# 1NC

## OFF

### 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 replace 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.

### Cap K [Long]---1NC

#### 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.

#### Capitalism causes extinction.

Climate & Capitalism 10/24/21. Ecosocialist journal. "Ecosocialism Not Extinction!". Climate & Capitalism. 10-24-2021. https://climateandcapitalism.com/2021/10/24/ecosocialism-not-extinction/?utm\_source=rss&utm\_medium=rss&utm\_campaign=ecosocialism-not-extinction

COP 26 unfolds against a backdrop of growing climate chaos and ecological degradation, after an unprecedented summer of heatwaves, wildfires, and flooding events. Climate change is upon us, and we face multiple interlinked and inseparable crises- of climate, environment, extinction, economy and zoonotic diseases.

As ecosocialists we say another world is possible, but a massive social and political transformation is needed, requiring the mobilization of the mass of working people across the globe. Only the end of capitalism’s relentless pursuit of private profit, endless waste, and rapacious drive for growth, can provide the solution not only to climate change, environmental degradation, and mass extinction, but to global poverty, hunger, and hyper exploitation.

The big issues of climate change will be debated in Glasgow but whatever is agreed, capitalism can at best mitigate climate change, not stop it. Genuine climate solutions cannot be based on the very market system that created the problem. Only the organized working class, and the rural oppressed and First Nations of the global south -women and men – have the power to end capitalism, because their labour produces all wealth and they have no great fortune to lose if the system changes, no vested interests in inequality, exploitation, and private profit.

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

Carles MUNTANER ET AL. 15, MD, PhD, Professor in the Faculty of Nursing, Dalla Lana School of Public Health, and in the Department of Psychiatry, Faculty of Medicine, at the University of Toronto; Edwin Ng, PhD in Social Science and Health in the Dalla Lana School of Public Health; Haejoo Chung, associate professor in health policy at the Korea University College of Health Sciences; Seth J. Prins, PhD candidate in Epidemiology and a Psychiatric Epidemiology Training Program Fellow at Columbia University [“Two decades of Neo-Marxist class analysis and health inequalities: A critical reconstruction,” *Social Theory & Health*, Vol. 13, No. 3-4, Aug/Nov 2015, p. 267-287, Accessed Online through Emory Libraries]

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.

### Courts CP---1NC

#### The United States federal judiciary should increase prohibitions on newspaper joint operating agreements and those newspaper mergers that result in undue concentration in local markets

### States CP---1NC

#### The 50 states, territories and DC should uniformly:

#### should increase prohibitions on newspaper joint operating agreements and those newspaper mergers that result in undue concentration in local markets,

#### increase funding for-profit, nonprofit, and publicly funded news enterprises, digital start-ups, as well as newspapers, public and commercial broadcasting outlets, and ethnic media,

#### create and invest in an artificial intelligence-based counter-disinformation framework and require disinformation enforcement from private corporations,

#### and host a tiered democracy summit on issues including, but not limited to anticorruption, authoritarianism, and digitization.

#### Their evidence concedes it solves new deserts and media giant consolidation. [EMORY = BLUE]

Penelope Muse 1AC Abernathy 20, Knight Chair in Journalism and Digital Media Economics and UNC Hussman School of Journalism and Media, “News Deserts And Ghost Newspapers: Will Local News Survive?,” 2020, <https://www.usnewsdeserts.com/reports/news-deserts-and-ghost-newspapers-will-local-news-survive/> \*NOTE: The sections of this report are broken up into separate webpages. Consecutive sections have been combined in this card.

Consolidation also increased, with the largest chains, backed by private equity firms and hedge funds, racing to merge with the last surviving publicly traded companies and form mega-chains with hundreds of newspapers, and management focused on shareholder return over journalism’s civic duty.

Despite the efforts of other media, including commercial television and digital sites, to step into the breach, they have failed to thwart the rise of news deserts, especially in economically struggling regions of the country. Independent digital sites, once seen as potential saviors, are failing to achieve long-term financial security. While more than 80 local online sites were established in 2019, an equal number went dark.

Since then, the economic fallout from the coronavirus has turbo-charged the decline – with at least 30 newspapers closed or merged in April and May 2020, dozens of newspapers switching to online-only delivery of news, and thousands of journalists at legacy and digital news operations being furloughed or laid off.1 All of this raises anew fears of an “extinction-level event” that destroys many of the survivors and newcomers, and leads to the collapse of the country’s local news ecosystem.2

Even before the coronavirus crisis, it was apparent that the local news ecosystem was in peril, journalistically and economically.3 Some of the harm has been self-inflicted. An initial lethargy, or arrogance, at many newspapers hindered innovation and a quick response to a rapidly shifting environment. As the industry went into free fall, many newspaper owners also adopted the business practices introduced by the large private equity and hedge fund owners that prioritized bottom-line performance over journalism’s civic mission, dooming hundreds of news organizations to irrelevance. And there was a failure by both legacy news organizations, as well as digital start-ups, to use the new technology to reach out and engage audiences in new, more relevant ways and give voice to the voiceless, the disenfranchised – ethnic, poor and less educated – communities in the country.

However, much of the decline was inevitable, as the business model collapsed for news organizations and a viable substitute digital model has so far failed to emerge. There was an initial naiveté about the possibilities of the digital age that blinded policymakers, the industry and news consumers to the unintended political, economic and social consequences. Instead, the intrusive, always-on internet swiftly siphoned off readers, advertisers and profits. With Facebook and Google capturing the vast majority of digital revenue in many communities today, traditional news organizations, as well as online outlets, have been reduced to fighting over the digital scraps. The long-lasting recession of 2008 further weakened many news organizations – especially those in economically distressed communities, where many local businesses filed for bankruptcy and unemployment remained high, even as the stock market rallied. Without increased funding to support for-profit, nonprofit and publicly funded news enterprises, digital start-ups – as well as newspapers, public and commercial broadcasting outlets and ethnic media – have struggled to attain the strong financial footing necessary to experiment with and develop new business models that will allow them to adequately address the local news deficit.

#### Solves advantage 2.

Linda Slapakova 21. Analyst with RAND Europe in the area of defence and security, specializing in emerging technologies, emerging security and information threats, and defense workforce and personnel issues. "Towards an AI-Based Counter-Disinformation Framework." RAND Corporation. 03-29-2021. https://www.rand.org/blog/2021/03/towards-an-ai-based-counter-disinformation-framework.html

Priorities for Creating an AI-Based Counter-Disinformation Framework

The myriad opportunities for leveraging AI to counter disinformation may require stakeholders to consider actions for addressing the above-described challenges and barriers through regulatory, technology-oriented, and capacity-building measures. There are three key priorities towards which these measures could be oriented:

Government stakeholders could engage with platforms and technology developers to prioritise technology development towards strengthening the ability of AI models to recognise contextual nuance in social media discourse and adapt more rapidly to recognise novel pieces of disinformation. As RAND Europe's previous research highlighted, linguistic stance technologies can provide significant opportunities in this context through enhancing AI-based detection models by analysing potential false or misleading information in the context of the wider rhetorical battlefields of social media discourse.

The development of new technical, AI-based approaches for countering disinformation could be sufficiently 'future proof' in considering the potential impacts of an AI-based counter-disinformation framework on digital human rights such as freedom of expression online. It could also regard the adoption of AI as an enabler of a more comprehensive response to disinformation, rather than an isolated, overly technology-centric solution. Future efforts could therefore also focus on fostering societal resilience to information threats through digital literacy. This could include strengthening the understanding of social media users of the potential impacts of technologies such as AI on social media content and strengthening their ability to recognise malign information while engaging in informed discourse with others.

The integration of AI in counter-disinformation frameworks could go hand in hand with comprehensive organisational capacity-building. The adoption of more shallow but interpretable models can, for example, foster institutional capacity for using AI-based disinformation detection models. Beyond detection, institutions particularly in the public sector might explore specialised AI training for technical personnel to be able to leverage innovative AI-based solutions for countering disinformation.

### 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

### Sustainability CP---1NC

#### Text: The United States federal government should allow the continuation of newspaper joint operating agreements and those newspaper mergers that result in undue concentration in local markets under antitrust law only if the outcome of a sustainability assessment determines that the sustainability benefits of such practices outweigh the sustainability harms and issue guidance on such assessments.

#### It competes---the counterplan is a regulation not prohibition.

James Broaddus 50. February 6; Judge on the Kansas City Court of Appeals, Missouri; Westlaw, “City of Meadville v. Caselman,” 240 Mo. App. 1220. https://casetext.com/case/city-of-meadville-v-caselman-1

"Under power conferred on cities of the fourth class `to regulate and license' dramshops, there is no authority to wholly prohibit or suppress. Where there is mere power in a municipality to regulate in a state, with a general policy of conducting licensed saloons, authority to prohibit is excluded. The difference between regulation and prohibition is clear and well marked. The former contemplates the continuance of the subject-matter in existence or in activity. The latter implies its entire destruction or cessation.'" (Citing text writers and cases.)

#### The CP solves and it’s key to sustainability.

Cristina A. Volpin 20. Competition Expert at the OECD, July 2020. “Sustainability as a Quality Dimension of Competition: Protecting Our Future (Selves).” Antitrust Chronicle, July 2020. Volume 1(2). https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3917881

It is considered by many that sustainability considerations should not be taken into account by competition authorities when analyzing the effects of a con- duct or transaction. This short article maintains that the impact on sustainabil- ity of certain types of conduct or transactions can be considered in the anal- ysis of their price or non-price effects on quality, choice and innovation. This approach has the advantage of bringing sustainability considerations within the traditional competitive assessment framework, as opposed to character- izing them as public policy considerations that are outside the realm of com- petition law. This can be done by means of a relatively light fine-tuning of the current analytical toolbox and of the design of competition investigations, and it can help ensure that competition on sustainability, when it affects demand and supply in a particular market, is preserved.

#### Sustainability assessment enables biodiversity protection---failure to include it risks irreversible biodiversity loss.

Roman Inderst 22. Professor, Chair in Finance and Economics, Goethe-University, with Stefan Thomas, “Prospective welfare analysis: Extending willingness-to-pay assessment to embrace sustainability”, LawFin Working Paper, No. 29, Goethe University, Center for Advanced Studies on the Foundations of Law and Finance (LawFin). https://www.econstor.eu/bitstream/10419/249310/1/1786550814.pdf

Imagine that a competitive restraint resulting from a cooperation between firms helps to produce goods that preserve resources or protect biodiversity in the long run, albeit inflicting higher prices upon consumers immediately. While current consumers might value the contribution of these products to sustainability to some degree, the price increase might still exceed this amount, so that consumer surplus of this first cohort would decrease. If future consumers supposedly have the same preferences, this would not change this conclusion.2 Imagine now, however, that the valuation of these product characteristics by future consumers might be significantly higher, mirroring, e.g., an increased scarcity of resources, a further decline in biodiversity, or wider access to information about the environmental impact of specific goods or their production process. In fact, the willingness-to-pay (hereinafter WTP) found in such later consumers (including former consumers that have changed their WTP) might have risen so much that the price increase is now fully offset by the benefits of the cooperation. To block the competitive constraint for now and to reassess this decision in the future may, however, not be an option. For one, it may be unlikely that the particular case arises again and the willingness among firms to agree on sustainability measures might have vanished. Furthermore, current production and consumption may lead to irreversible processes, such as a loss in biodiversity, which may even deprive future consumers of the particular choice option so that the goal pursued by the sustainability agreement cannot be reached anymore.

Such possible repercussions are not addressed in the current practice of consumer welfare assessment. In this article, we argue that competitive assessment must open up towards the effects on surplus of future consumers and must thereby account for the possibility that these may have different preferences. Thereby, increasing concerns for sustainability can be reflected, without there being a full integration of externalities, including on those persons who are not even likely consumers of the considered products. We outline quantitative methods that can be applied to render this approach operable.

#### Biodiversity loss causes extinction.

Joe McCarthy 18. Staff Writer at Global Citizen, cites the U.N., with Erica Sánchez, 11/8/18. “Humans Could Face Extinction if We Don't Protect Biodiversity: UN.” https://www.globalcitizen.org/en/content/biodiversity-loss-human-extinction/

As the sixth mass extinction event accelerates around the world, engulfing thousands of animal and plant species, humans risk facing a similar fate unless drastic interventions are made, according to Cristiana Pașca Palmer, the United Nations biodiversity chief, who recently spoke with the Guardian.

Palmer said that within the next two years, countries have to develop an ambitious plan to conserve land, protect animals, and stop practices that are harming wildlife. This effort is equally as urgent as the Paris climate agreement’s goal of mitigating climate change, she said.

“The loss of biodiversity is a silent killer,” she told the Guardian. “It’s different from climate change, where people feel the impact in everyday life. With biodiversity, it is not so clear but by the time you feel what is happening, it may be too late.”

Next month, countries will meet in Sharm el Sheikh, Egypt, to begin mapping out what such a plan would like. Palmer hopes that a final version will be formalized in Beijing in 2020.

If a binding global treaty fails to materialize, then humanity faces an uncertain future, she said. Past efforts to stop the loss of biodiversity have not proved successful, according to the Guardian.

In recent years, evidence of this staggering loss has begun accumulating.

Wild animal populations have declined by 60% since 1970, more than 26,000 plants and animals are close to extinction, nearly two-thirds of the world’s wetlands and half of all rainforests have been destroyed, more than 87% of the world’s ocean area is dying, and the planet needs an estimated 5 million years to recover from the biodiversity loss it has already sustained.

“We are sleepwalking towards the edge of a cliff,” Mike Barrett, executive director of science and conservation at WWF, recently told the Guardian. “If there was a 60% decline in the human population, that would be equivalent to emptying North America, South America, Africa, Europe, China, and Oceania. That is the scale of what we have done.”

“This is far more than just being about losing the wonders of nature, desperately sad though that is,” he said. “This is actually now jeopardising the future of people. Nature is not a ‘nice to have’ — it is our life-support system.”

The benefits of biodiversity are hard to overstate. The food chain, climate systems, atmospheric conditions, natural resources, and much more depend on the delicately structured interactions of ecosystems around the world.

The truly wild places in the world, meanwhile, are crucial to generating, cleaning, and distributing water around the world, and could help to mitigate the looming water crisis. These landscapes and marine environments also clean the air and act as carbon sinks, stabilize the global environment, and protect countries from natural disasters.

In addition to climate change, the biggest threats to biodiversity are deforestation, agriculture, over-development, and industrial pollution.

While Palmer sounded an urgent alarm bell while speaking with the Guardian, she’s hopeful that countries will recognize the threat of biodiversity loss and begin to take action.

The UN is calling for at least 30% of all land and 15% of all marine environments to be protected by 2030 and for targets to be lifted in the following years.

“Things are moving. There is a lot of goodwill,” Palmer said. “We should be aware of the dangers but not paralysed by inaction. It’s still in our hands but the window for action is narrowing. We need higher levels of political and citizen will to support nature.”

### Biz Con DA---1NC

#### Anti-trust law can’t be distinguished in specific industries. It’s enforced in generalist common law unlike regulation.

Dr. William Rogerson 20, Charles E. and Emma H. Morrison Professor of Economics at Northwestern University, Ph.D. in Social Sciences from the California Institute of Technology, and Dr. Howard Shelanski, Ph.D. in Economics from University of California, Berkeley, Professor of Law at Georgetown University and Partner at Davis Polk & Wardwell LLP, JD from the UC Berkeley School of Law, BA from Haverford College, Former Clerk for Judge Stephen F. Williams of the U.S. Court of Appeals for the D.C. Circuit and Justice Antonin Scalia of the United States Supreme Court, Former Administrator of the White House Office of Information and Regulatory Affairs and Director of the Bureau of Economics at the Federal Trade Commission, Former Chief Economist of the Federal Communications Commission and Senior Economist for the President’s Council of Economic Advisers at the White House, “Antitrust Enforcement, Regulation, and Digital Platforms”, University of Pennsylvania Law Review, 168 U. Pa. L. Rev. 1911, June 2020, Lexis

I. GOING BEYOND ADJUDICATION FOR ANTITRUST ENFORCEMENT Antitrust statutes are primarily enforced in court, usually through the adjudication of specific cases or settlement against the backdrop of court-made antitrust doctrine. Indeed, despite statutory authority for the FTC to issue competition rules, and despite the technical complexity of many antitrust cases, antitrust enforcement and policy in the United States has evolved primarily through precedent developed by generalist courts, not specialized agencies. 18To be sure, the Department of Justice and the FTC influence policy through the investigations they pursue and the consent decrees they reach with parties. The FTC itself adjudicates some cases, although it does so largely according to law developed in the federal courts, to which parties can appeal any FTC decision. 19Academics and other commentators have also affected the evolution of antitrust in the United States, from supporting an economic, notably price-focused framework for U.S. competition policy to sparking a rethinking of that framework in contemporary debates. As the courts have absorbed such learning, antitrust doctrine has evolved over the decades through the push and pull of precedent across the United States judicial circuits, with the Supreme Court periodically stepping in to correct, clarify, or resolve differences among the lower federal courts. Commentators often cite antitrust as a rare example of "federal common law" in the U.S. system. 20 The adjudicatory model for implementing antitrust enforcement has several key attributes, which in turn have both advantages and disadvantages. We put aside for now the question of who is adjudicating--whether it be an expert tribunal or a court of general jurisdiction, for example--and focus on three characteristics of antitrust adjudication itself. A. Case-by-Case, Fact-Specific Approach Complexity of underlying issues aside, adjudication is well suited to settings in which applicability of the law is contingent on case-specific facts. With the exception of the limited conduct that the antitrust laws prohibit per se, courts review most business activities through a rule of reason, under which some conduct that is illegal in one set of circumstances is allowable in [\*1918] another. 21The inquiry into liability goes beyond whether particular conduct in fact occurred (which is the extent of the inquiry into conduct that is illegal per se) and extends into a balancing of the conduct's likely effects on competition. 22The more that liability is contingent on such case-specific facts, the more difficult it is to determine liability in advance of the conduct's having taken place. Adjudication typically occurs when conduct either is imminent or has already occurred, at which point the relevant facts as to the effects of the conduct are, in principle, more readily measured. 23Such "ex post" mechanisms of enforcement can reduce the risk of over-enforcement when compared to alternative approaches, like some forms of regulation, that spell out more comprehensively in advance what conduct is illegal. 24Reducing false positives, however, may or may not be a virtue--that calculation depends on the extent to which particular adjudicative institutions and processes under-enforce by allowing harmful conduct or transactions to slip through the liability screen. B. Slow, Usually Predictable Doctrinal Development A second attribute of the American adjudicatory process for antitrust is stability. While antitrust doctrine has occasionally swerved abruptly over the past century, the common-law process through which antitrust law has developed usually provides clear notice that a change is coming. As a recent example, the Supreme Court's shift in *Leegin Creative Leather Products, Inc. v. PSKS. Inc*. 25from per se liability to a rule of reason for resale price maintenance likely caught few observers by surprise. 26 Antitrust adjudication's stability, like its suitability for fact-dependent situations, is potentially double-edged. Antitrust jurisprudence can be slow to adjust to changes in economic learning or changes in the underlying economy that alter the effects of a particular kind of business conduct. For [\*1919] example, nearly thirty years ago the Supreme Court in Brooke Group v. Brown & Williamson Tobacco Corp. 27required that plaintiffs claiming predatory pricing show not only prices below some measure of incremental cost, but also that the defendant could recoup its losses. 28No plaintiff has prevailed in a predatory pricing case in a U.S. federal court since. 29That outcome might not be of concern were it the case that the Supreme Court's test accurately captures the incidence of predatory pricing. 30Economic research demonstrates, however, that predatory conduct does occur and does not depend on either below-cost pricing or recoupment. 31Predation is just one area in which court-made doctrine appears out of step with relevant economic facts and knowledge. To be sure, other forces could accelerate the common-law process of doctrinal development. For example, Congress could legislate changes to the scope, presumptions, and other parameters of antitrust law in ways that would immediately alter precedent and bind the courts going forward. 32 In practice, however, such intervention is rare and unlikely, making significant lags in doctrine a reality of antitrust adjudication in the courts. C. Market-Driven Case Selection In the United States, most adjudicative bodies do not select the cases that come before them. To be sure, courts have jurisdictional limitations that prevent them from hearing certain kinds of cases, and doctrines exist that allow courts to reject weak or poorly conceived complaints. Beyond those mechanisms, however, independent parties decide when and whether to pursue litigation as method of relief. One potential virtue of this separation between decisionmaking and case selection is that the market can drive the focus of judicial attention. Assuming the most widespread and most troublesome anticompetitive conduct will receive the greatest investment of litigation resources, that conduct will in turn receive the most adjudication and doctrinal development. [\*1920] Unfortunately, the separation between adjudication and case selection will not necessarily lead to an efficient match between judicial attention and the most pressing antitrust violations. In practice, even conduct that is clearly prohibited can persist when offenders think detection is difficult; one only has to look at the consistently high number of civil and criminal price fixing cases that wind up in court, even though that conduct has clearly been illegal per se for nearly a century. 33The most widespread anticompetitive conduct might not therefore be the conduct most in need of doctrinal development--it can be just the opposite, as the persistence of cartels demonstrates. 34Moreover, if the courts develop doctrine that needs revisiting, but that deters the government or private plaintiffs from filing cases, 35then the market for judicial attention to antitrust conduct will not work well dynamically; once doctrine is settled, there may be no mechanism outside of legislation or regulatory intervention to drive doctrinal change. We return to this issue below. D. Generalists versus Industry Experts Returning to an issue we put aside earlier, who is doing the adjudication can matter for substantive outcomes. In U.S. antitrust law, that adjudication has occurred, at least ultimately, in generalist federal courts. That institutional locus might well make sense given the wide variety of conduct, industries, and factual circumstances that antitrust cases present. However, as specific industries come to pose particular challenges for antitrust enforcement, the case for more specialized enforcement decisionmakers becomes stronger. Traditionally, where detailed, industry-specific knowledge is required to make sound competition policy decisions, Congress has assigned authority over those decisions, at least in part, to industry-specific regulatory agencies. Thus, the Securities and Exchange Commission has authority over competitive conduct in key financial sectors. 36The FCC has parallel authority with the Department of Justice (DOJ) over telecommunications mergers and sole authority to establish terms for competitive entry into various telecommunications markets. 37State [\*1921] regulators govern entry into hospital markets through Certifications of Public Need. 38The federal courts have increasingly safeguarded the domain of industry specific regulators over competition issues even when agency decisions might be in tension with antitrust law. 39 As antitrust enforcement focuses on distinct challenges posed by a particular industry, whether digital platforms, pharmaceuticals, or something else, expert and specialized knowledge becomes even more essential to making good enforcement decisions. Under current law and enforcement frameworks, there is no systematic way to bring such specialization into the ultimate adjudication of antitrust cases in industries not already covered by specific, competition-related, regulatory statutes. To be sure, the FTC and DOJ have divisions that specialize in various industrial sectors in which they have considerable expertise. Those divisions bring that expertise into their review of conduct and transactions, but neither the FTC nor DOJ has ultimate adjudicative authority over the cases they choose to litigate. The DOJ must go to federal court to seek enforcement. The FTC can opt for an administrative enforcement mechanism with the Commission itself sitting in appellate review of initial adjudication by an administrative law judge. The Commission's decision is, however, subject to review by federal appellate courts, which have not hesitated to reverse the agency's decisions. 40 The result is that, even when agencies have brought specific industry expertise into antitrust enforcement, doctrinal application and resolution still proceeds through the common-law process of adjudication by generalist judges. E. Tradeoffs Inherent in the Adjudicatory Approach to Antitrust As the foregoing discussion suggests, the ex post case-by-case approach, slow doctrinal evolution, and case selection mechanism of antitrust adjudication have potential advantages and disadvantages. The tradeoffs become particularly clear through the interaction of those three characteristics. [\*1922] Adjudication may mitigate the rate of false positives or false negatives obtained through enforcement, as proceeding case-by-case is less likely to bring about those results than are general rules that impose limits on business conduct in advance, regardless of specific circumstances. Broad ex ante specifications could prohibit beneficial or harmless conduct, and narrow ex ante specifications could fail to prevent anticompetitive practices. As a decisionmaking process moves from strict ex ante prescription to pure case-by-case adjudication, particular facts and circumstances increasingly predominate over generic categorization of conduct. 41In principle, the movement along that spectrum enables the decisionmaker to avoid under-inclusiveness or over-inclusiveness of categorical rules. 42 The extent to which an adjudicator actually succeeds in reducing enforcement errors in either direction depends on the doctrine and precedent through which it evaluates the case-specific evidence. Doctrine and precedent will determine how a court allocates burdens, prioritizes facts, and weighs presumptions in evaluating the legality of conduct. If precedent provides mistaken guidance on those factors, case-specific adjudication might do no better a job than ex ante prohibitions in avoiding errors or bias toward either under or over-enforcement. For this reason, the evolutionary pace of doctrinal development through antitrust adjudication is very important. Where that evolution has been toward convergence with state-of-the-art analysis and evidence as to the effects of conduct, doctrinal stability is a virtue. Reasonable people disagree over the Supreme Court's movement from per se illegality to rule of reason treatment of vertical price restraints, as Justice Breyer's dissent in Leegin demonstrates. 43 The decision in that case nonetheless drew on a body of legal and economic analysis that, over decades, had continually narrowed the application of per se rules to vertical conduct and led logically (even if some might argue incorrectly) to the majority's conclusion. 44Many commentators might therefore say Leegin is a good example of where the evolution of doctrine through adjudication worked well: stakeholders had notice and the doctrine moved in an internally consistent direction. While it is debatable whether the per se rule against restraints on [\*1923] intra-brand competition has in recent years led to over-enforcement, there is a good case that it had done so in the past, 45so that the doctrine plausibly moved in an error-reducing direction. However, where doctrine gets on the wrong track, the application of precedent will perpetuate rather than reduce enforcement errors. In the case of predation, for example, there is a good argument that, in the light of current economic knowledge, the Brooke Group decision has led to underenforcement. 46The potential case-by-case advantages of adjudication are lost where judicial precedent renders important facts and circumstances irrelevant. In such cases, the relatively slow process of doctrinal correction through common law evolution is harmful to sound antitrust enforcement. The discussion above shows that the error-reducing potential of a case-by-case, adjudicatory approach to antitrust enforcement depends heavily on the actual doctrine courts apply and on the process by which that doctrine evolves. Similarly, whether case selection in an adjudicatory approach in fact directs judicial attention to the conduct that most warrants oversight depends on existing doctrine and precedent. It may well be that the conduct doing the most harm is also the conduct for which the courts impose the highest burdens of proof on plaintiffs. The deterrent effect of those burdens likely leads to fewer cases than the conduct's actual effects warrant. 47Similarly, doctrine that too readily imposes liability could have the opposite effect: lower barriers for plaintiffs would lead to too many cases and more devotion of judicial resources than the conduct deserves. 48Like error-reduction, the distribution of antitrust cases brought for adjudication depends heavily on the state of the doctrine and on the ability of the common law process to correct course where necessary. The potential disadvantages of antitrust adjudication by generalist courts raise the question of whether a different approach might be preferable, specifically with regard to digital platforms. Digital platforms present relatively novel challenges. Considering the tenuous fit between some [\*1924] potential theories of harm and current antitrust doctrine, the complexity of the underlying technical issues in antitrust cases, and the interrelatedness of those issues and adjacent policy goals, a more informed, comprehensive approach coordinated by an expert regulatory agency might foster more advantages than does the exclusive resort to traditional antitrust adjudication. However, before we turn to the form such regulation might take, we briefly identify some general principles for such regulation.

#### Unpredictable legal shifts wreck business confidence.

Sarah Chaney Cambon 21, Reporter on The Wall Street Journal's Economics Team, BA in Business Journalism from the University of North Carolina-Chapel Hill, “Capital-Spending Surge Further Lifts Economic Recovery”, Wall Street Journal, 6/27/2021, https://www.wsj.com/articles/capital-spending-surge-further-lifts-economic-recovery-11624798800

Business investment is emerging as a powerful source of U.S. economic growth that will likely help sustain the recovery. Companies are ramping up orders for computers, machinery and software as they grow more confident in the outlook. Nonresidential fixed investment, a proxy for business spending, rose at a seasonally adjusted annual rate of 11.7% in the first quarter, led by growth in software and tech-equipment spending, according to the Commerce Department. Business investment also logged double-digit gains in the third and fourth quarters last year after falling during pandemic-related shutdowns. It is now higher than its pre-pandemic peak. Orders for nondefense capital goods excluding aircraft, another measure for business investment, are near the highest levels for records tracing back to the 1990s, separate Commerce Department figures show. “Business investment has really been an important engine powering the U.S. economic recovery,” said Robert Rosener, senior U.S. economist at Morgan Stanley. “In our outlook for the economy, it’s certainly one of the bright spots.” Consumer spending, which accounts for about two-thirds of economic output, is driving the early stages of the recovery. Americans, flush with savings and government stimulus checks, are spending more on goods and services, which they shunned for much of the pandemic. Robust capital investment will be key to ensuring that the recovery maintains strength after the spending boost from fiscal stimulus and business reopenings eventually fades, according to some economists. Rising business investment helps fuel economic output. It also lifts worker productivity, or output per hour. That metric grew at a sluggish pace throughout the last economic expansion but is now showing signs of resurgence. The recovery in business investment is shaping up to be much stronger than in the years following the 2007-09 recession. “The events especially in late ’08, early ’09 put a lot of businesses really close to the edge,” said Phil Suttle, founder of Suttle Economics. “I think a lot of them said, ‘We’ve just got to be really cautious for a long while.’” Businesses appear to be less risk-averse now, he said. After the financial crisis, businesses grew by adding workers, rather than investing in capital. Hiring was more attractive than capital spending because labor was abundant and relatively cheap. Now the supply of workers is tight. Companies are raising pay to lure employees. As a result, many firms have more incentive to grow by investing in capital. Economists at Morgan Stanley predict that U.S. capital spending will rise to 116% of prerecession levels after three years. By comparison, investment took 10 years to reach those levels once the 2007-09 recession hit. Company executives are increasingly confident in the economy’s trajectory. The Business Roundtable’s economic-outlook index—a composite of large companies’ plans for hiring and spending, as well as sales projections—increased by nine points in the second quarter to 116, just below 2018’s record high, according to a survey conducted between May 25 and June 9. In the second quarter, the share of companies planning to boost capital investment increased to 59% from 57% in the first. “We’re seeing really strong reopening demand, and a lot of times capital investment follows that,” said Joe Song, senior U.S. economist at BofA Securities. Mr. Song added that less uncertainty regarding trade tensions between the U.S. and China should further underpin business confidence and investment. “At the very least, businesses will understand the strategy that the Biden administration is trying to follow and will be able to plan around that,” he said.

#### Economic decline cascades and goes nuclear---their defense doesn’t assume post-COVID shifts.

Dr. Mathew Maavak 21, PhD in Risk Foresight from the Universiti Teknologi Malaysia, External Researcher (PLATBIDAFO) at the Kazimieras Simonavicius University, Expert and Regular Commentator on Risk-Related Geostrategic Issues at the Russian International Affairs Council, “Horizon 2030: Will Emerging Risks Unravel Our Global Systems?”, Salus Journal – The Australian Journal for Law Enforcement, Security and Intelligence Professionals, Volume 9, Number 1, p. 2-8

Various scholars and institutions regard global social instability as the greatest threat facing this decade. The catalyst has been postulated to be a Second Great Depression which, in turn, will have profound implications for global security and national integrity. This paper, written from a broad systems perspective, illustrates how emerging risks are getting more complex and intertwined; blurring boundaries between the economic, environmental, geopolitical, societal and technological taxonomy used by the World Economic Forum for its annual global risk forecasts. Tight couplings in our global systems have also enabled risks accrued in one area to snowball into a full-blown crisis elsewhere. The COVID-19 pandemic and its socioeconomic fallouts exemplify this systemic chain-reaction. Onceinexorable forces of globalization are rupturing as the current global system can no longer be sustained due to poor governance and runaway wealth fractionation. The coronavirus pandemic is also enabling Big Tech to expropriate the levers of governments and mass communications worldwide. This paper concludes by highlighting how this development poses a dilemma for security professionals. Key Words: Global Systems, Emergence, VUCA, COVID-9, Social Instability, Big Tech, Great Reset INTRODUCTION The new decade is witnessing rising volatility across global systems. Pick any random “system” today and chart out its trajectory: Are our education systems becoming more robust and affordable? What about food security? Are our healthcare systems improving? Are our pension systems sound? Wherever one looks, there are dark clouds gathering on a global horizon marked by volatility, uncertainty, complexity and ambiguity (VUCA). But what exactly is a global system? Our planet itself is an autonomous and selfsustaining mega-system, marked by periodic cycles and elemental vagaries. Human activities within however are not system isolates as our banking, utility, farming, healthcare and retail sectors etc. are increasingly entwined. Risks accrued in one system may cascade into an unforeseen crisis within and/or without (Choo, Smith & McCusker, 2007). Scholars call this phenomenon “emergence”; one where the behaviour of intersecting systems is determined by complex and largely invisible interactions at the substratum (Goldstein, 1999; Holland, 1998). The ongoing COVID-19 pandemic is a case in point. While experts remain divided over the source and morphology of the virus, the contagion has ramified into a global health crisis and supply chain nightmare. It is also tilting the geopolitical balance. China is the largest exporter of intermediate products, and had generated nearly 20% of global imports in 2015 alone (Cousin, 2020). The pharmaceutical sector is particularly vulnerable. Nearly “85% of medicines in the U.S. strategic national stockpile” sources components from China (Owens, 2020). An initial run on respiratory masks has now been eclipsed by rowdy queues at supermarkets and the bankruptcy of small businesses. The entire global population – save for major pockets such as Sweden, Belarus, Taiwan and Japan – have been subjected to cyclical lockdowns and quarantines. Never before in history have humans faced such a systemic, borderless calamity. COVID-19 represents a classic emergent crisis that necessitates real-time response and adaptivity in a real-time world, particularly since the global Just-in-Time (JIT) production and delivery system serves as both an enabler and vector for transboundary risks. From a systems thinking perspective, emerging risk management should therefore address a whole spectrum of activity across the economic, environmental, geopolitical, societal and technological (EEGST) taxonomy. Every emerging threat can be slotted into this taxonomy – a reason why it is used by the World Economic Forum (WEF) for its annual global risk exercises (Maavak, 2019a). As traditional forces of globalization unravel, security professionals should take cognizance of emerging threats through a systems thinking approach. METHODOLOGY An EEGST sectional breakdown was adopted to illustrate a sampling of extreme risks facing the world for the 2020-2030 decade. The transcendental quality of emerging risks, as outlined on Figure 1, below, was primarily informed by the following pillars of systems thinking (Rickards, 2020): • Diminishing diversity (or increasing homogeneity) of actors in the global system (Boli & Thomas, 1997; Meyer, 2000; Young et al, 2006); • Interconnections in the global system (Homer-Dixon et al, 2015; Lee & Preston, 2012); • Interactions of actors, events and components in the global system (Buldyrev et al, 2010; Bashan et al, 2013; Homer-Dixon et al, 2015); and • Adaptive qualities in particular systems (Bodin & Norberg, 2005; Scheffer et al, 2012) Since scholastic material on this topic remains somewhat inchoate, this paper buttresses many of its contentions through secondary (i.e. news/institutional) sources. ECONOMY According to Professor Stanislaw Drozdz (2018) of the Polish Academy of Sciences, “a global financial crash of a previously unprecedented scale is highly probable” by the mid- 2020s. This will lead to a trickle-down meltdown, impacting all areas of human activity. The economist John Mauldin (2018) similarly warns that the “2020s might be the worst decade in US history” and may lead to a Second Great Depression. Other forecasts are equally alarming. According to the International Institute of Finance, global debt may have surpassed $255 trillion by 2020 (IIF, 2019). Yet another study revealed that global debts and liabilities amounted to a staggering $2.5 quadrillion (Ausman, 2018). The reader should note that these figures were tabulated before the COVID-19 outbreak. The IMF singles out widening income inequality as the trigger for the next Great Depression (Georgieva, 2020). The wealthiest 1% now own more than twice as much wealth as 6.9 billion people (Coffey et al, 2020) and this chasm is widening with each passing month. COVID-19 had, in fact, boosted global billionaire wealth to an unprecedented $10.2 trillion by July 2020 (UBS-PWC, 2020). Global GDP, worth $88 trillion in 2019, may have contracted by 5.2% in 2020 (World Bank, 2020). As the Greek historian Plutarch warned in the 1st century AD: “An imbalance between rich and poor is the oldest and most fatal ailment of all republics” (Mauldin, 2014). The stability of a society, as Aristotle argued even earlier, depends on a robust middle element or middle class. At the rate the global middle class is facing catastrophic debt and unemployment levels, widespread social disaffection may morph into outright anarchy (Maavak, 2012; DCDC, 2007). Economic stressors, in transcendent VUCA fashion, may also induce radical geopolitical realignments. Bullions now carry more weight than NATO’s security guarantees in Eastern Europe. After Poland repatriated 100 tons of gold from the Bank of England in 2019, Slovakia, Serbia and Hungary quickly followed suit. According to former Slovak Premier Robert Fico, this erosion in regional trust was based on historical precedents – in particular the 1938 Munich Agreement which ceded Czechoslovakia’s Sudetenland to Nazi Germany. As Fico reiterated (Dudik & Tomek, 2019): “You can hardly trust even the closest allies after the Munich Agreement… I guarantee that if something happens, we won’t see a single gram of this (offshore-held) gold. Let’s do it (repatriation) as quickly as possible.” (Parenthesis added by author). President Aleksandar Vucic of Serbia (a non-NATO nation) justified his central bank’s gold-repatriation program by hinting at economic headwinds ahead: “We see in which direction the crisis in the world is moving” (Dudik & Tomek, 2019). Indeed, with two global Titanics – the United States and China – set on a collision course with a quadrillions-denominated iceberg in the middle, and a viral outbreak on its tip, the seismic ripples will be felt far, wide and for a considerable period. A reality check is nonetheless needed here: Can additional bullions realistically circumvallate the economies of 80 million plus peoples in these Eastern European nations, worth a collective $1.8 trillion by purchasing power parity? Gold however is a potent psychological symbol as it represents national sovereignty and economic reassurance in a potentially hyperinflationary world. The portents are clear: The current global economic system will be weakened by rising nationalism and autarkic demands. Much uncertainty remains ahead. Mauldin (2018) proposes the introduction of Old Testament-style debt jubilees to facilitate gradual national recoveries. The World Economic Forum, on the other hand, has long proposed a “Great Reset” by 2030; a socialist utopia where “you’ll own nothing and you’ll be happy” (WEF, 2016). In the final analysis, COVID-19 is not the root cause of the current global economic turmoil; it is merely an accelerant to a burning house of cards that was left smouldering since the 2008 Great Recession (Maavak, 2020a). We also see how the four main pillars of systems thinking (diversity, interconnectivity, interactivity and “adaptivity”) form the mise en scene in a VUCA decade. ENVIRONMENTAL What happens to the environment when our economies implode? Think of a debt-laden workforce at sensitive nuclear and chemical plants, along with a concomitant surge in industrial accidents? Economic stressors, workforce demoralization and rampant profiteering – rather than manmade climate change – arguably pose the biggest threats to the environment. In a WEF report, Buehler et al (2017) made the following pre-COVID-19 observation: The ILO estimates that the annual cost to the global economy from accidents and work-related diseases alone is a staggering $3 trillion. Moreover, a recent report suggests the world’s 3.2 billion workers are increasingly unwell, with the vast majority facing significant economic insecurity: 77% work in part-time, temporary, “vulnerable” or unpaid jobs. Shouldn’t this phenomenon be better categorized as a societal or economic risk rather than an environmental one? In line with the systems thinking approach, however, global risks can no longer be boxed into a taxonomical silo. Frazzled workforces may precipitate another Bhopal (1984), Chernobyl (1986), Deepwater Horizon (2010) or Flint water crisis (2014). These disasters were notably not the result of manmade climate change. Neither was the Fukushima nuclear disaster (2011) nor the Indian Ocean tsunami (2004). Indeed, the combustion of a long-overlooked cargo of 2,750 tonnes of ammonium nitrate had nearly levelled the city of Beirut, Lebanon, on Aug 4 2020. The explosion left 204 dead; 7,500 injured; US$15 billion in property damages; and an estimated 300,000 people homeless (Urbina, 2020). The environmental costs have yet to be adequately tabulated. Environmental disasters are more attributable to Black Swan events, systems breakdowns and corporate greed rather than to mundane human activity. Our JIT world aggravates the cascading potential of risks (Korowicz, 2012). Production and delivery delays, caused by the COVID-19 outbreak, will eventually require industrial overcompensation. This will further stress senior executives, workers, machines and a variety of computerized systems. The trickle-down effects will likely include substandard products, contaminated food and a general lowering in health and safety standards (Maavak, 2019a). Unpaid or demoralized sanitation workers may also resort to indiscriminate waste dumping. Many cities across the United States (and elsewhere in the world) are no longer recycling wastes due to prohibitive costs in the global corona-economy (Liacko, 2021). Even in good times, strict protocols on waste disposals were routinely ignored. While Sweden championed the global climate change narrative, its clothing flagship H&M was busy covering up toxic effluences disgorged by vendors along the Citarum River in Java, Indonesia. As a result, countless children among 14 million Indonesians straddling the “world’s most polluted river” began to suffer from dermatitis, intestinal problems, developmental disorders, renal failure, chronic bronchitis and cancer (DW, 2020). It is also in cauldrons like the Citarum River where pathogens may mutate with emergent ramifications. On an equally alarming note, depressed economic conditions have traditionally provided a waste disposal boon for organized crime elements. Throughout 1980s, the Calabriabased ‘Ndrangheta mafia – in collusion with governments in Europe and North America – began to dump radioactive wastes along the coast of Somalia. Reeling from pollution and revenue loss, Somali fisherman eventually resorted to mass piracy (Knaup, 2008). The coast of Somalia is now a maritime hotspot, and exemplifies an entwined form of economic-environmental-geopolitical-societal emergence. In a VUCA world, indiscriminate waste dumping can unexpectedly morph into a Black Hawk Down incident. The laws of unintended consequences are governed by actors, interconnections, interactions and adaptations in a system under study – as outlined in the methodology section. Environmentally-devastating industrial sabotages – whether by disgruntled workers, industrial competitors, ideological maniacs or terrorist groups – cannot be discounted in a VUCA world. Immiserated societies, in stark defiance of climate change diktats, may resort to dirty coal plants and wood stoves for survival. Interlinked ecosystems, particularly water resources, may be hijacked by nationalist sentiments. The environmental fallouts of critical infrastructure (CI) breakdowns loom like a Sword of Damocles over this decade. GEOPOLITICAL The primary catalyst behind WWII was the Great Depression. Since history often repeats itself, expect familiar bogeymen to reappear in societies roiling with impoverishment and ideological clefts. Anti-Semitism – a societal risk on its own – may reach alarming proportions in the West (Reuters, 2019), possibly forcing Israel to undertake reprisal operations inside allied nations. If that happens, how will affected nations react? Will security resources be reallocated to protect certain minorities (or the Top 1%) while larger segments of society are exposed to restive forces? Balloon effects like these present a classic VUCA problematic. Contemporary geopolitical risks include a possible Iran-Israel war; US-China military confrontation over Taiwan or the South China Sea; North Korean proliferation of nuclear and missile technologies; an India-Pakistan nuclear war; an Iranian closure of the Straits of Hormuz; fundamentalist-driven implosion in the Islamic world; or a nuclear confrontation between NATO and Russia. Fears that the Jan 3 2020 assassination of Iranian Maj. Gen. Qasem Soleimani might lead to WWIII were grossly overblown. From a systems perspective, the killing of Soleimani did not fundamentally change the actor-interconnection-interaction adaptivity equation in the Middle East. Soleimani was simply a cog who got replaced.

### FTC DA---1NC

#### Bedoya will be confirmed to the FTC now, but it’s narrow---his agenda is key to regulating FRT

Jessica Rich 11/18/21. Former director of the Federal Trade Commission’s (FTC) Bureau of Consumer Protection (BCP), Counsel at Kelley Drye LLP. “Some fireworks at Bedoya’s Senate confirmation hearing, but confirmation still seems likely.” Ad Law Access, 11-18-2021. https://www.adlawaccess.com/2021/11/articles/some-fireworks-at-bedoyas-senate-confirmation-hearing-but-confirmation-still-seems-likely/

On November 17, the Senate Commerce Committee held its eagerly-awaited hearing on the nomination of Alvaro Bedoya, a data privacy academic from Georgetown Law, to be FTC Commissioner. Bedoya is slated to replace Rohit Chopra, who departed the agency last month to become Director of the CFPB, and Bedoya’s appointment would once again give the Democrats a voting majority. In the run-up to his hearing, some have wondered – Can we expect Bedoya to provide Chair Khan with a reliable third vote for her agenda, or will he bring a more bipartisan approach to the agency? From his answers and demeanor at the hearing, the answer is probably…both.

First, a little table-setting: Bedoya’s nomination was considered along with three others – Jessica Rosenworcel for FCC Chair and two nominees for the Department of Commerce. The hearing was well-attended by Committee members, who directed the majority of their questions to Rosenworcel. (Yes, net neutrality, broadband access, and the “homework gap” all got more attention than privacy.) All four current FTC Commissioners attended the hearing in person, in a bipartisan show of support for Bedoya, though Bedoya attended remotely due to a recent exposure to COVID.

Here are some takeaways from Bedoya’s portion of the hearing.

He appears likely to be confirmed, even if largely along party lines. Although Senator Wicker made a reference to Bedoya’s “strident” views and Senators Lee, Cruz, and Sullivan slammed his “extremist” tweets (see below), most of the questions (from 18 Senators!) related to Bedoya’s area of expertise (privacy), where there is more alignment between the parties than in other areas. He handled the questions well, and repeatedly expressed support for collaboration and bipartisanship (e.g., specifically mentioning that he wants to work closely with Commissioner Wilson on privacy). Democrats have the votes (in the Committee and on the Senate floor), even if they ultimately have to call in V.P. Harris to break a tie.

He spoke about his nomination and the issues in personal and emotional terms. Bedoya highlighted that he and his family were welcomed into this country 34 years ago. He talked about his experience as a Senate staffer, learning about the terror and harm caused by stalking apps from a shelter for battered women. He realized then and believes now that “privacy is not just about data, it’s about people.” His goal as a Commissioner would be to make sure the FTC protects people, and to help both consumers and businesses manage the multiple crises facing the country – a COVID crisis, a privacy crisis, and a small business crisis.

He appears likely to vote with the majority on many (or most) issues. No big surprise here, but when asked his views about various issues, he consistently supported positions that Khan, Slaughter, and (his predecessor) Chopra have supported – federal privacy legislation, Magnuson-Moss privacy rulemaking if Congress doesn’t act, pushing back against the “unprecedented consolidation” that is forcing small businesses to close, streamlining the FTC’s rulemaking and subpoena processes, reducing the power of the platforms, and reining in tracking technologies like facial recognition. As to the latter, he said he would not support banning facial recognition technologies altogether, since some applications assist with benefits like public safety and healthcare. However, he would support banning facial recognition technologies that are hidden, that lack consent, or that collect, use, and share data without limits.

He’s a real-live privacy expert. He clearly has the credentials, starting with his work as a Senate staffer and continuing through his years at Georgetown Law as a professor and head of a privacy think tank. But he also quickly and confidently answered all questions related to privacy – from the need for privacy legislation generally, to his views on Senator Schatz’s “duty of loyalty” and Senator Markey’s proposal to amend COPPA, to the lines he would draw on facial recognition (see above).

He wrote some controversial tweets, and a number of Republicans seem poised to vote “no” on his confirmation. Senator Sullivan cited a tweet from Bedoya calling the 2016 Republican convention a “White Supremacist rally.” Cruz cited tweets about ICE as a “domestic surveillance agency” and a retweet involving critical race theory and white supremacy. He also called Bedoya a “left wing activist, bomb thrower, extremist, and provocateur.” Lee ran through a series of supposedly “yes or no” questions in rapid succession, and accused Bedoya of being evasive when he tried to qualify his responses. And Wicker referred to Bedoya’s “strident” views, as noted above. As to the tweets, Bedoya apologized, saying that it was “rhetoric” and that he would put aside any partisan views if he became Commissioner. However, these Senators (and perhaps other Republicans) seem poised to vote “no” on Bedoya’s confirmation, and some have said they plan to place a “hold” on the process, which could slow it down.

If confirmed, he could help reduce tensions at the Commission. With acrimony among the Commissioners currently at unprecedented levels (see our recent post here), adding Bedoya to the mix could help reduce the tensions (despite the tweets). He’s known to be collegial, he worked across the aisle as a Senate staffer, he repeatedly invoked bipartisanship at the hearing, and all of the sitting Commissioners (Democrats and Republicans) showed up at the hearing to support him. That augurs well for the dynamics at the Commission, even if the votes remain split along party lines.

We will continue to monitor progress on Bedoya’s nomination and post updates as they occur.

#### The plan triggers backlash to the FTC

Alison Jones 20. Professor of Law at King's College London, with William E. Kovacic – George Washington University, March, “Antitrust’s Implementation Blind Side: Challenges to Major Expansion of U.S. Competition Policy.” The Antitrust Bulletin. https://journals.sagepub.com/doi/full/10.1177/0003603X20912884

D. Political Backlash

As we have already indicated, the government’s prosecution of high stakes antitrust cases often inspires defendants to lobby elected officials to rein in the enforcement agency. Targets of cases that seek to impose powerful remedies have several possible paths to encourage politicians to blunt enforcement measures. One path is to seek intervention from the President. The Assistant Attorney General of the Antitrust Division serves at the will of the President, making DOJ policy dependent on the President’s continuing support. The White House ordinarily does not guide the Antitrust Division’s selection of cases, but there have been instances in which the President pressured the Division to alter course on behalf of a defendant, and did so successfully.125

The second path is to lobby the Congress. The FTC is called an “independent” regulatory agency, but Congress interprets independence in an idiosyncratic way.126 Legislators believe independence means insulation from the executive branch, not from the legislature. The FTC is dependent on a good relationship with Congress, which controls its budget and can react with hostility, and forcefully, when it disapproves of FTC litigation—particularly where it adversely affects the interests of members’ constituents. Controversial and contested cases may consequently be derailed or muted if political support for them wanes and politicians become more sympathetic to commercial interests. The FTC’s sometimes tempestuous relationship with Congress demonstrates that political coalitions favoring bold enforcement can be volatile, unpredictable, and evanescent.127 If the FTC does not manage its relationship with Congress carefully, its litigation opponents may mobilize legislative intervention that causes ambitious enforcement measures to the founder.

Imagine, for a moment, that the DOJ and the FTC launch monopolization cases against each of the GAFA giants. Among other grounds, these cases might be premised on the theory that the firms used mergers to accumulate and protect positions of dominance. The GAFA firms have received unfavorable scrutiny from legislators from both political parties over the past few years, but the current wave of political opprobrium is unlikely to discourage the firms from bringing their formidable lobbying resources to bear upon the Congress. It would be hazardous for the enforcement agencies to assume that a sustained, well-financed lobbying campaign will be ineffective. At a minimum, the agencies would need to consider how many battles they can fight at one time, and how to foster a countervailing coalition of business interests to oppose the defendants.

#### That derails Bedoya’s nomination

Kathleen Murphy 21. Senior reporter at FTC Watch, 11/1/21. “Bedoya’s confirmation hearing draws closer,” FTC Watch. https://www.mlexwatch.com/articles/13940/print?section=ftcwatch

When Alvaro Bedoya, President Joe Biden’s nominee to the Federal Trade Commission, faces US senators, he will be asked about his scholarly views on privacy. But the hearing also gives senators a chance to assess the agenda of the last FTC nominee they confirmed, Chair Lina Khan.

The Senate Commerce, Science and Transportation Committee is set to consider Bedoya’s nomination, although no hearing date has been set. It’s most likely to occur the week of Nov. 15 or early December, based on the 2021 Senate calendar.

Serving on the FTC means Bedoya, a Georgetown University professor and former congressional lawyer, would end a 2-2 split and give Democrats a majority to implement the chair’s policies. Bedoya, founding director of the Center on Privacy & Technology at Georgetown Law, would replace former Commissioner Rohit Chopra who left Oct. 8 to serve as director of the Consumer Financial Protection Bureau.

Biden nominated Bedoya in mid-September. Khan, meanwhile, started serving as FTC chair in mid-June after an 83-day confirmation process. (See FTCWatch, No. 1002, March 29, 2021.)

‘99% about FTC Chair Lina Khan’

Michael Keeley, co-chair of the antitrust practice at Axinn, Veltrop & Harkrider, tweeted: “Bedoya confirmation is going to be 99% about FTC Chair Lina Khan, and 1% to do with Alvaro Bedoya. (And hopefully 0% about the Vertical Merger Guidelines.)”

Keeley said he expects the focus of the hearing to be assessing the wisdom of the policies being pursued by Khan.

“One area that might come up will be the number of steps the commission has been taking already to try to discourage mergers generally, which is consistent with the policies that were pursued and announced by the administration,” Keeley said in an interview. Confirmation hearings are useful for antitrust lawyers, Keeley said, because it’s “always good to understand the priorities that an enforcer believes in and to have them engage with senators on tough questions.”

Bedoya’s expertise

Bedoya, who is a naturalized US citizen born in Peru, has focused his work on the impact of surveillance and commercial data collection on immigrants and people of color. He has written about police use of facial recognition and oversaw the Center’s investigation that showed most American adults are enrolled in police face recognition databases that suffer from race and gender bias. Advocacy groups, such as anti-monopoly and civil rights organizations, urged the Senate to confirm Bedoya swiftly.

The antitrust views of Bedoya, a Yale Law School graduate, are less spelled out, offering another avenue of inquiry for senators. Republican senators are expected to examine how closely Bedoya will mirror the priorities Khan has established.

#### Bad FRT causes democratic backsliding---proactive US regulation is key

Andrea Kendall-Taylor et. al 20. Senior fellow and director of the Transatlantic Security Program at the Center for a New American Security, co-author of Democracies and Authoritarian Regimes, with Erica Frantz - Assistant Professor of Political Science at Michigan State University, and Joseph Wright - Professor of Political Science at Pennsylvania State University, March/April 2020. “The Digital Dictators,” Foreign Affairs. <https://www.foreignaffairs.com/articles/china/2020-02-06/digital-dictators>

THE CHINA MODEL

The advancement of AI-powered surveillance is the most significant evolution in digital authoritarianism. High-resolution cameras, facial recognition, spying malware, automated text analysis, and big-data processing have opened up a wide range of new methods of citizen control. These technologies allow governments to monitor citizens and identify dissidents in a timely—and sometimes even preemptive—manner.

No regime has exploited the repressive potential of AI quite as thoroughly as the one in China. The Chinese Communist Party collects an incredible amount of data on individuals and businesses: tax returns, bank statements, purchasing histories, and criminal and medical records. The regime then uses ai to analyze this information and compile “social credit scores,” which it seeks to use to set the parameters of acceptable behavior and improve citizen control. Individuals or companies deemed “untrustworthy” can find themselves excluded from state-sponsored benefits, such as deposit-free apartment rentals, or banned from air and rail travel. Although the ccp is still honing this system, advances in big-data analysis and decision-making technologies will only improve the regime’s capacity for predictive control, what the government calls “social management.”

China also demonstrates the way digital repression aids the physical variety—on a mass scale. In Xinjiang, the Chinese government has detained more than a million Uighurs in “reeducation” camps. Those not in camps are stuck in cities where neighborhoods are surrounded by gates equipped with facial recognition software. That software determines who may pass, who may not, and who will be detained on sight. China has collected a vast amount of data on its Uighur population, including cell phone information, genetic data, and information about religious practices, which it aggregates in an attempt to stave off actions deemed harmful to public order or national security.

New technologies also afford Chinese officials greater control over members of the government. Authoritarian regimes are always vulnerable to threats from within, including coups and high-level elite defections. With the new digital tools, leaders can keep tabs on government officials, gauging the extent to which they advance regime objectives and rooting out underperforming officials who over time can tarnish public perception of the regime. For example, research has shown that Beijing avoids censoring citizens’ posts about local corruption on Weibo (the Chinese equivalent of Twitter) because those posts give the regime a window into the performance of local officials.

In addition, the Chinese government deploys technology to perfect its systems of censorship. AI, for example, can sift through massive amounts of images and text, filtering and blocking content that is unfavorable to the regime. As a protest movement heated up in Hong Kong last summer, for example, the Chinese regime simply strengthened its “Great Firewall,” removing subversive content from the Internet in mainland China almost instantaneously. And even if censorship fails and dissent escalates, digital autocracies have an added line of defense: they can block all citizens’ access to the Internet (or large parts of it) to prevent members of the opposition from communicating, organizing, or broadcasting their messages. In Iran, for example, the government successfully shut down the Internet across the country amid widespread protests last November.

Although China is the leading player in digital repression, autocracies of all stripes are looking to follow suit. The Russian government, for example, is taking steps to rein in its citizens’ relative freedom online by incorporating elements of China’s Great Firewall, allowing the Kremlin to cut off the country’s Internet from the rest of the world. Likewise, Freedom House reported in 2018 that several countries were seeking to emulate the Chinese model of extensive censorship and automated surveillance, and numerous officials from autocracies across Africa have gone to China to participate in “cyberspace management” training sessions, where they learn Chinese methods of control.

THE VELVET GLOVE

Today’s technologies not only make it easier for governments to repress critics; they also make it easy to co-opt them. Tech-powered integration between government agencies allows the Chinese regime to more precisely control access to government services, so that it can calibrate the distribution—or denial—of everything from bus passes and passports to jobs and access to education. The nascent social credit system in China has the effect of punishing individuals critical of the regime and rewarding loyalty. Citizens with good social credit scores benefit from a range of perks, including expedited overseas travel applications, discounted energy bills, and less frequent audits. In this way, new technologies help authoritarian regimes fine-tune their use of reward and refusal, blurring the line between co-option and coercive control.

Dictatorships can also use new technologies to shape public perception of the regime and its legitimacy. Automated accounts (or “bots”) on social media can amplify influence campaigns and produce a flurry of distracting or misleading posts that crowd out opponents’ messaging. This is an area in which Russia has played a leading role. The Kremlin floods the Internet with pro-regime stories, distracting online users from negative news, and creates confusion and uncertainty through the spread of alternative narratives.

Maturing technologies such as so-called microtargeting and deepfakes—digital forgeries impossible to distinguish from authentic audio, video, or images—are likely to further boost the capacity of authoritarian regimes to manipulate their citizens’ perceptions. Microtargeting will eventually allow autocracies to tailor content for specific individuals or segments of society, just as the commercial world uses demographic and behavioral characteristics to customize advertisements. Ai-powered algorithms will allow autocracies to microtarget individuals with information that either reinforces their support for the regime or seeks to counteract specific sources of discontent. Likewise, the production of deepfakes will make it easier to discredit opposition leaders and will make it increasingly difficult for the public to know what is real, sowing doubt, confusion, and apathy.

Digital tools might even help regimes make themselves appear less repressive and more responsive to their citizens. In some cases, authoritarian regimes have deployed new technologies to mimic components of democracy, such as participation and deliberation. Some local Chinese officials, for example, are using the Internet and social media to allow citizens to voice their opinions in online polls or through other digitally based participatory channels. A 2014 study by the political scientist Rory Truex suggested that such online participation enhanced public perception of the ccp among less educated citizens. Consultative sites, such as the regime’s “You Propose My Opinion” portal, make citizens feel that their voices matter without the regime having to actually pursue genuine reform. By emulating elements of democracy dictatorships can improve their attractiveness to citizens and deflate the bottom-up pressure for change.

DURABLE DIGITAL AUTOCRACIES

As autocracies have learned to co-opt new technologies, they have become a more formidable threat to democracy. In particular, today’s dictatorships have grown more durable. Between 1946 and 2000—the year digital tools began to proliferate—the typical dictatorship ruled for around ten years. Since 2000, this number has more than doubled, to nearly 25 years.

Not only has the rising tide of technology seemingly benefited all dictatorships, but our own empirical analysis shows that those authoritarian regimes that rely more heavily on digital repression are among the most durable. Between 2000 and 2017, 37 of the 91 dictatorships that had lasted more than a year collapsed; those regimes that avoided collapse had significantly higher levels of digital repression, on average, than those that fell. Rather than succumb to what appeared to be a devastating challenge to their power—the emergence and spread of new technologies—many dictatorships leverage those tools in ways that bolster their rule.

Although autocracies have long relied on various degrees of repression to support their objectives, the ease with which today’s authoritarian regimes can acquire this repressive capacity marks a significant departure from the police states of the past. Building the effectiveness and pervasiveness of the East German Stasi, for example, was not something that could be achieved overnight. The regime had to cultivate the loyalty of thousands of cadres, training them and preparing them to engage in on-the-ground surveillance. Most dictatorships simply do not have the ability to create such a vast operation. There was, according to some accounts, one East German spy for every 66 citizens. The proportion in most contemporary dictatorships (for which there are data) pales in comparison. It is true that in North Korea, which ranks as possibly the most intense police state in power today, the ratio of internal security personnel and informants to citizens is 1 to 40—but it was 1 to 5,090 in Iraq under Saddam Hussein and 1 to 10,000 in Chad under Hissene Habre. In the digital age, however, dictatorships don’t need to summon immense manpower to effectively surveil and monitor their citizens.

Instead, aspiring dictatorships can purchase new technologies, train a small group of officials in how to use them—often with the support of external actors, such as China—and they are ready to go. For example, Huawei, a Chinese state-backed telecommunications firm, has deployed its digital surveillance technology in over a dozen authoritarian regimes. In 2019, reports surfaced that the Ugandan government was using it to hack the social media accounts and electronic communications of its political opponents. The vendors of such technologies don’t always reside in authoritarian countries. Israeli and Italian firms have also sold digital surveillance software to the Ugandan regime. Israeli companies have sold espionage and intelligence-gathering software to a number of authoritarian regimes across the world, including Angola, Bahrain, Kazakhstan, Mozambique, and Nicaragua. And U.S. firms have exported facial recognition technology to governments in Saudi Arabia and the United Arab Emirates.

A SLIPPERY SLOPE

As autocracies last longer, the number of such regimes in place at any point in time is likely to increase, as some countries backslide on democratic rule. Although the number of autocracies globally has not risen substantially in recent years, and more people than ever before live in countries that hold free and fair elections, the tide may be turning. Data collected by Freedom House show, for example, that between 2013 and 2018, although there were three countries that transitioned from “partly free” to “free” status (the Solomon Islands, Timor-Leste, and Tunisia), there were seven that experienced the reverse, moving from a status of “free” to one of “partly free” (the Dominican Republic, Hungary, Indonesia, Lesotho, Montenegro, Serbia, and Sierra Leone).

The risk that technology will usher in a wave of authoritarianism is all the more concerning because our own empirical research has indicated that beyond buttressing autocracies, digital tools are associated with an increased risk of democratic backsliding in fragile democracies. New technologies are particularly dangerous for weak democracies because many of these digital tools are dual use: technology can enhance government efficiency and provide the capacity to address challenges such as crime and terrorism, but no matter the intentions with which governments initially acquire such technology, they can also use these tools to muzzle and restrict the activities of their opponents.

Pushing back against the spread of digital authoritarianism will require addressing the detrimental effects of new technologies on governance in autocracies and democracies alike. As a first step, the United States should modernize and expand legislation to help ensure that U.S. entities are not enabling human rights abuses. A December 2019 report by the Center for a New American Security (where one of us is a senior fellow) highlights the need for Congress to restrict the export of hardware that incorporates AI-enabled biometric identification technologies, such as facial, voice, and gait recognition; impose further sanctions on businesses and entities that provide surveillance technology, training, or equipment to authoritarian regimes implicated in human rights abuses; and consider legislation to prevent U.S. entities from investing in companies that are building ai tools for repression, such as the Chinese ai company SenseTime.

The U.S. government should also use the Global Magnitsky Act, which allows the U.S. Treasury Department to sanction foreign individuals involved in human rights abuses, to punish foreigners who engage in or facilitate Ai-powered human rights abuses. Ccp officials responsible for atrocities in Xinjiang are clear candidates for such sanctions.

U.S. government agencies and civil society groups should also pursue actions to mitigate the potentially negative effects of the spread of surveillance technology, especially in fragile democracies. The focus of such engagement should be on strengthening the political and legal frameworks that govern how surveillance technologies are used and building the capacity of civil society and watchdog organizations to check government abuse.

What is perhaps most critical, the United States must make sure it leads in AI and helps shape global norms for its use in ways that are consistent with democratic values and respect for human rights. This means first and foremost that Americans must get this right at home, creating a model that people worldwide will want to emulate. The United States should also work in conjunction with like-minded democracies to develop a standard for digital surveillance that strikes the right balance between security and respect for privacy and human rights. The United States will also need to work closely with like-minded allies and partners to set and enforce the rules of the road, including by restoring U.S. leadership in multilateral institutions such as the United Nations.

AI and other technological innovations hold great promise for improving everyday lives, but they have indisputably strengthened the grip of authoritarian regimes. The intensifying digital repression in countries such as China offers a bleak vision of ever-expanding state control and ever-shrinking individual liberty.

But that need not be the only vision. In the near term, rapid technological change will likely produce a cat-and-mouse dynamic as citizens and governments race to gain the upper hand. If history is any guide, the creativity and responsiveness of open societies will in the long term allow democracies to more effectively navigate this era of technological transformation. Just as today’s autocracies have evolved to embrace new tools, so, too, must democracies develop new ideas, new approaches, and the leadership to ensure that the promise of technology in the twenty-first century doesn’t become a curse.

#### Nuke war

Dr. Larry Diamond 19. Professor of Political Science and Sociology at Stanford University, Senior Fellow at the Hoover Institution, Senior Fellow at the Freeman Spogli Institute for International Studies, PhD in Sociology from Stanford University, Ill Winds: Saving Democracy from Russian Rage, Chinese Ambition, and American Complacency, p. 199-202

The most obvious response to the ill winds blowing from the world’s autocracies is to help the winds of freedom blowing in the other direction. The democracies of the West cannot save themselves if they do not stand with democrats around the world.

This is truer now than ever, for several reasons. We live in a globalized world, one in which models, trends, and ideas cascade across borders. Any wind of change may gather quickly and blow with gale force. People everywhere form ideas about how to govern—or simply about which forms of government and sources of power may be irresistible—based on what they see happening elsewhere. We are now immersed in a fierce global contest of ideas, information, and norms. In the digital age, that contest is moving at lightning speed, shaping how people think about their political systems and the way the world runs. As doubts about and threats to democracy are mounting in the West, this is not a contest that the democracies can afford to lose.

Globalization, with its flows of trade and information, raises the stakes for us in another way. Authoritarian and badly governed regimes increasingly pose a direct threat to popular sovereignty and the rule of law in our own democracies. Covert flows of money and influence are subverting and corrupting our democratic processes and institutions. They will not stop just because Americans and others pretend that we have no stake in the future of freedom in the world. If we want to defend the core principles of self-government, transparency, and accountability in our own democracies, we have no choice but to promote them globally.

It is not enough to say that dictatorship is bad and that democracy, however flawed, is still better. Popular enthusiasm for a lesser evil cannot be sustained indefinitely. People need the inspiration of a positive vision. Democracy must demonstrate that it is a just and fair political system that advances humane values and the common good.

To make our republics more perfect, established democracies must not only adopt reforms to more fully include and empower their own citizens. They must also support people, groups, and institutions struggling to achieve democratic values elsewhere. The best way to counter Russian rage and Chinese ambition is to show that Moscow and Beijing are on the wrong side of history; that people everywhere yearn to be free; and that they can make freedom work to achieve a more just, sustainable, and prosperous society.

In our networked age, both idealism and the harder imperatives of global power and security argue for more democracy, not less. For one thing, if we do not worry about the quality of governance in lower-income countries, we will face more and more troubled and failing states. Famine and genocide are the curse of authoritarian states, not democratic ones. Outright state collapse is the ultimate, bitter fruit of tyranny. When countries like Syria, Libya, and Afghanistan descend into civil war; when poor states in Africa cannot generate jobs and improve their citizens’ lives due to rule by corrupt and callous strongmen; when Central American societies are held hostage by brutal gangs and kleptocratic rulers, people flee—and wash up on the shores of the democracies. Europe and the United States cannot withstand the rising pressures of immigration unless they work to support better, more stable and accountable government in troubled countries. The world has simply grown too small, too flat, and too fast to wall off rotten states and pretend they are on some other planet.

Hard security interests are at stake. As even the Trump administration’s 2017 National Security Strategy makes clear, the main threats to U.S. national security all stem from authoritarianism, whether in the form of tyrannies from Russia and China to Iran and North Korea or in the guise of antidemocratic terrorist movements such as ISIS.1 By supporting the development of democracy around the world, we can deny these authoritarian adversaries the geopolitical running room they seek. Just as Russia, China, and Iran are trying to undermine democracies to bend other countries to their will, so too can we contain these autocrats’ ambitions by helping other countries build effective, resilient democracies that can withstand the dictators’ malevolence.

Of course, democratically elected governments with open societies will not support the American line on every issue. But no free society wants to mortgage its future to another country. The American national interest would best be secured by a pluralistic world of free countries—one in which autocrats can no longer use corruption and coercion to gobble up resources, alliances, and territory.

If you look back over our history to see who has posed a threat to the United States and our allies, it has always been authoritarian regimes and empires. As political scientists have long noted, no two democracies have ever gone to war with each other—ever. It is not the democracies of the world that are supporting international terrorism, proliferating weapons of mass destruction, or threatening the territory of their neighbors.

For all these reasons, we need a new global campaign for freedom. Everything I am proposing in this book plays a role in that campaign, but in this chapter, I am concerned more narrowly with the ways that we can directly advance democracy, human rights, and the rule of law in the twenty-first-century world.

As with any policy area, many of the challenges can be somewhat technical, requiring smart design and the careful management of programs and institutions. Those operational debates I leave for another venue. Here, I make a more basic case for four imperatives. First, we must support the democrats of the world—the people and organizations struggling to create and improve free and accountable government. Second, we must support struggling and developing democracies, helping them to grow their economies and strengthen their institutions. Third, we must pressure authoritarian regimes to stop abusing the rights and stealing the resources of their citizens, including by imposing sanctions on dictators to make them think hard about their choices and separate them from both their supporters and the people at large. Finally, we need to reboot our public diplomacy—our global networks of information and ideas—for today’s fast-paced age of information and disinformation. For the sake of both our interests and our values, we need a foreign policy that puts a high priority on democracy, human rights, and the rule of law.

## Advantage 1

### AT: Populism---1NC

#### Other countries authoritarian governments don’t care about the US losing local newspapers---they have no idea that Maryland’s local newspaper was lost as a result of consolidation!

#### Crisis globally they don’t solve---alt causes.

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.

#### More alt causes.

\*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.

### AT: Default---1NC

#### No link to default risks---Gao says there is an association between reporting and accountability, NOT that it’s key! Corruption is also low-scale---it cites Bell, California---that’s not key to overall capital.

#### More newspapers don’t solve climate infrastructure---resisted by the US and other countries outweigh.

### AT: Mega-cities---1NC

#### Squo solves megacity sustainability.

Augustine **Quek**, reporter @ Scientific American, PhD. Civil and Environmental Engineering (National University of Singapore), 7-10-**2018**, https://blogs.scientificamerican.com/observations/innovavations-from-the-energy-and-environmental-sustainability-solutions-for-megacities-program/

Urban populations have grown unabated since the advent of cities. Some urban centers have such high populations (> 10 million) that the term, megacity, is used. The impact of megacities on the natural environment has reached unprecedented scales in human history. Growing resource and energy consumption, with corresponding waste generation, has exerted a toll on the regional and planetary environment. Overexploitation of natural resources, air and water pollution and solid waste mismanagement are undermining sustainability in many cities. For example, the United Nations estimated that cities consume about 75 percent of globally generated power, which produce 70 percent of anthropogenic greenhouse gas emissions. The problems are expected to exacerbate by 2050, when two-thirds of the world’s population is projected to live in cities. Therefore, sustainable urban solutions are required. Researchers of various disciplines in the Energy and Environmental Sustainability Solutions for Megacities (E2S2) program—a collaboration between Shanghai Jiao Tong University, in China, and the National University of Singapore—have conducted research and data collection in two cities of different size and complexity, the megacity of Shanghai and land-scarce Singapore. A major problem in both cities involves the incineration of food waste, which comprises more than 22 percent of incinerable waste but is only 16 percent recycled in Singapore. E2S2 found solutions that coupled the problem of waste management with energy and material production. These include a high-efficiency three-stage anaerobic digester (AD) that converts food waste to biogas, and a high-solids anaerobic digester that is water-efficient. We have developed gasification technology that can convert solid wastes and the digestates from the AD process into syngas and biochar. Pilot tests are now being run at eateries in Singapore to prove the feasibility of AD in an urban environment. Other solutions include technologies for using low-quality waste heat in adsorptive cooling and dehumidification, wireless air-quality sensor network and monitoring of emerging contaminants in reservoirs in real-time, by a network of water drones. Studies were also done on toxicology and risks assessments for contaminants in air, water and land environments in the city. These sustainable solutions are applicable for Singapore and other megacities in Asia and around the world, to provide a clean and healthy urban environment, while maintaining environmental sustainability.

#### Nothing makes now unique---Shaker is citing 2008 data.

#### Alt causes to mega-cities. Emory = blue.

Dr. Julian Cribb 19, Adjunct Professor of Science Communication at the University of Technology Sydney and Fellow of the Australian Academy of Technological Sciences and Engineering (ATSE), Principal of Julian Cribb & Associates, “6 - Food as an Existential Risk”, in Food or War, Cambridge University Press

As will be explained in more detail in Chapter 8 these vast cities are disasters-in-waiting. They suffer from a range of vulnerabilities insufficiently acknowledged by urban planners and governments. These include the fact that not one of the world’s great cities can feed itself – all rely on fragile transport chains to deliver their daily food. They are also intensely reliant on imported energy and water, and any large-scale failure of either would cause chaos. By virtue of their close-packed, cheerfully fornicating humanity and their function as global travel hubs, they are ideal bioreactors for breeding and distributing epidemic diseases and new plagues. Low-lying cities are especially susceptible to climatic impacts, such as exceptional floods, sea-level rise and superstorm damage. And finally, they present attractive targets to those wielding weapons of mass destruction, whether governments or terrorists. The more their populations grow towards the mid century, the more vulnerable these gigantic conurbations become, and the more likely that we will witness megacity collapses.

Megacity failure is hard to predict, though it is not hard to identify those cities which are more at risk than others. However, the timing of a collapse depends on so many variables – politics, weather, resources, wars – that it is difficult accurately to predict the onset of particular urban crises. Suffice to say that even a single megacity collapse nevertheless represents a significant existential risk to humanity at large, as the failure of one of these gigantic metropolises, consisting of tens of millions of people, would set off domino consequences for the global economy and all its neighbours in the form of collapsed borders and floods of refugees. It follows that every city on the planet should be planning to avoid such a contingency – and if it isn’t, its city councillors should be fired.

From the perspective of food and war, megacity collapse is one of several probable outcomes of major failures in the global food system, the energy supply or any war which precipitated them. It is one for which few, if any, cities or their governments are prepared. The collapse of a major city or urban region would in turn send shockwaves through the entire global food system, causing prices in unaffected cities and regions to skyrocket and requiring the delivery of food aid on a hitherto unimagined scale and over a very short time-frame – mere days. Other existential outcomes such as disease pandemics and wars are likely. Food and conflict thus play into the risk of megacity collapse – and are also one of the unavoidable consequences. The solutions to this issue are dealt with in detail in Chapters 8 and 9.

## Advantage 2

### Solvency---1NC

#### Circumvention---conservative courts deck enforcement.

#### Other forms of media thump! Emory = blue.

Helen Johnson 21, Columnist at The Miscellany News, B.A. Political Science, Vassar College, “The unprecedented consolidation of the modern media industry has severe consequences,” 4/29/21, https://miscellanynews.org/2021/04/29/opinions/the-unprecedented-consolidation-of-the-modern-media-industry-has-severe-consequences/

The First Amendment is meant to serve as a check against government control over the marketplace of ideas and dissemination of information. The American press prides itself on being independent and unbiased, which is meant to ensure that the public gets fairly neutral reporting and a truthful account of the news regardless of who may be involved. Justice Brennan summarizes this notion in the majority opinion of New York Times Company v. Sullivan: “[D]ebate on public issues should be uninhibited, robust, and wide-open, and [this] may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials.” The concept of free media is intrinsically tied to democracy. The United States was founded on the principle of government by consent of the governed; a free press that keeps the citizenry informed of the happenings in government is what allows the “governed” to give their consent and make informed decisions when voting for elected officials.

For debate on public issues to be uninhibited and the marketplace of political ideas to be free, the logical conclusion is the more the better—more newspapers, more television stations, more editors, more writers and more independent, local media owners. This ensures that as many people’s voices as possible are heard, and that those in charge of media outlets are more likely to be locally based and familiar with their areas and communities. However, the consolidation of media conglomerates over recent history has moved us in the opposite direction.

### AT: Polarization---1NC

#### No reason now is key---it’s been happening for decades.

#### Doesn’t solve misinformation---Trump supporters who think the election was stolen will not change their mind amid reading their conservative newspaper! The national, big media is more prone to care about facts.

#### The problem is demand, not supply driven. Emory = blue.

Gregory J. Martin and Joshua Mccrain 19, Martin is Assistant Professor of Political Economy, PhD student in Emory University's Political Science Department, “Local News and National Politics,” American Political Science Review, Volume 113 Issue 2, 2019, https://www.cambridge.org/core/journals/american-political-science-review/article/local-news-and-national-politics/C8EEA488A777C37C7987964F8F85AEB5

Local newspapers are in decline in the US, with falling readership and decreasing levels of newsroom personnel (Hayes and Lawless Reference Hayes and Lawless2017; Peterson Reference Peterson2017; Pew Research Center 2016). Given the importance of news coverage in driving citizen engagement in politics and in allowing citizens to hold their elected officials accountable (Hayes and Lawless Reference Hayes and Lawless2015; Hopkins and Pettingill Reference Hopkins and Pettingill2015; Shaker Reference Shaker2014; Snyder and Strömberg Reference Snyder and Strömberg2010), this trend is worrisome. Economic changes in the production of news and greater national competition in the news market could potentially be imposing negative externalities on the quality of local political information available to citizens and consequently on the performance of local governments.

On the other hand, it is also possible that declines in local coverage are primarily demand- rather than supply-driven. In an age of increasing nationalization of elections (Abramowitz and Webster Reference Abramowitz and Webster2016; Hopkins Reference Hopkins2018; Jacobson Reference Jacobson2015), dedicated coverage of local politics may no longer be as valuable to citizens as it once was. The more closely do local elected officials’ positions align with those of their national party, the more does information about national party leaders suffice for most readers’ purposes and the less incremental value is there in coverage of local figures. The long-term decline in local coverage may thus simply reflect adaptation by the news industry as a whole to changes in audience tastes for political information (e.g., Mullainathan and Shleifer Reference Mullainathan and Shleifer2005).

Changes in news distribution technologies may be accelerating the influence of such demand-side shifts. The modern news environment, characterized by a proliferation of choices available to news consumers through broadband internet and cable television (Arceneaux and Johnson Reference Arceneaux and Johnson2013; Hindman Reference Hindman2009), plausibly expands the role of consumer demand in determining news content relative to the late-twentieth century period of dominance by print newspapers and broadcast TV. Whereas a 1970s news reader unhappy with her city paper’s local focus and seeking more national coverage would have had limited and relatively high-cost alternatives, today’s news reader can easily access a wide variety of national sources for low or no cost.

This greater opportunity for news consumers to choose their favored sources that modern news media affords has led to a second kind of concern: that proliferation of media choice will lead to increased ideological or partisan polarization of content (Lelkes, Sood, and Iyengar Reference Lelkes, Sood and Iyengar2017; Prior Reference Prior2007). Evidence from cable news shows that the cable news channels’ content has in fact polarized over the past decade and a half (Martin and Yurukoglu Reference Martin and Yurukoglu2017). The emergence of highly partisan misinformation or “fake news” on social media in the 2016 presidential election (Allcott and Gentzkow Reference Allcott and Gentzkow2017; Guess, Nyhan, and Reifler Reference Guess, Nyhan and Reifler2018) demonstrates that a more extreme version of the same phenomenon is present in online news as well.

In this paper, we present evidence on the underlying cause of these trends toward the nationalization and polarization of politics coverage, using an extensive data set of local television news broadcasts. Local TV news has large audiences, with viewership on the order of 25 million viewers per night in the aggregate (Pew Research Center 2017).Footnote1 We analyze the content and viewership of 743 local news stations over the latter two-thirds of 2017, a period that saw the acquisition of a set of local television stations by a large conglomerate owner, the Sinclair Broadcast Group.

We measure news program content using a topic model fit to more than 7.4 million transcript segments from this period. Using a differences-in-differences design that compares the Sinclair-acquired stations with other stations operating in the same markets, we find that the acquisition led to a roughly three percentage point increase in the share of programming devoted to coverage of national politics, a roughly 25% increase relative to the average level in the sample. Furthermore, this increase came largely at the expense of coverage of local politics. We also find that text-based measures of ideological slant (Gentzkow and Shapiro Reference Gentzkow and Shapiro2010) shifted to the right at Sinclair-acquired stations following the acquisition, relative to other stations in the same market.Footnote2 The magnitude of the ideological shift induced following the Sinclair acquisition is equivalent to approximately one standard deviation of the cross-station ideological distribution.

Using the same differences-in-differences design, we also measure the change in viewership attributable to the change in ownership. Consistent with a supply-driven story, the differences-in-differences estimate of short-term viewership changes at the Sinclair-acquired stations is negative, though small enough to be statistically indistinguishable from zero. The shifts toward more right leaning slant and more national politics coverage do not appear to have gained these stations additional viewers. If anything, viewers prefer the more locally focused and ideologically neutral coverage to the more nationally focused and ideologically conservative coverage: The existing Sinclair stations acquired prior to 2017 see significantly lower viewership for their news broadcasts compared with other stations operating in the same market, paying a ratings penalty of about one percentage point. Nonetheless, there are very clear economies of scale for a conglomerate owner in covering national as opposed to local politics, thanks to the ability to distribute the same content in multiple markets.Footnote3 Given that the ratings penalty we document is fairly small, it seems likely that these cost efficiencies dominate in Sinclair’s calculus. This finding is in contrast to demand-side explanations for changes in news content, which predict that news outlets cater their content to viewers’ preferences (Hamilton Reference Hamilton2004; Mullainathan and Shleifer Reference Mullainathan and Shleifer2005).

These results are a flip side of the coin to George and Waldfogel’s (Reference George and Waldfogel2006) finding that the entry of a national competitor (the New York Times) into local newspaper markets led local incumbent papers to focus more on their comparative advantage in local coverage, and Gentzkow, Shapiro, and Sinkinson’s (Reference Gentzkow, Shapiro and Sinkinson2014) finding that greater newspaper competition is associated with greater ideological diversity. Acquisition of the existing local outlets by a national conglomerate produces the opposite impact on coverage relative to entry by a new, separately owned national outlet. A conglomerate owner can reduce production costs, perhaps dramatically, by substituting nationally focused and ideologically unified content produced in a single studio for locally focused and ideologically diverse content produced by many local journalists. Even if viewers would prefer locally tailored politics content, the fact that politics coverage is bundled with other kinds of content—crime reporting, weather, sports, and so on—that are less affected by consolidation mutes the demand response.

Taken together, our results contribute to the growing literature showing that supply-side forces in the market for news have real consequences both for the political content of news (such as the coverage of campaigns, candidates, and salient issues; Branton and Dunaway Reference Branton and Dunaway2009; Dunaway and Lawrence Reference Dunaway and Lawrence2015) and on downstream election outcomes (Archer and Clinton Reference Archer and Clinton2018; Dunaway Reference Dunaway2008; Durante and Knight Reference Durante and Knight2012). Media consolidation can produce cost efficiencies in the production of news, but these efficiencies are not neutral with respect to the content of news coverage. Consolidation changes the incentives of news providers, shifting coverage toward the topics that can be distributed in multiple markets rather than those—such as local politics—that are market-specific. Consolidation among conglomerate owners is also correlated with changes in editorial decisions, where the newly consolidated outlets are more likely to produce the content that favors the political and financial interests of their owners (Bailard Reference Bailard2016; Gilens and Hertzman Reference Gilens and Hertzman2000). These content changes influence viewers’ available information about local elections and elected officials, along with the ideological slant of news to which they are exposed. As existing research (DellaVigna and Kaplan Reference DellaVigna and Kaplan2007; Snyder and Strömberg Reference Snyder and Strömberg2010) has shown, both dimensions of content are consequential for the accountability and preference aggregation functions of elections.

#### Tons of alt causes---gerrymandering, immigration, the 2 party system, the filibuster all fuel greater polarization.

# 2NC

## T CWS

### Overview---2NC

#### They don’t meet---1AC cross ex was clear in that they don’t change the goal of the CWS.

#### 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

#### Scope

#### 1. It defines what anti-trust law should be dedicated to protect. That scope is currently defined by the consumer welfare standard. That means the affirmative must change the legal standard of consideration so that competition law now has a different policy objective of inequality, environmental effects, or privacy protection for example. BUT the plan instead ENFORCES current competition law under the consumer welfare standard, which is a question of IMPLEMENTATION effectiveness NOT SCOPE. Only our evidence has an intent to define and exclude theirs with a direct comparison between the two terms.

#### 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. 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: Exemptions

#### Exemptions.

#### They’re bad for limits.

#### 1. any aff could just say "we meet---X activity is currently not tried bc it's negative impact doesnt count as 'commerce' " which is like the largest "exemption".

#### 2. Any subset of the exemption is T. AKA, there is a 1st amendment exemption: Michigans’s didn't remove it, we just said it doesn't apply to hiring cartels in the rabbinical market. There is a state exemption. NU's aff didn't remove it, they just said it didn't apply unless certain approval was given. So each thing on the list is likely TONS of affs not a SINGLE aff.

#### 3. Antitrust commissions determined that this list is too long to research

\*NOTE – AMC = Antitrust Modernization Commission.

Albert A. Foer 06. A.B., Brandeis University; M.A., Washington University; J.D., University of Chicago; the founder and President of the American Antitrust Institute. “Half-Time at the Antitrust Modernization Commission”. University of San Francisco Law Review. https://repository.usfca.edu/cgi/viewcontent.cgi?article=1165&context=usflawreview

7. Immunities and Exemptions

The AMC could in theory have taken evidence on each item in the long list of statutory immunities and exceptions that limit the applicability of antitrust laws. It quickly became obvious that the Commission did not have the time or resources to do this and that such an undertaking would not likely lead to legislation. A different agenda emerged, in which the AMC would try to develop a framework for Congress to examine each new (or renewed) request for an immunity or exemption. As mentioned previously, consultants are preparing such a framework. 116 Immunities and exemptions are generally the result of political power exercised on behalf of an industry, with the purpose of benefiting the industry rather than consumers. For this reason, any ammunition that would assist Congress in standing more firmly for the public interest would be desirable. It is conceivable that Congress might legislate a framework for itself that its members could point to when approached to support special interest antitrust legislation. This is potentially one of the most fruitful areas that the Commission has decided to pursue.

#### 3. There is no negative ground or link uniqueness without our interpretation. All negative wins on a disad on this topic can be attributed to link evidence that specifically discussed a change in scope of the consumer welfare standard, and shitty affirmative no link debating.

#### 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.

#### 4. 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: Predictability/Precision

#### No predictability or precision offense.

#### 1. We’re more precise. NEITHER of their pieces of evidence have intent to exclude---exemptions has two CONTRADICTORY definitions proven by how NU and Georgetown read different case lists which disproves the argument that they are core.

#### 2. No link---definitional predictability is priced in---our evidence assumes that when there isn’t a contextual definition you should use the limited definition. They delete T because there will never be a card that says the literal entire resolution for a made up extra-curricular activity.

#### 3. Our interp is net better for affirmative ground---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

### AT: Reasonability

#### Reasonability---they’re not---that was the limits and ground offense---any 1AR re-articulation demands arbitrary judge intervention to go off what you personally “think” is okay, greenlights out of round abuse, and doesn’t solve limits.

## States CP

### PDB – links

#### PDCP – severs

#### We’ll adjust the first plank of the CP to state that the policy will be done under labor law and through non-anti trust means

#### 1. they have no evidence that the federal government has an incentive to preempt.

#### 2. Congress avoids federal preemption of state anti-trust law. States can bring federal and state claims.

**HLR 20**. The Harvard Law Review is a law review published by an independent student group at Harvard Law School. According to the Journal Citation Reports, the Harvard Law Review's 2015 impact factor of 4.979 placed the journal first out of 143 journals in the category "Law". "Antitrust Federalism, Preemption, and Judge-Made Law." Harvard Law Review. 6-10-2020. <https://harvardlawreview.org/2020/06/antitrust-federalism-preemption-and-judge-made-law/>

Even when it is not a constitutional hurdle, federalism is still a relevant constitutional value. The Framers embraced federalism for its policy virtues,**11**× and contemporary judges and scholars laud federalism for its modern-day policy perks.**12**× The Supreme Court often invokes federalism in the form of a presumption that Congress does not lightly intrude on state sovereignty.**13**× One example is the Court’s presumption against preemption: a party alleging federal preemption of state law faces a judicial presumption that Congress did not intend to make that choice.**14**× That presumption is validated by Congress’s choice to refrain from preempting state law in the antitrust arena: state and federal antitrust laws have coexisted since the federal government’s first steps into the arena in 1890.**15**× This congressional restraint is controversial, and likely to grow more so. Some scholars have argued powerfully that Congress should preempt state antitrust laws.**16**× These arguments may gain renewed prominence, as antitrust as a whole has recently achieved greater political salience than it has enjoyed in a century.**17**× In the state context, attorneys general have increasingly taken antitrust action in high-profile matters the federal government has declined to pursue. In 2019, states opposed the merger between Sprint and T-Mobile,18× and many began to investigate potential antitrust violations in Big Tech.19× While some recent, high-profile state antitrust actions have been brought under federal antitrust laws,20× others have been brought under state law.21× Moreover, a number of the current state antitrust actions are at the investigatory stage22× — states could potentially bring federal claims, state claims, or both. Newsworthy state involvement in antitrust policing is bringing attention to the states’ antitrust role more generally, and that attention will likely bring scrutiny to the oddity of America’s competing antitrust systems.

#### 3. No preemption or contravening precedent. It doesn’t involve the commerce clause. State laws can be stricter than federal statutes.

Clark Hildabrand 14. B.A. from Washington & Lee University, J.D. candidate, Yale Law School. “Interactive Antitrust Federalism: Antitrust Enforcement in Tennessee Then and Now.” The Tennessee Journal of Business Law. 16.1, 67-90.

Despite criticism of state antitrust enforcement as overly punitive and often ineffective,23 Congress initially allowed states to play a key role in the enforcement of both state and federal antitrust laws, including the Sherman Act and subsequent federal antitrust legislation.' This type of dual enforcement regime is not unique to antitrust laws and enables respect for the dual sovereignty of the states and the federal government.' Dual antitrust enforcement results in more consistent application of antitrust penalties when either the state or federal government is unable to effectively enforce antitrust laws on its own.26 Jurisdictional, financial, and political restrictions act as checks on inefficient over-enforcement of state and federal antitrust laws and placate the concerns of critics of state antitrust enforcement.'

On one hand, some critics of state antitrust enforcement focus on the interstate character and impact of state antitrust litigation.' Due to the nationalization and increased interconnectivity of the country's economy, a broader reading of the Interstate Commerce Clause and other federal antitrust laws, that at one time simply precluded state enforcement of activities with interstate effects, would, today, effectively render state antitrust laws useless.' However, the U.S. Supreme Court has consistently held that federal antitrust laws do not preclude or preempt application of similar or more far-reaching state antitrust statutes.' As long as the state law or policy in question reflects a legitimate state public interest and is not excessively discriminatory or protectionist, state antitrust enforcement does not run afoul of the Dormant Commerce Clause.' State antitrust enforcement thus overcomes one potential barrier for situations in which the regulated activity has interstate effects.

### Advantage 1

#### Certainly, solves consolidation and misinformation---anti-trust is not KEY.

#### 1. their ONLY 1AC internal link cards that funcing these news enterprises and investing in countering disinformation networks would solve. This 1AC Shultz card is god awful.

#### “Media analysts Dean Alger and Ben Bagdikian, among others, have noted how since the 1990s the number of independent news outlets has fallen as media corporations have continued to merge. They believe the application of antitrust laws is critical to preserving a marketplace of ideas.”

#### 2. Plank: Provide stimulus checks to American residents who purchase a subscription to their local newspaper.

#### Issue is local newspapers can’t hire advertisers AND they don’t solve the DEMAND side of the issue!

Penelope Muse Abernathy 20, Knight Chair in Journalism and Digital Media Economics and UNC Hussman School of Journalism and Media, “News Deserts And Ghost Newspapers: Will Local News Survive?,” 2020, <https://www.usnewsdeserts.com/reports/news-deserts-and-ghost-newspapers-will-local-news-survive/> \*NOTE: The sections of this report are broken up into separate webpages. Consecutive sections have been combined in this card.

The vast majority of the dailies that closed in recent years served impoverished communities that never regained their economic footing in the years after the 2008 recession.16 Many of these dailies lost not only their local advertisers, who went out of business in the wake of the recession, but also their readers, who could no longer afford to pay for a subscription. When they closed their doors, most of the shuttered dailies had less than 15,000 print subscribers, even though they served communities with tens of thousands of residents. After two deals to sell the family-owned Waycross Journal-Herald fell through, the longtime publisher, Roger Williams, told employees that the six-day-a-week daily would publish its final edition on Sept. 30, 2019. At its closing, the small daily paper, with a circulation of only 6,700, was distributed in three Georgia counties, where more than one in five residents lived in poverty. With declining subscription and advertising revenue, "we didn't have any recourse," Williams said.17 Two weeks after the closure of the Waycross Journal-Herald, the owner of The Brantley Beacon in Nahunta, 23 miles away, announced he planned to resume publishing the Journal-Herald, but as a weekly.18

#### 3. Funding does not fail---their evidence assumes that the government would watchdog the public newspapers.

#### Plank: Invest funds in research and data collection to manage issues of waste and energy production within smart cities. 1NC Quek evidence is the solvency advocate, explicitly states that the monitoring of sustainable assessments is the only way to resolve ripple effects from existing failures.

#### Plank: Without encroaching on the media’s ability for open journalism.

### Advantage 2

#### 1. Huge issue with both advantages is they solely solve the SUPPLY side of the news market but do nothing to target the mass issues on the demand side. How the fuck does the affirmative REVERSE the incentive to listen to populist media sources like Fox News. Also who the fuck reads the newspaper? When’s the last time you sat down and read it instead of just watching CNN. ALSO---cross ex proves it varies by STATE---I promise you the Pensacola local newspaper is spewing the most populist shit you’ve ever seen, and they have NO national oversight to check on that. They only influence FUTURE mergers which means they can’t resolve an existing issue of ideological reporting and misinformation.

#### 2. Can’t solve current mergers--- does nothing about the five media giants that there evidence cites [AT&T (Time Warner, CNN, HBO), Comcast (NBC Universal, Telemundo, Universal Pictures), Disney (ABC, ESPN, Pixar, Marvel Studios), News Corp (Fox News, Wall Street Journal, New York Post) and ViacomCBS (CBS, Paramount Pictures)] BUT it does BAN future mergers which means that small local news companies can NEVER merge and are terminally stuck be

## Local News

### AT: Populism

#### Populism.

#### 1. Reading your daily newspaper doesn’t solve global populism---crisis globally across Latin America in Bolivia, Chile, Colombia, Ecuador, and Haiti alone over regional economic collapse and social unrest which ensure political polarization broadly---no one in those countries reads the signals of other countries---that’s Stuenkel.

#### 2. Populism internal link evidence is about offering aid to the developing world.

Edward A. 1AC Kolodziej 21, Emeritus Research Professor of Political Science and Founder and Director of the Center for Global Studies, University of Illinois Urbana-Champaign, USA, “8. A modest way forward,” Global Governance: Evaluating the Liberal Democratic, Chinese, and Russian Solutions, Taylor & Francis, 11/29/2021

The Western alliance must also develop joint policies and strategies to respond to the economic and environmental issues confronting the developing world. China has launched an ambitious Belt and Road Initiative to address poverty, equality, and environmental issues in the developing world. That much of the thrust of this initiative is driven by Chinese interests should not obscure recognition of the material and technological benefits, which (at this writing) 139 states currently enjoy from BRI, notwithstanding the many drawbacks to BRI for these states outlined in Chapter 4.

The current disarray in the assistance offered by the democratic states must be collectively re-thought. Greater use of the World Bank and the International Monetary Fund to fund aid to the developing world should be pursued in lieu of the current uncoordinated, piecemeal, state-by-state approach. Targeted assistance at promoting concrete programs that promise success will have three important outcomes. First, aid will likely be more efficiently and effectively distributed to needy nations. Second, there will be greater and more sustained economic and technological progress of underdeveloped economies. Finally, more expanded and effective aid will also increase incentives for populations to stay at home to build their societies rather than embark on hazardous, large-scale immigration to developed states. The latter are not capable, economically, politically, or culturally, to accommodate the millions of immigrants in incessant movement to better their lots. As of 2020 more than 270 million persons were living in a country to which they have migrated, 100 million more than 2000.2 If the developed states share their wealth and knowledge with the disadvantaged, they are actually pursuing their own self-interests. These are moves by which the democracies can steal a march on China's BRI program.

#### 3. Populism is structurally inevitable

Daron Acemoglu 11/6/20. Institute Professor at MIT. Trump Won’t Be the Last American Populist The Conditions That Produced Him Need to Be Understood to Be Addressed https://www.foreignaffairs.com/articles/united-states/2020-11-06/trump-wont-be-last-american-populist

Together with economic resentment has come a distrust of all kinds of elites. Much of the American public and many politicians now express a mounting hostility toward policymaking based on expertise. Trust in American institutions, including the judiciary, Congress, the Federal Reserve, and various law enforcement agencies, has collapsed. Neither Trump nor recent party polarization can be held solely to blame for this anti-technocratic shift. The almost complete rejection of scientific facts and competent, objective policymaking among many in the electorate and the Republican Party predates Trump and has parallels in other countries—Brazil, the Philippines, and Turkey to name a few. Without more deeply understanding the root of such suspicion, American policymakers can have little hope of convincing millions of people that better policies, designed by experts, will improve their lives enormously and reverse decades of decline. Nor can policymakers hope to put a lid on the discontent that fueled Trump’s rise.

POISONOUS SEEDS

Populist movements thrive on inequality and on resentment of elites. Yet these conditions alone don’t explain why American voters in 2016 turned right rather than left as inequality rose and the very wealthy benefited at ordinary people’s expense. In the United States, a right-wing populist movement stood ready to make itself the vehicle for the grievances of regular people and to marry those grievances to a stance that was anti-elite, nationalist, and often authoritarian.

Right-wing populism did not emerge in the United States because of Trump’s deranged charisma. Nor did it begin with the news media’s infatuation with his outrageous statements, or with Russian meddling, or with social media. Rather, right-wing populism resurged as a potent political force at least two decades before Trump’s takeover of the Republican Party—remember Pat Buchanan? And it has analogs all over the world, not just in mature democracies reeling from the loss of manufacturing jobs but in countries that have benefited economically from globalization, including Brazil, Hungary, India, the Philippines, Poland, and Turkey.

That the Republican Party would give itself over to such a movement—and to Donald Trump as its standard-bearer—was never a foregone conclusion. One can argue that Republicans supported Trump because he was willing to execute their agenda: cutting taxes, fighting regulation, and appointing conservative judges. Alas, this is only a small part of the story. Trump’s popularity surged based on positions diametrically opposed to Republican orthodoxy: restricting trade, increasing spending on infrastructure, helping and interfering with manufacturing firms, and weakening the country’s international role. One can point to skyrocketing rates of polarization before Trump or chide the role of money in politics. Yet these factors hardly explain the wholesale abandonment of many of the key policy tenets of a 150-year-old party. Before 2016, few would have believed that the Republican Party would try to dismiss and cover up meddling by a hostile government in a presidential election.

A GLOBAL UNRAVELING

Trump and Trumpism are American phenomena, but they arose within a context that is undeniably global. Under Boris Johnson in the United Kingdom, the Tory Party is transforming in a manner similar, if more benign, to that of the Republican Party. The French right has fallen behind the National Rally (the new name for the far-right National Front). And the Turkish right has remade itself in the image of a strongman, Recep Tayyip Erdogan. Together, these and other cases demonstrate not just polarization but a complete unraveling of the old political order.

How and why this unraveling has happened is not self-evident. The first place to look for an answer is in the major, crosscutting economic trends of the present era: globalization and the rise of digital and automation technologies, both of which have induced rapid social changes coupled with unshared gains and economic disruptions. As institutions proved unable or unwilling to protect those suffering from these transformations, they also destroyed public trust in establishment parties, the experts claiming to understand and better the world, and the politicians who appear complicit in the most disruptive changes and in cahoots with those who have stealthily benefited from them.

From this perspective, it isn’t sufficient to decry the collapse of civic behavior or even to defeat toxic populists and authoritarian strongmen. Those who seek to shore up democratic institutions must build new ones that can better regulate globalization and digital technology, altering their direction and rules so that the economic growth they foster benefits more people (and is perhaps faster and of a higher quality overall). Building trust in public institutions and experts requires proving that they work for the people and with the people.

#### 4. Cultural shifts, immigration, and economics.

Yotam Margalit 19, 12-20-2019, Professor, Department of Political Science, Tel Aviv University, "Economic causes of populism: Important, marginally important, or important on the margin," Vox CEPR Policy Portal, https://voxeu.org/article/economic-causes-populism/

What, then, explains the populist appeal? Out of space limit, I will note only that structural, long-term social changes strike me as central to understanding the resentment underlying much of its appeal. By this account, structural changes – such as increased access to higher education, urbanisation, and growing ethnic diversity – have led to significant progressive cultural shifts. These changes, and the perceived displacement of traditional social values, have caused a sense of resentment among segments of the population in the West, particularly among white men, older people, conservatives, and those with less formal qualifications (see Inglehart and Norris 2019 for an extensive exposition of this view). Increased exposure to foreign influences that comes with globalisation and, even more so, the effects of waves of immigration have exacerbated the sense of a cultural and demographic threat. With gradual generational change, these formerly predominant majorities have increasingly felt their social standing erode, buying into the populist nostalgia for a ‘golden age’ when there was cultural homogeneity and traditional values and a strong national identity prevailed. They have also grown receptive to populist charges against a disconnected elite that has turned its back on them and the values they hold dear.

There’s an obvious, and understandable, reluctance to accept such ‘soft’ explanations. Cultural explanations of populism can be harder to measure or identify causally. Yet that of course doesn’t mean that a cultural explanation is incorrect. One should be careful not to equate quantifiability with importance.

Note, though, that the cultural account does not dismiss the role of economic factors. In addition to the electoral impact of the causes noted earlier (e.g. trade, automation), hard economic times also tend to undermine the perceived competence of the economic and political elites, and thus help fuel popular distrust in them. It is therefore likely that the financial crisis contributed to the populist wave, as some have suggested (Algan et al. 2017, Mian et al. 2014). But given the weak empirical association between measures of economic insecurity and support for populism, we should view the crisis as more of a trigger than a root cause of widespread populist support.

#### 5. No impact to populism---institutional checks

Nicola Mai & Peder Beck-Friis 19, 2-13-2019, Nicola Mai is an executive vice president in the London office and a sovereign credit analyst in the portfolio management group; Dr. Peder Beck-Friis is a vice president and portfolio manager in the London office, "EU Elections: Populism’s Threat May Be Overstated," Pacific Investment Management Company LLC, https://www.pimco.com/en-us/insights/viewpoints/eu-elections-populisms-threat-may-be-overstated/

It is unlikely that the eurosceptic parties will form a united anti-establishment front. The eurosceptic parties are heterogeneous, ranging from extreme left to extreme right, and they have diverging views on how Europe should be reformed. We think the probability that these parties coalesce into one political group is low.

Support for eurosceptic parties should remain well below 50%. This is important because even if these parties manage to form a united front, they will face the opposition of moderate parties, which will likely coalesce against them in parliamentary votes and obstruct radical proposals that could involve the dismantling or weakening of the European infrastructure.

The key decision-making process in the EU remains inter-governmental. All key European decisions need the approval of the European Parliament as well as the Council, with the most important decisions requiring unanimity of the Council. It is true that the parliament could block key initiatives set out by the Commission. But that would require the support of moderate parties, given the minority representation of the eurosceptic parties. Finally, in emergency situations, the Council has the ability to make decisions on a purely inter-governmental basis, bypassing the need to change EU law.

Nominations of key EU positions remain ultimately in the hands of the Council. Even in the unlikely event that a populist coalition emerges as the largest group in the parliament, it does not necessarily follow that the European Council will propose a populist candidate for president of the Commission. The Spitzenkandidat process is only a convention; the European Council could in principle nominate any candidate, and importantly, the nominee will still need to be approved by the parliament as a whole.

#### 5. Economic resentment has collapsed trust in institutions---that’s Acemoglu. Trumpism, the election of Boris Johnson, the French right, Turkey all guarantee fundamental mistrust.

### AT: Democratic Legitimacy

### AT: Mega-Cities

#### Mega-Cities

#### 1. Huge double bind for mega-cities---either the status quo solve megacity sustainability since there is mass research and development on current shocks in mega-cities OR they don’t solve—they don’t have any evidence that they change the STRUCTURAL issues plaguing mega-cities. Cities are suffering from a range of vulnerabilities including how the world’s greatest cities can feed themselves, which transport food.

#### Sustainable now

**Lee ’17** [Shin; October 17; Vice Dean, IUD Program (Ph.D.), IUDP Program, MGLEP Program at Seoul University; Seoul Solution, “What makes a megacity sustainable,” https://seoulsolution.kr/en/content/6566; KP]

This view of the concept of the “sustainable megacity” has implications, which are pertinent to the discussion of Seoul’s transformation from a megacity with its overwhelming burden of rapid expansion into what might be, arguably, referred to as a “smart megacity”. Quite importantly, the notion of the smart city inevitably involves the attributes of **sustainable development**, which will be addressed in a later section of this paper. Is it really the case that megacities are inherently unsustainable? Is the “**sustainable megacity**” an **oxymoron**? How about the “smart megacity?” Can a megacity be a smart city? Here, should the goal be to establish a city that contributes to smart development, rather than the smart city itself being the definitive outcome? It may be futile to debate whether a city is sustainable, or smart for that matter, in any definitive sense. However, it is relatively **straightforward** to determine whether an attribute of the collective endeavors undertaken in a city contributes to **sustainable** development or smart-city building. Similarly, it would be relatively easy to see if several different types of attributes of public action results in greater sustainability or smarter development when presented in a city simultaneously, or better yet, when integrated as a coherent system. It would then be an extremely constructive exercise to identify such a set of collective endeavors in any city with a view to drawing lessons or transferring proven know-hows to other contexts where such a contribution to sustainable or smart development is greatly needed from the global perspective. Before exploring what makes a smart megacity or what might contribute to sustainable development, it would be helpful to discuss what these adjectives signify and how the global urban community came to these popular ideas about the contemporary city and what they indicate. What it is vs. what it aspires to be – Different uses of city descriptors Giving a city different names or adding a variety of abstract descriptors before the word “city” is largely a post-modern phenomenon. Some cities have been named a “creative city,” for instance, and others have been referred to a “city of culture”; whilst the “world city” title has been conferred on somewhat differing groups of cities depending on the commentator and varying with time. During the modern times, cities used to be classified in certain ways –the sole basis for classification tended to be quantitative measures, such as size of population or economic output, or key functions of a city, such as port cities, administrative cities, trade cities, and so on. Modern geographers (in human geography) were primarily concerned with the growth and development of cities, and sought to answer such questions as to why cities are where they are; or what makes a city grow or decline. Similarly, for urban economists, the most commonly used city classification criterion was the size of a city—with the classes being almost entirely limited to small, medium and large—as one of the basic hypotheses in urban economics was that the nature and size of agglomeration benefits or other economically significant phenomena are associated with a city’s size. Urban planners in early modern times were a somewhat different breed, primarily in terms of their approach to the investigation of cities, from empiricists who examined cities on the basis of evidence, such as economists to early human geographers. Planners largely came from the tradition of design, hence, of imagination and creativity. Early urban planners would therefore be concerned with prescribing what things ought to be like (representing the “normative” perspective), whereas empiricists were primarily concerned with how things are (representing the “positive” perspective). As such, urban planners have continued to propose various models of the ideal city. Some of the city descriptors that we are familiar with today, including “sustainable,” “resilient,” or “smart” may be seen in the tradition of this normative perspective, that is to say that “sustainable” or “smart” are a kind of a state which a city might aspire to become. These abstract and value-based names are, therefore, different from a descriptor which is attached to some cities, because they are already what they are. For instance, descriptors such as “small,” “large,” “port” or “historic” merely describe and characterize a city in a positive manner, whereas the words “sustainable” or “smart” indicate a character or a value that a city might aspire to possess as a central character or a representative value in a “normative” sense. When a city does possess and exhibit the key attributes of the core value and becomes an embodiment of that value, however, the descriptor then plays a descriptive role as well. Therefore, many cities would call themselves a creative city, for instance, when they would like to be one. But there may be a much smaller number of cities that are acknowledged as such by the rest of the world. The same ambivalence in naming a city applies to other value-based descriptors such as “sustainable,” “smart,” “resilient,” “livable,” “healthy” or “eco” city. The rise and fall of great cities There are about 2.5 million cities in the world today, and they are all different. Early scholars and commentators rather commonly used the adjective “great.” The word appears in the title of Jane Jacobs’ best-known book The Death and Life of Great American Cities (1961). Whereas Jacobs was probably the first to ignite an interest in, if not a fascination with, cities in the qualitative sense, while highlighting the importance of non-materialistic qualities such as conviviality or urban vibrancy, the word “great” is inevitably associated with a quantitative property. There have always been cities called “great” even in ancient times, but it was only after the Industrial Revolution when a significant number of cities grew to a scale that was easily distinguishable from the rest—in the sense of what they possessed and produced—and rose to join the world league of great cities. Some great cities of the past have withered over time, however, while others have stood the test of time. City descriptors with normative connotations such as creative or culture became fashionable with the emergence of urban entrepreneurialism and city marketing around the 1980s, although largely in the Western part of the world. That was when industrial cities, whose past prosperity and wealth was largely accumulated on the basis of manufacturing, proactively sought ways of recovering their greatness by attracting different sorts of activities, such as cultural or creative ones, as they underwent the process of deindustrialization. In this context, place rebranding and city marketing were seen as modes of urban regeneration and competitiveness building. Hence, cities, or municipal governments, began to see their role as an entrepreneur rather than as a manager. In contemporary terms, great cities must have the status as a world city. A great deal of research has been undertaken to define, describe and theorize the world cities phenomenon, but it is still subject to debate as to which cities make the list. Amongst a few widely known world city scholars, however, there is no one who has denied the world-class city status of New York, London, Paris, or Tokyo (Friedmann 1986; Sassen 1991; Know and Taylor 1995). Amsterdam is often included too. So are Seoul and Sao Paulo. Some scholars have published a more generous list including a few megacities in developing countries (Lo and Yeung 1996). The world city discourse is now somewhat dated, so the rapidly emerging, globally important great cities of China did not figure in the classic world city discussions, for instance. The most consistent criterion to assess the world-class city status of a city is to ask whether the decisions made in that city influence actions in the rest of the world, and to what extent does such a city exert its influence over other cities in the world, if indeed it does. Economic dynamism is likely at the core of any great city. It is the magnetic power that continues to attract people, but it comes with strings attached in all known cases. The great cities of today and of the past alike have had their own big share of problems. This combination of great problems with great cities was seen as inevitable. Ever since cities emerged in history, especially after they grew large with the help of transportation technology that evolved over time, cities have been seen as a source of opportunities and problems at the same time. What defines a city is simply the size of the population who live there. If an area can be visibly distinguished from its surrounding areas due to the population concentration, and the number of people living there exceeds a certain administratively determined threshold, it is defined as a city. This concentration of people creates opportunities which are not available outside the area of concentration, but concentration inevitably means magnified conflicts and contests. Both agglomeration benefits and negative externalities (the secondary, unintended effects of what we do to live) exist in great quantities in great cities. The industrial cities largely located in the West shared virtually the same set of urban problems: congestion (people and vehicular traffic), environmental pollution, decline of the city center, slums, homelessness, safety, public health, spatial segregation/disparity, high impact disasters due to occurring in an area with a dense population, and so on. These consequences of industrialization and urban expansion aside, great cities in the world have enjoyed the prosperity they achieved, their popularity (or magnetism), and their status of being great. If, however, the problems grow out of proportion and eventually outweigh the attractiveness of the city, it ceases to be great, as seen in many industrial cities in the West. These cities had to undergo what is now commonly known as urban regeneration in order to recover their greatness. The key here lies in keeping the level of nuisance in check. A move towards not-so-great cities: quality rather than quantity However, do we all aspire to make our cities into great cities that boast great achievements and influence and, in return, tolerate the consequences of those achievements? Is greatness in terms of quantity what we aspire to today? The evolution of urban discourse does not suggest that this is the case. Garden Cities Throughout history, urban thinkers have proposed various models of a city in which human interactions are accommodated on the urban scale but, through design, excessive urban predicaments are minimized or even prevented. Early thinkers tended to focus on the balance between town and country; or the harmony between the built environment and the natural environment. This would be done by placing sufficient green areas – buffers – within the city as a way of mitigating harsh urban environments and the problems habitually associated with harsh and hard surfaces. Howard’s Garden City (1902) is probably the best known among these models and has had an enduring influence on subsequently proposed notions of urban planning along an extensive time spectrum, ranging from Howard’s own contemporary, namely Raymond Unwin and his Garden Suburb and the British planning tradition ranging from “greenbelt” and “New Town” to the “New Urbanism” movement of late. Sustainable towns and cities Approximately one century after the publication of Garden Cities of To-morrow (Howard 1989), the idea of sustainability was introduced. Our Common Future, more widely known as the Brundtland Report, was published in 1987, engendering the most popularly known definition of sustainability. We have since then quite positively and consistently embraced the idea. A multitude of ideas that are supposed to help cities remain sustainable or grow in a sustainable manner have been presented to the global urban community. For instance, UN HABITAT made an attempt to instill a set of practical principles of sustainability when applied to urban and neighborhood planning. The “five principles are as follows: 1) Adequate space for streets and an efficient street network: The street network should occupy at least 30 percent of the land and include at least 18 km of street length per km². 2) High density: At least 15,000 people per km², i.e. 150 people/ha or 61 people/acre. 3) Mixed land-use: At least 40 percent of floor space should be allocated for economic use in any neighborhood. 4) Social mix: The availability of houses in different price ranges and tenures in any given neighborhood to accommodate different incomes; 20 to 50 percent of the residential floor area should be set aside for low cost housing; and each type of tenure should be no more than 50 percent of the total. 5) Limited land-use specialization: This is to limit single function blocks or neighborhoods; single function blocks should cover less than 10 percent of any neighborhood (2014)”. Even though there is no mention of green space in this UN HABITAT description, it is hard to doubt that, in anyone’s imagination, the picture of a sustainable town or city includes abundant shades of green. As such, the physical structure or appearance of sustainable cities might share common characteristics with that of the Garden City. However, as can be seen in the above five principles suggested by UN HABITAT, the focus here with regard to sustainable towns and cities is on the ecological impact of urbanization. The crucial difference between Howard’s Garden City and the sustainable city is that environmentalism lies at the core of the contemporary idea of sustainable cities. This would also mean that the shared goal is to achieve sustainability on the global scale and not just at the individual city level. The global community is more conscious than ever of the implications of what shape of development path an individual city follows. Prosperity may be achieved at an individual city level, but the often environmentally damaging impacts of a city’s prosperity are shared by all. The wide diffusion of the sustainability concept, as well as its influence over nearly every aspect of collective actions that are undertaken in cities around the world, shows how our values and preferences have evolved over time. There probably are, among cities and people, those who prefer not-so-great cities – especially in terms of their physical size (of input and output; of population, land and productivity) and the size of negative externalities. The emergence and presence of sustainability as an overarching concept over the past quarter of a century suggests that our aspiration for greatness in terms of population and economic output is being replaced, at least in part, by the aspiration for cities with a low ecological impact. The variety of names for an ideal city that has penetrated into our day-to-day conversation as well as into academic discourse, such as sustainable cities, eco-cities and livable cities, and the intensity of the influence these concepts have on current urban practices might well indicate our contemporaries’ greater concern for quality rather than quantity. Resilient Cities More recently, however, “sustainable” has not seemed to be good enough or as fashionable as it had been until a decade ago, and the new buzzword has arguably become “resilient” in the core urban discourse. Leaving aside the purely equilibrium-focused viewpoint, a more inclusive definition of resilience that is useful for urban planning refers to “the ability of a system to adapt and adjust to changing internal or external processes (Holling, 1973; Gunderson et al, 1995; Pickett et al, 2004).” According to a widely accepted definition of resiliency in cities, a locale is resilient if “it is able to withstand an extreme natural event without suffering devastating losses, damage, diminished productivity, or quality of life and without (receiving) a large amount of assistance from outside the community (Mileti, 1999, pp. 32–33).” The Smart City In the meanwhile, the adjective “smart” appears to have gained an astounding level of popularity, particularly amongst policy makers and practitioners. Whilst “resilient” does not really seem to have gained traction outside academia, “smart” has indeed attracted considerable attention from governments in both the developing and the developed world, although the reaction appears to be more pronounced in the former. In fact, it was global technology firms that were responsible for the particularly rapid spread of this new “brand” of city (Holland 2014). As such, the smart city is often associated with a “technological fix” or an attempt to resolve all types of urban problems through technology. A more useful and sensible definition of the smart city, however, refers to a city which is “more economically prosperous, equal, more efficiently governed and less environmentally wasteful” (Holland 2014), and it does not necessarily prescribe how to reach that state of a city, suggesting that the “question of how” is open to new ideas or innovations, be it through technological innovation, innovative use of existing technology or simply new ways of doing things as long as the new inputs and processes can bring about different outcomes from business as usual. It is more commonly linked to such ideas as “doing more with less”; growing positively with fewer social costs; and, at the same time, responding to diverse human needs, demands and values. The emphases on diversity and inclusivity call for the ability of the city to coordinate and integrate different facets of municipal affairs, domains and goals. Comparing contemporary ideas of a desirable city: Similarities and differences When one looks closely into what each of the three models means and their respective components, these ideas for a city with differing names have much in common, while remaining quite distant from the early models proposed by Howard and modern urban thinkers of his time (Figure 1). **Size matters** and so does speed: Dealing with **mega-size** urban problems in a short span of time What about other cities that are often named as sustainable or **smart cities**, such as Curitiba, Freiburg, Copenhagen, Barcelona, or Singapore? Have they all not done what Seoul has done with regard to **sustainable transport**, high **recycling** rates, **sufficient** **housing** supply, effective **e-governance** and so forth? They may have done so—to varying degrees and in differing combinations of policy areas—but there appear to be some differences. First, Seoul is quite different from other oft-cited sustainable or smart cities in terms of size. How many megacities in the world are also representative of the sustainable city? It is also one of the few sustainable or smart cities to have emerged from the developing world to which it still belonged not so long ago. How many of the megacities which used to represent a city paying the price of hyper-urbanization and super-fast industrialization until about twenty years ago have turned into one of the few cities representing the highest rates of recycling in the world? All of the recycling cities included in the previous figure come from the traditional first world (or countries which completed their industrialization by the early 1960s) except Seoul. **Megacities** are thus called because they **exceed** certain thresholds in terms of population size, and for **no other reason**—with the caveat that the threshold is something of a moving target as the cities in the world generally grew further and faster with time. The difference in size means the scale of the problem is conspicuously different. It may help to be reminded of the quote that appeared at the start of this paper: “…megacities are inherently unsustainable, with their vast consumption of resources drawn from distant “elsewheres,” and their equally vast production of wastes that are routinely exported elsewhere (Sorensen and Okata (2011).” Figure 5 shows the size of growth in terms of urban population increments in Seoul over time. Its population grew by 270,000 per annum (22,000 people per month) for three decades, from 1960 to 1990. The speeds of growth are also indicated as the slope of the curve. The size and rate of Seoul’s growth over the past century is compared with a few other world cities in Figure 6. Singapore, a city that is as often referred to as a smart city, is also included in the graph. Seoul’s steep population growth between 1960 and 1990 clearly stands out from the rest of the city group illustrated. The rapid population growth in Seoul ran parallel to the rapid date of economic growth, as Figure 7 indicates. Similar to the preceding comparison (Figure 6), the subsequent chart (Figure 8) highlights that the rate of economic growth in Korea has surpassed that of most other countries, including some rapidly expanding economies in the developing world. These two sets of statistics clearly reflect how Korea and its primary city Seoul have undergone extremely compressed economic development, which did not leave much temporal room for the urban planning that was needed to keep pace with the continuous and rapid growth of the city. The span of time available to absorb the shock of rapid growth and deal with the consequences of fast-tracked growth was simply not sufficient. As a matter of empirical fact, the time taken for industrialization has increasingly lessened over the centuries behind us, as Figure 9 illustrates. This is not because newly industrializing countries have been more able than their predecessors, but rather because of the greatly enlarged world market. The successful **urban** **management** of Seoul ought to be looked at from the context of the exceedingly **rapid changes** that occurred in the city. At such rates of growth, the magnitude of urban problems is normally overwhelming and continues to grow at an alarming rate in the absence of appropriate intervention, as has been the case in numerous megacities in the developing world. The following pair of illustrations (Figure 10-11) will give perspective on how Seoul has been faced with some of the negative externalities of rapid urban expansion most frequently associated with megacities. **Negative externalities** are not necessarily **proportional** to population and economic growth Are negative externalities proportional to growth in a city’s population and economy? History seems to suggest that **they are not**. The City of Los Angeles and its surrounding areas long suffered from **urban smog** associated with high atmospheric ozone levels. The basin-like topography, abundant sunlight and low mixing heights resulting from the marine layer all work against atmospheric air quality in Los Angeles, and the city has been growing fast compared to other leading cities in the country. Despite these natural characteristics and urban indicators, ozone levels have been decreasing over the past few decades while the city’s population and economy, as well as the number of vehicles in the area, have continued to grow (Figure 12). The decrease that began in the mid-1970s is not a coincidence. It was in that decade that a set of very **aggressive** policy measures were adopted by the city to **reduce emissions** from various sources including automobiles, a key contributor to urban ozone levels. Los Angeles clearly illustrates the ability of **public policies** in changing the nature of the relationship between growth and growth-related **negative** **externalities**.

#### 2. Green bonds impact---Capital for infrastructure doesn’t solve extinction.

Bordoff ‘20Jason, March 27, 2020, former senior director on the staff of the U.S. National Security Council and special assistant to President Barack Obama, is a professor of professional practice in international and public affairs and the founding director of the Center on Global Energy Policy at Columbia University’s School of International and Public Affairs.

"Sorry, but the Virus Shows Why There Won't Be Global Action on Climate Change," Foreign Policy, <https://foreignpolicy.com/2020/03/27/coronavirus-pandemic-shows-why-no-global-progress-on-climate-change/>

In reality, COVID-19 reveals three reasons why fighting climate change is so hard. First, stopping the spread of this highly contagious disease requires that we all upend our daily lives in dramatic ways—and often do so for the benefit of others. Saving lives and sparing our medical system from becoming overwhelmed requires slowing the pace of the disease’s spread. Doing that, in turn, requires a range of public health measures including avoiding contact with others, especially since those carrying the virus may not even know they have it. Many young and healthy people should be able to recover from COVID-19, but “social distancing” is necessary to help others avoid contracting the disease, particularly the elderly or those with underlying medical conditions. In other words, “flattening the curve” of the pandemic is a classic collective action problem. Some people will choose to self-isolate to be responsible and help others, but if most others don’t do the same, there will be little benefit from that sacrifice to slow the disease’s spread. On the other hand, if everyone else self-isolates, a low-risk individual might choose to “free ride” on those sacrifices by continuing to live life as normal. Indeed, this behavior has been pervasive during the pandemic, undermining efforts to slow the spread. Despite the public health warnings, bars and restaurants remained full in major cities like [New York](https://ny.eater.com/2020/3/15/21180368/coronavirus-nyc-restaurant-bar-shutdown-pressure), beaches in Florida remained [crowded](https://www.nbcnews.com/news/us-news/florida-governor-refuses-shut-down-beaches-amid-spread-coronavirus-n1162226), and [revelers](https://time.com/5804089/us-coronavirus-social-distancing-party/) in many other places around the world continued to ignore official orders to avoid congregating. “If I get corona, I get corona,” as one spring break student in Miami nonchalantly [put](https://twitter.com/CBSNews/status/1240371160078000128?s=20) it. Like COVID-19, climate change is the ultimate collective action problem. Each ton of greenhouse gas contributes equally to the problem, no matter where in the world it is produced. The United States contributes 15 percent of emissions each year; Europe, a meager 9 percent. Lawmakers in Brussels may choose to impose an economic cost on Europeans by ratcheting up the pace of decarbonization, but there will be little benefit in avoided climate impacts unless others around the world do the same. The global nature of climate change should rally nations to do even more to address it because they want others to follow. When the Obama administration was developing an estimate for the harm to society from carbon emissions, for example, it [chose](https://blogs.wsj.com/experts/2017/11/15/trump-vs-obama-on-the-social-cost-of-carbon-and-why-it-matters/) to use the global rather than domestic estimate of damage precisely for this reason. Because carbon dioxide impacts are global, and every ton of CO2 contributes equally to climate change, if all nations looked only at the impact of a ton of CO2 on their own nations, the collective response would be vastly inadequate to address the true damage from climate change. Unfortunately, too often the need for collective action is an excuse for inaction. House Republicans often [argue](https://www.popsci.com/china-us-climate-greenhouse-emissions/) that if China won’t commit to major emissions reductions, neither should the United States. As U.S. Sen. Lamar Alexander recently [put](https://www.alexander.senate.gov/public/index.cfm/2019/3/alexander-offers-one-republican-s-response-to-climate-change) it, “When it comes to climate change, China, India, and developing countries are the problem.” To slow the spread of COVID-19, governments are clamping down to force collective action when individuals fail to follow guidelines. Cities across the world are shutting down businesses and events, at great cost. Yet the effectiveness of any one government’s action is limited if there are weak links in the global effort to curb the pandemic—such as from states with conflict or poor governance—even if the world is in agreement that eradicating a pandemic is in every country’s best interest. Climate change is even harder to solve because it results from the sum of all greenhouse gas emissions and thus requires aggregate effort, a problem particularly vulnerable to free-riding, as my Columbia University colleague Scott Barrett explains in his excellent [book](https://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199211890.001.0001/acprof-9780199211890) Why Cooperate? The Incentive to Supply Global Public Goods. And whereas governments can force people to stay home, there is no global institution with the enforcement power to require that nations curb emissions. Even if the young and healthy are unpersuaded by appeals to the greater good, they should still avoid crowded beaches and bars because of the high degree of uncertainty about COVID-19, which may [impact](https://www.washingtonpost.com/health/2020/03/19/younger-adults-are-large-percentage-coronavirus-hospitalizations-united-states-according-new-cdc-data/?utm_campaign=wp_post_most&utm_medium=email&utm_source=newsletter&wpisrc=nl_most) young people more than previously thought. Practicing social distancing not only helps others but is a risk mitigation strategy for oneself. Similarly, taking climate change action, even by countries less at risk than others, is a risk mitigation strategy because of the high degree of [uncertainty](https://www.nytimes.com/2013/10/11/opinion/inconvenient-uncertainties.html) over how severe the impacts of climate change will end up being—the so-called “of climate risk. The second sobering lesson from COVID-19 for climate change efforts is the importance of public buy-in and education. The problems of collective action described above are less acute when the public broadly understands the gravity of the threat. After suffering from failed responses to previous disease outbreaks, several Asian countries learned their lessons and have responded to COVID-19 far more rapidly than the United States and those in Europe. Residents of Hong Kong, for example, which suffered during the SARS epidemic, [canceled](https://www.washingtonpost.com/world/asia_pacific/how-the-us-can-defeat-coronavirus-heed-asias-lessons-from-epidemics-past/2020/03/18/9aa7916a-67a5-11ea-b199-3a9799c54512_story.html) gatherings and practiced social distancing before the government even ordered it because they understood the risks. While public concern with climate change is rising, there remains a long way to go. Only [half](https://www.nytimes.com/interactive/2020/02/20/climate/climate-change-polls.html) of Americans believe climate change should be a top priority for the federal government, and the figure is far lower on the Republican side of the aisle. Indeed, COVID-19 itself may actually erode public support for stronger climate action, as the pace of climate ambition wanes during times of economic hardship. Historically, there is an inverse [relationship](https://www.p-plus.nl/resources/articlefiles/geloofopwarming.pdf) in the United States and Europe between public concern about the environment and worries about economic conditions. Similarly, concern about economic growth has often caused China to ratchet back its environmental ambitions. Just last week, China was [reportedly](https://www.bloomberg.com/news/articles/2020-03-18/china-may-help-struggling-carmakers-by-relaxing-emission-curbs?sref=uFaJcogC) considering relaxing emissions standards to help struggling automakers. The third reason COVID-19 should give pause to expectations about climate change action is because of what it reveals about the strong link between carbon emissions and economic activity. For decades, the energy intensity, and thus carbon intensity, of economic growth has declined, as economies become more energy-efficient. Each unit of economic growth contributes less to carbon emissions than it previously did. From 2014 to 2016, global greenhouse gas emissions did not rise at all, leading many to celebrate that emissions and economic growth had decoupled. Yet there remained a strong relationship between growth and energy use. As Harvard’s Robert Stavins [pointed](https://www.pbs.org/newshour/economy/column-dont-be-fooled-co2-emissions-still-tied-to-economic-growth) out, the rate of gross domestic product growth still very much affects emissions, as slower growth would have led emissions to fall. As COVID-19 brings the global economy to a standstill, economists [worry](https://www.reuters.com/article/uk-health-coronavirus-stocks-economy-usa/d-word-rears-head-as-coronavirus-hit-markets-brace-for-recession-idUSKBN2140IA) about not just a recession, but even a global depression. In the United States alone, a record 3.3 million workers filed for unemployment benefits last week, a number likely to rise sharply. On the stock market, the Dow Jones index [wiped](https://thehill.com/policy/488231-dow-erases-all-gains-under-trump) out all the gains of Donald Trump’s presidency before rebounding on reports the U.S. Congress would pass a stimulus bill. As air travel and other transport is ratcheted back globally, oil demand has fallen by around 20 percent, and analysts estimate it will be down by at least 5 percent in all of 2020 compared to last year. A huge hit to economic growth would likely mean carbon emissions will fall in 2020 for the first time since the Great Recession of 2008. That may seem like good news, but it is not. First of all, economic contractions are not a desirable or sustainable way to curb emissions; emissions rebounded sharply after 2009. More importantly, the fact that it takes severe economic slowdowns like the Great Recession or COVID-19 to bring emissions down serves as a reminder of just how strongly tied emissions remain to economic growth—and thus how hard it is to lower them. That is why energy from renewable sources can grow as rapidly as it has over the past decade and yet fossil fuel use can keep rising at the same time as total energy use rises around the world, especially in fast-growing economies like China and India. As one example, Marianne Kah, an economist at the Center on Global Energy Policy, deconstructed a range of projections of oil demand growth to understand why analysts differ on when oil demand will peak and [found](https://energypolicy.columbia.edu/research/report/electric-vehicle-penetration-and-its-impact-global-oil-demand-survey-2019-forecast-trends) that assumptions about economic growth are as important as assumptions about the penetration of electric vehicles. Policymakers have spent trillions of dollars and passed countless regulations, standards, and mandates to spur clean energy. That it takes a pandemic-induced economic standstill to actually bring emissions down should be a sobering reminder of just how hard addressing climate change will as living standards, fortunately, continue to rise in emerging markets. COVID-19 may deliver some short-term climate benefits by curbing energy use, or even longer-term benefits if economic stimulus is [linked](https://www.eenews.net/stories/1062581379) to climate goals—or if people get used to [telecommuting](https://www.cfr.org/blog/concerns-over-coronavirus-spread-oil-industry) and thus use less oil in the future. Yet any climate benefits from the COVID-19 crisis are likely to be fleeting and negligible. Rather, the pandemic is a reminder of just how wicked a problem climate change is because it requires collective action, public understanding and buy-in, and decarbonizing the energy mix while supporting economic growth and energy use around the world.

#### 3. Disease doesn’t cause extinction.

Dr. Toby Ord 20. Senior Research Fellow in Philosophy at Oxford University, DPhil in Philosophy from the University of Oxford, The Precipice: Existential Risk and the Future of Humanity, Hachette Books, Kindle Edition, p. 124-126

Are we safe now from events like this? Or are we more vulnerable? Could a pandemic threaten humanity’s future?10 The Black Death was not the only biological disaster to scar human history. It was not even the only great bubonic plague. In 541 CE the Plague of Justinian struck the Byzantine Empire. Over three years it took the lives of roughly 3 percent of the world’s people.11 When Europeans reached the Americas in 1492, the two populations exposed each other to completely novel diseases. Over thousands of years each population had built up resistance to their own set of diseases, but were extremely susceptible to the others. The American peoples got by far the worse end of exchange, through diseases such as measles, influenza and especially smallpox. During the next hundred years a combination of invasion and disease took an immense toll—one whose scale may never be known, due to great uncertainty about the size of the pre-existing population. We can’t rule out the loss of more than 90 percent of the population of the Americas during that century, though the number could also be much lower.12 And it is very difficult to tease out how much of this should be attributed to war and occupation, rather than disease. As a rough upper bound, the Columbian exchange may have killed as many as 10 percent of the world’s people.13 Centuries later, the world had become so interconnected that a truly global pandemic was possible. Near the end of the First World War, a devastating strain of influenza (known as the 1918 flu or Spanish Flu) spread to six continents, and even remote Pacific islands. At least a third of the world’s population were infected and 3 to 6 percent were killed.14 This death toll outstripped that of the First World War, and possibly both World Wars combined. Yet even events like these fall short of being a threat to humanity’s longterm potential.15 [FOONOTE] In addition to this historical evidence, there are some deeper biological observations and theories suggesting that pathogens are unlikely to lead to the extinction of their hosts. These include the empirical anti-correlation between infectiousness and lethality, the extreme rarity of diseases that kill more than 75% of those infected, the observed tendency of pandemics to become less virulent as they progress and the theory of optimal virulence. However, there is no watertight case against pathogens leading to the extinction of their hosts. [END FOOTNOTE] In the great bubonic plagues we saw civilization in the affected areas falter, but recover. The regional 25 to 50 percent death rate was not enough to precipitate a continent-wide collapse of civilization. It changed the relative fortunes of empires, and may have altered the course of history substantially, but if anything, it gives us reason to believe that human civilization is likely to make it through future events with similar death rates, even if they were global in scale. The 1918 flu pandemic was remarkable in having very little apparent effect on the world’s development despite its global reach. It looks like it was lost in the wake of the First World War, which despite a smaller death toll, seems to have had a much larger effect on the course of history.16 It is less clear what lesson to draw from the Columbian exchange due to our lack of good records and its mix of causes. Pandemics were clearly a part of what led to a regional collapse of civilization, but we don’t know whether this would have occurred had it not been for the accompanying violence and imperial rule. The strongest case against existential risk from natural pandemics is the fossil record argument from Chapter 3. Extinction risk from natural causes above 0.1 percent per century is incompatible with the evidence of how long humanity and similar species have lasted. But this argument only works where the risk to humanity now is similar or lower than the longterm levels. For most risks this is clearly true, but not for pandemics. We have done many things to exacerbate the risk: some that could make pandemics more likely to occur, and some that could increase their damage. Thus even “natural” pandemics should be seen as a partly anthropogenic risk.

#### 4. Burnout and geographic dispersion check disease.

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For most of human history, natural pandemics have posed the greatest risk of mass global fatalities.37 However, there are some reasons to believe that natural pandemics are very unlikely to cause human extinction. Analysis of the International Union for Conservation of Nature (IUCN) red list database has shown that of the 833 recorded plant and animal species extinctions known to have occurred since 1500, less than 4% (31 species) were ascribed to infectious disease.38 None of the mammals and amphibians on this list were globally dispersed, and other factors aside from infectious disease also contributed to their extinction. It therefore seems that our own species, which is very numerous, globally dispersed, and capable of a rational response to problems, is very unlikely to be killed off by a natural pandemic.

One underlying explanation for this is that highly lethal pathogens can kill their hosts before they have a chance to spread, so there is a selective pressure for pathogens not to be highly lethal. Therefore, pathogens are likely to co-evolve with their hosts rather than kill all possible hosts.39

# 1NR

## Cap K

### Kick---2NC

#### Concede the perm, just a test of competition.

## Sustainability CP

### Kick---2NC

#### Concede the perm, just a test of competition.

#### PICs are a reason to reject the arg, not the team.

## Courts CP

### Condo---2NC

#### Conditionality is good –

#### 1. Neg flex – it’s a new Aff – the Neg is reactive – only condo gets overcomes the research and prep deficit.

#### 2. Logic – draw a line – it was in the 1nc – disproving the CP doesn’t prove the plan is good – their irrational interp kills education and predictability.

#### 3. They didn’t disclose – that kills clash, pre-round prep, and leads to bad Affs – reject the team.

#### 4. Not a voter – they must win what we did made it impossible.

#### AT: Dispo

Dispo links to their offense and doesn’t solve – teams add planks to force perms – AND, 2ns will reclarify it as condo.

### Solvency Advocate---2AC

#### Other counterplan had a solvency advocate! Their evidence. It links to them---they don’t have one about the plan. No ground loss---can generate offense---key to neg creativity and critical thinking. Hard debate is good---reject the arg.

### Agent CP---2AC

#### UQ reasons why states are good were on states---it’s predictable, real world, and possible to generate offense against---key to real-world education---reject the arg

## Biz Con DA

### Kick---2NC

#### Concede business confidence is made up---they don’t have access to offense. It takes forever to solve polarization---the impact was about a quick decline, so they can’t access it AND Ukraine thumps. The disad turns any offense---means that the economy declines.

#### Antitrust now can NOT be cross-applied to the DA because the 2AC did not provide a warrant---if the 1AR says what other antitrust is coming, we get new answers!

## Bedoya DA

### Kick---2NC

#### Concede confirmation inevitable, no link---no offense BUT they dropped the internal link which takes out the case! FRT is the largest internal link to democratic backsliding---takes out the populism scenario---means autocracies can target minorities globally---outweighs the AFF.

## Politics DA

### Impact Overview---2NC

#### Tech leadership solves extinction:

#### 1. Advances in AI, autonomous weapons, and biotech all guarantee extinction if developed in an Chinese led-system---independently, Chinese tech edge causes nuclear transition wars in Asia---reshoring US semiconductors are key to innovation and insulating the industry from shocks---that’s Jain and Washington.

#### 2. Emerging tech categorically outweighs nuclear war.

Milan M. Cirkovic 8. Professor of Physics, University of Novi Sad; Senior Research Associate, Astronomical Observatory of Belgrade; PhD; Fellow, Institute for Ethics and Emerging Technologies. “How Can We Reduce the Risk of Human Extinction?” Institute for Ethics and Emerging Technologies. September. <http://ieet.org/index.php/IEET/print/2606>

The risks from anthropogenic hazards appear at present larger than those from natural ones. Although great progress has been made in reducing the number of nuclear weapons in the world, humanity is still threatened by the possibility of a global thermonuclear war and a resulting nuclear winter. We may face evengreater risks from emerging technologies. Advances in synthetic biology might make it possible to engineer pathogens capable of extinction-level pandemics. The knowledge, equipment, and materials needed to engineer pathogens are more accessible than those needed to build nuclear weapons. And unlike other weapons, pathogens are self-replicating, allowing a small arsenal to become exponentially destructive. Pathogens have been implicated in the extinctions of many wild species. Although most pandemics “fade out” by reducing the density of susceptible populations, pathogens with wide host ranges in multiple species can reach even isolated individuals. The intentional or unintentional release of engineered pathogens with high transmissibility, latency, and lethality might be capable of causing human extinction. While such an event seems unlikely today, the likelihood may increase as biotechnologies continue to improve at a rate rivaling Moore’s Law. Farther out in time are technologies that remain theoretical but might be developed this century. Molecular nanotechnology could allow the creation of self-replicating machines capable of destroying the ecosystem. And advances in neuroscience and computation might enable improvements in cognition that accelerate the invention of new weapons. A survey at the Oxford conference found that concerns about human extinction were dominated by fears that new technologies would be misused. These emerging threats are especially challenging as they could become dangerous more quickly than past technologies, outpacing society’s ability to control them. As H.G. Wells noted, “Human history becomes more and more a race between education and catastrophe.” Such remote risks may seem academic in a world plagued by immediate problems, such as global poverty, HIV, and climate change. But as intimidating as these problems are, they do not threaten human existence. In discussing the risk of nuclear winter, Carl Sagan emphasized the astronomical toll of human extinction: A nuclear war imperils all of our descendants, for as long as there will be humans. Even if the population remains static, with an average lifetime of the order of 100 years, over a typical time period for the biological evolution of a successful species (roughly ten million years), we are talking about some 500 trillion people yet to come. By this criterion, the stakes are one million times greater for extinction than for the more modest nuclear wars that kill “only” hundreds of millions of people. There are many other possible measures of the potential loss—including culture and science, the evolutionary history of the planet, and the significance of the lives of all of our ancestors who contributed to the future of their descendants. Extinction is the undoing of the human enterprise. There is a discontinuity between risks that threaten 10 percent or even 99 percent of humanity and those that threaten 100 percent. For disasters killing less than all humanity, there is a good chance that the species could recover. If we value future human generations, then reducing extinction risks should dominate our considerations. Fortunately, most measures to reduce these risks also improve global security against a range of lesser catastrophes, and thus deserve support regardless of how much one worries about extinction.

#### 3. Turns the AFF---economic failure and losing the competition to China causes polarization, city collapse, populism.

### AT: Plan Popular---2NC

#### Antitrust legislation upends Biden’s agenda.

#### 1. Picking fights with the big Tech lobby by breaking up their information monopology and winning over pro-Business congress members requires time and PC that trades off with passing legislation to counter China---that’s Carstensen.

#### 2. It’s an opportunity cost.

Spencer Weber Waller 19. John Paul Stevens Chair in Competition Law and Director, Institute for Consumer Antitrust Studies, Loyola University Chicago School of Law. “Antitrust and Democracy”, 46 FLA. St. U. L. REV. 807 (2019).

The opportunity costs for each hearing on such marginal issues, for example, whether professional baseball should continue to enjoy a partial exemption from the antitrust laws or grandstanding for constituents over the fate of a particular merger with a pronounced local effect, is high. Congress sacrifices time, money, and attention better used to study more important, broader issues of competition law and policy. Stated enforcement policy over unilateral conduct and merger policy have changed substantially between administrations and over time. Important guidelines and stated enforcement priorities have changed as well with little substantive Congressional involvement. 16 6 Critical decisions by the United States Supreme Court have changed the law in dramatic and subtle ways without significant Congressional input either before or after the decisions. 167

#### 3. Antitrust is a poison pill---tech will fight the plan and paint Biden as weak on China.

Karl Evers-Hillstrom & Chris Mills Rodrigo 22. Staff writers. "Big Tech allies point to China, Russia threat in push to squash antitrust bill". TheHill. 2-23-2022. https://thehill.com/policy/technology/595414-big-tech-allies-point-to-china-russia-threat-in-push-to-squash-antitrust?rl=1

Big Tech’s numerous allies in Washington are repeating a similar message as they lobby lawmakers to abandon antitrust legislation: The U.S. needs tech giants at full strength to counter China, Russia and other threats to national security. The last-ditch effort comes as the Senate gears up to consider the American Innovation and Choice Online Act, a bipartisan bill that would prevent dominant digital platforms from favoring their own services and empower antitrust enforcers to scrutinize the largest tech firms. Despite making it out of the Senate Judiciary Committee by a bipartisan 16-6 vote, the legislation targeting America’s largest tech companies faces an uphill battle. Many lawmakers who gave the legislation a thumbs-up on the panel cautioned that they would be unlikely to vote “yes” on the floor unless major changes are made. A handful of those lawmakers specifically expressed concern that stopping tech giants from self-preferencing could unintentionally advantage America’s adversaries. Russian aggression in Ukraine has only reinforced those industry talking points among lawmakers who are fearful of impending cyber conflicts with Russia and China, according to tech allies. “When you’re talking about a geopolitical conflict, all of a sudden the terms of the debate change, both for the Democrats and the Republicans. There’s an ongoing shift as people grapple with the magnitude of the global tensions,” said Michael Mandel, chief economist at the Amazon- and Meta-backed Progressive Policy Institute, which opposes the antitrust bill. “You don’t want to be in a position of disassembling your strongest tech companies at the same time you’re fighting a tech war.” The argument that antitrust enforcement weakens national security is by no means new. AT&T deployed a similar defense of its power in the 1980s. But tech giants’ hawkish stance on China is a more recent development. Industry lobbyists and tech-backed advocacy groups on both the right and left have inundated lawmakers with calls, emails, op-eds and political ads warning that the antitrust proposal will give Beijing the upper hand in the technological arms race. The shift from portraying themselves as national champions to a hedge against the Chinese Communist Party has come despite many major tech companies’ big presence in China. Apple has shifted much of its production to China over the last decade and has established itself as a domestic seller. Meta’s Mark Zuckerberg courted China for years before decrying the Chinese internet model. Google was working to build a censored search engine that could operate in China as recently as 2017. Amazon was chastised by lawmakers last year over a contract with a Chinese company that claimed it could track Uyghurs in real time. But their current argument began shortly after the House Judiciary Committee published its wide-ranging report on digital marketplace competition and posits that weakening American tech companies would cut into U.S. technology leadership. The U.S. Chamber of Commerce, which seats Meta and Microsoft executives on its board, argued in a report published last week that legislative proposals under consideration would require affected companies to compete against Chinese government-backed companies such as Huawei and TikTok’s parent company ByteDance “with one hand tied behind their backs.” The Computer and Communications Industry Association, which represents the big four tech companies, argues that the bill would require U.S. tech giants to share data with foreign competitors and weaken their research and development capabilities while leaving Chinese tech firms untouched. “Given the current geopolitical environment, now more than ever policymakers need to be aware of the risks of undermining the U.S. competitive advantage in technology products and services,” said Matt Schruers, the tech group’s president. Most tech giants ramped up their lobbying presence amid the antitrust fight. Amazon and Meta each shelled out more than $20 million on federal lobbying last year, dwarfing the spending of all other companies, according to research group OpenSecrets. But those figures only scratch the surface of tech giants’ influence. Meta has disclosed funding more than 100 Washington-centric organizations, including a host of liberal and conservative lobbying groups and influential think tanks such as the American Enterprise Institute and the Brookings Institution. Amazon backs dozens of groups ranging from nonpartisan groups like the National Security Institute to the liberal Chamber of Progress and the right-wing Taxpayers Protection Alliance, which is running ads warning that the tech bill will “help China win in the end.” While Apple and Google are less active in backing Washington groups, their CEOs personally met with senators in recent months to lobby against antitrust bills.

#### 4. The other legislation is NOT the same---it has a couple co-sponsors, has gone nowhere in the Senate, and provides temporary reprive from antitrust---it’s not the same as the AFF’s massive departure. Also, it’s about voters liking the plan, not Congress!

#### 5. The AFF is not a simple local AFF, rather their evidence speaks to Big Tech’s media monopoly. Their evidence is also misleadingly highlighted---when talking about bipar, it’s referencing infrastructure---NOT the AFF.

#### This highlighting shows that.

Douglas E. Schoen 22, Democratic campaign consultant and author of several books including “The Power of the Vote: Electing Presidents,” lawyer, political analyst, author, lobbyist, and commentator, “Douglas E. Schoen: Legislation would give news publishers bargaining power against Big Tech. Biden should urge its passage,” Chicago Tribune, 2/7/2022, <https://www.chicagotribune.com/opinion/commentary/ct-opinion-big-tech-journalism-competition-preservation-act-20220207-7d65tg3khzfpxmfdtlyf5vmiey-story.html>

In today’s politically charged climate, it is infrequent that an issue or piece of legislation garners bipartisan support.

Last year, in a rare display of bipartisanship, an essential and long-overdue reform designed to modernize America’s infrastructure was signed into law by President Joe Biden, having received the support of dozens of congressional Republicans and nearly all Democrats.

This year, Biden and Democrats in Congress have another unique opportunity to pass an important piece of legislation on a bipartisan basis: the Journalism Competition and Preservation Act, or JCPA.

The JCPA, which initially was circulated in 2018, was reintroduced last year by Sens. Amy Klobuchar, D-Minn., and John Kennedy, R-La. The Senate Judiciary antitrust subcommittee recently held a hearing on the legislation, which is designed to curb Big Tech’s monopoly over news and information.

If passed, the JCPA would allow news publishers to collectively negotiate — under the authority of a federal arbiter — with social media companies, namely Meta (Facebook) and Alphabet (Google), over how news is distributed online. This would make the news industry stronger and more equitable by ensuring that the smaller media entities that own local news outlets receive adequate compensation for their content so that they can continue to operate.

As things currently are, Big Tech is able to disseminate the intellectual property of media outlets without offering any compensation or benefit to these local newspapers and content providers. This is not only blatantly unfair — as it represents an expropriation of outlets’ work products without any economic benefit — but it is also one of the major reasons why local newspapers across the country are facing unprecedented challenges in remaining both economically viable and as the lifeblood of their communities.

For both practical and political reasons, Biden and congressional Democrats should devote considerable attention, energy and political capital to ensuring JCPA’s passage.

The necessity of implementing the reforms contained in JCPA is clear from a practical perspective. The world of news and information has changed dramatically over the last two decades, yet antitrust and antimonopoly laws haven’t changed with it.

As a result, local newspapers have been on life support throughout much of the 21st century. Google News, Facebook News and similar news aggregator sites drive traffic to their sites by presenting a constant flow of links to articles from thousands of smaller publishers. Parent companies like Alphabet and Meta are then able to monetize their own advertising and related products — but they do so without fairly compensating smaller publishers for their material.

Indeed, the current copyright and antitrust laws in the U.S. do not mandate compensation to publishers, nor do they provide any legal basis for news publishers to be able to collectively negotiate with these online platforms.

Given that companies such as Alphabet and Meta have not taken the initiative to self-regulate by making meaningful changes to their practices, it is now the job of the federal government to step to make news and information a freer and fairer industry.

It is noteworthy that the JCPA is part of a global trend in which governments have been cracking down on social media monopolies by strengthening their antitrust laws. The Canadian government is working on a proposal similar to the JCPA, and last year, Australia became the first government to pass actual legislation to that effect.

In the U.S. alone, over the last several months, there have been numerous antitrust hearings in Congress in which the CEOs of Big Tech social media companies were questioned about their approach of essentially bullying competitors into either accepting buyouts or face being destroyed.

Though JCPA has bipartisan support in the House and Senate, it does face opposition from some members of both parties.

Some critics — mainly on the left — are claiming that the JCPA would enable large news outlets to make special deals with Big Tech companies, thus worsening the problem of monopolization in the news industry. However, this is inaccurate, as the bill does not allow big companies to negotiate alone or to broker side agreements under the threat of harsh penalties.

Those on the political right have taken issue with the bill for different reasons, arguing that it would actually give Big Tech more power to discriminate against smaller conservative publications for the purposes of demonetizing the outlet. Yet, the JCPA is written to prevent Big Tech from engaging in this kind of behavior.

Though there are provisions and language in the current bill that need to be carefully studied and debated over the next several months, it’s clear that the time has come for the U.S. to rein in Big Tech.

Politically, with Democrats facing a stalled legislative agenda and Biden facing record-low approval numbers, the Democratic Party needs to show voters that it can deliver on important bipartisan reforms.

Biden can begin increasing the visibility of the issue by addressing the JCPA in his State of the Union speech next month and urging its passage. At the same time, congressional Democrats should publicly promote and sell the bill to Americans in a way that voters can understand, engage with and give Democrats credit for.

Ultimately, if America is to have a news and information industry that is truly free and fair, we must stop allowing Big Tech companies to engage in market manipulation without consequence. We can start by passing the Journalism Competition and Preservation Act into law.

#### 6. Delay link---Quick passage is key---firms have only five days of chips on hand---disruptions of just a few weeks can upend the entire supply chain.

Shepard Price 22. Digital reporter, Master’s in Journalism. "U.S. semiconductor chip shortage crisis rising to concerning level". Edwardsville Intelligencer. 1-27-2022. https://www.theintelligencer.com/news/article/U-S-semiconductor-chip-shortage-crisis-rising-to-16809242.php

According to a report issued by the U.S. Department of Commerce on Tuesday, the supply of semiconductors — computer chips used in an "increasing number of products" from cell phones and cars to critical goods such as medical devices — in the U.S. has fallen to a level the Department called an "immediate crisis." Per the report, the semiconductor shortage is due to a "perfect storm" of factors, including an underlying growth in demand for chips as more industries shifted to using more of them to the pandemic "dramatically increasing" demand for products that require semiconductors of all types. This could lead to factories closing down domestically, the department stated, if a COVID outbreak, natural disaster or political instability disrupts a foreign semiconductor facility for even just a few weeks. This puts American workers and their families at risk. "The semiconductor supply chain remains fragile, and it is essential that Congress pass chips funding as soon as possible," Secretary of Commerce Gina Raimondo said in a statement. "With sky-rocketing demand and full utilization of existing manufacturing facilities, it’s clear the only solution to solve this crisis in the long-term is to rebuild our domestic manufacturing capabilities. "President Biden has proposed $52 billion to revitalize our domestic semiconductor industry, and every day we wait on this funding is a day we fall further behind," Raimondo continued. "But if we address this problem, we can create good jobs, rebuild American manufacturing, and strengthen our supply chains here at home for years ahead." Supply has also been disrupted by events like factory fires, winter storms, energy shortages and COVID-19 related shutdowns. The department said the private sector is "best positioned" to address the near-term challenge posed by the current shortage, although the Biden Administration has worked with industry leaders to improve supply chain transparency and establish long-term partnerships. Demand continues to far outpace supply, the department said, with findings from the report including that median demand for chips highlighted by buyers was up to 17% higher in 2021 than in 2019, with buyers not seeing an increase in received supply. That has resulted in inventory of semiconductor products falling from 40 days in 2019 to less than five days in 2021, with inventories smaller in "key industries," including chips for automobiles and medical devices. "The RFI results make it clear: America needs to produce more semiconductors," the department wrote. "Congress must pass funding for domestic semiconductor production, such as the U.S. Innovation and Competition Act, to solve our supply challenges for the long term." Shortages created a 7% year-over-year increase in consumer prices in December, the largest inflation in about 40 years.

#### Any competing legislative priorities crowd out chips funding.

Michael Martz 2-15. Richmond Times-Dispatch. "'We're ready': Henrico poised as White House pushes Congress on semiconductor chip incentives". Richmond Times-Dispatch. 2-15-2022. https://richmond.com/news/state-and-regional/govt-and-politics/were-ready-henrico-poised-as-white-house-pushes-congress-on-semiconductor-chip-incentives/article\_ff6d1bbc-63af-59dc-892d-14dde1aad4fb.html

Chesterfield County offered the 2,000-acre Upper Magnolia Green property as one of the top three sites for the Intel project, which is expected to invest $100 billion at full build-out, according to Garrett Hart, county director of economic development. “We’re chasing [chip fabrication plants] in a big way,” Hart said Tuesday. Hart said big semiconductor companies are preparing now to “get ready to go and put the shovel in the ground the minute the bill passes. It is key to bringing chip manufacturing back to this country.” Spanberger has openly voiced frustration with House leadership for waiting until early February to adopt the COMPETES Act — almost eight months after the Senate approved the U.S. Innovation and Competition Act. She called the delay “outrageous.” Raimondo attributed the long delay to the complexity of the 2,000-page bill, which she said was reviewed by 11 House committees. But she also acknowledged competing initiatives, notably passage of the Infrastructure Investment and Jobs Act in the fall and the failed attempt to adopt the Build Back Better spending package focused largely on helping families and combating climate change. “There were a lot of other priorities at that time,” she said. The need to revive the domestic manufacture of semiconductor chips has become more urgent with the rapid rise of inflation, which reached a 40-year high in January at 7.5% over the previous year.

### AT: Thumpers/Overwhelms---2NC

#### No thumpers:

#### 1. It’s Biden’s top priority---that’s Washington.

#### 2. The house and senate are clearing time for committees---other legislation is tiny and priced in.

#### 3. It’s the next big item on the Senate’s agenda---the urgency is there.

Tom Temin & Loren Dungen 3-21. Loren Duggan is the Bloomberg Government Deputy News Director. "Ukraine has sped up how Congress is thinking about China". Federal News Network. 3-21-2022. https://federalnewsnetwork.com/congress/2022/03/ukraine-has-sped-up-how-congress-is-thinking-about-china/

The House of Representatives is taking what amounts to a spring break, but the Senate is in town working on legislation to deal with China and closing in on the Supreme Court nomination. The Federal Drive with Tom Temin got a look ahead from Bloomberg Government Deputy News Director Loren Duggan. Interview transcript: Tom Temin: And Loren, let’s start with the 2023 budget submission. There’s actually action there happening, right? Loren Duggan: That’s right. Here we go again, right? We just finished the fiscal 2022 law, President Biden signed that last week, there’s a new OMB director officially because Shalanda Young was confirmed to be director after being acting director, and one of her first orders of business is assembling the fiscal ’23 budget that we expect next Monday, March 28. So that will set off a whole other round of budget and appropriations work in Congress, a lot to do here. Oct. 1 is going to come pretty quickly. And so we’ll be tearing into that next week and looking for anything we can get in advance in the next couple of days. Tom Temin: And I guess in Congress’s eyes, November (whatever it is) is coming even faster than Oct. 1. Loren Duggan: That deadline might be a bigger one for them than the Oct. 1, one, yes. Tom Temin: All right. So getting to the week ahead, as you say the House is out. And they are having their conferences and their retreats, the GOP in Florida and where are the Democrats? Loren Duggan: Well, the Democrats had theirs a couple of weeks ago in Philadelphia. They do them at separate times, which makes it easier for news organizations to cover one than the other. So this week, the Republicans are convening in Florida, where they’ll talk about their strategy for the election, hear from past officials, have some fun, too. You know, they had DJ Jazzy Jeff when they were up in Philadelphia, and as I understand it, they’ll have some band members playing from within their own conference down there. So it’s a good time, get away from Washington and talk about your agenda and probably think about some fundraising too, ahead of, like you say, that November election that’s looming large over everything the next couple of months. Tom Temin: All right, so the Senate is in town and the China competition bill, I guess that in some sense, takes on new urgency, as we’ve got this weird relationship with China, warning them and hoping at the same time they don’t help out Russia. It’s added a new wrinkle into the whole China kind of gestalt these days. Loren Duggan: It has and President Biden talked to President Xi [Jinping] last week about what’s going on in Ukraine. But in terms of this legislation, this is a bill that has had different versions come out of the Senate and the House. What they’re trying to do now was set up a conference, the formal negotiation between the House members and Senate members to come to an agreement. There’s a lot in this bill that both parties like but there’s a few things that don’t line up exactly and where some of the fights will be. One of the centerpiece items that does have bipartisan support is $52 billion over several years for chip production here in America. Chips go into everything right, and the shortage of them has caused problems the last couple of years, everything from cars to your smart refrigerators, we need chips, we need to make them here. So President Biden called for this bill in a State of the Union. They have to take some procedural steps in the Senate this week to get to that conference, it may take some time. But this is the next big bill that I see coming because there’s going to be money in here, there’s going to be an opportunity to shore up different agencies, authorized agencies like NSF and NIFT. So there’s a lot in this bill, if they can come to an agreement, that could be a very bipartisan win for members heading into the November elections and something that the president, as I mentioned, very much wants.

#### 4. Biden’s budget won’t pass.

Jennifer Scholtes, 3-28-2022, "Biden’s budget goes bigger on defense, taxing the ultra-rich ," https://www.politico.com/news/2022/03/28/biden-budget-request-00020611

Republicans are expected to offer a stiff counteroffer — demanding that Biden go even bigger than his proposed $813 billion for the national security budget, and shrink his ambitions for $769 billion in non-defense spending.

The president’s second budget request lays out his spending wishes for the fiscal year that will dawn in October, a month before Election Day in the midterms that could shift control of Congress. Republican leaders are betting they will claw back the majority in at least one chamber, emboldening their push for changes.

Biden’s request on Monday already shows how priorities in Washington have shifted of late.

Biden’s call for $773 billion in Pentagon funding is itself an acknowledgment that top lawmakers in both parties have rapidly embraced higher defense totals in the month since Russia invaded Ukraine. Lamenting the shift, progressive Democrats are already urging the president to do everything in his power to “resist” calls for increased defense funding, after they first lost that battle earlier this month when the president signed a $1.5 trillion government funding package that increased current national defense spending by 6 percent.

“Budgets are statements of values,” Biden said in a statement, calling his request a “clear message” that the U.S. values “safety and security at home and around the world,” as well as “fiscal responsibility” and investments in “equitable growth.”

While the new fiscal year doesn’t begin for more than six months, Biden is using his budget request to detail plans he wants Congress to clear before then, including a major tax revamp that could help Democrats revive slices of their beleaguered Build Back Better package.

#### No partisan issues are passing.

Nicholas Wu 3-11. Congressional reporter. "An upbeat Biden ignores stalled agenda in Dem pep talk". POLITICO. 3-11-2022. https://www.politico.com/news/2022/03/11/dems-array-themselves-00016609

Going into the multiday gathering, many Democrats privately said they wanted Biden to offer a clear objective. It’s been roughly 100 days since the House passed the enormous “Build Back Better” only to watch Manchin tank it in the evenly divided Senate. Democratic senators have begun taking baby steps toward reviving at least some pieces of Biden’s agenda — a drug pricing reform that has been hailed by Manchin — but there’s no certainty about where it could go next. Biden did acknowledge that he wants to do more, calling on Congress to cap the cost of child care and to fix the broken tax code, both pieces of that House-passed bill. But he said nothing about what a new version of that bill should look like, or how he would persuade Manchin to support it. In fact, he offered even less detail than he did in his State of the Union address last week. “Look, we have an ambitious agenda. So let’s go get it done,” Biden said, ticking off additional priorities like voting rights, climate change, gun violence, criminal justice reform that also have gone nowhere in the narrowly divided Congress.

#### Doesn’t overwhelm:

#### 1. Passes now but there will be holdouts

Daniel Flatley 3-23. Reporter for Bloomberg, Masters in Journalism from Columbia. "Chip Producers Say They’re Ready to ‘Go Bigger and Faster’". Bloomberg. 3-23-2022. https://www.bloomberg.com/news/articles/2022-03-23/chip-producers-say-they-re-ready-to-go-bigger-and-faster

The executives joined the Biden administration in pressing for action. The House and Senate have been wrangling with how to combine their different versions of the legislation, designed to strengthen U.S. competitiveness against China and bolster domestic chip production, for months. Still, a final package is unlikely to be finalized before the end of May. Senate Majority Leader Chuck Schumer has taken procedural steps to begin negotiations with the House. The legislation has bipartisan support, but there are some holdouts. Senator Ron Johnson, a Wisconsin Republican, questioned why the U.S. would create a new “industrial policy” where the government would invest in semiconductor manufacturing rather than simply slapping tariffs on goods from countries that subsidize their chip-producing industries. Senator Bernie Sanders, an independent from Vermont who caucuses with Democrats, decried the “corporate welfare” in the legislation during a speech lambasting the chip companies for outsourcing manufacturing jobs over the past two decades. Sanders said he wanted votes on amendments to make the companies issue warrants or equity stakes if they receive taxpayer support and to eliminate a provision that would benefit Amazon founder Jeff Bezos’ Blue Origin space venture.

#### 2. Not a sure thing---they’ll be defections on both sides.

Joseph Clark 3-22. Covers Congress and national security for The Washington Times. He is a Kansas native and holds a bachelor’s degree in American Studies from the University of Kansas. Joseph spent ten years in the Navy after college and worked briefly in banking prior to obtaining his master's degree from the Columbia Journalism School and joining The Washington Times. "China competition bill set to advance to final negotiations in Congress after months of delays". The Washington Times. 3-22-2022. https://www.washingtontimes.com/news/2022/mar/22/china-competition-bill-set-advance-final-negotiati/

The Senate has forged ahead with a long-stalled bill to promote U.S. production of microprocessor chips to better compete with China, preparing to inch the legislation forward and into a tough round of negotiations with the House. President Biden has pressed Congress for quick passage of the sweeping legislation but key differences remain between the House and Senate versions. The Senate version is the $250 billion U.S. Innovation and Competition Act. The House counterpart is the $335 billion America COMPETES Act. After months of stalls, Senate Majority Leader Charles E. Schumer set up the votes to get the legislation into a bicameral conference committee to begin reconciling the two bills. “This legislation has been dissected and debated for well over a year now,” Mr. Schumer, New York Democrat, said on the Senate floor Tuesday. “But the need to pass this bill really boils down to two simple words: J-O-B-S, jobs and C-O-S-T-S costs.” Both the House and Senate versions include a $52 billion boost for semiconductor manufacturing to combat a chip shortage. “There’s nothing abstract about the shortage of chips,” Mr. Schumer said. “It impacts Americans’ abilities to buy cars, refrigerators, phones, and other household items. By passing bipartisan legislation that invests in domestic chip production, we can help alleviate this vexing chips crisis.” The Senate version first passed in June with the support of 18 Republicans and 50 Democrats. But the nearly 3,000-page House version also includes a hodgepodge of spending including $8 billion to help developing countries address climate change, funding to make the U.S. less reliant on Chinese solar technology and $45 billion to shore up U.S. supply chains. House Republicans railed against the bill, which passed 222 to 210 last month, as a “foreign policy failure” that funnels taxpayer dollars into an “unaccountable U.N. slush fund” without addressing threats to U.S. national security posed by China. House Republicans also voiced frustration with the process, saying they were sidelined while Democrats wrote the bill. Sen. Todd Young, an Indiana Republican who worked on the Senate version, said he is committed to making the final bill more palatable for House Republicans. The bill is a priority for Democrats and its passage would be a big win for Mr. Biden, who has been hobbled by a string of legislative defeats. Mr. Biden also has struggled to untangle a global supply chain hobbled by shipping delays and backlogs. And, the U.S. has been edged out of semiconductor manufacturing in recent decades by overseas producers. On Monday, Commerce Secretary Gina Raimondo urged lawmakers to quickly move the legislation through Congress. “The situation as it relates to semiconductors is quite dire,” Ms. Raimondo said in a call with senators of both parties. Ms. Raimondo brought in former Trump administration officials, for the call including former national security adviser H.R. McMaster, to help sway lawmakers. During the call, Mr. Young said he welcomed the start of formal negotiations between the House and Senate but wanted an open process “with input from all of my colleagues and consistent with what we call around here regular order.” “I know the vote will not be unanimous and that both parties and members of both parties are going to have to make principled compromises, principled concessions, in order to get an agreement done,” he said. “That’s always what happens when you approach a negotiating table. But America and the world will be better off with a bipartisan, broadly supported final product.”

#### 3. Their evidence sucks

### AT: Winner’s Win---2NC

#### Winners don’t win.

Subramanian 21 – White House correspondent at USA Today, citing William Howell – political scientist at the University of Chicago Harris School of Public Policy

Courtney, with Joey Garrison, 3/7. “'Dinner table' politics: Why Joe Biden ditched bipartisan dealmaking to pass his COVID-19 relief bill.” https://www.usatoday.com/story/news/politics/2021/03/07/covid-19-bill-biden-chooses-dinner-table-politics-over-bipartisanship/6892438002/

Despite the relief plan's popularity outside the Beltway, it is unlikely that momentum from its passage will hurtle Biden into future legislative wins, Howell said.

“The idea that a legislative win begets a subsequent legislative win in this environment is probably asking for too much,” he said, noting the prospect of passing COVID-19 relief was higher than more hot-button issues like immigration or health care.

A legislative defeat would have raised questions about Biden’s ability to pass any meaningful legislation, but its passage won’t be a “springboard to the production of all kinds of landmark legislation – far from it," Howell said.

“Sure, he can claim victory,” said Ari Fleischer, former press secretary for President George W. Bush. “Nobody will ultimately know whether it truly is a victory until we see the shape the economy is in a year or so.”

#### PC Finite---can’t increase, only decreases.

#### Worthy and Benister ’12 (Ben and Maark, “Getting It, Spending It, Losing It: Exploring Political Capital”). Ben is a research associate, and Mark is a lecturer in politics. Political Studies Association 2012 Annual Conference. [sci-hub.se/10.2139/ssrn.2480548](https://sci-hub.se/10.2139/ssrn.2480548) // BB

**Political capital**, which **is finite**, is not the same as money in the bank, which **can [not] keep growing indefinitely**. Political capital is **also subject to depreciation as** part of ‘a natural trajectory’ during which **support and power is lost over time.**

#### Winners don’t win---productivity and agenda success are INVERSELY related in polarized environments.

**Masket 14** (Seth, “Unpopularity and Productivity are Related”). Professor of Political Science at University of Denver. <http://www.mischiefsoffaction.com/> // BB

But **policy accomplishments don't** really **help** a **president** much in terms of popularity. LBJ wasn't popular because he signed Medicare or the Civil Rights Act. It works the other way around; he was able to pass those in part because he was popular in 1964-65, thanks to a very strong economy and public goodwill in the wake of the Kennedy assassination. Notably, all his Great Society legislation didn't help him out once the public got annoyed by the Vietnam War; his party lost many seats in 1966 and he chose to resign rather than face the voters' wrath in 1968. Beyond that, to the extent **productivity and popularity may** be related today, they may **run in the opposite direction**. **In** a **polarized political environment**, a **president's achievements** are likely to **generate as** least as **many enemies as friends**. Take health care reform, Obama's signature accomplishment. No Democrat could credibly run for president in 2008 (or for many years before that) without health care reform being a top priority. That was the nature of the Democratic coalition for decades. Conversely, the Republican coalition had been organized for decades around preventing Democrats from enacting health care reform. Obama's efforts were bound to produce substantial pushback, just as Clinton's did twenty years ago. The passage of health care reform indeed exacerbated Democratic congressional losses in 2010, and may well have handed Republicans the House of Representatives. This doesn't mean that it was wrong for Democrats to pass health care reform or for Obama to do any of the things he's recently done. It just means that actually **being productive will engender resistance**. Obama is unpopular at least in part because he's been effective.

### AT: PC Not Key---2NC

#### PC is key---

#### 1. Biden pressed for it in the SOTU and has been putting constant pressure on Congress to make it the top priority---that’s 1NC Washington.

#### Biden’s getting involved to convince Congress now---it’ll pass but it’s not a slam dunk and any delay harms the industry

Hans Nichols 3-20. "Biden turns to former Trump officials on China competition bill". Axios. 3-20-2022. https://www.axios.com/biden-asks-trump-team-make-semiconductor-case-7ec4f67f-82da-4915-bfde-44e1a1428cf6.html

The Biden administration is enlisting former Trump officials on Monday to convince Congress to pass legislation bolstering America’s semiconductor industry. Why it matters: Officials believe the bill will make American manufacturing more competitive with China. By coordinating with Trump officials, the Biden team is trying to depoliticize and add urgency to the legislation. The bill has stalled because of differences between the House and the Senate on how much — and where — to spend billions of dollars to strengthen America's supply lines. Driving the news: Commerce Secretary Gina Raimondo is hosting H.R. McMaster, President Trump’s former national security adviser; Matthew Pottinger, another Trump NSC official; Eric Schmidt, the former CEO of Google; and members of Congress, including Sen. Todd Young (R-Ind.), on Monday for a virtual conversation about semiconductor manufacturing. “This is clearly a national security issue, so we’ll be bringing together experts from both sides of the aisle, including Trump supporters,” Raimondo told Axios. “Every day that we wait is a day that we fall behind.” “Best-case scenario is we get this done in the next couple of months,” she said. “The worst-case scenario is nothing happens.” The backstory: Last week, Senate Majority Leader Chuck Schumer (D-N.Y.) took a procedural step to resolve differences between the House- and Senate-passed versions. Both bills include some $52 billion to incentivize companies to build semiconductor manufacturing facilities in the U.S. The Senate bill, which received 18 Republican votes, totaled $250 billion, and included money for other industries on the front lines of the U.S-China rivalry. In addition, it had funding to overhaul the National Science Foundation. The House version grew to $335 billion and includes money for workers whose jobs have been outsourced, in addition to environmental and trade provisions. Only one Republican supported it. The big picture: President Biden and his Cabinet have been hosting almost weekly events to press Congress to act on a China competitiveness bill. A White House official said other expected attendees include clean-energy companies (Pattern and Invenergy) and refiners (Marathon Petroleum), as well as financial services (Visa, JP Morgan, Bank of America), food/agriculture (Land O’Lakes, Cargill) and manufacturing firms (Dow, U.S. Steel). Go deeper: Lawmakers have been arguing that the war in Ukraine, and Western sanctions against Russia, have revealed the vulnerability of America’s supply lines, especially in semiconductors — used in everything from fighter jets to refrigerators. Raimondo is trying to drive home a similar point. “In three weeks, we have massively disrupted Russian military operations and economy by cutting off their access to crucial technology,” she said. “I shudder to think what other countries can do to the United States of America, with so many of our semiconductors produced outside of the country.”

#### 2. PC is key to push through industrial policy on semiconductors

Alexiaa Jordan 21. "Expert Advice for the Biden Administration’s Approach to Semiconductor Policy". Lincoln Policy. 1-28-2021. https://lincolnpolicy.org/2021/expert-advice-for-the-biden-administrations-approach-to-semiconductor-policy/

The members of the 117th Congress have a lot on their plate and even more people in their ears as America’s problems, both at home and abroad, pile up. Our panelists, plenty of technologists, national security experts, and congressional officials insist that microelectronics are an economic and security imperative–it is the hill we need to die on. If we want to avoid falling further behind, the topic of semiconductors cannot be put on the backburner. The Biden Administration needs to seriously tackle the semiconductor challenge in a multi-pronged approach and do so within the first 200 days. Understanding the pandemic is front of mind, ignoring the political capital required to push strong industrial policy forward will put American economic and national security at-risk.

#### 3. Time and PC are finite---Biden has to pick priorities.

Brian Bennett 21. White House Reporter. "These Are Joe Biden's Biggest Challenges in 2022". Time. 12-29-2021. https://time.com/612991/joe-biden-2022/

Joe Biden enters his second year in office down in the polls, with a pandemic dragging on and nearly a third of Americans still hesitant to get vaccinated, a recovering economy strained by inflation and an unpredictable supply chain. He’s presided over the roll out of trillions of dollars in healthcare funding and stimulus payments, seen the unemployment rate drop to 4.2%, made COVID-19 vaccines available for free to everyone in the country over 5 years old, and signed a trillion dollar infrastructure law. But voters, fatigued by the uncertainties of the pandemic, have seemed reluctant to give him credit, and by fall, Biden’s approval rating dropped below 50%. That puts him in a precarious position heading into 2022. With an evenly divided Senate and a narrow majority in the House, Democrats may lose control of Congress in the midterm elections in November. The checklist of what Biden wants to accomplish in his second year in office has to be ticked off with a limited amount of political capital, and a limited amount of time.

#### 4. Their evidence is awful---it’s 2 lines long.

### AT: Doesn’t Solve/No Impact---2NC

#### No impact argument didn’t have a warrant---they have conceded it. The last arguments is that the 2 bills don’t solve.

#### Semiconductor legislation is key to winning the tech race with China.

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The United States faces a forbidding global landscape. Russia’s rebuilt war machine assaults Ukraine, while Communist China looms over our Asian allies. China’s military expansion threatens our security, and its predatory trade practices and intellectual property theft hurt our economy. Amidst these challenges, one technology — semiconductors — is critical to keeping America’s economic and defense edge. American leaders long have understood that chips are pivotal for our national security. Indeed, securing semiconductor supply chains undergirded President Reagan’s successful pushback against Soviet power in the 1980s. Reagan’s defense strategy had two parts. The first is well known: massive investment in technologically advanced weapons systems, which forced the Kremlin into a ruinous arms race. The second is less appreciated, but as important: Reagan didn’t merely outspend the Soviets, he also sought to out-innovate them. In that, semiconductors were central. Reagan pushed hard to retain our lead in chips, which powered the stealth jets, guided missiles, satellites and other weapons that inflicted unsustainable costs on the Soviets — so that no matter how much Moscow might spend on its military, it could never match America’s advanced weapons. To boost the U.S. chip industry in the face of sliding production, Reagan imposed harsh tariffs on Japan, then the market leader. U.S. pressure led to a 1986 agreement in which Japan agreed to rebalance bilateral trade in chips. Reagan knew that free markets depended on a strong military — and that the military depended on a secure semiconductor supply. Today, America faces an even starker long-term challenge. The Soviet Union was militarily strong but economically decrepit. China, however, has built a powerful military and a productive, technologically advanced economy. It has mastered key technologies and bestrides global supply chains. In this competition, whoever gains a technological edge will hold a decisive military and economic advantage. The good news: China is not yet a power player in chipmaking. Unfortunately, America no longer leads, either. Instead, a single company — the Taiwan Semiconductor Manufacturing Corporation (TSMC) — holds a majority of global semiconductor “foundry” capacity. Taiwan is a close partner of the United States, but it is only 110 miles from the Chinese mainland. The Chinese Communist Party regards Taiwan as a renegade province and has vowed to reclaim it, by force if necessary. A Chinese invasion would remove TSMC’s output from world markets, creating a supply-chain crisis that would dwarf recent disruptions. Even worse, if China’s invasion succeeded, it would capture TSMC’s world-leading facilities, giving China control of a vital input for the U.S. economy. Two other advanced chipmaking countries, South Korea and Japan, are also vulnerable to aggression from Beijing. Fortunately, Congress is poised to act to mitigate this risk. In the CHIPS Act, Congress authorized $52 billion for domestic chip production and research; both the Senate and House have passed versions of the bill, but they need to resolve differences. Much of the funding would support new semiconductor research facilities and fabrication plants in the United States. Some have opposed the CHIPs Act as industrial policy that will distort markets. We sympathize; the market, not the government, is the most efficient and productive capital allocator. In strictly commercial terms, a more-domestic, more-diversified supply will be less efficient than a supply chain dominated by one hyper-efficient Taiwanese giant. Merely as industrial policy, then, the CHIPs Act would be questionable — but as national security policy, it is essential. The United States must not be dependent for a vital military and commercial commodity on a single supplier that could be cut off at any time by the People’s Liberation Army. There is some good news: experts note that China has struggled to compete in high-end chipmaking. Still, it would be hubris to assume that China can never lead in chips. Chinese leader Xi Jinping has pledged to make China self-sufficient in key technologies, including semiconductors, and is backing that call with vast subsidies. For that reason, the CHIPs Act is best viewed not as industrial policy, but as part of our full-spectrum competition with China. Even with CHIPs Act subsidies, the market ultimately will decide which U.S. chip producers survive and thrive. But that competition will be possible only if there are enough companies making advanced chips in the United States. How the Biden administration implements the act will be critical. The Department of Commerce should be careful not to create another concentrated point of failure. Clustering investments in one region would raise the risk of supply-chain disruption from weather events, hostile acts, or some other force majeure. By contrast, multiple, competing regional clusters will disperse risk and create a more dynamic competitive environment. Funding an array of geographically dispersed competitors also will reduce the chance that CHIPs Act funding will entrench politically favored incumbents. China is using every conceivable tool to overtake us. Semiconductors are at the heart of that competition. If we wish to preserve our freedom and sovereignty, we cannot stay on the sidelines — this race must be run.

#### Solves to long-term supply chain security---key to China competitiveness and defense applications.

Kathleen Hicks & Don Graves 22. Opinion contributors, \*Deputy secretary of Defense. \*\*Deputy secretary of Commerce. "Why we must restore US semiconductor manufacturing for American economic, national security". TheHill. 2-23-2022. https://thehill.com/blogs/congress-blog/technology/595587-why-we-must-restore-us-semiconductor-manufacturing-for

The United States was once the world leader in semiconductor chip manufacturing. Today, we account for only 10 percent of global production and produce none of the most advanced chips. This doesn’t just create potential issues when purchasing a smart phone or appliance. Our inability to produce semiconductor chips puts our long-term supply chain security at risk. The ongoing chips shortage has highlighted the critical role chips play throughout the economy. For example, the chips shortage is leading to devastating layoffs and is expected to cost the global auto industry $210 billion in revenue, with 7.7 million units of production forecasted to be lost in 2021. This lack of supply has caused new car prices to climb 11 percent over the past year and, according to the Consumer Price Index, even used cars and trucks are experiencing a 37 percent price increase over the same period. But beyond powering our cars and other key technologies foundational to our modern-day economy, semiconductor chips play a crucial role in our long-term competitiveness and national security. In fact, some our military’s most cutting-edge weapons systems, like the F-35 Joint Strike Fighter, need them to function. They are fundamental to a broad range of advanced Department of Defense capabilities, such as autonomous systems, artificial intelligence, directed energy, and hypersonic weapons. And our military communication and navigation systems use them, as does our nation’s critical infrastructure. This is why Congress must work quickly to resolve differences between the United States Innovation and Competition Act of 2021 (USICA) and the America Competes Act — both bipartisan, critical pieces of legislation essential to bringing back manufacturing and create good-paying jobs, reducing prices for middle-class families, and outcompeting China and the rest of the world to win the 21st century and beyond. China is investing enormous sums to become the world’s leading semiconductor manufacturer within the decade. We cannot afford to cede leadership in one of the world’s most important industries. Instead, we must seize this pivotal moment to reassert our historic leadership in semiconductors for the prosperity and security of the American people. These pieces of legislation will create growth right here in the United States by ensuring we are poised to take advantage of the growing market and demand for semiconductors. The results of a recent Commerce Department Request for Information confirmed what many Americans already know: the supply of chips is low, but demand for them remains incredibly high, running as much as 20 percent in excess of 2019 demand. The primary reason for the shortage is production capacity: The vast majority of semiconductor fabrication plants (or “fabs”) are already running at more than 90 percent utilization. Semiconductors were America’s fourth largest export in 2020 — amounting to $47 billion. USICA and the America Competes Act will allow us to press this advantage and continue expanding the U.S. economy. This will also mean employment opportunities for a variety of skill levels, from manufacturing workers to engineers and scientists, bolstering our domestic manufacturing and production. Moreover, we will minimize vulnerabilities in all segments of our semiconductor supply chain, keeping Americans safe. We don’t often have an opportunity for a bipartisan bill that translates into a win for our economy and our defense. With USICA and the America Competes Act we have that chance, but we do not have time to delay. We must get a bill to the president’s desk as soon as possible to restore America’s leadership in chip manufacturing and cement this as the century of American innovation.

## Advantage

### Rant---2NC

#### This advantage is garbage! It presumes that polarization, the rise of Trump, the Tea Party, the Freedom Caucus are a result of the southern Florida local newspaper going out of business. Even if media is key, the 1AC CX was clear they only impact local newspapers---the Johnson evidence is about the broad modern media industry---we re-highlighted it. It says newspapers, but also more television stations, more editors, more writers are all key. They can’t solve.

#### No reason now is key---it’s been happening for decades. 2AC says “but it’s happening now”---but that doesn’t disprove last time thumps.

#### Doesn’t solve misinformation---local papers are not better.

#### Trump supporters who think the election was stolen will not change their mind amid reading their conservative newspaper! The national, big media is more prone to care about facts.

#### Their evidence is about demand, not supply of papers---that’s the Martin rehighlight---it says that declines in local coverage might be a result of consumers not wanting it---their evidence makes our argument.

#### Here’s what my local paper is talking about.

A picture containing text, indoor

Description automatically generated

<https://www.cjonline.com/search/?q=stolen+election>