody is looking," said Vikram Thakur, technical director at cybersecurity company Symantec. "We don't think it's plausible."

#### No widespread blackouts – That's not how the grid works.

Koerth 18 – Maggie, senior science writer for FiveThirtyEight, citing Bill Lawrence, vice president and chief security officer at the North American Electric Reliability Corporation and Candace Suh-Lee, who leads a cybersecurity research team at the Electric Power Research Institute, a nonprofit research and development lab, " Hacking The Electric Grid Is Damned Hard", *FiveThirtyEight*, 8/13/2018, <https://fivethirtyeight.com/features/hacking-the-electric-grid-is-damned-hard/> JHW

The nightmare is easy enough to imagine. Nefarious baddies sit in a dark room, illuminated by the green glow of a computer screen. Meanwhile, technicians watch in horror from somewhere in the Midwest as they lose control of their electrical systems. And, suddenly, hundreds of thousands, even millions of Americans are plunged into darkness. That scene was evoked in recent weeks as federal security experts at the Department of Homeland Security warned that state-sponsored hackers have targeted more than American elections — they’re after the electric grid, too. They’ve gotten “to the point where they could have thrown switches,” a DHS official told The Wall Street Journal. Both DHS and the FBI have linked these attacks to Russia — which was already pinned as the culprit in two attacks that shut down power to hundreds of thousands of people in Ukraine two Decembers in a row, in 2015 and 2016. It’s all very urgent — a high-risk crisis that must be solved immediately. But, surprisingly, some electrical system experts are thinking about it in a different way. Cyberattacks on the grid are a real risk, they told me. But the worst-case scenarios we’re imagining aren’t that likely. Nor is this a short-term crisis, with risks that can be permanently solved. Bringing down the grid is a lot harder than just flicking a switch, but the danger is real — and it may never go away. Representatives from two nonprofit organizations — both of which play large roles in how the electric grid is regulated and maintained — said it is easier to imagine disaster scenarios than create one. “There’ve been some very sensational books out there about the grid going dark because someone’s got their finger ready over a mouse and everything is going to turn off at the same time,” said Bill Lawrence, vice president and chief security officer at the North American Electric Reliability Corporation, the regulatory authority that sets and enforces technological standards for utility companies across the continent. “The grid does not work that way.” Our electric infrastructure is chock-full of both redundancies and regional variations — two things that impede widespread sabotage. That’s not to say that the grid isn’t under attack. Lawrence acknowledged that there is interest in “trying to hurt us from a distance.” But he emphasized there have not yet been any successful attacks — meaning hackers haven’t caused any blackouts. The division of Homeland Security that collects reports of cyberattacks on critical infrastructure has not yet published its incident report numbers for 2017. Organizations report incidents on a voluntary basis, so these numbers may not reflect all incidents. They’ve been poking at our critical infrastructure for a long while. Incident reports published by the Industrial Control Systems Cyber Emergency Response Team — a division of Homeland Security that does training and responds to cyberattacks on critical infrastructure — suggest that electricity, oil and natural gas infrastructure have been routinely targeted for years.1 There are dozens of these attacks reported to ICS-CERTS annually. However, it would be difficult for these attacks to lead to wide-scale blackouts, according to Lawrence and Candace Suh-Lee, who leads a cybersecurity research team at the Electric Power Research Institute, a nonprofit research and development lab. And that’s true even if hackers do eventually succeed in taking control of some electric systems. It helps that the North American electric grid is both diverse in its engineering and redundant in its design. For instance, the Ukrainian attacks are often cited as evidence that hundreds of thousands of Americans could suddenly find themselves in the dark because of hackers. But Lawrence considers the Ukrainian grid a lot easier to infiltrate than the North American one. That’s because Ukraine’s infrastructure is more homogeneous, the result of electrification happening under the standardizing eye of the former Soviet Union, he told me. The North American grid, in contrast, began as a patchwork of unconnected electric islands, each designed and built by companies that weren’t coordinating with one another. Even today, he said, the enforceable standards set by NERC don’t tell you exactly what to buy or how to build. “So taking down one utility and going right next door and doing the same thing to that neighboring utility would be an extremely difficult challenge,” he said. Meanwhile, the electric grid already contains a lot of redundancies that are built in to prevent blackouts caused by common problems like broken tree limbs or heat waves — and those redundancies would also help to prevent a successful cyberattack from affecting a large number of people. Suh-Lee pointed to an August 2003 blackout that turned the lights off on 50 million people on the east coast of the U.S. and Canada. “When we analyzed it, there was about 17 different things lined up that went wrong. Then it happened,” she said. Hackers wouldn’t necessarily have control over all the things that would have to go wrong to create a blackout like that. In contrast, Suh-Lee said, scenarios that sound like they should lead to major blackouts … haven’t. Take the 2013 Metcalf incident, where snipers physically attacked 17 electric transformers in Silicon Valley. Surrounding neighborhoods temporarily lost power, but despite huge energy demand in the region, “the big users weren’t even aware Metcalf had happened,” she said. Difficult isn’t the same as impossible, Suh-Lee told me. Depending on where an attack happened and how people responded, you could get the stuff of our nightmares. Lawrence repeatedly invoked the phrase “knock on wood” as he talked about the possibility of infiltrations of electric infrastructure turning into real-world blackouts. That’s why there’s a lot of effort going into research, monitoring and preparation for cyberattacks. Lawrence’s team, for instance, is gearing up for an event that’s held every other year and is sort of like war games for the electric grid. And the Department of Energy is planning a similar event, focused on figuring out what it takes to reboot after a hacker-caused blackout. But that preparation doesn’t mean we’ll eventually solve this problem, either, Suh-Lee said. If the chances of a cinematic disaster are low, the chances of a theatrical hero on a white horse riding in to save the day are even lower. Making the grid stronger and more resilient also means making it more digital — the work that’s being done to improve the infrastructure has also created new opportunities for hackers to break in. And the risk of attack is here to stay. Security improvements are “never going to completely eliminate the risk,” she said. “The risk is out there and people will find a new way to attack.” We’ll be living with cyber threats to the grid for the rest of our lives.

# 2NC

## T-CWS

#### 2. Scope means goals and values.

Ariel Ezrachi 18. Slaughter and May Professor of Competition Law, The University of Oxford. Director, Oxford University Centre for Competition Law and Policy. EU Competition Law Goals and The Digital Economy. “Ezrachi - Goals and the digital economy - Working paper.pdf” https://d1wqtxts1xzle7.cloudfront.net/57115872/Ezrachi\_-\_Goals\_-\_Aug\_2018-with-cover-page-v2.pdf?Expires=1638214770&Signature=Mpj92d9khmpS0HyzF3CslPfb5dW85lbsqJCFgU7D3GFTj70U5Gmz8RSwdhVHuxhj9i9BowILCRURtQhqIJ7K04JEI63btRTbEl8KxIr46OUPivr09yML6cP3LePcVM91a6QIQCxZHlvD-CWrhFPrhKwhltMKdr2MAeQwKl~C8BcVvhWta42~SbQV5rolyiYlJSdi-Ud4-RMCW6ezyaWhgw3yaulQnnIBg7BvfT04pXgG9Ljo9ZfYx1Y1rJA8B7S~WqSCszmjSrZUoQSPjD8sxw9RuBoJVxBWrXAYIYyF9Fa-df-uhBY24PMlRIMzpOK~xHfcyxo7AQ1pGVd-3rg8QA\_\_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA

In a rapidly changing economic landscape, the growth and evolution of the digital economy raise competition enforcement challenges at two distinct levels. First, at the practical level, enforcers must confront the added complexity of conducting their assessments in a dynamic environment. The changing economic landscape brings with it inevitable uncertainty as to the nature of competitive pressures, the ability of markets to self-correct, likely harm, efficiencies, and disruptive innovation. Second, at the policy level, new competition dynamics in the digital economy raise questions as to the normative scope of competition enforcement. The question - ‘Is this a competition problem?’ has become common in the face of new business strategies, new forms of interaction with consumers, the accumulation of data and the use of big analytics. Indeed, new market realities and business strategies raise questions as to the optimal use of competition law, its effectiveness, and more broadly, its goals.

This paper focuses on the latter challenge and seeks to outline the scope of EU competition law – its goals and values. While doing so, it considers the possible application of EU competition law to digital markets. Clarifying these norms provides the legal prism through which to view the market dynamics. It affects one’s conclusion as to the nature of activities competition law can address under European law, and what amounts to an infringement of the law.

#### 3. The plan also violates the word core.

Tracy C. Miller and Alden Abbott 21. Tracy C. Miller, Senior Policy Research Editor. Alden Abbott, Senior Research Fellow. "POLICY SPOTLIGHT: Antitrust Policy and the Consumer Welfare Standard". Mercatus Center. 3-24-2021. https://www.mercatus.org/publications/antitrust-and-competition/policy-spotlight-antitrust-policy-and-consumer-welfare

Since the late 1970s, the Supreme Court has emphasized consumer welfare as the core antitrust policy goal, which was a change from earlier decisions emphasizing the evils of big business and the importance of protecting smaller companies. Judicial decisions under the consumer welfare standard subsequently have enunciated fact-specific standards that seek to preserve incentives for business conduct that benefits consumers. These decisions have also granted dominant firms greater freedom to engage in aggressive competition to better satisfy consumers. The focus of these cases has been whether business behavior tends toward maximizing output (taking into account quantity, quality, and improvements in innovation), consistent with unrestricted competition.

The Case for a Different Approach

* Critics of current antitrust policy argue that enforcement has been ineffective, as evidenced by a decline in competition and an increase in the average market share of firms in recent decades.
* A growing number of scholars have concluded that the consumer welfare standard is inadequate. These scholars support a populist approach that pursues a broader range of objectives such as promoting fairness, protecting labor rights, and limiting monopoly as measured by firm size and market share.
* These concerns have resulted in studies by the House Subcommittee on Antitrust, Commercial, and Administrative Law and by the Washington Center for Equitable Growth that endorse digital platform regulation, new Federal Trade Commission rulemaking, and legislation to strengthen antitrust laws, with a greater emphasis on bright-line rules.
* In February 2021, Senator Amy Klobuchar, chair of the Senate Subcommittee on Competition Policy, Antitrust, and Consumer Rights, introduced legislation that would greatly toughen the standard for evaluating mergers and lower the bar for convicting a firm of illegal monopolization.
* Other expansive antitrust reform proposals, including possible regulation or structural breakups of big platforms, may be considered by the House Subcommittee on Antitrust, Commercial, and Administrative Law.

Defense of the Consumer Welfare Standard

1. Reforming antitrust policy in a way that would abandon the consumer welfare standard is likely to do more harm than good.
2. Studies claiming that competition is declining are based largely on flawed premises. Although digital platform markets are often more concentrated than most markets in the past, firms with a large market share may still be under pressure to compete owing to the potential of existing firms and startups to develop innovative new products and services.
3. Reforms proposed by various antitrust critics such as breaking up dominant firms or prohibiting most mergers and acquisitions are likely to make consumers worse off, sacrificing the benefits of declining per-unit costs that accompany large-scale production and integration of complementary services controlled by one firm.

Broadening the scope of what constitutes a violation of antitrust law would likely create a great deal of uncertainty for firms as they seek to compete effectively and grow their market shares. Further, trying to assign weights to vaguely defined notions of fairness and labor rights along with consumer welfare would create confusion and could lead to arbitrary decisions that are not consistent with the rule of law.

#### 4. CWS is the consistent goal.

Elyse Dorsey 20. “Antitrust in Retrograde: The Consumer Welfare Standard, Socio-Political Goals, and the Future of Enforcement”. https://gaidigitalreport.com/wp-content/uploads/2020/11/Dorsey-Antitrust-in-Retrograde.pdf

Antitrust law has largely flourished in the last 40 or so years, having established a newfound sense of self that is both coherent and capable of achieving its ends. It benefits from a longstanding and nonpartisan support for the consumer welfare standard.65 The Supreme Court has consistently, and on a nonpartisan basis, acknowledged the economic grounding and consumer welfare goals of the antitrust laws.66 The consumer welfare standard today thus serves as a common language unifying antitrust cases and analysis. Continued disagreements over original legislative intent have not forestalled this consensus, owing to this and many other benefits (developed below), including increased certainty, clarifying and narrowing the scope of applicable goals to consider, and facilitating the rule of law.67

#### 5. Courts and agencies agree---but there are aff authors.

Leon B. Greenfield, et al. 20. Perry A. Lange & Nicole Callan, Antitrust Populism and theConsumer Welfare Standard: What Are We Actually Debating?, 83 Antitrust L.J. 393(2020).

The "Chicago" approach-consistent with a broader body of scholarship that extended well beyond the University of Chicago-gained broad acceptance in the courts and antitrust enforcement agencies.1 5 The Supreme Court adopted Bork's language in 1979, declaring that "Congress designed the Sher-man Act as a 'consumer welfare prescription.'1 6 In 1982 and 1984, the DOJ and FTC updated their merger guidelines to reflect economic learning and changing enforcement norms, in effect embracing the Chicago approach.17 Today, the consumer welfare standard continues to govern how courts and agencies evaluate conduct under U.S. antitrust laws, and continues to evolve and be informed by new economic learning."

Current-day antitrust populists often advocate a rejection of-or even a "counterrevolution" against-the consumer welfare standard. One common critique is that Bork and other consumer welfare proponents sold their approach based on a history and purpose of the antitrust laws that was "divorced from the record."19 In the populists' view, the Sherman and Clayton Acts reflected a national movement against concentration, economic dominance, and accumulation of political power, and the Chicago School "rewrote antitrust" to eliminate these goals.20 Populists have presented their proposals as efforts to "restore" antitrust to its original purpose and objectives.2

#### 6. That means the AFF must change the consumer welfare standard.

Sintia Radu 18, Information Technology & Innovation Foundation, “Antitrust Policy Should Focus on Consumer Harms and Benefits, Not Vague Economic and Social Goals, New Report Advises,” ITIF, 10/4/18, https://itif.org/publications/2018/10/04/antitrust-policy-should-focus-consumer-harms-and-benefits-not-vague-economic

Large corporations are under intense scrutiny in Washington, with the Federal Trade Commission conducting hearings on the state of competition and consumer protection in the 21st century, the Federal Communications Commission reviewing proposed mergers between telecommunications giants, and public opinion souring on the perceived role and influence of ‘Big Tech.’

Against this backdrop, an increasingly vocal group of scholars and activists has been calling on policymakers to abandon a 40-year-old consensus that antitrust policy should focus first and foremost on consumer harms and benefits by instead broadening the scope of antitrust enforcement in aggressive new ways to simultaneously rein in big firms and address an array of social challenges. But a new report released today by the Information Technology and Innovation Foundation (ITIF), the world’s top-ranked science and technology policy think tank, finds there is no case for rejecting the long-established “consumer welfare standard.” ITIF concludes that doing so would be ineffective in solving the problems that advocates seek to address, and it would undermine consumer welfare and economic growth.

“The consumer welfare standard is the bedrock of American antitrust law. There is no legitimate case for abandoning it in favor of a vague and hard-to-enforce alternative,” said ITIF Senior Fellow Joe Kennedy, author of the report. “Attacking large companies without considering the value they produce for consumers will only produce uncertainty, deter firms from innovating, and undermine American companies’ ability to compete in global markets.”

The consumer welfare standard generally states the main criterion regulators should use when evaluating a merger or alleged anticompetitive behavior is overall consumer welfare, economic efficiency, or both. But, following in the tradition of the early 20th century Supreme Court Justice Louis Brandeis, who distrusted large corporations and championed the cause of breaking them up, today’s neo-Brandeisians advocate for expanding the scope of antitrust policy as the lynchpin of a broader agenda to address concerns such as the decline in small business formation, the rise in income inequality, regional economic decline, wage stagnation, privacy concerns, and political reform.

### AT: Affirmative Ground

#### Affirmative Ground.

#### 1. No link. The advocates are explicit.

Leon B. Greenfield, et al. 20. Perry A. Lange & Nicole Callan, Antitrust Populism and theConsumer Welfare Standard: What Are We Actually Debating?, 83 Antitrust L.J. 393(2020).

Populist critics often have explicitly called for antitrust to end its reliance on the consumer welfare standard. In December 2017, Barry Lynn testified before the Senate Subcommittee on Antitrust, Competition, and ConsumerRights,71 arguing that the consumer welfare standard had "cleared the way for three decades of corporate concentration that has remade almost every corner of the U.S. political economy" and "resulted in a wide variety of effects deeply harmful to businesses, workers, and consumers."7 2 Lynn argued that antitrust regulators and courts should "formally abandon" the consumer welfare standard, and adopt a system that would achieve the original purpose of the antitrust laws.73

Similarly, in his 2018 book The Curse of Bigness: Antitrust in the New Gilded Age, Professor Tim Wu argued that "antitrust's intended economic and political roles cannot be fully recovered without jettisoning the absurd and exaggerated premise" that "'consumer welfare' [is] the lodestone of antitrustlaw."74 And he warned that that failure to address issues such as economic concentration and income inequality, in part but not exclusively through anti-trust, is "yielding a new generation of xenophobic, nationalist, and racist politics."75

#### There are numerous solvency advocates. They are writing now.

Elyse Dorsey 20. “Antitrust in Retrograde: The Consumer Welfare Standard, Socio-Political Goals, and the Future of Enforcement”. https://gaidigitalreport.com/wp-content/uploads/2020/11/Dorsey-Antitrust-in-Retrograde.pdf

At the time of this Chapter’s publication, numerous scholars, politicians, and commenters are advocating vociferously for antitrust law to return to its pre-revolution framework. They assert that modern antitrust is undermining democratic values, allowing silos of economic and political power to continue to grow while inequality likewise grows, and permitting laborers increasingly to be taken advantage of.106 These arguments are similar, if not identical, to arguments made in the mid-20th century.107 And they have, as they occasionally do, gained traction in recent years. At least one national political party has included both antitrust and positions sympathetic to neo-Brandeis sentiments in its policy platforms;108 presidential candidates have incorporated antitrust issues as central points of their campaigns;109 legislative bodies have launched investigations;110 and legislators have introduced legislation.111

#### 2. Data base of anti-trust literature from 2000 to the present shows it’s aff leaning.

Fiona M. Scott Morton 19. Theodore Nierenberg Professor of Economics at the Yale University School of Management. Previous deputy assistant attorney general for economics at the Antitrust Division of the U.S. Department of Justice. B.A. in economics from Yale University and Ph.D. in economics from the Massachusetts Institute of Technology. "Modern U.S. antitrust theory and evidence amid rising concerns of market power and its effects," Equitable Growth, https://equitablegrowth.org/research-paper/modern-u-s-antitrust-theory-and-evidence-amid-rising-concerns-of-market-power-and-its-effects/?longform=true

The experiment of enforcing the antitrust laws a little bit less each year has run for 40 years, and scholars are now in a position to assess the evidence. The accompanying interactive database of research papers for the first time assembles in one place the most recent economic literature bearing on antitrust enforcement in the United States. The review is restricted to work published since the year 2000 in order to limit its size and emphasize work using the most recent data-driven empirical techniques. The papers in the interactive database are organized by enforcement topic, with each of these topics addressed in a short overview of what the literature demonstrates over the past 19 years. These topics are: Horizontal mergers—mergers and acquisitions involving direct competitors Coordinated effects—the study of conditions under which competitors in an industry tacitly collude Vertical mergers—mergers and acquisitions where a company acquires another company to which it sells goods or services or from which it buys goods or services Exclusionary conduct—actions in the marketplace that deny a competitor access to either suppliers or customers Loyalty rebates—a type of conduct that occurs when a company gives a discount to a buyer for limiting its purchases from the company’s competitors Most Favored Nation clause—this clause requires a seller to give a specific buyer the best terms offered to other (often competing) buyers Predation—the strategy of taking losses in the short run in order to drive out a competitor and retain or gain a monopoly position, permitting prices the later exercise of market power Common ownership—the impact on competition when mutual funds and other types of institutional investors are the largest owners of product market competitors Monopsony power—the anticompetitive exercise of market power by employers (firms) in the labor market for workers Macroeconomics and market power—the impact of competition issues on the larger economy

**---DATA BASE OMITTED---**

The bulk of the research featured in our interactive database on these key topics in competition enforcement in the United States finds evidence of significant problems of underenforcement of antitrust law. The research that addresses economic theory qualifies or rejects assumptions long made by U.S. courts that have limited the scope of antitrust law. And the empirical work finds evidence of the exercise of undue market power in many dimensions, among them price, quality, innovation, and marketplace exclusion. Overall, the picture is one of a divergence between judicial opinions on the one hand, and the rigorous use of modern economics to advance consumer welfare on the other.

#### 2. Only accessible literature base.

Commissioner Noah J. Phillips 18. Before the Federal Trade Commission. “Competition and Consumer Protection in the 21st Century”. https://www.ftc.gov/system/files/documents/public\_events/1415284/ftc\_hearings\_session\_5\_transcript\_11-1-18\_0.pdf

So, today, we take on the very modest task of looking both at vertical mergers and the consumer welfare standard. Both have made headlines of late, which is not always true in the antitrust world. The Department of Justice’s ongoing litigation regarding the mergers of AT&T and Time Warner has drawn a great bit of attention, in particular, to vertical merger law and the economic theories surrounding it.

And we have heard a great deal, almost every week, on op-ed pages, on television and so forth, regarding the consumer welfare standard. So this is an important time, it is an appropriate time for the FTC to be convening a hearing on these two topics.

#### 3. It strikes a middle ground with both sides’ offense. Tons of proposals and disad scenarios.

Ariel Ezrachi 18. Slaughter and May Professor of Competition Law, The University of Oxford. Director, Oxford University Centre for Competition Law and Policy. EU Competition Law Goals and The Digital Economy. “Ezrachi - Goals and the digital economy - Working paper.pdf” https://d1wqtxts1xzle7.cloudfront.net/57115872/Ezrachi\_-\_Goals\_-\_Aug\_2018-with-cover-page-v2.pdf?Expires=1638214770&Signature=Mpj92d9khmpS0HyzF3CslPfb5dW85lbsqJCFgU7D3GFTj70U5Gmz8RSwdhVHuxhj9i9BowILCRURtQhqIJ7K04JEI63btRTbEl8KxIr46OUPivr09yML6cP3LePcVM91a6QIQCxZHlvD-CWrhFPrhKwhltMKdr2MAeQwKl~C8BcVvhWta42~SbQV5rolyiYlJSdi-Ud4-RMCW6ezyaWhgw3yaulQnnIBg7BvfT04pXgG9Ljo9ZfYx1Y1rJA8B7S~WqSCszmjSrZUoQSPjD8sxw9RuBoJVxBWrXAYIYyF9Fa-df-uhBY24PMlRIMzpOK~xHfcyxo7AQ1pGVd-3rg8QA\_\_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA

In this respect, it is interesting to consider the enforcement approach in the US and its relevance to EU competition regime. This is particularly so in light on current debate in the US on the need and desirability of changing the benchmark for antitrust assessment, the efficacy of US antitrust law, and its ability to deal with increased concentration and market power.145 That debate stems from the evolution of US antitrust law which has seen it being narrowed in scope over the years,146 and the rise of voices which argue in favour of widening the notion of consumer welfare and the realm of US antitrust. The alleged decline in competitiveness of US markets has led to an array of proposals (which range from moderate intervention to condemnation of bigness) and to numerous counter arguments.147

---FOOTNOTE 147 STARTS---

147 On the US debate on ‘Hipster Antitrust’ (or ‘New Brandeis Movement’) see for example: Carl Shapiro ‘Antitrust in a Time of Populism’ [2018] International Journal of Industrial Organization (forthcoming); Lina Khan ‘The New Brandeis Movement: America’s Antimonopoly Debate’ [2018] Journal of European Competition Law & Practice 131; Daniel A Crane, ‘Four questions for the neo-brandeisians’ [2018] CPI Antitrust Chronicle 63; Harry First ‘Woodstock antitrust’ [2018] CPI Antitrust Chronicle 57 ; Philip Marsden ‘Who should trust-bust? Hippocrates, not hipsters’ [2018] CPI Antitrust Chronicle 34; Howard A Shelanski, ‘Information, Innovation, and Competition Policy for the Internet [2013] U Pa LRev 1663; Herbert Hovenkamp ‘Whatever Did Happen to the Antitrust Movement?’ [2018] Notre Dame LRev (forthcoming).

---FOOTNOTE 147 ENDS---

### AT: Education

#### It’s the only accessible and educational version of the topic.

Commissioner Noah J. Phillips 18. Before the Federal Trade Commission. “Competition and Consumer Protection in the 21st Century”. https://www.ftc.gov/system/files/documents/public\_events/1415284/ftc\_hearings\_session\_5\_transcript\_11-1-18\_0.pdf

Our second topic today is the consumer welfare standard. And I think most folks even out in the public know, this is the standard that we use across the board, mergers and conduct in courts and at agencies, to judge anticompetitive conduct. It is not only a standard that we in the U.S. apply, it is a standard that is used by competition agencies around the world. It is an economically-grounded standard, and it requires that there be harm to consumers for conduct to be condemned. Mere harm to competitors is considered insufficient.

So let me repeat that again. There has to be harm to consumers, not just competitors. The reason that is so, the reason harm to competitors is considered insufficient is because sometimes a less-efficient firm losing sales or market share to a cheaper, more innovative or efficient rival, can be and often is consistent with vibrant competition and with outcomes that benefit consumers. Courts and agencies have embraced this standard for decades.

Today, there are two very important discussions going on about the consumer welfare standard, and they are happening simultaneously. And I think it is important that we understand that there are two conversations going on.

One is a continuing discussion about how we apply the standard, regarding whether enforcement is at the appropriate level, whether it is properly targeted. This is an introspective question on some level, in which scholars, economists, practitioners, and enforcers all ask ourselves, are we bringing the right kinds of cases? Are we using the right kinds of evidence? Should we be doing more or less in certain places? The antitrust bar, the business community, and others benefit from this ongoing and active analysis.

The second discussion happening now, and the one on which today’s consumer welfare standard panels will focus, is whether the standard is itself the right metric we ought to use in antitrust enforcement and in antitrust law; some argue that enforcement under the consumer welfare standard has failed because of the law, and accordingly, that we should reform the law.

The FTC’s hearings have addressed, as I said earlier, and they will continue to address certain assumptions that underlie these claims. For instance, last month, we heard about concentration and competition. Today, our panelists will explore how the consumer welfare standard as we know it came to be and propose and consider alternatives. I am interested to hear how the proper goals of antitrust are articulated and on what basis they are justified. Does the consumer welfare standard fail to achieve these goals and how?

I want to understand the proposed alternatives and how they would apply in practice day in and day out in antitrust enforcement from the Government’s perspective and also in antitrust litigation in the courts.

I am particularly curious about whether there is conduct that is illegal today that might be legal under a particular standard. I will cite as an example the concept of small labor sellers, workers, colluding against a monopsonist. So that is just one example.

We talk a lot about things that are legal today that might be illegal, but it is also interesting to consider things that are illegal today that might be illegal.

And among the many considerations, I alluded earlier to the fact that globally, we have seen adoption of the consumer welfare standard. I am interested to hear today how we think that, globally, a different standard would be applied and what would that mean really for the national interest generally.

As I mentioned at the beginning, today is a heck of a day. We are discussing two fascinating and very important topics, and I am really interested to hear what everyone has to say about them. So thank you very much.

## Inflation

### Internal Link

#### 2. Inflating markets are not engaging in tacit collusion

Joseph Politano 22. Financial management analyst at the Bureau of Labor Statistics. “Are Rising Corporate Profit Margins Causing Inflation?” 1/1/22. https://apricitas.substack.com/p/are-rising-corporate-profit-margins?s=r

But are corporate profits even really to blame for the rise in inflation? In short, no. High profit margins do not cause, and are often not correlated with, high inflation—and the jump in profit margins is not particularly large. Would antitrust actions help reduce inflation? In the short run it is possible, but not by any significant amount. The items experiencing idiosyncratic price increases due to the pandemic are mostly not in monopolistic or oligopolistic markets. And would price controls be an useful tool in combatting inflation? Not at all.

Let’s start with corporate profits. Since 2020, profit margins for domestic nonfinancial corporations have appeared to hit all-time record highs. But it is worth noting that margins, by themselves, have very little correlation with inflation. American corporate profit margins have been near all-time highs for the bulk of the last decade—a decade that saw inflation well below the Federal Reserve’s 2% inflation target. Profit margins can be rising in a low-demand environment and funnel money away from workers and towards higher-income individuals with lower marginal propensities to consume, thereby lowering inflation. This is not happening now, but reveals the flaws in reasoning from a change in profit margins. Anybody who predicted that 2010’s high profit margins portended rising inflation would have been seriously wrong.

Plenty of sources have also been conveniently using after-tax profit margins instead of pre-tax margins. The last few decades have seen a steady decrease in effective corporate tax rates, making the jump in after-tax margins unnaturally inflated by historical standards. Pre-tax margins are well within historical levels, though high by modern standards.

Before we move on here, it is worth acknowledging that aggregate profit margins are plagued by methodological and theoretical issues. For one, Bureau of Economic Analysis is forced to adjust for capital consumption (depreciation) and inventory valuation. Inventory valuation adjustments are of particular interest: the BEA attempts to adjust for a company producing a good at one cost and sale price, keeping the item as inventory for a period of time, and then selling the item at a new cost and sale price. The adjustment brings the unit profit of previously manufactured goods to match the unit profits of goods manufactured at the new cost and sale prices. This adjustment has likely gotten significantly more difficult with rising production costs, shrinking inventories, and increasing prices for final sales. Then the BEA essentially lumps all corporations together to craft total profit margins, so variation between and within industries is completely lost.

The data itself is also subject to revision, so current estimates may be changed as better data sources are incorporated into the BEA’s sample. The National Income and Product Accounts Handbook explains it best:

However, financial-accounting information is more timely than the tax-return data, so it is used by BEA to derive the estimates for the most recent year and for the current quarters. Neither set of accounting data is entirely suitable for implementing the NIPA concept of profits from current production. Consequently, BEA’s procedure for estimating NIPA corporate profits mainly consists of adjusting, incorporating, and supplementing these data.

BEA, National Income and Product Accounts Handbook

I would not be surprised if corporate profit margins are adjusted downward when more tax-return data is incorporated, even if they still remain high. Nevertheless, Matt Stoller would point out that total corporate profits are up nearly 40% since the start of the pandemic, meaning that aggregate corporate profits could be pushing up inflation even if profit margins aren't un dramatically.

First, it is worth acknowledging that corporate profits are extremely sensitive and can fluctuate dramatically from year to year. Pre-tax profits jumped 30% from 2011 to 2012 during a period without abnormal inflation. Additionally, the jump in profits is a direct consequence of the jump in federal spending caused by pandemic stimulus measures. When the federal government spends deficit-financed money it definitionally increases the surpluses of the private sector. In other words, when the government borrows and spends money that money has to go to private sector actors (businesses and households) who see a corresponding bump in income. The rise in corporate profits is largely attributable to this increase in spending: money first went from the government to households in aggregate, and now those households are spending money and sending it to corporations in aggregate. The jump in aggregate corporate profits is no more responsible for the rise in inflation than the prior jump in household income.

Crucially, it is worth remembering that these are all profits and margins statistics for domestic corporations. Americans buy significant amounts of their goods abroad, and prices for goods have been rising since the start of the pandemic as consumers were prevented from spending money on services. Looking only at domestic profit margins is missing part of the picture.

Finally, I want to dissect Stoller’s methodology in claiming that profits drive 60% of inflation increases. By his own admission it is only a back-of-the-envelope calculation, but I still think it is a calculation that should not have been attempted given his methodological errors. Stoller takes the total corporate profit per person ($3,081 pre-pandemic, $5,207 today for an increase of $2,126) and then compares it against a 6.8% increase in nominal GDP per capita ($4,752) designed to represent the effect of the increase in the CPI. After removing “normal” inflation (for which he uses 2019’s 1.8% inflation rate) Stoller claims that profit growth is responsible for 60% of inflation.

First, let me just stress that you cannot just compare growth in a quarterly measurement of profits (a flow variable) with growth in a price index (a stock variable). The whole exercise should be moot because of that point, but there are more methodological issues I want to discuss. You also can’t compare GDP per capita (which covers total output in the economy) to the Consumer Price Index (which only covers the discretionary spending subset of the economy). The GDP Implicit Price Deflator, which would have been the proper price index to use, is only running at 4.57%. It is also just number padding to take “normal” inflation as 1.8% instead of the Federal Reserve’s 2% target, and Stoller makes no effort to account for imports, exports, or differences between industries. Finally, there is no causal analysis here. One could just as easily repeat this exercise by ascribing all inflation to the increase in income caused by the stimulus checks, because without good causal inference the whole thing is just conjecture about what “actually” caused inflation.

Antitrust and Inflation

Even if the rise in corporate profit margins are not causing inflation, is it possible that antitrust actions could alleviate price increases? Somewhat, but the applications are much more limited than necessary to bring inflation back to normal levels. Take meatpacking, which the Biden administration is taking aim at. It is likely true that meatpackers form a sort of oligopoly and that they have increased prices more than would be possible in a competitive market. Meatpackers are being sued for violations of antitrust law, as the packers appear to be taking advantage of the uncompetitive nature of the industry.

It is also true that meats represent only 1.1% of the CPI, so the 16% increase in prices over the last year is not boosting headline inflation that much. The UN Food and Agricultural Organization also estimates that global meat prices are up 17.6% since 2020, meaning domestic market power is not the only thing driving up prices. Antitrust actions in the meatpacking sector are simply not going to have meaningful impacts on inflation, even if they do significantly improve the meat market.

There are idiosyncratic goods that have experienced large price increases over the last year—energy, gasoline, and cars are the major ones—but these industries are not necessarily anticompetitive. Unlike American meatpackers, American carmakers and oil producers have not experienced a surge in profits despite the surge in prices.

The car industry has struggled with production issues throughout the pandemic, and the result has been a shortfall of more than 3 million vehicles. This has driven up prices, but has unsurprisingly left most carmakers with meagre profits as they work their way out of the SNAFU. Profits at General Motors and Ford are slightly below normal despite the jump in prices, and no automaker is experiencing massive profit growth as a result of the crisis.

#### 2. Short term focus on competitive advantage ensures no efficiency or innovation.

Jamie Allinson et al 21. Senior Lecturer in Politics and International Relations at Edinburgh University and author of The Age of Counter-revolution. China Miéville is the author of a number of highly acclaimed and prize-winning novels including October: The History of the Russian Revolution. Richard Seymour is the author of numerous works of non-fiction, His writing appears in the New York Times, London Review of Books, Guardian, Prospect, Jacobin. Rosie Warren is an Editor at Verso and the Editor-in-Chief of Salvage. All are writing for the Salvage Collective. “The Tragedy of the Worker: Toward the Proletarocene.” Chapter 1: M-C-M’ and the Death Cult. July 2021. Verso EBook. ISBN: 9781839762963

As Andreas Malm has fiercely and beautifully argued, capitalism did not settle for fossil fuels as a solution to energy scarcity. The common assumption that fossil energy is an intrinsically valuable energy resource worth competing over, and fighting wars for is, as geographer Matthew Huber argues, an example of fetishism. At the onset of steam power, water was abundant, and, even with its fixed costs, cheaper to use than coal. The hydraulic mammoths powered by water wheels required far less human labour to convert to energy, and were more energy-efficient. Even today, only a third of the energy in coal is actually converted in the industrial processes dedicated thereto: the only thing that is efficiently produced is carbon dioxide. On such basis, the striving for competitive advantage by capitalists seeking maximum market control ‘should’ have favoured renewable energy.

Capital, however, preferred the spatio-temporal profile of stocks due to the internal politics of competitive accumulation. Water use necessitated communal administration, with its perilously collectivist implications. Coal, and later oil, could be transported to urban centres, where workers were acculturated to the work-time of capitalist industry, and hoarded by individual enterprises. This allowed individual units of capital to compete more effectively with one another, secured the political authority of capital and incorporated workers into atomised systems of reproduction, from transport to heating.

Thus, locked in by the short-termist imperatives of competitive accumulation, fossil capital assumed a politically privileged position within an emerging world capitalist ecology. It monopolised the supply of energy for dead labour, albeit in a highly inefficient way.

#### 3. They don’t increase renewables AND they don’t solve.

Conor Payne and Chris Stewart 8/11/21. “The End of Growth? The Capitalist Economy & Ecological Crisis.” https://www.socialistalternative.org/2021/08/11/the-end-of-growth-the-capitalist-economy-ecological-crisis/

Sustainable future means socialist planning

Some argue that a simple transition to renewable energy will solve the ecological problems we face. This transition is both necessary and possible, but won’t be done under capitalism that will extract every source of fossil fuels down to the last, so long as there is profit to be made from them.

But even if this were achieved, we would still face a range of looming ecological catastrophes. The fact is that capitalism is already exceeding a number of planetary boundaries for safeguarding a safe environment for human civilization on earth.

These include species extinction, soil degradation and deforestation, to name only a few. Their common source is the increasing scale and intensity of humanity’s incursions into nature, which are now undermining the basis of our own existence on the planet.

Nor will technological changes alone solve the problem of a sustainable relationship with nature. Under capitalism, the opposite is the case: while technological changes result in the more efficient use of energy, this then creates the basis for further expansion and so paradoxically technological development often results in a net increase in the amount of energy used.10

While technology may alter to some degree what the limits are, we have to accept the reality that “you can’t have infinite growth on a finite planet”. Capitalism means an increasingly destructive and frantic search for resources that can be extracted and land which can be developed, with the benefits of this activity more and more concentrated in the hands of the few.

Socialist planning can ensure the rational development of the quality of our lives without increasing environmental intensity. Only on this basis can we restructure our society around need, not profit, creating countless socially necessary jobs in pursuit of building a sustainable system.

#### 4. Green assets can’t solve warming.

Katharina Pistor 9/21. Professor of Comparative Law at Columbia Law School. “The Myth of Green Capitalism.” Project Syndicate. 9/21/2021. <https://www.project-syndicate.org/commentary/green-capitalism-myth-no-market-solution-to-climate-change-by-katharina-pistor-2021-09>

NEW YORK – Heat waves, floods, droughts, and wildfires are devastating communities around the world, and they will only grow more severe. While climate-change deniers remain powerful, the need for urgent action is now recognized well beyond activist circles. Governments, international organizations, and even business and finance are bowing to the inevitable – or so it seems. In fact, the world has wasted decades tinkering with carbon trading and “green” financial labeling schemes, and the current vogue is merely to devise fancy hedging strategies (“carbon offsets”) in defiance of the simple fact that humanity is sitting in the same boat. “Offsetting” may serve individual asset holders, but it will do little to avert the climate disaster that awaits us all. The private sector’s embrace of “green capitalism” appears to be yet another gimmick to avoid a real reckoning. If business and finance leaders were serious, they would recognize the need to change course drastically to ensure that this planet remains hospitable for all of humanity now and in the future. This is not about substituting brown assets for green ones, but about sharing the losses that brown capitalism has imposed on millions and ensuring a future even for the most vulnerable. The notion of green capitalism implies that the costs of addressing climate change are too high for governments to shoulder on their own, and that the private sector always has better answers. So, for advocates of green capitalism, public-private partnership will ensure that the transition from brown to green capitalism will be cost-neutral. Efficiently priced investments in new technologies supposedly will prevent humanity from stepping over into the abyss. But this sounds too good to be true, because it is. Capitalism’s DNA makes it unfit to cope with the fallout from climate change, which in no small part is the product of capitalism itself. The entire capitalist system is premised on the privatization of gains and the socialization of losses – not in any nefarious fashion, but with the blessing of the law. The law offers licenses to externalize the costs of despoiling the planet to anybody who is smart enough to establish a trust or corporate entity before generating pollution. It encourages the off-loading of accrued environmental liabilities through restructuring in bankruptcy. And it holds entire countries hostage to international rules that privilege the protection of foreign investors’ returns over their own people’s welfare. Several countries have already been sued by foreign companies under the Energy Charter Treaty for trying to curb their carbon dioxide emissions. Two-thirds of total emissions since the Industrial Revolution have come from just 90 corporations. Yet even if the managers of the world’s worst polluters were willing to pursue rapid decarbonization, their shareholders would resist. For decades, the gospel of shareholder value maximization has reigned supreme, and managers have known that if they deviate from the orthodoxy, they will be sued for violating their fiduciary duties. No wonder Big Business and Big Finance now advocate climate disclosures as a way out. The message is that shareholders, not managers, must spur the necessary behavioral change; solutions must be found through the price mechanism, not through science-based policies. Left unanswered is the question of why investors with an easy exit option and plenty of hedging opportunities should care about the disclosure of future harm to some companies in their portfolio. There is obviously a need for more drastic changes, such as carbon taxes, permanent moratoria on extracting natural resources, and so forth. These policies are often dismissed as mechanisms that would distort markets, and yet they idealize markets that don’t exist in the real world. After all, governments have lavishly subsidized fossil-fuel industries for decades, spending $5.5 trillion (both pre- and post-tax), or 6.8% of global GDP, in 2017. And should fossil-fuel companies ever run out of profits to offset these tax breaks, they can simply sell themselves to a more profitable company, thereby rewarding their shareholders for their loyalty. The script for these strategies has long been written in the law of mergers and acquisitions. 1 But the mother of all subsidies is the centuries-old process of legally encoding capital through property, corporate, trust, and bankruptcy law. It is law, not markets or firms, that protects the owners of capital assets even as they saddle others with enormous liabilities. Advocates of green capitalism are hoping to continue this game. That is why they are now lobbying governments to subsidize asset substitution, so that as the price of brown assets declines, the price of green ones will rise to compensate the asset holders. Again, this is what capitalism is all about. Whether it represents the best strategy for ensuring the planet’s habitability is an entirely different question. Instead of tackling such questions, governments and regulators have once again succumbed to the siren song of market-friendly mechanisms. The new consensus focuses on financial disclosure because that path promises change without having to deliver it. (It also happens to generate employment for entire industries of accountants, lawyers, and business consultants with powerful lobbying arms of their own.) Not surprisingly, the result has been a wave of greenwashing. The financial industry has happily poured trillions of dollars into green-labeled assets that turned out not to be green at all. According to a recent study, 71% of ESG-themed funds (supposedly reflecting environmental, social, or governance criteria) are negatively aligned with the goals of the Paris climate agreement. We are running out of time for such experiments. If greening the economy was really the goal, the first step would be to eliminate all direct subsidies and tax subsidies for brown capitalism and mandate a halt to carbon “proliferation.” Governments should also place a moratorium on shielding polluters, their owners, and investors from liability for environmental damages. Incidentally, these moves would also remove some of the worst market distortions around.

#### 5. It can’t reverse capital’s heavy metal use or nuclear waste – extinction

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Fossil capital is but one modality of the death cult, albeit a paragon. The ‘externalities’ of capital – climate chaos, biosphere destruction, resource depletion, topsoil erosion, ocean acidification, mass extinction, the accumulation of chemical, heavy metal, biological and nuclear wastes – extend far beyond the specific catastrophe of a carbonised atmosphere. Capitalism is a comprehensive system of work-energetics. The food industry, which powers waged labour, and is key to the shifting value of labour-power itself, is as central to the deterioration of the biosphere as is fossil-fuelled transit. Nonetheless, the continuing decision for fossil fuels as a solution to the energy demands of capitalist production, for all the growing denial of climate-change denial among the antivulgarian ruling class, for all their concerned mouth music, is an exemplary case of the capitalist imperative of competitive accumulation at work.

### Solvency

#### Prohibiting tacit collusion fails – impossible to administer

**1AC Ballou, 21** -- trial attorney at DOJ's antitrust division [Brendan, "The 'No Collusion' Rule," Stanford Law & Policy Review, 213, 9-16-2021, https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3793881, accessed 2-22-2022]

D. The Rule Is Impossible To Administer

A critic may argue that the No Collusion Rule is impossible to administer. Consider four variants of this argument: First, a critic may argue that the specific language of the rule invites avoidance and ambiguity. For instance, limiting the rule to price increases made “solely” because a competitor has done so may encourage employees to add pretextual reasons for every price increase. But doing this consistently is easy in theory, but hard in practice, especially when companies change their prices hundreds or thousands of times a year.197 Moreover, federal judges are comparatively well-suited to the task of sorting out genuine from pretextual motivations, for instance, by evaluating the truth of those pretexts (did demand actually increase, for instance, or did supply actually fall). After all, judges are regularly called upon to make findings of fact, and to distinguish genuine from purported motivations. Like any institution, the judiciary sometimes fails in this effort, but at the very least it is designed to do this sort of work. While the “solely” term will no doubt be a point of focus in any litigation, it will be a point that judges are comparatively well-situated to examine.198 The more complicated case is when a well-counseled defendant argues that, for instance, “I increased my prices because a competitor did, but only because it showed me that demand was higher than I had previously thought.” In essence, the defendant claims that it was inspired by what the competitor’s price increase showed it about the market, not by the price increase itself. It’s a clever reply, but one that is susceptible to verification. Did the defendant, for instance, conduct any market research before or after the competitor’s price increase, or look at its own demand data? If the defendant did not, it suggests that its justification was pretextual. The most complicated case is when the defendant has no contemporaneous documents to explain its price increases. As a practical matter, however, this is exceedingly unlikely to occur. Price-setting is a crucial decision for any company: Whole courses are taught on the subject in business schools,199 and large companies hire employees to work on price-setting full time.200 It is unlikely that a company, in the ordinary course of business, will have no records to explain its pricing decisions. Even if a company is unable to produce a detailed audit trail of its price-setting decisions, the capable economists at the FTC may well be able to estimate the cause of a price increase through regression analysis.20

#### Aff doesn’t solve tacit collusion---too vague, no one complies

**1AC Ballou, 21** -- trial attorney at DOJ's antitrust division [Brendan, "The 'No Collusion' Rule," Stanford Law & Policy Review, 213, 9-16-2021, https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3793881, accessed 2-22-2022]

Third, a critic may argue that it would be impossible to develop a remedy to prevent tacit collusion. This was essentially Turner’s pragmatic argument against including tacit collusion within the ambit of the Sherman Act. As Turner put it, “an injunction which simply prohibits defendants from ‘further conspiring to fix prices’ would be hopelessly vague. It gives no indication as to what defendants are supposed to do in order to comply.”206 But according to Turner, crafting a more specific remedy would require generalist judges to act as “public-utility commissions” to determine whether prices were reasonable or unreasonable, a task for which they are ill-suited.207

# 1NR Round 2

## Cap K

#### 3. Capitalism turns every impact on advantage 2.

Kelly Wilkins 8-15-19. Kelly Wilkins is interviewing Henry A. Giroux M.A. in history at Appalachian State University and a D.A. (Doctor of Arts) in history at [Carnegie-Mellon](https://en.wikipedia.org/wiki/Carnegie-Mellon). Honorary Doctorate of Humane Letters degree from [Chapman University](https://en.wikipedia.org/wiki/Chapman_University). "Henry A. Giroux: Neoliberal Capitalism Sets the Stage for Fascism," Truthout, https://truthout.org/articles/henry-a-giroux-neoliberal-capitalism-sets-the-stage-for-fascism/

**Henry A. Giroux:** What we need to understand is that neoliberalism does a couple of things that set the groundwork for a fascist politics. But behind all of that, there is a comment that Horkheimer mentioned once, and which always sticks in my mind. He said that if you can’t talk about capitalism, you can’t talk about fascism. I think that we have to keep that in the background. But what neoliberalism has done since the 1970s is it has created such economic misery, it has so accentuated levels of inequality, it has created such suffering, it has dismantled entire towns, it has concentrated wealth in the hands of the financial elite, and it has legitimated an enormous culture of cruelty. And it operates off the assumption that the market can solve all problems — not simply in the economy, but in all of social life — so it becomes a template and a model for all social relations. In doing so, it is at odds with any notion of the welfare state, any notion of labor unions, any notion of workers’ rights, and any notion of economic rights. It privatizes, deregulates, and commodifies everything. It sets up a series of competitive attitudes that degrades collaboration. It highlights self-interest at the expense of modes of solidarity. It so accentuates matters of inequitable relations in wealth and power that you have an enormous concentration of wealth and power in the hands of the financial elite, and this is enacted by all kinds of policies that undermine the foundations of a democracy — all of its basic institutions, from the press, to public goods such as schools and media, to politics itself. Money drives politics. We all know that now. But the other side of this is that it’s not just an economic system, it’s also an ideological system. As an ideological system, what it generally does is three things that are pernicious and which set the groundwork for a kind of right-wing populism and a fascist politics. First, it operates off the assumption that all social problems are individual problems. Therefore whatever problems people face, the blame for those problems rests with themselves — whether we’re talking about ecological disasters, about poverty, about homelessness, about ignorance and illiteracy, and so forth and so on. Secondly, in doing so it tends to depoliticize people, and by depoliticizing them it becomes very difficult for people — operating under that notion of self-interest, a brutal form of competition, and this heightened notion of rugged individualism — to translate private troubles into larger systemic issues. Hence they find it very hard to understand the conditions in which they find themselves. Thirdly, it creates an enormous culture of ignorance. You have these cultural apparatuses like Fox News, conservative talk radio, and digital online platforms, that constantly pump out conspiracy theories, lies, and attacks on the truth as ‘fake news’. This creates a level of ignorance in which ignorance is not innocent; ignorance actually becomes a form of depoliticization. People become very susceptible to simplistic answers, and they become very susceptible in their anger and their frustration to turning over their sense of agency to the strongman. They get wooed by appeals to ultra cultural sovereignty — shorthand for racism and nativism — and ultra cultural nationalism. They fall into the trap of believing in the friend/enemy divide. And in the United States, now under Trump and prior to Trump, with the rise of fascist politics that’s been going on for a long time, the friend/enemy divide translates into a racial divide. It’s a divide that basically supports xenophobia and a politics of racial cleansing. It says that people at the border are the enemy, it says that blacks are the enemy, it says that women cannot have certain reproductive rights. And so with the anger coupled with the misery, you have a perfect storm between that and the appropriation of what I want to call white supremacy, white nationalism, and this despicable notion of racial cleansing.

### Framework Top---2NC

#### 1. Education. Question of what we should do carries presuppositions about political subjectivity---if those are wrong, our policies will be too, so they can’t perm away our links. It means they can’t access the case until they’ve defended their ideology.

Mathieu HILGERS, Laboratory for Contemporary Anthropology, Université Libre de Bruxelles, and Centre for Urban and Community Research, Goldsmiths, University of London, 13 [“Embodying neoliberalism: thoughts and responses to critics,” *Social Anthropology*, Vol. 21, No. 1, February 2013, p. 75-89, Accessed Online through Emory Libraries]

The implementation of neoliberalism goes far beyond the mere appearance of its policies. It cannot be reduced to the application of a programme or to institutional changes. This implementation is deployed within a triangle constituted by policies, institutions and dispositions. This last component has remained at the margins of our debate. If we wish to grasp the depth of the changes that neoliberalism causes, we cannot neglect its effects on systems of dispositions. To analyse this impact, it is necessary to describe the symbolic operations that give rise to government-enabling representations as well as to categories that support neoliberalism and are propagated by it. This task requires accounting for the historicity of the spaces in which policies are put into action, the intentional constructions but also involuntary historical formations in which they become entangled, and the transactions, negotiations, associations, working misunderstandings and chains of translation that give them their flexibility and support their deployment.

Neoliberalism is embodied in the agents and representations through which it is put into action. Through a historical process, the dispositions that it generates become, as Bourdieu would say, durable and transposable, as well as increasingly autonomous from their initial conditions of production. As such, when these conditions disappear or transform, or when policies are modified or abandoned, some of them spread into other social spaces and contexts and take on new meanings. Therein lies the importance of broadening the notion of ‘implementation’, so that we may appreciate the role of culture in the dynamics of neoliberal expansion. It is precisely (but not only) because of the embodiment of neoliberalism emphasized in this paper that at the moment we are nowhere near the end of the neoliberal era. Thus I arrive, by a different path, at the same observation that Kalb (2012) formulated in this debate: today it is capitalism that is in crisis, not neoliberalism.

In some parts of the world, information that helps people to stabilize their perceptions, practices and activities is mainly produced within a neoliberal context, forms and procedures. The figures, statistics, norms, audits and discourses that I evoke in this paper are fashioned by a constellation of institutions; they condition, train and shape a mental and practical space. They impact the way in which one conceives and carries out research. Indeed, academia is not outside of this neoliberal world; on the contrary, it is a centre of development and support for neoliberalism. While many academics are critical of neoliberalism, this does not mean that they have a permanent deconstructionist relation to the world and to themselves. In many parts of academia, a neoliberal way of functioning has become common sense. If neoliberalism is so present in our mind and in the way in which academia is designed and works today, it appears more than necessary for researchers to consider how this shapes their relation to production of knowledge.

If we wish to avoid the eviction of critical perspectives in this time of crisis, if we hope to have some chance to think within but beyond the neoliberal age, if we want to develop alternatives and different horizons, one of the first things to do is to decolonize our mind by objectifying our own neoliberal dispositions. The reflexive return to the tools of analysis is thus ‘not an epistemological scruple but an indispensable pre-condition of scientific knowledge of the object’ (Bourdieu 1984: 94), if we are to prevent the object and its definition from being dictated to the researcher by non-scientific logics, such as the necessity of being visible and marketable in the academy. To achieve a break with neoliberal common sense, anthropologists could follow Bourdieu (2003) in his will to engage in a ‘participant objectivation’.14 It is clearly this kind of objectivation even if not phrased in such terms that has led some researchers to call for a radical change in the academy, supported by new arguments and put into practice through the initiation of a ‘slow science’ movement.15 In some places, academia is still a space of critiques and alternatives.

#### 4. Their Jarvis evidence is wrong. Invert your standard for solvency.

Eugene McCarraher 19. Associate Professor of Humanities at Villanova University, PhD in US Cultural and Intellectual History from Rutgers University; The Enchantments of Mammon: How Capitalism Became the Religion of Modernity, 11/12/19, p. 15-18

Words such as “paradise” or “love” or “communion” are certainly absent from our political vernacular, excluded on account of their “utopian” connotations or their lack of steely-eyed “realism.” Although this is a book about the past, I have always kept before me its larger contemporary religious, philosophical, and political implications. The book should make these clear enough; I will only say here that one of my broader intentions is to challenge the canons of “realism,” especially as defined in the “science” of economics. As the master science of desire in advanced capitalist nations, economics and its acolytes define the parameters of our moral and political imaginations, patrolling the boundaries of possibility and censoring any more generous conception of human affairs. Under the regime of neoliberalism, it has been the chief weapon in the arsenal of what David Graeber has characterized as “a war on the imagination,” a relentless assault on our capacity to envision an end to the despotism of money.24 Insistent, in Margaret Thatcher’s ominous ukase, that “there is no alternative” to capitalism, our corporate plutocracy has been busy imposing its own beatific vision on the world: the empire of capital, with an imperial aristocracy enriched by the labor of a fearful, overburdened, and cheerfully servile population of human resources. Every avenue of escape from accumulation and wage servitude must be closed, or better yet, rendered inconceivable; any map of the world that includes utopia must be burned before it can be glanced at. Better to follow Miller’s wisdom: we already inhabit paradise, and we can never make ourselves fit to live in it if we obey the avaricious and punitive sophistry professed in the dismal pseudoscience. The grotesque ontology of scarcity and money, the tawdry humanism of acquisitiveness and conflict, the reduction of rationality to the mercenary principles of pecuniary reason—this ensemble of falsehoods that comprise the foundation of economics must be resisted and supplanted. Economics must be challenged, not only as a sanction for injustice but also as a specious portrayal of human beings and a fictional account of their history. As a legion of anthropologists and historians have repeatedly demonstrated, economics, in Graeber’s forthright dismissal, has “little to do with anything we observe when we examine how economic life is actually conducted.” From its historically illiterate “myth of barter” to its shabby and degrading claims about human nature, economics is not just a dismal but a fundamentally fraudulent science as well, akin, as Ruskin wrote in Unto This Last, to “alchemy, astrology, witchcraft, and other such popular creeds.”25 Ruskin’s courageous and bracing indictment of economics arose from his Romantic imagination, and this book partakes unashamedly of his sacramental Romanticism. “Imagination” was, to the Romantics, primarily a form of vision, a mode of realism, an insight into the nature of reality that was irreducible to, but not contradictory of, the knowledge provided by scientific investigation. Romantic social criticism did not claim the imprimatur of science as did Marxism and other modern social theories, yet the Romantic lineage of opposition to “disenchantment” and capitalism has proved to be more resilient and humane than Marxism, “progressivism,” or social democracy. Indeed, it is more urgently relevant to a world hurtling ever faster to barbarism and ecological calamity. I wrote this book in part out of a belief that many on the “left” continue to share far too much with their antagonists: an ideology of “progress” defined as unlimited economic growth and technological development, as well as an acceptance of the myth of disenchantment that underwrites the pursuit of such expansion. The Romantic antipathy to capitalism, mechanization, and disenchantment stemmed not from a facile and nostalgic desire to return to the past, but from a view that much of what passed for “progress” was in fact inimical to human flourishing: a specious productivity that required the acceptance of venality, injustice, and despoliation; a technological and organizational efficiency that entailed the industrialization of human beings; and the primacy of the production of goods over the cultivation and nurturance of men and women. This train of iniquities followed inevitably from the chauvinism of what William Blake called “single vision,” a blindness to the enormity of reality that led to a “Babylon builded in the waste.”26 Romantics redefined rather than rejected “realism” and “progress,” drawing on the premodern customs and traditions of peasants, artisans, and artists: craftsmanship, mutual aid, and a conception of property that harkened back to the medieval practices of “the commons.” Whether they believed in some traditional form of religion or translated it into secular idioms of enchantment, such as “art” or “beauty” or “organism,” Romantic anticapitalists tended to favor direct workers’ control of production; the restoration of a human scale in technics and social relations; a sensitivity to the natural world that precluded its reduction to mere instrumental value; and an apotheosis of pleasure in making sometimes referred to as poesis, a union of reason, imagination, and creativity, an ideal of labor as a poetry of everyday life, and a form of human divinity. In work free of alienation and toil, we receive “the reward of creation,” as William Morris described it through a character in News from Nowhere (1890), “the wages that God gets, as people might have said time agone.”27 Rendered gaudy and impoverished by the tyranny of economics and the enchantment of neoliberal capitalism, our sensibilities need replenishment from the sacramental imagination. As Americans begin to experience the initial stages of imperial sclerosis and decline, and as the advanced capitalist world in general discovers the reality of ecological limits, we may find in what Marx called the “prehistory” of our species a perennial and redemptive wisdom. We will not be saved by our money, our weapons, or our technological virtuosity; we might be rescued by the joyful and unprofitable pursuits of love, beauty, and contemplation. No doubt this will all seem foolish to the shamans and magicians of pecuniary enchantment. But there are more things in heaven and earth than are dreamt of on Wall Street or in Silicon Valley.

### AT: Perm Do Both---2NC

#### 4. Democracy link---their presumptions of democratic peace greases the wheel for neoliberal interventions that outweigh.

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How do Globalization and Democracy Interact? The delineation of these essential elements of democracy is important because it tells us where to look for problems in the relationship with capitalism. If capitalism makes achieving these elements more difficult or impossible, then the two institutions will clash. Instead of reinforcing one another, they will undermine each other. Hence, one view is that without serious restrictions on capitalism, democracy will be imperiled. On the other hand, some claim that without restrictions on democracy, capitalism could be imperiled. From Marx onward, numerous scholars have claimed that democracy has been limited in order to preserve capitalism. For Marx, the institutions of the state were built to protect capitalism; democracy was just the “dictatorship of the bourgeois” hiding behind a veil. The capitalist state was designed to protect the collective interests of the capitalist class against the working class and against the short-sighted behavior of individual capitalists; thus the state had some autonomy.12 But for Marx and many Marxists, democracy itself was a sham set up to protect capitalism. More recently, Slobodian argues that the entire neoliberal system of international institutions set up since the 1950s has served to protect capitalism against democracy: the entire “neoliberal project focused on designing institutions–not to liberate markets but to encase them, to inoculate capitalism against the threat of democracy” (Slobodian 2018, 2). For many on the left of the political spectrum, capitalism makes democracy impure at best and impossible at worst. For others from the right, government intervention in the economy even decided democratically can ruin capitalism and thus destroy individual freedom. Laissez-faire doctrine advocated the most limited interference of politics in the matters of the economy. Hayek (1976) among many feared that any government intervention corrupted capitalism and that only the most minimal state was desirable. “The system of private property is the most important guaranty of freedom, not only for those who own property, but scarcely less for those who do not . . . If all the means of production were vested in a single hand, . . . whoever exercises this control has complete power over us” (Hayek 1976, 103). Freedom is the highest goal, but capitalism—not democracy—brings freedom. The protection of private property was necessary for democracy in the first place.13 Economic conservatives such as Hayek decried government intervention in the economy and the creation of large social welfare systems. The balance between unregulated markets and government intervention has long been a central issue in politics. This balance has been changing over time, especially as globalization has spread. Global capitalism seems to have given capitalists a stronger hand relative to either labor or the state (Bates and Lien 1985). Laissez-faire and austerity have gained in prominence as labor unions have shrunk, center left parties have declined, and social welfare spending and redistribution have fallen out of favor (Blyth 2013). Political Equality and Economic Inequality As noted above, an essential element of democracy is the idea of political equality. All adult citizens should be treated equally by the state and should have equal political rights. What political equality means may be debated, but citizens do expect some kind of equal treatment by their government. The problem this runs into is the economic inequality generated by capitalism (Piketty 2014). Economic inequality has increased very substantially within countries across most of the world since the 1990s (Bourguignon 2015). This rise has been especially notable in the advanced industrial countries, particularly the United States and UK. While rates of absolute poverty across the world have plummeted, one particularly contentious issue is whether globalization has fueled the rise in within-country inequalities. For example, the Gini index for income distribution in the United States has worsened steadily from 0.36 in 1970 to 0.41 in 2015 (Lahoti, Jayadev, and Reddy 2016). By 2008, the level of inequality in the United States, as measured by the share of family income for the top 10 percent, had returned to the highest levels recorded in the early twentieth century (Bourguignon 2015, 48). The middle four deciles of the income distribution in the United States saw a similar decline in income share from 1980 (0.46) to 2014 (0.40). However, growth in inequality in Europe has been less pronounced with the income share of the middle four deciles sharply dropping in the UK and more moderately decreasing in Germany and France (Blanchet, Chancel, and Gethin 2019). While unemployment in the United States has been low, wage growth especially in the middle and low skill occupations has been very limited in the past few decades. “Since 2000, [US] weekly wages have risen 3% (in real terms) among workers in the lowest tenth of the earnings distribution and 4.3% among the lowest quarter. But among people in the top tenth of the distribution, real wages have risen a cumulative 15.7%, . . . nearly five times the usual weekly earnings of the bottom tenth” (Desilver 2018).14 In the United States by 2010, the top 10 percent of the income distribution has received over half of all wage gains during the past 30 years, and the top 1 percent and 0.01 percent had received most of that (Bourguignon 2015, 49). In Europe, slow wage growth has been combined in many countries with high unemployment. In many of the OECD countries, the concentration of wealth, as opposed to income, is even more stark and has grown worse as well. International trade appears to have amplified inequality in developed countries by deepening the high-skill and low skill labor divide (Wood 1994; Ebenstein et al. 2013). Surprisingly, there is some evidence this is happening in the developing world as well (Harrison and Hanson 1999). The problem is that this period of rising within country inequality corresponds to the period of globalization’s fastest growth. It looks as if, and perhaps is the case that, they are related.15 But the impression is that globalization has benefited a small elite and not the whole society or even the middle class. The majority is losing and this should not happen in a democracy. The sense that the system is rigged and only the rich benefit from openness is pervasive and growing. Anger and resentment are rising in publics as they see only a small segment of society gaining from globalization, and as everyone else becomes a relative loser (Galston 2018).16 The pervasive sense is that elites have captured the political system and opened up the economy to external forces that benefit only the rich and well connected. Inequality also seems to drive support for a main policy advocated by populist parties, that is, for protectionism, thus challenging the foundations of the liberal global order (Lü, Scheve, and Slaughter 2010). Another issue is that any sense of political equality is hard to sustain when economic inequality is large. If the wealthy have, or are seen to have, special access to political leaders and more influence over elections because of their money, then political equality is undermined. As Przeworski says, “When groups compete for political influence, when money enters politics, economic power gets transformed into political power, and political power in turn becomes instrumental to economic power ....Access of money to politics is the scourge of democracy” (Przeworski 2016, 5). Research suggests that the rich do have more access and influence over politics (Bartels 2008; Gilens 2012). As the rich become richer, their influence magnifies, policy diverges more from the median voter’s preferences, and democracy seems less and less legitimate to the average citizen. If globalization is linked to rising inequality, then we may fear for democracy because research shows that democracy does not do well in conditions of high inequality (Boix 2003; Ziblatt 2008).17 Globalization may then indirectly undermine support for democracy as it enables greater economic inequality (Elkjær and Iversen 2020). It is important to note that the Covid-19 pandemic seems to be increasing inequality as it rages in different countries. High-skill workers have maintained their jobs and avoided the virus by telecommuting. Lower skill workers who are usually paid less have been more likely to lose their jobs and get sick (Davis, Ghent, and Gregory 2021; Deaton 2021). And large firms with abundant capital have expanded as their small rivals are driven out of business by the pandemic closures (Bartik et al. 2020) Capital is being concentrated even more by this plague. It has also increased individual insecurity and reduced social capital as people cannot congregate and socialize. Creative Destruction and Economic Insecurity Capitalism is marked by rapid change and technological advances. As many have noted, it is a very dynamic system that incentivizes change, upgrading, and innovation. In the process, however, it destroys the old, the familiar, and the once lucrative. Schumpeter termed this essential dynamic, creative destruction (Schumpeter 1942). There is also evidence that innovations and adoption of new technologies spread in waves over time, sometimes leading to deep and rapid changes (Milner and Solstad 2021). These technological revolutions then produce side effects in social and political life. The first industrial revolution from about 1760 to 1830 saw a spurt of activity around iron and steel, coal, and steam engines (Mokyr 2009). The second industrial revolution from the 1870s to early 1900s again brought a surge in new technologies including railroads, mass assembly, automobiles, telegraph and radio, and electricity (Gordon 2017). Recently we have witnessed another technological revolution, the so-called digital revolution, and it is now having widespread effects. It is not just disruptions to labor markets that matter, but also shocks to information and communications systems, changes in social organization and disruptions of existing institutions. These rapid changes create insecurity for people who are, or believe they will be, negatively affected.18 This personal insecurity is likely to have political ramifications, especially when social protection is weak (Mughan 2007; Margalit 2011; Hacker, Rehm, and Schlesinger 2013; Rehm 2016). Capitalism has brought forth many changes in markets, especially in labor markets over time. Old industries die and new ones emerge, but labor and capital are often slow to keep pace with these changes. Boix (2019) argues that first period of globalization in the late nineteenth century and early twentieth century was accompanied by technological change which generated more jobs than it displaced. This earlier wave of disruption was job inducing, and the new technology then was complementary to labor. The second period of globalization occurring recently is different; the new technologies are job displacing and substitute for labor. These two conditions produce very different politics. Boix (2019), however, still thinks that democracy can persist in this second period, as do others who see democracy as extremely resilient (Iversen and Soskice 2019). But many others are more pessimistic, worrying that the effects of technology now are enhancing inequality and destroying decent jobs (Baldwin 2019). A primary example has been the rise and fall of manufacturing industries, especially in the advanced industrial countries. Industrial employment as a percentage of the civilian labor force has dropped from 38.8 percent in 1970, 25 percent in 2007, and falling to 18.8 percent in 2016 among the original 23 OECD countries (Armingeon et al. 2019). Offshoring has been a main ingredient in this process, and more recently the development of global value chains across borders has accelerated these changes. This deindustrialization has generated much economic insecurity as higher wage-paying, blue-collar jobs have disappeared with it (Hacker 2008; Milberg and Winkler 2013). In addition, the new jobs produced have often been inferior to the old ones lost; this inferiority concerns not just wages but also the terms of employment, which have become less secure and more temporary in the so-called gig economy. “Employment precariousness,” or the lack of a “decent job,” is another aspect of this technological revolution (Lorey 2015). “Fixed-term employment contracts, temporary work and part-time work in developed countries, and informal jobs with irregular working hours, low earnings and uncertain futures in developing countries” (Bourguignon 2015, 63), which are the telltale indicators of this precariousness, have grown greatly. “In France, employment precariousness has increased significantly over the last twenty years, from 8% in 1990 to 12% of total employment in the 2000s” (Bourguignon 2015, 63–64). Skill-biased technological change and trade with the developing world have been largely responsible, as they have helped fuel offshoring and global value chains (Michaels, Natraj, and Van Reenen 2014; Doraszelski and Jaumandreu 2018). Hence, despite the fact that unemployment in many developed countries had fallen to low levels before the pandemic, personal insecurity has been pervasive because wages and working conditions have worsened, especially for lower skilled workers. Global capitalism produces a double dose of technological change. Capitalism itself is very disruptive, but on a global scale it accelerates this change. Research shows that few countries innovate and that most adopt innovations from elsewhere (Keller 2004). The speed of this adoption varies from country to country and over time, but globally-integrated markets make these changes more rapid and widespread (Mokyr 1994; Taylor 2016; Milner and Solstad 2021). The third technological revolution then also is different because it is probably the fastest and most wide-ranging. It has brought even more economic anxiety and insecurity than past revolutions. The insecurity generated by capitalism has long been noted. Furthermore, capitalism on a global scale seems to amplify this insecurity since international capital and labor flows may be ever more politically destabilizing (Scheve and Slaughter 2004). Economic crises like the global financial one of 2008–2009, which often are fostered by globalization, exacerbate this insecurity as well. Indeed, the creation of social welfare states was intended to help damp down this anxiety and reduce the frictions associated with economic change and crises. Polanyi (1957) long ago noted that left exposed to unregulated markets, people would turn away from democracy and toward extreme political solutions. The risks and insecurities generated by capitalism needed to be alleviated by social protection. The idea was to “embed” markets in social and political relations by having governments intervene to provide compensation to people affected by market volatility. After World War II, markets for capital and labor flows across borders were regulated as trade was slowly liberalized, and stability and growth with redistribution were paramount for the advanced industrial democracies until the 1980s. After World War II, embedded liberalism in the Western world was the compromise that arose to make democracy and capitalism compatible (Ruggie 1982). As noted by Lim (2020, 67–68), “Studies of Western democratic countries have found that citizens who are exposed to the risks and uncertainties of global capitalism demand greater social protection from their government (Burgoon 2001; Cusack, Iversen, and Rehm 2006; Walter 2010; Margalit 2011). Empirical analyses also have revealed that more open economies tended to have larger public spending to compensate for and insure against the vagaries of an open economy (Garrett 1995; Rodrik 1997, 1998; Rickard 2012; Nooruddin and Rudra 2014).” Others show that technological adoption is faster and acceptance of new technologies is higher when welfare state generosity is greater (Lim 2020). Up to the 1990s, the embedded liberalism compromise seemed to be reconciling democracy and global capitalism. Embedded liberalism, however, has come under sustained pressure as globalization has advanced. The combination of slowing or declining welfare efforts plus the growth of globalization have increased insecurity and reduced support for people facing it. Scholars have pointed to these changes as being a source of the rise of populism and the extreme right in various countries. Margalit (2011) shows that where job losses from foreign competition were high, incumbent politicians in the United States were more likely to lose and especially so if the job losses were not compensated. Autor et al. (2020) provide evidence that the trade shock from Chinese entry into the WTO led to increasing political polarization in the United States. Jensen, Quinn, and Weymouth (2017, 1) demonstrate that “increasing imports (exports) [in a region] are associated with decreasing (increasing) [US] presidential incumbent vote shares.” Colantone and Stanig (2018a,b) provide data showing that support for right-wing, nationalist and populist parties and for Brexit came from areas hardest hit by globalization, in particular trade shocks and immigration. Burgoon (2001) points out that the backlash against globalization is less in areas where social welfare provision is highest. Milner (2018, 2021), on the other hand, argues that in areas with more trade flows support for extreme right parties is stronger and that social welfare provision does not seem to temper this political backlash against globalization any longer. As globalization has proceeded and welfare states have not expanded to match this, personal insecurity has grown and its political consequences are increasingly manifest. As Rodrik (1997) noted, increasing global economic integration produces more public demands on governments for social protection while concurrently undermining their ability to supply these policies because they require considerable public expenditure, which globalization may prevent. Insecurity can also be a product of the new information technologies today. The gig economy is in part made possible by such technologies. Surveillance technology may make people feel safer, but it may also enable governments to monitor their citizens and create new fears. While social media may enhance accountability pressures, it may also generate confusion and fake news. Many new sources of information have become easily available, often creating political and social problems. There is deep concern that new information technologies have helped disseminate populist political views. Social media in particular can undermine confidence in and the legitimacy of mainstream parties and leaders by transmitting false and damaging views of them (Tucker et al. 2017). International interference to exert political influence may also be easier to accomplish and disguise with these technologies. Creating confusion about what the facts are, disseminating fringe views as if they were credible, and sowing doubt about the validity and legitimacy of key democratic practices like elections are all means for generating greater insecurity and boosting populist support. Global Interdependence Deep integration of national economies through trade, capital markets, and immigration poses direct challenges for democracy. Above, I noted the indirect ways that globalization might undermine support for democracy, first by increasing inequality and second by fostering faster technological change. But globalization may also have more direct effects. I discuss three such effects here: increasing economic policy constraints on the government; pushing convergence on economic policy choices; and creating more need for international cooperation and governance. Each of these means that governments have less control over the economy, less room for partisan competition, and less autonomy. Globalization seems to produce three inter-related processes that might undermine support for democracy. As trade, capital, and labor flows grow in importance, governments become increasingly constrained; governments can always opt out of this but the costs of doing so rise as globalization proceeds. First, globalization can undercut the government’s ability to direct the economy. The government’s policy instruments become more limited and less effective. With an open economy, macroeconomic policy and exchange rate policy become more interdependent and less effective, especially for smaller economies (Frieden and Rogowski 1996; Broz and Frieden 2001). As countries joined the WTO and signed preferential trade agreements, trade policy and investment policy have become more constrained as well. Fiscal policy in an open economy also loses some of its effect as it flows across borders. While some scholars have noted that larger and more developed countries have more room to maneuver (Mosley 2003), others have noted the shrinking field of policy choice and autonomy open to countries (Rodrik 1997, 2011). Policy autonomy and efficacy matter for democracies because the public often judges governments and parties on the basis of economic outcomes (Kosmidis 2018; Duch and Stevenson 2010, 2008). When governments lose the ability to direct the economy, democratic accountability is weakened and so is its legitimacy (Hellwig 2001; Hellwig and Samuels 2007; Hellwig 2015). A second process that might undercut democracy is the policy convergence and consensus that has grown with globalization. As governments around the world increasingly liberalized trade and opened their capital markets, policy converged and consensus grew across parties about the value of openness and to some extent deregulation as well as austerity. Differences among left and right centrist parties on their platforms diminished, and publics began to view all mainstream parties as very similar (Sen and Barry 2020; Ward et al. 2015). Globalization may force parties to converge on their economic policies, restricting parties’ ability to differentiate themselves and thus to effectively compete against other parties on economic issues.19 The consensus over economic policies and globalization has left many European Social Democratic parties losing vote share and public support (Mair 2000). This convergence has created an opening for extreme right and populist parties to generate support.20 As (Mughan, Bean, and McAllister 2003, 619) points out,“By virtue of their commitment to economic internationalization, the established parties of government are blamed by populists for turning a blind eye and a deaf ear to workers’ legitimate concerns for their job security in an increasingly global, competitive, and volatile labor market. Blaming it on established parties’ commitment to economic globalization, in other words, right-wing populist parties have commonly sought electoral advantage by turning job insecurity into a political issue.” If vigorous party competition along programmatic lines is central to democracy, then globalization may be undermining it. And lack of partisan competition among centrist parties may enable more extreme parties to gain support. The third element is that globalization has also raised pressure on governments to coordinate their polices to eliminate externalities (Milner 1997). A more open economy implies a greater need to cooperate and coordinate with other countries. The past 30 years have seen many international regimes and institutions created to deal with global problems, all of which have constrained governments even more. The IMF, World Bank, OECD, EU, WTO, regional development banks, and many preferential trade agreements are the major examples of these multilateral economic institutions; each of which produces norms, rules, and procedures that members are expected to follow. They constrain government policy choices domestically; they appear to impose decisions from unelected international elites on the public; and they push all parties who might be in government to adopt similar policies. Many of these have generated popular dissatisfaction and resentment, being seen as undemocratic and as undermining democracy and its legitimacy at home. The EU is a prime example of this complaint about “democratic deficits”; EU decision-making is often seen as too elite- and interest group-driven, and too distant from public preferences (Follesdal and Hix 2006; Mair 2007). Brexit as a vote against international cooperation and extensive coordination is a reflection of this public perception of the EU. The nationalist backlash that has animated populist parties recently builds off of this anxiety over and distaste toward global governance. The cosmopolitan elites that supposedly direct international institutions are seen as having made bad decisions (e.g., the financial crisis) and as holding preferences far removed from those of the average national voter. Populist leaders thus call for a return to national priorities and a rejection of global cooperation, as the quote from Marine Le Pen at the start of this article illustrates. As Mughan, Bean, and McAllister (2003, 619) points out, “the economic basis of their [populist parties’] appeal [lies] in their rejection of the postwar social democratic consensus. Taking as a starting date the end of the Second World War we can, with a nod to national variations, pick out four elements that have characterised the domestic politics of Western Europe in the ensuing four decades: social democracy, corporatism, the welfare state and Keynesianism. It is on the fertile ground of the foundering of these four pillars that the new (populist) parties have taken root.” Globalization by making international cooperation ever more necessary thus contributes to legitimacy problems for mainstream political parties and may generate public dissatisfaction with their governments and democracy.

#### 5. Inflation Link. Macroeconomic indicators will always fail as a guide for policy under neoliberal governmentality. The system itself makes crisis inevitable because it will always prioritize excess profits over economic stability.

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The central problem of economics is scarcity, or at least that is how the story is told. The basic argument is that we have infinite desires but limited resources, and because we cannot have everything we want, we must necessarily devise a system to distribute goods and resources.1 Enter the efficient market economy, with its prices and wages set by the magical forces of supply and demand, the supposed gatekeepers of the warehouse of economic nirvana. There is a kernel of inadvertent truth behind this narrative. Natural limits certainly impose absolute scarcities that are impossible to overcome. There is only so much uranium in the solar system, for example. And even if we synthesize certain substances by using other substances, the total amount we can produce will still be limited by the availability of the raw materials going into the production process. We cannot beat energy conservation.

Although natural constraints on supply are important, most economic scarcities that rule our lives are actually social and artificial. Supply and demand are not natural forces drifting through the air; they are contrived realities established by an interactive social environment involving governments, corporations, institutions, and classes. Supply and demand cycles are social constructs designed to answer a basic question: Who gets what? Those with social and institutional power decide how they want to distribute money, labor, and resources, and those without must navigate the resulting constraints and roadblocks that have been thrown in front of them, or they can challenge the system and remove some, if not all, of the roadblocks. Especially under capitalism, artificial scarcity is an important social reality that torments the lives of billions around the world, but scarcity as a natural limiting factor in economic activity is not as fundamental as we might like to think. In that case, what is?

Let us begin answering this question by remembering that human economies are dynamical systems powered by energy flows, and their successful operation requires the presence of stability in the face of an uncertain environment. If ecological instabilities make it difficult for an economy to keep collecting energy, then that economy is susceptible to collapse even though plenty of energy remains available for consumption. The coronavirus pandemic has painfully revealed this fundamental truth once again. The global economy is experiencing the worst cataclysm since the Second World War not because we are running out of stuff, but because chaotic feedback loops between nature and society have the power to severely destabilize cycles of economic activity. As industrialized agriculture keeps expanding into pristine habitats, it is dramatically increasing the odds of viral transmission from wild animals to human beings.2 As we pump more greenhouse gases into the atmosphere, the planet keeps getting warmer and nearly all living organisms are feeling the impact. There are unavoidable ecological consequences associated with every kind of economic activity, but the energy-intensive modes of capitalism have been uniquely harmful.

The central problem of economics is not scarcity, but stability in the flow of goods and resources, and especially the stability of the ecozones that act as an economy’s primary energy reservoir. The primary goal of any economic system should be to ensure stability and sustainability in the face of nature’s external perturbations, which have always played a dominant role in the development of human history. Before going further, we should have a concrete sense about what stability means on a theoretical and empirical level. We cannot pursue stability as a strategy unless we know what we are trying to stabilize, and why it is worth stabilizing in the first place. Stability will be understood as something like a dynamic equilibrium, an acceptable range of energy consumption for human civilization that allows it to function without transgressing critical planetary boundaries. People are complex, to say nothing of entire societies. No civilization would be able to maintain a constant rate of energy consumption at all times, which is why viewing stability as a constrained dynamic equilibrium offers civilization more balance and flexibility as it tries to coexist with the natural world.

Economies absorb energy from the natural world and then convert a portion of that energy consumption to power their cycles of production, distribution, and consumption. An ecological system needs to prioritize the stability of the energy flows that sustain these productive economic cycles. This means primarily stabilizing an economy’s aggregate rates of energy conversion and consumption. The fraction of total consumption (throughput) that a civilization converts to useful forms of energy is the aggregate energy efficiency. In a previous article for Monthly Review, I argued that aggregate efficiencies for economic systems across history generally change at very slow rates, given the constraints on technological development and the economic incentives of each system.3 Because aggregate efficiency does not change much as economies consume more energy, much of that extra energy consumption is lost as waste and dissipation to the environment. In the last two centuries of capitalist development, these energy losses have profoundly reorganized our planet’s entire ecosphere, to the point where intensifying ecological disturbances have become a major threat to the stability of the energy flows that power our economic systems.

Moving past capitalism will require lower rates of energy consumption from the advanced economies of the industrialized world, but also a tectonic shift in the way we understand the purpose of economic activity, from the current obsession on growth (measured currently in terms of gross domestic product) to a greater focus on energy stability. But how are we supposed to maintain stability with the current economic structures of capitalism? The simple answer is that we cannot. We need entirely new social and political systems that align with the energetic constraints of our stability program. The only realistic way of providing this kind of macroenergetic stability in the near future is through the substantial involvement of the state in the control and administration of economic resources. This is not necessarily an obvious claim, and is worth explaining to some extent.

#### \*6. Any combination poisons the alt.

William Curran 16. Editor for the Antitrust Bulletin. Commitment and betrayal: Contradictions in American democracy, capitalism, and antitrust laws. Antitrust Bulletin. 2016. 61(2): 246

Scholars now link antitrust with distributional values. 11 Professor Anthony B. Atkinson wants antitrust to value the individual,1 12 recognizing as Hand did in Alcoa1 13 that "among the purposes of Congress in 1890 was a desire to put an end to great aggregations of capital because of the helplessness of the individual before them." 1 14 And it is the individual-rich and poor, but especially the poor-whom Atkinson wants to protect from the inequities of the marketplace.115 Atkinson sees as Senator John Sherman did in 1890 that the "problems that may disturb [the] social order ... none is more threatening than the inequality of condition of wealth, and opportunity that has grown within a single generation out of the concentration of capital into vast combinations to control production and trade to break down competition." 11 6 Sherman's and Hand's worries were certainly not Bork's. Hand said it best in Alcoa, "[W]e have been speaking only of the economic reasons which forbid monopoly ... [but] there are others, based upon the belief that great industrial consolidations are inherently undesirable, regardless of their economic results.",1 1 7 Bork-regardless of destructive results to democracy-would never find efficient economic results inherently undesirable. Bork would likely find democracy a "cornucopia of social values, all rather vague and undefined but infinitely attractive."iiS A definition that was surely meant to disparage, fails. What makes democracy attractive is its socially related values. 11 9 What makes it infinitely attractive are its regenerative capacities and potential for self-definition. 120 Bork blocked democracy's values so as not to tempt liberal judges. He worried needlessly. An antitrust solution to wealth's severe inequality is simply not plausible. 121 Antitrust has always been the heart of capitalism's ideology. 122 In truth, antitrust's distribution of wealth for the wealthy is more than ideology-it is heartless reality. So was Bork right? Are the fates of capitalism and antitrust intertwined? 123 And if antitrust were repealed? Professor Atkinson wants antitrust saved and used for citizens.124 But like Professors Stiglitz, Krugman, and Reich, he has fallen headfirst into antitrust's heartless ideological trap. And like the other three he would resurrect TR's trust-busting for the twenty-first century. Piketty avoids ideological traps. He learns the facts of history-unencumbered by ideologies like Bork's-and has an unobstructed vision 125 of the unequal and democratically destructive wealth of capitalism. Bork's antitrust is the wrong policy tool for a nation presumed to be dedicated to serving citizens equitably. 126

### AT: Perm Double Bind---2NC

#### 2. Neoliberalism is governmentality through conduct---you can’t distinguish neoliberalism in competition policy against the broader system we’ve criticized. Competition as a site of universality/rationality is what we’ve critiqued, it invades every other domain of the social order.

David Lebow 19. Lecturer on Social Studies at Harvard University and lawyer, “Trumpism and the Dialectic of Neoliberal Reason,” Perspectives on Politics 18(2):380-398, doi:10.1017/S1537592719000434.

I. Neoliberal Reason

As Michel Foucault and others have argued, neoliberalism entails far more than an economic doctrine favoring deregulated markets.4 It is a novel form of governmentality—a rationality linked to technologies of power that govern conduct, not just through direct state action but through liberty itself.5 Not isolated to the traditionally demarcated sphere of economics, neoliberal society entails a whole economic-juridical order.

The central program of neoliberal governmentality is the absolute generalization of competition as a universal behavioral norm. Whereas in liberal thought, the root principle of capitalism was exchange of equivalents, for neoliberal reason it is competition entailing inequality. The key result of market processes goes from specialization to selection. The competitive market is the exclusive site of rationality. It processes information, indicated by price, and is the only mechanism of producing knowledge, defined as what is profitably utilizable. Because consumers are free to refuse inferior goods or services, the price mechanism of the market system ensures optimal solutions and maximal satisfaction of preferences.

Liberal capitalism, as Karl Polanyi argued, required the construction of “fictitious” commodities like land and labor.6 These abstract, exchangeable factors of production had to be disembedded from concrete non-market social relations, norms, and values. Instead of merely disembedding commodities, neoliberalism intervenes to make competitive mechanisms regulate every moment and point in society. It strives to build an empire of market choice that invades every domain of life, and deposes all other social, political and solidaristic institutions and values.

Neoliberalism does not allege that markets are natural; competition must be constructed. Rather than endorsing laissez-faire overseen by a night watchman, it stipulates a strong state engaged in permanent vigilance, activity, and intervention to maintain artificial competition. It must not plan outcomes, which would upset the market’s innate rationality, and must be insulated from political disturbances. Economic interventionism leads down the road to serfdom; fascism and unlimited state power are its necessary results. A “minimum of economic interventionism” on the “mechanisms of the market” must be accompanied by “maximum legal interventionism” on the “conditions of the market.”7 Fixed, formal rules make up an economic constitution that inhibits planning, repulses political disruptions, and impartially safeguards competition. The state is the executor of the market and growth is the basis of public legitimacy. Governance depoliticizes public power, promotes ostensibly post-ideological technical problem-solving by experts, and relies on “best-practices” that dissolve the distinction between public and private organization.8

Unlimited generalization of competition yields an enterprise society in which calculations of supply/demand and cost/benefit become the model of all social relations. Neoliberal reason renders homo economicus, based on this model of the enterprise, the exhaustive figuration of human subjectivity. The center of economic thought shifts from labor and processes of production, exchange, and consumption to human capital and rational decision-making under conditions of scarcity. Capital is everything that can generate future income; wages are reconceived as income from capital. Labor is no longer comprehended as a commodity exchanged for a wage, but as a combination of human capital (the worker’s education and abilities) and the income stream it generates. This neoliberal subject is an aggregate of human capital who invests in his own income-generating abilities.

Neoliberalism replaces the invariant identity of the moral person as a rights-bearing citizen with a formally empty receptacle filled up through enterprising choices. It brushes aside models of freedom as self-rule achieved through moral autonomy or popular sovereignty.9 In the neoliberal “democracy of consumers,” individual consumers together constitute the sovereign that monopolizes the issuance of legitimate commands.10 Sovereign will is expressed not through political channels, but by choices in the “plebiscite of prices.”11 Whereas producers have particular interests like protectionism, consumers have a consensual and common interest; all favor the impartial functioning of market processes. In the neoliberal free society, consumers exercise their right to choose in complete independence.

II. From Keynesian State Capitalism to Neoliberal Deregulation

Situating the 2008 crisis in a historical account of American political and economic development clarifies its broader significance. The early twentieth-century Progressives were disdainful of what they took to be the chaos and waste of fin de siècle laissez-faire society. They strove to build a new American state that would replace the structural and rights-based formalisms of the nineteenth century with direct democracy and expert administration. It took the Great Depression and New Deal to bring into full bloom the Progressive commitment to pragmatic rationality. Thereafter, the “policy state” was authorized to pursue designated social goals and develop the means to accomplish them.12 The slew of New Deal innovations included state oversight of labor negotiations, invigorated antitrust, Keynesian countercyclical deficits to stimulate demand and increase purchasing power, an expansive public sector sheltered from the business cycle, aggressive banking regulation, and social insurance. Regulation and redistribution ensured the conditions necessary for an economic system based on capital accumulation, private property, and corporate profit to endure.

To many, the differences between the New Deal and Nazi political economies appeared less significant than their common response to monopoly capitalism. Both erased boundaries between state and society by politicizing the private sphere and authorizing public bureaucracies to rationalize crisis-prone economies. Frankfurt School member Friedrich Pollock suggested that this common “state capitalism” had solved the contradiction between the forces and relations of production, and thus overcome the economy’s crisis tendencies. It seemed to him that management had become merely technical and “nothing essential” had been “left to the laws of the market.”13 Worries abounded that the private law sphere of property and contract was necessary for individual freedom. Despite salient differences between Nazi and New Deal state capitalism, many feared that intervention into society was a waystation to domination. Unease about the specter of American despotism motivated development of mechanisms to ensure that interventionism did not devolve into arbitrary rule.14 Expertise was one justification and limitation of the policy state. Authority could be safely delegated to a new corps of public-spirited administrators because their scientific knowledge would not only make them effective, but also counsel restraint. Enduring misgivings led later to new laws of administrative process. The procedural state was legitimated by its defenders as being a substantively value-neutral and instrumentally rational machine serving goals set by society. Regulatory decision-making was shunted into the abstruse procedures of courtrooms and bureaucracies. Defenders of the state emphasized that its processes of allocating authority were neutral, impartial, and open to all. The balanced accommodation of all interest groups seeking to exercise influence would yield an equilibrium corresponding to the public interest.15

The intermeshing of state and society through interest groups, agencies, and professionalized parties marginalized the public. The sovereign public opinion that Progressives had hoped would rationalize government gave way to the rationality supposedly inherent in processes of public law, public-private negotiation, and regulated markets. The state was endowed with a diffuse legitimacy in exchange for a growing economy, broad distribution, and ongoing household capacity to consume.16 The Keynesian welfare settlement pacified the working class, protecting the market economy from more radical political pressures. Newly available, mass-produced commodities encouraged leveled-down notions of citizenship as welfare clientelism and privatistic consumption. As the state expanded and routinized, the initial politicization of private property relations through public intervention developed into depoliticized economic management by lawyers and social scientists organized by administrative and judicial processes.

The terms of the social contract preserving the coexistence of capitalism and democracy had been set. In exchange for a pacified citizenry and depoliticized regulatory authority, the policy state promised to deploy instrumental reason to sustain both capital accumulation and widely distributed capacity to consume (supported, always, by the exclusion of African Americans). During the decades of postwar growth, these twin responsibilities seemed attainable and compatible. Capitalism functioned smoothly enough and potentially delegitimating inequality was clipped by inflation, tax-based welfare, and collectively negotiated wages. But in the late 1960s and early 1970s, weakening growth, stagflation, trade deficits, and the collapse of Bretton Woods revealed that state capitalism had not solved the problems of economics. As the Great Depression had enabled construction of the instrumentally rational policy state, economic disturbances in the 1970s opened the breach into which neoliberal reason entered to reconfigure the political economy. Rather than shielding rational policy-making from political pressure and assuring broadly distributed welfare, neoliberalism promised growth driven by depoliticized markets freed from regulation and downwards redistribution. Believing in the optimal rationality of competitive markets, neoliberals sought to reinvigorate capital accumulation through deregulation, lowered taxes, financialization, privatization, and market expansion.

Liberating accumulation from the restrictions and obligations incurred under state capitalism might have imperiled capitalism’s peace treaty with democracy. For deregulation to proceed without impairing the system’s legitimacy, the quid pro quo—depoliticization for consumption—had to continue. Over the ensuing decades, as Wolfgang Streeck explains, the state “bought time” by finding new ways to generate illusions of widely distributed prosperity that prolonged the capacity of the lower and middle classes to consume.17 Each successive attempt exhausted itself, leading to new and escalating disturbances. In the 1970s, inflation safeguarded social peace by compensating workers for inadequate growth until stagflation ended this mode of buying time. A subsequent reliance on public debt enabled the government to pacify conflict with borrowed money. Rising debt and balking creditors delimited this phase, which was brought to a definitive close with the Clinton administration’s social spending cuts and balanced budgets. In a final stage that dawned in the 1980s but grew increasingly paramount over time, debt-based support of purchasing power was privatized. Household spending was financed through mortgages, student loans, and credit cards. This “privatized Keynesianism” buoyed consumption up through 2008, despite cuts to social spending, falling wages, and tightening employment markets.18

Each device for upholding spending maintained the legitimacy of the depoliticized political economy, even as liberalization continued to strip the wage-dependent population of regulatory and redistributive safeguards. The end of the inflation era brought structural unemployment and weakened trade unions. The passing of the public debt regime meant cuts to social rights, privatization of social services, and a trimmed public sector. Growing private debt enabled people to hold on despite lost savings, and rising under- and unemployment. At every step, the neoliberal project was “dressed up” as a consumption project.19 Continuing consumption ensured legitimacy long enough to enact total transformation of the political economy.

The state could not buy time indefinitely. The 1970s had already witnessed the beginning of the transition from a manufacturing, production-oriented economy that exported surpluses to an import-based, finance and services economy focused on consumption. As the United States went from creditor to debtor, a system of “balanced disequilibrium” took hold.20 With impunity granted as the world’s reserve currency, the United States ran mounting budget and trade deficits. To finance them, it absorbed surplus capital from abroad, much of which wended its way to Wall Street. Banks used these profits to extend credit to the working- and middle- classes. Household debt funded consumption of imported goods, returning the surplus capital abroad, and completing the circuit of global trade. This system depended on the unsustainable condition of ever-increasing debt-based consumption. Consumption was notoriously reinforced by secondary markets in what was essentially private money (securitized derivatives and collateralized debt obligation) that was much riskier than assumed. Because increasingly irresponsible lending was integral to continuing the consumption that stabilized the macroeconomic system, it became a sort of vicious collective good that progressively magnified the scale of the inevitable crash.21 When in 2008 the debt finally proved unserviceable and the housing bubble burst, the private money disappeared and the disequilibrated global economic system fell into crisis.

Consumption based on private debt had provided an unstable bridge over the yawning inequality brought about by deregulation, financialization, globalization, and the diminished welfare state. When the 2008 crisis dried up credit, it revealed a divided “dual economy.”22 On one side is the primary sector of elite, highly-educated professionals who are collected in coastal urban centers and tied in to corporate management, technological innovation and oversight of global capital flows. On the other is the secondary sector of low-skilled workers primarily fixed in the heartland, for whom deregulated competition has brought under- or unemployment, job instability, depressed wages, exploding debt, and diminished prospects.

Unable to buy more time, the state’s breach of the postwar social contract has been exposed. The neoliberal system of capital accumulation was entrenched at the expense of broad and sustainable consumption. The results have been the politicization of defrauded citizens and a political economy plunged into legitimation crisis. Time has belied the premature conclusion that contradiction and crisis potential had been overcome by state capitalism. Contradiction was relocated into cross-cutting imperatives for the state to enable capital accumulation and distribute consumption. In hindsight, we find only a window of stabilization of an enduring crisis potential built into capitalist political economy. As Nancy Fraser puts it “on the one hand, legitimate, efficacious public power is a condition of possibility for sustained capital accumulation; on the other hand, capitalism’s drive to endless accumulations tends to destabilize the very public power on which it relies.”23 The political fallout from the 2008 crisis marks the end of the postwar social contract that had established conditions ensuring the continued coexistence of capitalism and democracy.

### Sustainable---2NC

#### Growth is unsustainable:

#### 1. Carbon bubble, peak oil. Bailey 14 is wrong.

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The Carbon Tracker Initiative, a London-based think tank serving the energy industry, reports that the steep decline in the price of generating solar and wind energy “will inevitably lead to trillions of dollars of stranded assets across the corporate sector and hit petro-states that fail to reinvent themselves,” while “putting trillions at risk for unsavvy investors oblivious to the speed of the unfolding energy transition.”19 “Stranded assets” are all the fossil fuels that will remain in the ground because of falling demand as well as the abandonment of pipelines, ocean platforms, storage facilities, energy generation plants, backup power plants, petrochemical processing facilities, and industries tightly coupled to the fossil fuel culture. Behind the scenes, a seismic struggle is taking place as four of the principal sectors responsible for global warming—the Information and Communications Technology (ICT)/telecommunications sector, the power and electric utility sector, the mobility and logistics sector, and the buildings sector—are beginning to decouple from the fossil fuel industry in favor of adopting the cheaper new green energies. The result is that within the fossil fuel industry, “around $100 trillion of assets could be ‘carbon stranded.’”20 The carbon bubble is the largest economic bubble in history. And studies and reports over the past twenty-four months—from within the global financial community, the insurance sector, global trade organizations, national governments, and many of the leading consulting agencies in the energy industry, the transportation sector, and the real estate sector—suggest that the imminent collapse of the fossil fuel industrial civilization could occur sometime between 2023 and 2030, as key sectors decouple from fossil fuels and rely on ever-cheaper solar, wind, and other renewable energies and accompanying zero-carbon technologies.21 The United States, currently the leading oil-producing nation, will be caught in the crosshairs between the plummeting price of solar and wind and the fallout from peak oil demand and accumulating stranded assets in the oil industry.22

#### 2. Financialization. Causes inevitable boom & bust cycles.

Alan Maass 21. Communications staff for Rutgers AAUP-AFT. Marxism Shows Us How Our Problems Are Connected. Jacobin. 1-5-2021. https://jacobinmag.com/2021/01/marxism-capital-socialism-capitalism-book-review

When Things Fall Apart

Marxist economics explains not only how capitalism works but why it regularly doesn’t — during the periodic economic busts that inevitably follow the booms. As Marx and Engels wrote:

Society suddenly finds itself put back into a state of momentary barbarism; it appears as if a famine, a universal war of devastation had cut off the supply of every means of subsistence; industry and commerce seem to be destroyed. And why? Because there is too much civilization, too much means of subsistence, too much industry, too much commerce.

Of course, in a world where billions go without enough food, there’s no such thing as “too much means of subsistence.” There’s only too much from the point of view of the capitalists — too much to sell their products at an acceptable profit.

Thier introduces the chapters on capitalist crisis by unpacking a long quotation from Engels that ends: “The contradiction between socialized production and capitalistic appropriation is reproduced as the antagonism between the organization of production in the single factory and the anarchy of production in society as a whole.”

Under capitalism, production within workplaces is generally highly regimented, but the economy as a whole is a free-for-all. Businesses make their investment decisions behind closed doors, each hoping to get a leg up on the competition — by introducing the most popular model, the new product, the next trend. Success means a greater share of the market and therefore more profits.

All the important questions for society as a whole — how much food should be produced, how many homes to build, what kind of drugs to research and manufacture, how to generate electricity — are decided by the free market.

In economic good times, success seems contagious. Companies make ambitious investments, produce more and more, and watch the money roll in. But when enough companies jump in, the market gets saturated, sales slump, debts grow, and the record profits start to sink. The effects spread from part of the economy to the next, as Thier explains, using the example of oil:

If refineries sit idle because there is an overproduction of oil, the workers are laid off, and the creditors, who financed the investment, are dragged down as well. But as future oil extraction and refining projects are pulled back, so too is demand for the raw materials (steel, concrete, plastics, electricity, etc.) and engineering necessary for the production of oil rigs, pipelines, and so on. The construction business and service and retail companies, which had benefited from the springing up of oil boomtowns, suffer as well.

Because of the complexity of the international capitalist economy, the boom-slump roller-coaster ride can look and feel different each time around. Thier devotes a chapter to analyzing the crash last time: the Great Recession of 2008–9. She explains why and how the parasitical realm of banking and finance was the detonator of this slump but looks beyond popular left explanations about “financialization” to reveal the underlying crisis of global overproduction.

Among Marxist economics writers, there are some disagreements about the details here, specifically about “which aspects of Marx’s writing — falling profitability, overproduction (or in some cases, underproduction), disproportionality among branches, the role of credit — are emphasized and how these pieces fit together,” Thier writes.

In her account, Thier tends to stress overproduction, to the disappointment of those who emphasize falling profit rates. This focus on overproduction crucially emphasizes how an organic mechanism of capitalism — inevitable in a system driven by exchange, exploitation, and competition — repeatedly causes crisis.

Regardless of their ideology or morality (or lack thereof), capitalists are inevitably driven to reduce costs, they inevitably see an advantage in producing more for less, and this inevitably leads to frantic overproduction that undermines profitability and ultimately slams the economy into reverse.

In other words, capitalism stops working not because of a mistake or failed policy, but because it’s been working the way it’s supposed to. As Thier writes:

Competition is the mainstay of capitalism. It can’t be made friendlier or softer because it requires an accumulation of capital at any cost, in order to get ahead or get left behind.… These same processes of accumulation necessarily lead to contradictions that threaten the very profits that capitalists seek. Every contradiction for capitalism is both a great hazard to our lives — since we are made to pay the price — and also an important crack in the system. Every periodic crisis is a potential point around which to organize.

#### 3. Mineral cycles---that’s Allinson---copper, lithium, manganese hit bottlenecks.

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Endless growth will generate minerals scarcity within decades

The EV transition is, in short, a massive industrial project. Electrification of roads and rail will require upgraded smart grids, complex routes connected to high power lines, and regular battery-swap stations. The paper explores several scenarios to explore how such a transition would take place.

In a continuing GDP growth scenario, the authors note that the economy begins to stagnate “due to peak oil limits at around 2025-2040,” but GDP is able to continue growing thanks to the EV transition. This shows that the reduction in liquid fuels in transportation can play a powerful role in avoiding “energy shortages in the economy as a whole.”

But then the economy hits the limits of mineral and material production to sustain this electric transition—in just three decades. And this is even with high levels of minerals recycling.

By 2050, in this scenario, the EV transition will “require higher amounts of copper, lithium and manganese than current reserves. For the cases of copper and manganese the depletion is mainly due to the demand from the rest of the economy,” but most lithium demand “is for EV batteries,” and this alone “depletes its estimated global reserves.”

Mineral depletion takes place even with “a very high increase in recycling rates” in a continuing GDP growth scenario.

In one such scenario, the authors apply what they consider to be realistic upper level recycling rates of 57 percent, 30 percent and 74 percent to copper, lithium and manganese respectively. These are based on extremely optimistic projections of recycling capabilities relative to their costs.

But still they find that even these high recycling rates wouldn’t prevent depletion of all current estimated reserves by 2050. The conclusion corroborates findings of other studies, estimating an expected bottleneck for lithium by 2042-2045 and for manganese by 2038-2050.

Actual bottlenecks could come even earlier because existing studies—including the MEDEAS model—don’t account for material requirements needed for internal wiring, the EV motor, EV chargers, building and maintaining the grid to connect and charge EV batteries, the catenaries to electrify the railways, as well as inherent difficulties in recycling metals.

#### 4. Speculation---makes crashes inevitable----extraction replaces production and zeros innovation.

John Bellamy Foster et al. 21, R. Jamil Jonna and Brett Clark. John Bellamy Foster is the editor of Monthly Review and a professor of sociology at the University of Oregon. R. Jamil Jonna is associate editor for communications and production at Monthly Review. Brett Clark is associate editor of Monthly Review and a professor of sociology at the University of Utah. The authors thank John Mage, Craig Medlen, and Fred Magdoff for their assistance. “The Contagion of Capital Financialised Capitalism, COVID-19, and the Great Divide.” The Jus Semper Global Alliance. In Pursuit of the People and Planet Paradigm Sustainable Human Development March 2021. Essays on True Democracy and Capitalism. https://jussemper.org/Resources/Economic%20Data/Resources/BellamyFosterJonaClark-ContagionCapital.pdf

As we have seen, when corporations do not invest their economic surplus in new capital formation—primarily due to vanishing investment opportunities in an economy characterised by excess capacity—they are left with abundant free cash that is partly returned to the shareholders through share buybacks and, to a lesser degree, dividends. It is also used for speculation, including mergers, acquisitions, and the panoply of corporate “cash management” techniques that amount to the leveraging of free cash to enhance returns. This gives rise to a whole alphabet soup of 19 financial instruments, in which corporations use the cash at their disposal partly as collateral for debt leverage, with non-financial corporate debt rising rapidly as a share of national income. Predictably recurring internal corporate funds in the form of free cash constitute a “flow collateral” allowing for further leverage, feeding speculation. A speculative economy relies on borrowed funds for leverage, backed up in part by cash. Expanding cash reserves are also needed as hedges in case of financial defaults. The whole system is a house of cards.

The progressive financialisation of the capitalist economy, whereby the financial superstructure continues to expand as a share of the underlying productive economy, has led to ever-greater asset price bubbles and growing threats of world economic meltdown. So far, a complete meltdown has been headed off by central banks, as in the 2000 and 2008 financial crashes. At every major recurring disturbance, and with serious economic repercussions, the monetary authorities pump massive amounts of cash into the financial superstructure of the economy only to give rise to greater bubbles in the future.

Theoretically, stock values represent future expected streams of earnings arising primarily from production. Nowadays, 20 however, finance has become increasingly autonomous from production (or the “real economy”), relying on its own speculative “self-financing,” leading to financial bubbles, contagions, and crashes, with the monetary authorities intervening to keep the whole house of cards from collapsing. This serves to reduce the risk to speculators, thereby keeping the value of stocks and other financial assets rising on a long-term basis, along with the overall wealth/income ratio. In these circumstances, so-called asset accumulation by speculative means has replaced actual accumulation or productive investment as a route to the increase of wealth, generating a condition of “profits without production.”21

In order to grasp the full significance of the financialisation of the economy, it is useful to look at the two conceptions of capital (relative to national income) depicted in Chart 3. One of these, the numerator of the lower line, is the 22 traditional conception of capital as fixed investment stock (physical structures and equipment) at historical cost minus depreciation. This is called the fixed capital stock of the nation and is tied directly to economic growth. It represents 23 what economic theorists from Adam Smith to Karl Marx to Keynes have referred to as the accumulation of capital. Capital formation and national income are closely related, generally rising and falling together, producing the relatively flat line, representing the ratio of fixed capital stock to national income, shown in Chart 3.24

Yet, capital, as Marx noted very early in the process, has more and more taken on the “duplicate” form of “fictitious capital,” that is, the structure of financial claims (in monetary values) produced by the formal title to this real capital. Insofar as economic activity is directed to the appreciation of such financial claims to wealth relatively independently of the accumulation of capital at the level of production, it has metamorphosed into a largely speculative form.25

This can be seen by looking again at Chart 3. In contrast to the lower line, the upper line depicts what is traditionally seen as the wealth/income ratio (which some economic theorists, such as Thomas Piketty, conflate with the capital/ income ratio, treating wealth as capital). The numerator here is the value of corporate stocks. Since the mid–1980s, the 26 ratio of stock value to national income has increased more than 300 percent. This marks an enormous growth of financial wealth, with speculation-induced asset growth sidelining the role of productive investment or capital accumulation as such in the amassing of wealth. This is associated with a massive redistribution of wealth to the top of society. The top 10 percent of the U.S. population owns 88 percent of the value of stocks, while the top 1 percent owns 56 percent. Rising stock values relative to national income thus mean, all other things being equal, rapidly rising 27 wealth (and income) inequality.28

The existence of the two conceptions of capital (and of capital/income ratios) presented here—one representing historical investment cost minus depreciation, and conforming to the notion of accumulated capital stock, the other the monetary value of stock equities (in economics traditionally treated as wealth rather than capital)—is often downplayed within establishment economics under the assumption that in the long run they will simply fall in line with each other, and with national income. As leading mainstream economic growth theorist Robert Solow writes: “Stock market values, the financial counterpart of corporate productive capital, can fluctuate violently, more violently than national income. In a recession the wealth-income ratio may fall noticeably, although the stock of productive capital, and even its expected future earning power, may have changed very little or not at all. But as long as we stick to longer-run trends…this difficulty can safely be disregarded.”29

But can the divergence of stock values from income (and from fixed capital stock) in reality be so easily disregarded? Chart 3 depicts a sharp increase in stock values relative to national income, which has now continued for over a third of a century, with decreases in total stock values as a ratio of national income (output) occurring during recessions, then rebounding during recoveries. The 30 overall movement is clearly in the direction of compounded financial hyperextension. This conforms to the general pattern of the financialisation of the capitalist economy, constituting a structural change in the system associated with the growth of monopoly-finance capital. This has gone hand in hand with a bubblier economy, with financial bubbles bursting in 1987, 1991, 2001, and 2008, but ultimately shored up by the Federal Reserve and other central banks.

Today, vast amounts of free cash are spilling over into waves of mergers and acquisitions, typically aimed at acquiring mega-monopoly positions in the economy. A major focus is the tech sector, much of which is directed at commodifying all information in society, in the form of a ubiquitous surveillance capitalism. All financial bubbles derive their animus 31 from some common rationale, which claims that this time is different, discounting the reality of a bubble. In the present case, the rationale is that the advance of the FAANG stocks (Facebook, Apple, Amazon, Netflix, and Google), which now comprise almost a quarter of the value of Standard and Poor 500’s total capitalisation, is unstoppable, reflecting the dominance of technology. Apple alone has reached a stock market valuation of $2 trillion. All of this is feeding a massive increase in income and wealth inequality in the United States, as the gains from financial assets rise relative to income. Yet, like all previous bubbles, this one too will burst.32

Kalecki determined that the export surplus on the U.S. current account increased free cash, as did the federal deficit.33 However, the current account deficit cannot be seen, in today’s overall structural context, as simply reducing free cash, because of the changed role of multinational corporations in late imperialism, which alters other parts of the equation. Due to globalisation and the rise of the global labor arbitrage, U.S. multinational corporations in their intra-firm relations have in effect substituted production overseas by their affiliates for parent company exports, thereby decreasing their investment in fixed capital in the United States. The sales abroad of goods by majority-owned affiliates of U.S. 34 multinational corporations in 2018 were 14.5 times the exports of goods to majority-owned affiliates. Foreign profits of 35 U.S. corporations as a proportion of U.S. domestic corporate profits rose from 4 percent in 1950 to 9 percent in 1970 to 29 percent in 2019. This mainly reflects the shift in production to low unit labor cost countries in the Global South. Samir Amin described the vast expropriation of surplus from the Global South, based on the global labor arbitrage, as a form of “imperialist rent.”36

This expansion of global labor-value chains is also associated with an epochal increase in what is called the non-equity mode of production, or arm’s length production. Companies like Apple and Nike rely not on foreign direct investment abroad, but instead draw on subcontractors overseas to produce their goods at extremely low unit labor costs, often generating gross profit margins on shipping prices on the order of 50 to 60 percent.37

The loss of investment in the United States, as U.S. multinational corporations have substituted production overseas, coupled with the growth of foreign profits of U.S. mega firms, has further increased the free cash at the disposal of corporations (even with a growing deficit in the current account), thereby intensifying the all-around contradictions of over-accumulation, stagnation, and financialisation in the U.S. economy. Much of this free cash is parked in tax havens overseas to escape U.S. taxes.38

Washington uses its printing press, through the federal deficit, to compensate for the U.S. current account deficit. Foreign governments cooperate, providing the “giant gift” of accepting dollars in lieu of goods, thereby acquiring massive dollar reserves. At some point, however, these contradictions are bound to undermine the hegemony of the dollar as the 39 world’s reserve currency, with dire ramifications for the U.S.-based world empire.

### Alt---2NC

#### 2. It’s succeeding now.

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Forgetting about growth

At the moment, degrowth has no mass constituency. But some of its animating ideas are nonetheless exerting an influence on political economic thought — particularly the critique of G.D.P. growth as the lodestar of human progress.

“Even within mainstream economics, the growth orthodoxy is being challenged, and not merely because of a heightened awareness of environmental perils,” John Cassidy wrote in The New Yorker last year. “After a century in which G.D.P. per person has gone up more than sixfold in the United States, a vigorous debate has arisen about the feasibility and wisdom of creating and consuming ever more stuff, year after year.”

What’s the alternative? Kate Raworth, an English economist, has identified one option: “doughnut economics.” In Raworth’s view, 21st-century economies should abandon growth for growth’s sake and make it their goal to reach the sweet spot — or the doughnut — between the “social foundation,” where everyone has what they need to live a good life, and the “environmental ceiling.”

“The doughnut model doesn’t proscribe all economic growth or development,” Ciara Nugent explains in Time. “But that economic growth needs to be viewed as a means to reach social goals within ecological limits, she says, and not as an indicator of success in itself, or a goal for rich countries.”

Raworth’s ideas have had real-world impact: Last year, during the first wave of the pandemic, Amsterdam’s city government announced it would aim to recover from the crisis by adopting the precepts of “doughnut economics.” A year before that, Prime Minister Jacinda Ardern of New Zealand announced her country would prioritize its residents’ welfare and happiness over G.D.P. growth.

Delighted to hear that Jacinda Ardern is reading Doughnut Economics and that it reinforces her existing views. There is another economy waiting and it's starting to be made...

Even in the United States, which has embraced no such policy, G.D.P. growth has slowed in the past two decades, largely because of falling birthrates and a switch in spending patterns from goods to services.

That hasn’t solved the problem of America’s addiction to fossil fuels, of course. “Yet the sorts of policies on offer from degrowth advocates — like universal basic services and shorter working hours — could help address some of the long-standing ills now afflicting a wide range of economies,” Kate Aronoff writes in The New Republic. “Rather than chasing an increasingly far-off goal by trying to coax forth elusive corporate investment with giveaways, governments could start planning for what a fairer lower growth, lower carbon future might look like.”

### No Transition Wars---2NC

#### 3. Our alt solves all of their “transition bad” arguments---our alt isn’t economic collapse.

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We can either deny this evidence, or we can face up to it. Facing up to it means rethinking the extent to which we should pursue GDP growth. Now, this is where the good news comes in. McAfee says he wants to achieve “longer, healthier lives”, improving human well-being and flourishing. That’s the goal. And here too, we agree (that’s two goals we share). But for some reason McAfee assumes that in order to do this, even high-income nations, regardless of how rich they have already become, need to keep growing their GDP, exponentially, with no identifiable end point. This is an unexamined assumption; he provides no evidence for this claim.

I get it – I used to hold this assumption too. Most people do. But the good news is that it’s not true. At least 30 years of research in ecological economics has made it clear that high-income nations don’t need to keep growing in order to improve people’s lives. They can do it right now, without any additional growth at all, simply by sharing income, resources and opportunities more fairly and investing in universal public goods. These are the interventions that matter. That’s how Spain beats the USA in life expectancy by a solid five years, and outperforms the USA on virtually every social indicator, with half of the USA’s GDP per capita. The notion that the US needs to keep growing its GDP in order to improve social outcomes is simply not supported by evidence.

By the way, we need to keep the inequality problem in mind here. According to the World Inequality Database, the richest 5% capture 46% of total global GDP. That means that nearly half of all the resources we use, and half of all the emissions we emit, is done in order to make rich people richer. In what world does this make any ecological sense? And yet McAfee has never engaged with this question.

Once we realize that we don’t need growth in order to accomplish our social goals, this makes it much easier to reduce resource and energy use, accomplish a rapid transition to renewables, and bring our economy back into balance with the living world. We should see this as liberating. And this vision is not anti-tech. On the contrary, the point is to prevent our technological gains (efficiency improvements, renewable energy, etc) from being swamped by scale effect of growth (ever-rising resource and energy demand), so that they can deliver the benefits we want them to.

Now, to McAfee’s final point: “but that would be a recession!”. And recessions, as we all know, are terrible: people lose their jobs and homes, poverty and inequality goes up, etc. Nobody wants this; and here too McAfee and I agree (that’s three). Here’s what we need to grasp, however: recessions are what happen when growth-dependent economies fail to grow; it’s a disaster. This is where degrowth comes in - to solve precisely this problem. Degrowth calls for a different kind of economy altogether: one that doesn’t require growth in the first place; one where we can reduce resource and energy use while specifically preventing unemployment and reducing inequality. The idea is to allocate resources and energy more rationally, and more democratically, to enable everyone to live flourishing lives in balance with the ecosystems we depend on.

Instead of engaging with this literature, McAfee tries to dismiss degrowth as a recession. To be frank, this is a lazy, bad faith argument. We have different words for these phenomena because, as I explain here, they are, in every respect, fundamentally different things. You can only miss this fact if you’re not reading, or if you’re intentionally seeking to mislead; either way, it is irresponsible. So, while I welcome McAfee’s engagement, this kind of claim is not helpful, and does not advance our collective understanding. My appeal to McAfee: let’s try to get beyond this sort of thing and engage more honestly with the empirical and theoretical work that has been done, so we can have more meaningful conversations. If we are going to realise our shared goals, we can and must do better.

#### 4. History.

Stephen Walt 20. Robert and Renée Belfer professor of international relations at Harvard University and a columnist for Foreign Policy. Will a Global Depression Trigger Another World War? Foreign Policy. 5-13-2020. https://foreignpolicy.com/2020/05/13/coronavirus-pandemic-depression-economy-world-war/

On balance, however, I do not think that even the extraordinary economic conditions we are witnessing today are going to have much impact on the likelihood of war. Why? First of all, if depressions were a powerful cause of war, there would be a lot more of the latter. To take one example, the United States has suffered 40 or more recessions since the country was founded, yet it has fought perhaps 20 interstate wars, most of them unrelated to the state of the economy. To paraphrase the economist Paul Samuelson’s famous quip about the stock market, if recessions were a powerful cause of war, they would have *predicted* “nine out of the last five (or fewer).”

Second, states do not start wars unless they believe they will win a quick and relatively cheap victory. As John Mearsheimer showed in his classic book Conventional Deterrence, national leaders avoid war when they are convinced it will be long, bloody, costly, and uncertain. To choose war, political leaders have to convince themselves they can either win a quick, cheap, and decisive victory or achieve some limited objective at low cost. Europe went to war in 1914 with each side believing it would win a rapid and easy victory, and Nazi Germany developed the strategy of blitzkrieg in order to subdue its foes as quickly and cheaply as possible. Iraq attacked Iran in 1980 because Saddam believed the Islamic Republic was in disarray and would be easy to defeat, and George W. Bush invaded Iraq in 2003 convinced the war would be short, successful, and pay for itself.

The fact that each of these leaders miscalculated badly does not alter the main point: No matter what a country’s economic condition might be, its leaders will not go to war unless they think they can do so quickly, cheaply, and with a reasonable probability of success.

Third, and most important, the primary motivation for most wars is the desire for security, not economic gain. For this reason, the odds of war increase when states believe the long-term balance of power may be shifting against them, when they are convinced that adversaries are unalterably hostile and cannot be accommodated, and when they are confident they can reverse the unfavorable trends and establish a secure position if they act now. The historian A.J.P. Taylor once observed that “every war between Great Powers [between 1848 and 1918] … started as a preventive war, not as a war of conquest,” and that remains true of most wars fought since then.

The bottom line: Economic conditions (i.e., a depression) may affect the broader political environment in which decisions for war or peace are made, but they are only one factor among many and rarely the most significant. Even if the COVID-19 pandemic has large, lasting, and negative effects on the world economy—as seems quite likely—it is not likely to affect the probability of war very much, especially in the short term.

### AT: Warming---2NC

#### “Green Cap” discourse ensures pay-to-pollute by extracting commercial value from nature, conceals predatory practices.

Michael Schmidlehner 21. Research Nucleus on Work, Territory and Politics in Amazonia, Brazil. Analysing the Discourse of ‘Green’ Capitalism: The Meaning of Nature in ‘Nature-Based.’ World Rainforest Movement, Bulletin 255. 5-18-21. <https://wrm.org.uy/articles-from-the-wrm-bulletin/section1/analysing-the-discourse-of-green-capitalism-the-meaning-of-nature-in-nature-based/>

The discourse of ‘green’ capitalism

More recently new and somehow different discursive constructions have emerged. Twenty or thirty years ago terms such as sustainability, biodiversity or emission reduction were used to suggest a scientific foundation of projects. During the last ten years, however, more technically vague and audience-pleasing, business-friendly expressions have increasingly come to the fore.

‘Green economy’ was propagated ten years ago as a new economic model, including a huge range of technologies – from solar energy to carbon trade – conveying the general idea, that capitalist economy is not a problem, but the solution. (3) Likewise, the idea of ‘circular bioeconomy’ (4) evokes associations with the harmonic circle of life and promises to save the planet through valuation of ‘natural capital’ and a transition to the ‘butterfly economy.’ (5) Also recently, the idea of ‘nature-based solutions’ is intensively being promoted as a supposedly new model for combating climate change and providing “human well-being and biodiversity benefits.” (6) The massive introduction of such ecological-economical all-purpose terms indicates, that the ‘sustainable development’ discourse, as described by authors like Arturo Escobar in the 1990s, is now in a different new phase and that it would more aptly be described as the discourse of ‘green’ capitalism.

So what is the reason for this change? What are the new economic and power interests that demand the adaptation of the truth regime?

The typical sustainable development projects of the 1990s, following the motto “use it or lose it”, sought to make economic use of nature by physically extracting products from protected areas, like non-timber forest products (e.g. latex, brazil nuts) or ‘sustainably harvested’ timber. Projects in the last decade, by contrast, are increasingly driven by interests in environmental and climate compensation. By this logic, in protected areas, in order for them to serve as a pawn for destruction or pollution in other areas, any human interference with so-called ‘ecosystem services’ (e.g. carbon stockage, biodiversity preservation) that are to ‘compensate’ for destruction of the same ‘service’ elsewhere, must be minimised or interdicted. What distinguishes current projects from previous ones are new mechanisms of appropriation. Environmental and climate compensation extract commercial value from nature by ‘virtualizing’ it. The so-called ‘ecosystem services,’ once quantified, are considered interchangeable. By this means, without anything being physically extracted or produced, ‘financial assets’ are created from the land in the form of certificates.

The foundational logic of such projects is not only flawed (since pay-to-pollute is not a solution), (7) but also deeply inhumane, once it ultimately aims at the criminalization and eviction of traditional peoples from their land.

In order to conceal this hardly defensible underlying rationale and its flaws, the discursive production has to be split: On the one hand, there is the highly technical jargon in technical papers, largely incomprehensible to lay people, about assessing ‘anthropic impact’ (i.e. human-induced disturbances) in ecosystems, along with calculations of emissions or biodiversity losses supposedly reduced or avoided by a project. This discursive strand is understandable only for a small group of consultants and technicians tasked with making this new form of extraction happen.

On the other hand, for the broad public the superficial euphemistic discourse of ‘nature-based solutions’ is produced. Here, the romanticisation of untouched nature goes along with a happy talk about new solutions and ‘win-win’ situations. The win-win fantasy can easily be sustained for the general public, as long as the factual loss, the destruction of livelihoods that takes place, where the impacted subaltern communities are not in a position to make themselves heard, remains hidden.

An extensive study from Brazilian researchers (8) evidenced this kind of split in the context of a prominent REDD+ project in an Amazonian indigenous territory. (9) The technical descriptions of the project, in order to ‘prove’ that the project measures will avoid deforestation that otherwise would have taken place, depict the indigenous community as notorious forest-destroyers. This information is held on the back stage, or, as the authors put it, concealed in the ‘black box’ of expert language.

On the front stage – in popular YouTube videos, glossy brochures etc. – the narrative of the indigenous people as nature-loving forest guardians is exploited. While the forest-destroyer narrative is the technical requisite for selling ‘avoided emissions’ as carbon credits, the forest-guardian narrative is necessary in order to effectively greenwash the image of the buyer, in this case a large cosmetics industry.

The mechanisms of appropriation of nature for the purpose of environmental and climate compensation are so obscene and violent, and so far from contributing to the resolution of the crises, that the general public, if they were transparent, would not accept them.

Another effective strategy to hide something is to put it in a haystack. Terms like ‘green economy’ or ‘nature-based solutions’ cover a very wide range of initiatives, programmes and projects, blurring the distinctions between them. They function as an all-encompassing label that lumps predatory offset programmes together with initiatives such as urban building greening and small-scale agroecological projects. The use of a common label suggests that all these initiatives – despite some of them seem more ‘technically complex’ than others – strive in the same direction and must ultimately have the same goal, namely preservation of the environment and climate. The purely commercial interests that are driving the compensation projects and their exclusionary nature thus remain unrecognized by much of society.

The broadness of the new terms and the ‘positivity’ of the discourse serve to further neutralise critical voices. Those who reject these terms automatically fall into the disrepute of being against any constructive contribution and can therefore easily be excluded from the discussion as notorious ‘naysayers’.

The expression ‘nature-based’ conveys the idea that the supposedly new ‘solutions’ arise from a new relationship with nature, that humans are now coming to peace with nature and learning from it. Of course, the exclusionary and predatory character of the projects behind this term makes a mockery of this notion. But the expression ‘nature-based’ in the context of such projects reveals something more fundamental.