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#### 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.

#### Competitive agriculture is terminally unsustainable---turns case.

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

The Triassic-Permian ‘great dying’ was a megaphase change taking place through pulses lasting for tens of thousands of years, separated by interludes of hundreds of thousands of years, if not millions. The current mass extinction event is a megaphase change taking place in microphase time. Mass extinction is punctuated by the production of what the environmentalist Jonathan Lymbery calls ‘dead zones’: the conversion of wild ecosystems into dead monocultures. In Sumatra, these dead zones are made by burning rainforest and, amid the stench of death, planting palm crop. The palm oil is used in foods and household items, while the nut is used in animal feed. It is secured with barbed wire, and treated with poison, to prevent the crop from being eaten. Surviving animal life, and surrounding human communities, are pushed to the edges, to the brink of extinction. Agricultural workers are abused, underpaid, even enslaved. This is an example of what Moore would call ‘cheap food’, where the ‘value composition’ of the goods, the amount of waged labour necessary to produce each item is ‘below the systemwide average for all commodities’. In this case, a ‘cheap nature’ is produced by a distinctly capitalist form of territorialisation, wherein forestry is converted through deforestation into palm monoculture, while ‘cheap labour’ is secured partly through the dispossession of neighbouring human communities. More calories with less socially-necessary labour-time is cheap food. Cheap is not, of course, the same thing as efficient. Food production is, alongside fuel, a fulcrum of the capitalist organisation of work-energetics. It is one that, as with fossil fuels, wastes an incredible amount of the energy it extracts. According to the FAO (Food and Agriculture Organization of the United Nations), 30 per cent of cereals grown for human and animal consumption are wasted, along with almost half of all root crops, fruits and vegetables. To conclude from this grotesque squander that a ‘more efficient’ capitalism would ‘solve the problem’ of ‘the environment’ would be to fail to understand waste, capitalism and ecology: that the first is intrinsic to the second; that the second, whatever the degree to which it is inflected by the first, is inimical to the third. Capitalism also directly undermines its own productivity, precisely through its industrially-produced biospheric destruction. According to the UN, for example, there are at most sixty harvests remaining before the world’s soils are too exhausted to feed the planet. This edaphic impoverishment is a product, not a byproduct. It is the predictable, and long-predicted, consequence of intensive agriculture, over-grazing and the destruction of natural features (such as trees) that prevent erosion. Likewise, the death-drop of insect biomass, the decline of pollinating bees, are hastened by the extensive use of pesticides and fertilisers. Capitalist food production can only evade the problem – a problem, in its terms, of accumulation – either by establishing new ‘cheap natures’ through such means as deforestation, or by extracting rent from competitor producers through such means as intellectual property rights. For instance, since 1994’s notorious TRIPS agreement (Trade-Related Aspects of Intellectual Property Rights), through the rules of UPOV (Union for the Protection of New Plant Varieties), particularly the notorious UPOV 1991, and in the face of local fightbacks from Guatemala to Ghana, the World Trade Organisation has enforced property agreements outlawing the saving of seeds from one season to the next, thus sharply raising costs for farmers producing 70 per cent of the global food supply.

#### Capitalism drives extinction and structural violence.

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

This is the question that vexed us as we set out to write The Tragedy of the Worker. From the vantage point of the present, the history of capitalist development is, as Marx expected, the history of the development of a global working class, the proletarianisation of the majority of the world’s population. But the very same process of that development has brought us to the precipice of climate disaster. Our position, to recall Trotsky’s rationalisation of War Communism in 1920, is in the highest degree tragic.

It is now clear that we will pass what scientists have long warned will be a tipping point of global warming, accelerating the already catastrophic consequences of capitalist emissions. How do we imagine emancipation on an at best partially habitable planet? Where once communists imagined seizing the means of production, taking the unprecedented capacities of capitalist infrastructures and using them to build a world of plenty, what must we imagine after the apocalypse has befallen us? What does it mean that as capitalism has become truly global, the gravediggers it has created dig not only capitalism’s grave, but also that of much organic life on earth?

Our answers to these questions remain rooted in the politics of revolutionary communism. Our stance is not based on the fantasy of a homeostatic nature that must be defended but on the critique of the capitalist metabolism – the Stoffwechsel- that must be overthrown. Earth scientists are accustomed to speak in terms of ‘cycles’ by which substances circulate in different forms: the water cycle, the rock cycle, the nitrogen cycle, the glacial-interglacial cycle, the carbon cycle, and others. One way of registering the catastrophe of climate change is to see these cycles – most of all, but not solely, the carbon cycle – as disordered, under- or over-accumulating. But this is to ignore the more fundamental circuit of which these now form epicycles, like Ptolemy’s sub-orbits of the heavenly bodies: the circuit of capital accumulation, M-C-M′.

This circuit accumulates profit and produces death. Neither is accidental. It is for this reason that the debates that capitalist ruling classes permit among themselves on ‘adaptation’ versus ‘mitigation’ take place on false premises. What is to be mitigated is the impact of climate change on accumulation, rendered through the ideology of ‘growth’ as something that benefits everyone. What we are to adapt to are the parameters of accumulation, sacrificing just enough islands, eco-systems, indigenous – and non-indigenous – cultures to maintain its imperatives for a period of time until new thresholds must be crossed, and new life sacrificed to the pagan idol of capital. Already, capitalist petro-modernity builds a certain quantum of acceptable death into its predicates: at the very least, the 8.7 million killed by fossil fuels each year according to Harvard University are considered a price worth paying for the stupendous advantages of fossil capital. And the sky can only keep going up, as deforestation, polar melt, ocean acidification, soil de-fertilisation and more intense wildfires and storms tear the web of life into patches. If the necropolitical calculus of the Covid-19 pandemic appears crass, just wait until its premises are applied to climate catastrophe.

#### Vote neg for global syndicalism---pressures towards socialist state action are building, forces the hand of monopolies.

Cecilia Rikap 21. Professor of Economics and Coordinator of YSI States and Markets Working Group, Institute for New Economic Thinking. “Tilting the Scale Against Intellectual Monopoly Capitalism.” *Capitalism, Power and Innovation Intellectual Monopoly Capitalism Uncovered*. Routledge. 2021. 287-289

Capitalism is a system based on asymmetries and inequalities (of income, wealth, between classes, genders, races, countries and more). Quite striking for a system born from the motto “Liberté, égalité, fraternité”. As time passes by, this broken promise of modernity becomes all the more apparent. Inequalities deepen as knowledge is monopolized, digital surveillance reinforces firms and states control capacities over workers and citizens, and political conflicts never cease – with the US-China tech cold war at the current epicentre.

Social disrupts are an expected recurring outcome, and we have seen them everywhere in the 21st century. The specific motives differed, but there is a common root: people are fed up with capitalism’s growing inequalities, with a stagnant or even declining “middle class” in developed countries for several decades already and the highest gains accumulating at the global level for those in the richest 5% (Milanovic, 2016).

There is another shared feature; demonstrations are increasingly being organized online. The same technology that is used for surveillance, for broadcasting extreme right and even fascist ideas, and that drives the USChina world hegemony conflict, is also being used as a counterbalancing weapon. Internet, particularly social networks, is a powerful tool for the organization of grassroots movements. Workers’ unions can also learn from each other’s experiences online.

The absence or weakness of unions and social movements in some parts of the world has benefited intellectual monopolies rentiership and predation. For instance, hiring workers with a vendor contract not only hides the working relation (see Chapter 10) but also impedes unionization as it currently stands. Still, unions are adapting and workers organizing. In 2018, Google employees managed to stop the company from renewing an artificial intelligence contract with the Pentagon and to cancel its plans for a censored search engine for China. And, in 2020, 2,000 employees urged the company to cease selling technology to the US police after George Floyd’s killing. These initiatives should be taken by workers in other companies and contribute to unionization. Unions should be reconceived as a political actor capable of exercising their influence beyond wage claims. Workers’ organization is indispensable to counterbalance the power of intellectual monopolies, given both their global reach and states’ internal contradictions and limitations.

Peripheral countries should cease competing to attract outsourcing and offshoring by allowing worse wages and working conditions. As mentioned above in this chapter, world cooperation agreements to establish minimum labour regulations, forbidding new and old forms of informality and granting minimum working conditions are urgent. However, these agreements require great social pressures to take place. When it comes to transforming capitalism, social disrupts, grassroots social movements and unions play a crucial role.

To illustrate their paramount importance, let us briefly consider taxes. It is crystal clear that the global taxing system has failed. As pointed out in Chapters 7 and 10, global intellectual monopolies declare profits and IPRs in tax havens and use tax loopholes to minimize paid taxes. Global tax reform should consider the separation between ownership and control. Intellectual monopolies control production and innovation networks beyond their legal ownership and have the capacity to trickle down the burden of taxes. However, the intertwined relationship between global intellectual monopolies and their home (core) states renders highly unlikely to accomplish such global tax reform without intense social pressure. Even the recent US corporate tax reform was not – at least so far – successful in this respect (Clausing, 2020). Then, as far as tax havens are not eliminated, there will still be room for tax avoidance and evasion (Zucman, 2015). Countries acting as tax havens will not comply with a global reform unless huge social disrupt forces them to do so.

Additionally, workers’ protests must be coordinated at the level of the global production network because the production unit is no longer the factory but the network. The same applies to global innovation networks. Intellectual monopolies’ recognized employees have greater bargaining power than workers in subordinate firms, which are precisely those that generally need a more urgent improvement in their salaries and working conditions. “Workers of the world unite, you have nothing to lose but your chains” (Marx & Engels, 1848) can and must become an everyday reality for the French Revolution motto to be more than aspirational.

### Notice & Comment CP---1NC

#### The United States federal government should delegate antitrust rulemaking authority to a new expert agency. The agency should begin notice-and-comment rulemaking establish a presumption against mergers and acquisitions among agribusiness firms.

#### Solves the case, engages notice and comment, and avoids courts disads.

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Without the informational benefits of expertise and notice-and-comment rulemaking, the Court may be a poor choice to define the broad proscriptions of the Sherman Act. Framed this way, the problem has an obvious solution: give the power to interpret the Act to an expert agency.240 This idea has academic support already, 241 and the case for it is strengthened by this Article's observation that the Court has tried to approximate administrative decision making by relying on amicus briefs. The obvious candidates for reallocation are the two existing antitrust agencies: the Department of Justice's Antitrust Division and the FTC.

A. The Agency Solution

Using agencies to give specific meaning to American antitrust's most important statute means avoiding the problems with the Court's current quasi-administrative process for rulemaking. As adjudicators, agency experts would know what kind of economic evidence is necessary for an efficient solution and would be better able to understand it when it is presented by the parties. Repeat exposure to antitrust cases would only reinforce this advantage, while also giving the administrative judges a broader perspective on what kinds of conflicts commonly arise in competition law, a perspective necessary for efficient policy making in the first instance. A Supreme Court Justice hears about one antitrust case a year, hardly the cross section of controversies necessary to make efficient economic policy writ large.

Agencies could take policy making a step further using notice-and-comment rulemaking. Unlike in adjudication, regulation by rulemaking can be initiated without the formal requirements of a case or controversy and a proper appeal to the Supreme Court. Informal letters of complaint could spark an investigation. A rule-making agency could announce its intention to regulate publicly and provide a convenient venue for, or even solicit, expert opinions on the economic impact of the proposed rule. Not only would it have the benefit of these numerous perspectives, but it would also have the obligation to respond to them in a reasoned manner. Its rule would be subject to judicial review, affording an opportunity to catch mistakes 242 or invalidate rules that do nothing but deliver rents to special interests.

Another advantage of rulemaking, an option for agencies but not for the Court, since it only operates through adjudication, is that rulemaking regulates behavior ex ante, while resolution of economic policy through cases is necessarily ex post. Antitrust courts worry obsessively about "chill"--deterring procompetitive behavior with overly broad rules for liability.2 43 In fact, the overruling of Dr. Miles in Leegin implies that the entire twentieth century was a period of inefficient business practices and stunted innovation in distribution because of an early misunderstanding of RPM. Only after a long and expensive period of litigation was Leegin redeemed for breaking the law by effecting a change in the law, and only after Leegin was issued were similar firms, perhaps walking the Colgate line better than Leegin, redeemed for wanting some control over their product's ultimate retail price.24 4 The problem of ex post rulemaking is made worse by the treble damages afforded successful plaintiffs suing under the Sherman Act.2 4 5 To create a new form of liability, the Court has to punish a firm threefold for complying with standing antitrust norms. Thus Supreme Court lawmaking in antitrust is a kind of one-way ratchet.246

The result of the current ex post scheme is that "antitrust law leaves considerable gaps between what is permissible and what is optimal." 2 47 With judges making the rules one case at a time, this gap is justifiable. As discussed above, when judges are not economically sophisticated enough to know where "optimal" lies, 24 8 laissez-faire is a very inexpensive regulatory regime for courts to follow, and raising the level of regulation would effect a kind of taking of property from firms operating under the status quo. So if the Court is making antitrust policy, laissez-faire may be the only sensible approach. But that is not to say that it is the most sensible approach. An agency could provide firms with the necessary clarity-ex ante-that they need when conducting business in a world where competitive behavior so closely resembles anticompetitive conduct. The current state of affairs is that much more is illegal on the books than antitrust lawyers think is actually likely to be struck down in a court.24 9 Lawyers thrive in such a legally uncertain world, but firm efficiency suffers.

#### Key to democracy and court acquiescence---notice and comment engages participants and creates deference.

Harry First and Spencer Weber Waller 13. Harry First, New York University School of Law. Spencer Weber Waller, Loyola University Chicago School of Law. “Antitrust’s Democracy Deficit”. Fordham Law Review, Volume 81 Issue 5 Article 13. https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=4890&context=flr

Redressing antitrust’s democracy deficit on the procedural side can be done with the tools of administrative law. Administrative law is the body of law that controls the procedures of governmental decision making.151 It allows interested persons to participate in decisions that affect their interests. Normally, it requires appropriate notice, the right to be heard, fair procedures, protection of fundamental rights, and judicial review of the resulting decision. These basic features are present in the administrative laws of most foreign legal systems and are part of a growing international consensus.152 The tradeoff is that the decisions of administrative agencies that properly follow these strictures normally are granted a degree of deference as to the interpretation of the laws they enforce.153 Frequently, but not inevitably, private parties also have the right to proceed with actions for damages against private parties who violate their regulatory obligations and even against the government itself when it acts unlawfully, either substantively or procedurally. These tools of administrative law are available to make antitrust enforcement decisions more transparent and more responsive to the interests that the antitrust laws were meant to serve, thereby promoting both better decision making and greater democratic legitimacy.

CONCLUSION

Free markets and free people cannot be assured by the efforts of technocrats. Ultimately, both come about through the workings of democratic institutions, respectful of the legislature’s goals and constrained from engaging in arbitrary action. Antitrust has moved too far from democratic institutions and toward technocratic control, in service to a laissez-faire approach to antitrust enforcement. We need to move the needle back. Doing so will strengthen the institutions of antitrust, the market economy, and the democratic branches of government themselves.

#### Democracy solves war.

Christopher Kutz 16. PhD UC Berkeley, JD Yale, Professor, Boalt Hall School of Law @ UC Berkeley, Visiting Professor at Columbia and Stanford law schools, as well as at Sciences Po University. “Introduction: War, Politics, Democracy,” in On War and Democracy, 1.

Despite Churchill’s famous quip—“Democracy is the worst form of government, except for all those other forms that have been tried from time to time”2—democracy is seen as a source of both domestic and international flourishing. Democracy, understood roughly for now as a political system with wide suffrage in which power is allocated to officials by popular election, can solve or help solve a host of problems with stunning success. It can solve the problem of revolutionary violence that condemns autocratic regimes, because mass politics can work at the ballot box rather than the streets. It can help solve the problem of famine, because the systems of free public communication and discussion that are essential to democratic politics are the backbone of the markets that have made democratic societies far richer than their competitors. It can help solve the problem of environmental despoliation, which occurs when those operating polluting factories (whether private citizens or the state) do not need to answer for harms visited upon a broad public. And democracy has been famously thought to help solve the problem of war, in the guise of the idea of the “peace amongst democratic nations”—an idea emerging with Immanuel Kant in the Age of Enlightenment and given new energy with the wave of democratization at the end of the twentieth century.

### Regs CP---1NC

#### The United States federal government should

#### transition to the sustainable components of the Chinese model of agribusiness.

#### ban mergers and acquisitions among agribusiness firms through non-antitrust regulations.

#### Their evidence says China has a sustainable model of agribusiness now. If the US models Chinese agriculture, China only has an incentive to maintain sustainability.

Ben 1AC Reynolds 16, foreign policy analyst and author of The Coming Revolution: Capitalism in the 21st Century, 03/16/16, China’s Agricultural Policy and the Urban Labor Shortage, https://www.chinausfocus.com/society-culture/chinas-agricultural-policy-and-the-urban-labor-shortage

Chinese agriculture is still relatively traditional. Many farmers work small plots, often around the size of an American football field, and have a limited ability to invest in farm machinery and new seed varieties. Chinese farmers do not own their land. Instead, they are granted usage rights as part of a collective ownership system guaranteed by the state. These are legacies of the Chinese Communist Party’s land reform efforts, which purged the country of large landholders. In addition to these conditions, Chinese farmers have to contend with a shortage of arable land, rampant pollution, and over-usage of chemical fertilizers. As a result of the factors listed above, farm productivity in China is very low. For example, the per-hectare yield of U.S. soybeans and corn is double that of Chinese farms.

Chinese policymakers thus perceive a serious need to boost farm output and productivity. China still cannot produce enough food to feed its own population. It appears that China is looking to American agribusiness as a source of inspiration for agricultural modernization. American-style agriculture is virtually the opposite of current Chinese practice. Farms are very large, often focusing on growing a few cash crops. Most farms use extremely little labor and invest heavily in highly-automated machinery. The remaining farmers have little autonomy, as contracts with large agricultural processing companies and GMO seed providers precisely stipulate what they can and cannot do with their land. This style of agriculture is good at one thing: producing large amounts of staple crops at an extremely low cost of production.

#### The counterplan PICs out of anti-trust legislation and the FTC and DOJ as enforcers---other agencies’ regulations solve.

Lawrence Fullerton et al. 08. Joel M Mitnick, William V Reiss, George C Karamanos and Owen H Smith. Sidley Austin LLP. Vertical Agreements The regulation of distribution practices in 34 jurisdictions worldwide. “United States.” https://www.sidley.com/-/media/files/publications/2008/03/getting-the-deal-through--vertical-agreements-2008/files/view-united-states-chapter/fileattachment/united-states-21.pdf

5 What entity or agency is responsible for enforcing prohibitions on anticompetitive vertical restraints? Do governments or ministers have a role?

The Federal Trade Commission (FTC) and the Antitrust Division of the Department of Justice (DoJ) are the two federal agencies responsible for the enforcement of federal antitrust laws. The FTC and the DoJ have jurisdiction to investigate many of the same types of conduct, and therefore have adopted a clearance procedure pursuant to which matters are handled by whichever agency has the most expertise in a particular area.

Additionally, other agencies, such as the Securities and Exchange Commission and Federal Communications Commission, maintain oversight authority over regulated industries pursuant to various federal statutes, and therefore may review vertical restraints for anti-competitive effects.

### FTC Trade Off---1NC

#### FTC’s increasing enforcement in privacy now---it’s focused on algorithmic bias.

James V. Fazio 21. Special counsel in the Intellectual Property Practice Group at Sheppard, Mullin, Richter & Hampton LLP, with Liisa M. Thomas, 3/11. “What Is FTC’s Course Under Biden?” https://www.natlawreview.com/article/what-ftc-s-course-under-biden

The new acting FTC chair, Rebecca Kelly Slaughter, recently signaled that the FTC may increase enforcement and penalties in the privacy and data security realm. Slaughter pointed to several areas of focus for the FTC this year, which companies will want to keep in mind: Notifying Consumers About FTC Allegations: Slaughter referred favorably to two recent cases: (1) the Everalbum biometric settlement from earlier this year (which we wrote about at the time); and (2) the Flo Health settlement over alleged deceptive data sharing practices (which we also wrote about at the time). In drawing on these two cases, Slaughter indicated that in future cases the FTC intends to include as part of any settlement a requirement to notify customers of any FTC allegations. This, she said, would allow consumers to “vote with their feet” and help them decide whether to recommend their services to others. FTC Intent to Plead All Relevant Violations: According to Slaughter, another lesson the FTC is taking from the Flo case is to include in the cases it brings all potentially applicable violations of all relevant privacy-related laws. In the Flo case, Slaughter said the FTC should have pleaded a violation of the Health Breach Notification Rule, which requires that vendors of personal health records notify consumers of data breaches. Focus on Ed Tech and COPPA: Given the explosive growth of education technology during COVID-19, the FTC is conducting an industry sweep of the industry. Related to this, the FTC is reviewing its Children’s Online Privacy Protection Act Rule. This goes beyond the refresh the agency did of their FAQs earlier in the pandemic (which we wrote about at the time). For now, Slaughter reminds companies that parental consent is needed before collecting information online from children under the age of 13. Examination of Health Apps: The FTC will take a closer look at health apps, including telehealth and contact tracing apps, as more and more consumers are relying on such apps to manage their health during the pandemic. Overlap Between Competition and Privacy: Slaughter also indicated that it is worth looking at situations where there may be not only privacy concerns, but antitrust as well. Because the FTC has a dual mission (consumer protection and competition) she notes that it has a “structural advantage” over other regulators in that it can look at these issues, especially since -she states- “many of the largest players in digital markets are as powerful as they are because of the breadth of their access to and control over consumer data.” Racial Equality and AI/Biometrics/Geotracking: Slaughter noted that COVID-19 is exacerbating racial inequities. She pointed to the unequal access to technology, as well as algorithmic discrimination (the idea that discrimination offline becomes embedded into algorithmic system logic). The FTC intends to focus on algorithmic discrimination, as well as on the discrimination potentially embedded into facial recognition technologies. (This mirrors concerns that gave rise to the recent Portland facial recognition law, which we recently wrote about). Finally, Slaughter commented on the use of location data to identify characteristics of Black Lives Matter protesters, and said she is concerned about the misuse of location data to track Americans engaged in constitutionally protected speech. Putting it Into Practice: Companies that operate health apps, that are in the education technology space, or that use algorithms or facial recognition tools will want to keep in mind that these are areas of focus for the FTC. And for everyone, keep in mind that the FTC has indicated it will beef up privacy law penalties and will ask for more notification to injured consumers.

#### Antitrust enforcement saps up FTC resources and personnel, which are finite.

Tara L. Reinhart, et al. 21. \*\*Head of Skadden, Arps, Slate, Meagher & Flom LLP’s Antitrust/Competition Group. \*\*Steven C. Sunshine, Co-head of Skadden, Arps, Slat, Meagher & Flom LLP’s Antitrust/Competition Group. \*\*David P. Whales, antitrust lawyer with over 25 years of experience in both private and public sectors. \*\*Julia Y. York, partner at Skadden, Arps, Slat, Meagher & Flom LLP. \*\*Bre Jordan, associate at Skadden, Arps, Slat, Meagher & Flom LLP focusing on antitrust law. “Lina Khan’s Appointment as FTC Chair Reflects Biden Administration’s Aggressive Stance on Antitrust Enforcement.” 6/18/21. https://www.skadden.com/insights/publications/2021/06/lina-khans-appointment-as-ftc-chair

Second, like all antitrust enforcers, Ms. Khan and the FTC will face resource constraints. Bringing antitrust litigation is an expensive and laborious process, often requiring millions of dollars for expert fees and a large army of FTC staff attorneys and taking many months or even years to accomplish. Typically, the FTC can only litigate a handful of antitrust matters at a time. It seems likely that Congress will provide more funding to the FTC in the current environment, but even with these extra resources, the FTC will still have to pick its cases carefully and cannot challenge every deal or every instance of alleged unlawful conduct.

#### That trades off with the necessary resources for privacy enforcement.

John O. McGinnis\* and Linda Sun\*\* 20. \*George C. Dix Professor, Northwestern University, and Associate-Designate, Wilmer Pickering Hale & Dorr LLP. “Unifying Antitrust Enforcement for the Digital Age.” Northwestern Public Law Research Paper No. 20-20. https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3669087

The FTC needs more resources to adequately address the nation’s growing privacy concerns. Currently, the FTC oversees both consumer protection—encompassing privacy—and antitrust,249 making the FTC the chief federal agency on privacy policy and enforcement250 and the nation’s de-facto privacy agency.251 The agency has long-standing experience in enforcing privacy statutes252 and also has special privacy assets, such as an internet lab capable of high-quality tech forensics to track invasions of privacy.253 The FTC, however, has failed to keep pace with the massive growth of privacy concerns—a phenomenon also driven by modern technology. Very few Americans feel conﬁdent in the privacy of their information in the digital age.254 According to a 2019 study, over 80% of Americans feel that they have little to no control over the data collected on them by companies and the government.255 To adequately address privacy concerns, the FTC needs more resources.256 The agency has been explicit that it needs more manpower to police tech companies. In requesting increased funding from Congress, FTC Director Joseph Simons said the money would allow the agency to hire additional staff and bring more privacy cases.257 A former director of the FTC’s Bureau of Consumer Protection, which houses the privacy unit, has called the FTC “woefully understaffed.”258 As of the spring of 2019, the FTC had only forty employees dedicated to privacy and data security, compared to 500 and 110 employees at comparable agencies in the UK. and Ireland, respectively.259 Without more lawyers, investigators, and technologists, the FTC will be forced to conduct privacy investigations less thoroughly, and in some cases, forgo them altogether.260 Currently, the FT C’s resources are spread thin across multiple missions, to the detriment of its privacy efforts. Removing the agency’s antitrust responsibilities would reallocate resources from the antitrust department to its privacy unit and other areas of consumer protection. Further, it would free up the scarce time of the commissioners to oversee this essential effort.261

#### Unchecked algorithmic bias risks massive inequality and extinction.

Mike Thomas 20. Quoting AI experts including MIT Physics Professors, Senior Features Writer for BuiltIn. THE FUTURE OF ARTIFICIAL INTELLIGENCE: 7 ways AI can change the world for better ... or worse, Updated: April 20, 2020, <https://builtin.com/artificial-intelligence/artificial-intelligence-future>

Klabjan also puts little stock in extreme scenarios — the type involving, say, murderous cyborgs that turn the earth into a smoldering hellscape. He’s much more concerned with machines — war robots, for instance — being fed faulty “incentives” by nefarious humans. As MIT physics professors and leading AI researcher Max Tegmark put it in a 2018 TED Talk, “The real threat from AI isn’t malice, like in silly Hollywood movies, but competence — AI accomplishing goals that just aren’t aligned with ours.” That’s Laird’s take, too. “I definitely don’t see the scenario where something wakes up and decides it wants to take over the world,” he says. “I think that’s science fiction and not the way it’s going to play out.” What Laird worries most about isn’t evil AI, per se, but “evil humans using AI as a sort of false force multiplier” for things like bank robbery and credit card fraud, among many other crimes. And so, while he’s often frustrated with the pace of progress, AI’s slow burn may actually be a blessing. “Time to understand what we’re creating and how we’re going to incorporate it into society,” Laird says, “might be exactly what we need.” But no one knows for sure. “There are several major breakthroughs that have to occur, and those could come very quickly,” Russell said during his Westminster talk. Referencing the rapid transformational effect of nuclear fission (atom splitting) by British physicist Ernest Rutherford in 1917, he added, “It’s very, very hard to predict when these conceptual breakthroughs are going to happen.” But whenever they do, if they do, he emphasized the importance of preparation. That means starting or continuing discussions about the ethical use of A.G.I. and whether it should be regulated. That means working to eliminate data bias, which has a corrupting effect on algorithms and is currently a fat fly in the AI ointment. That means working to invent and augment security measures capable of keeping the technology in check. And it means having the humility to realize that just because we can doesn’t mean we should. “Our situation with technology is complicated, but the big picture is rather simple,” Tegmark said during his TED Talk. “Most AGI researchers expect AGI within decades, and if we just bumble into this unprepared, it will probably be the biggest mistake in human history. It could enable brutal global dictatorship with unprecedented inequality, surveillance, suffering and maybe even human extinction. But if we steer carefully, we could end up in a fantastic future where everybody’s better off—the poor are richer, the rich are richer, everybody’s healthy and free to live out their dreams.”

### Japan DA---1NC

#### New antitrust is applied globally---offends allies---regs counterplan avoids it.

Herbert Hovenkamp 03. Ben V. & Dorothy Willie Professor of Law and History, University of Iowa. “Antitrust as Extraterritorial Regulatory Policy,” 48 Antitrust BULL. 629 (2003).

Today few of us are sympathetic with the view that the common law exists apart from and somehow transcends the jurisdiction of the courts that make it. Nevertheless, there is a powerful sense in which the rules of antitrust law are regarded as "natural," while explicitly regulatory rules are considered to be purely local, territorial, or political. This view is given considerable support by a powerful neoclassical economic model that views markets as natural, in the sense that they exist separate and apart from state policy making. 32

Within this model antitrust law is a kind of background umpire that does not make first instance choices about price, quantity, quality, new entry and the like, but that does limit the anticompetitive exercise of market power. Antitrust operates as a kind of "macro" version of contract law. The common law of contracts is designed to facilitate and protect the utility of individual private bargains; antitrust is designed to do much the same thing, but for markets as a whole. Under this conception a well defined set of antitrust principles always operates in the background, so to speak, permitting private bargaining to proceed without interference in the great majority of instances, but intervening when competitive processes go awry. Further, widespread agreement exists both inside and outside the United States on a set of core principles pertaining to such things as naked price fixing, market division agreements, and the like. Within this core, problems of extraterritoriality have largely been limited to the technical ones of devising appropriate jurisdictional rules and remedies.

In contrast, the power to regulate is different. Under the traditional view of regulation the power to set price, quantity, quality, or the right to enter a market emanates in the first instance from the government. Further, although there is widespread economic agreement on fundamental principles, regulatory design is much more specific to the sovereign-more likely to reflect the demographics, industrial or employment base, or politics of the particular state imposing the regulation.

For example, nearly all of the 50 states of the United States have an antitrust law. With relatively few exceptions, however, the substantive coverage of these antitrust laws is the same, and mimics federal law. Many states have court decisions or even legislative enactments stating that federal antitrust law should govern the interpretation of that particular state's antitrust law as well. 33 The result is that the coverage of state antitrust law is remarkably similar from one state to the next. But one can hardly say the same thing about each state's regulation of land use, power generation and distribution, taxicabs, liquor pricing, and the like. Whatever homogeneity regulatory theory might produce, the politics of regulation virtually guarantees jurisdiction-specific outcomes.

But homogeneity in antitrust policy also begins to break down when antitrust law moves beyond its fundamental neoclassical concern with cartels or well-defined exclusionary practices, and into areas where its role is more controversial or marginal. This is often the case when the antitrust laws are applied in recently deregulated markets. For example, a common antitrust problem that arises in deregulated industries falls under the general rubric of unilateral refusals to deal. In order to encourage competition, newly deregulated firms may be forced to share their facilities, information, intellectual property, or other assets with new rivals. Devising reasonable "nonregulatory" rules governing refusals to deal in such markets has always extended the antitrust laws to the margin of their competence.

Increasingly, American courts seem willing to apply antitrust law to markets regulated by foreign nations under circumstances where regulatory laws themselves would never reach. For example, neither Congress nor a state legislature would very likely attempt to regulate the customer service or information provision practices of a foreign national's telephone company. But both federal and state courts have done precisely that under the guise of antitrust enforcement.3 4

Antitrust policy makes this thinkable as a result of the confluence of two sets of doctrines. First is the expansive reach of our antitrust laws to practices that have a substantial effect on United States commerce. Second is the very narrow conception of comity that applies in antitrust cases.

As a general matter, comity concerns in the international conflict of laws requires the court to consider the competing interests of domestic and foreign sovereigns. 35 After a half century of debate over the meaning of comity in international Sherman Act adjudication, the Supreme Court gave the doctrine an extraordinarily narrow meaning in the Hartford Fire case.36 That case involved an alleged insurance boycott in which Lloyd's of London participated as reinsurer. Lloyd's conduct-agreeing with some United States insurers not to write reinsurance policies for other United States insurers who wanted to write policies with broader coverage-was neither forbidden nor compelled by British law. To the defendant's claim of comity the Supreme Court replied that the provisions of the Sherman Act governing jurisdiction over transactions in foreign commerce were mandatory. As a result, a federal court could not simply decline jurisdiction on the basis of some general balancing of interests. 37 Rather, "comity" permits a federal court to decline jurisdiction only when there was a "conflict" between the law of the foreign sovereign and United States law. Further, "conflict" was defined not under choice of law principles, but more absolutely, as occurring only when the foreign law compelled the conduct at issue. 38

Perhaps significantly, the activity of the London reinsurers was very likely reachable under United States antitrust law even under ordinary interest analysis principles. British law was found by the Supreme Court to be indifferent to what the London reinsurers were doing. Further, what they were doing was agreeing not to insure against liability for particular toxic pollution risks in the United States, and risk of liability is of course measured in relation to the physical environment and legal regime in which the injury occurs. 39 As a result, the London reinsurers were selling a product especially targeted for United States markets and allegedly participating in a boycott designed to keep broader coverage insurance policies out of that market.

But Hartford Fire's definition of comity is significantly problematic under deregulation. To the extent a foreign sovereign deregulates a public utility or common carrier, that firm enjoys greater discretion to make its own decisions. As a result, considerations of comity may no longer preclude a Sherman Act suit. What makes this especially problematic is the way that the Sherman Act has been used in the United States as a kind of replacement for the regulatory agency. Under comprehensive agency regulation a filed tariff plus regulatory oversight would have governed numerous acts by regulated firms, including pricing, entry into new markets, interconnection obligations and other duties to deal.40 Government relaxation of regulatory restrictions has given firms some discretion over these things but in the process has substituted the antitrust courts as governmental supervisor. In some situations this causes little difficulty because regulation may have been misapplied to a competitively structured industry to begin with.41 In other situations, such as long-distance telecommunication, a competitive environment has developed because of changes in technology, and topto-bottom price and product regulation is no longer necessary.42

But in a third class of situations the application of the antitrust laws is much more "regulatory" and more difficult to defend. These are the cases where unilateral conduct of the kind that was historically supervised by the regulatory agency now comes under antitrust jurisdiction. For example, under the essential facility doctrine a federal court of general jurisdiction may be asked to apply antitrust law to determine the scope of a formerly regulated firm's duty to interconnect with rivals. The circuit courts have applied the doctrine frequently in the telecommunications industry,43 but also to railroads" and natural gas pipelines.4 5 Problematically, supervising interconnection requirements involves the court in highly technical questions about the scope of the duty to deal and perhaps even about the price at which the deal must be made. In these cases we have not really "deregulated" at all; rather, we have simply substituted regulation by a government agency for regulation by a court, often through the highly inefficient and uncertain process of a jury trial. To do that in a purely domestic situation is ill-advised enough, but to do it abroad by taking advantage of the expansive jurisdictional reach of the Sherman Act is completely unjustified.

IV. Extraterritorial antitrust and foreign deregulation

As expansive as the regulatory power asserted by the United States sometimes becomes, it does not generally interfere directly into foreign governments' regulation of their own highly regulated industries. But to a large extent modem antitrust has inherited the regulatory attitude expressed by the Western Union decision discussed above. For several reasons, the idea that the United States Antitrust laws are jurisdictionally exceptional can produce overreaching that is offensive to foreign prerogatives. First, the United States antitrust laws are extremely general and make no distinction between ordinary competitive firms and public utilities or common carriers; the same rules purport to apply to all business firms. Second, the jurisdictional language of the antitrust laws is both mandatory and general to the same extent-that is, the "affecting foreign commerce" language of the basic Sherman Act and the export commerce language of the Foreign Trade Antitrust Improvement Act 6 do not distinguish between regulated and ordinary competitive firms. And third, the limiting doctrines of international law-namely Act of State, foreign sovereign compulsion, foreign sovereign immunity, and comity-do not distinguish among types of firms or types of antitrust complaints. They apply equally to both price fixing, which is at the core of antitrust concern, and to the essential facility doctrine, which lies at or outside its margin.

#### Ends the Japan economic alliance---they respond with diplomatic protest to new extraterritorial antitrust.

Takaaki Kojima 02. Fellow, Weatherhead Center for International Affairs, 2001-2002. “International Conflicts over the Extraterritorial Application of Competition Law in a Borderless Economy”. https://datascience.iq.harvard.edu/files/fellows/files/kojima.pdf

We are witnessing increasingly widespread and penetrating economic globalization today. As a result of trade liberalization, import restrictions or regulations on trade and investment have decreased substantially, and trans-border business activities face less barrier. At the same time, the role of trans-border business activities, especially those by so-called multinational or global enterprises, have become increasingly important and even dominant in some sectors.

As far as the territorial scope of business activities are concerned, state borders are more or less diminishing to become almost borderless; as for legal regimes, however, sovereign states retain in principle exclusive jurisdiction over their territories and nationals under international law. Business activities are regulated by the domestic laws of sovereign states or by international agreements concluded among sovereign states. The pertinent question is how to coordinate “borderless” business activities within the existing legal regimes governed by sovereign states. In the field of trade law, the measures of each state are restricted by international agreements, in particular under the GATT/WTO regime. In the field of competition law, such an international regime is lacking and the domestic laws of each state regulate private restraints of trade in the relevant markets.

Serious jurisdictional conflicts have transpired in the last several decades between the United States and other states over the so-called extraterritorial application of U.S. antitrust laws on anticompetitive conducts abroad. This problem has also caused diplomatic frictions between the United States and other states, as it concerns state sovereignty. In this essay, the author will review the historical development of international conflicts caused by the extraterritorial application of competition law and attempt to examine the options available to circumvent or solve these conflicts. The main focus will be U.S. antitrust law and its relation with other jurisdictions, mainly the European Union and Japan, considering the grave implications to competition law and policy as well as to the world economy. 2

II. Extraterritorial Application of U.S. Antitrust Laws

Problems concerning the extraterritorial application of U.S. antitrust laws have been discussed in many publications. Of the U.S. antitrust laws, the Sherman Act applies to “commerce … with foreign nations ” (Section 1) without qualifying provisions concerning its territorial scope as “within the United States” (Section 2) or “in any section of the country” (Section 3) as specified in the Clayton Act. In the past, U.S. courts interpreting the Sherman Act of 1890 and other antitrust laws commonly followed the traditional territorial principle with regard to its jurisdictional reach. In the American Banana case (213 U.S. 347 (1909)), where all the acts complained of were committed outside the territory of the United States, including the defendant’s alleged inducements of the Costa Rican government to monopolize the banana trade, the U.S. Supreme Court dismissed the complaint on the ground, inter alia, that acts committed outside of the United States are not governed by the Sherman Act. In this case, the territorial principle in the classic sense was applied.

In later decisions such as the American Tobacco case (221 U.S. 106 (1911)) and the Sisal case (274 U.S. 268 (1927)), jurisdiction was exercised over the defendants on the ground that although the agreements in question were concluded by foreigners outside the United States, jurisdiction was limited to what was performed and intended to be performed within the territory of the United States. In these cases, the territorial principle was applied more flexibly, but it has been observed that this application cannot be argued other than as a sensible and reasonable deployment of the objective territorial theory. 3

An entirely different approach was taken in the Alcoa case (148 F.2d. 416 (1944)), in which foreign companies outside the United States had concluded the agreements. The Court of Appeal for the Second Circuit held it settled law that any State may impose liabilities, even upon persons not within its allegiance, for conduct outside its borders that has consequences within its borders. It went on further to state that the agreements, although made abroad, were unlawful if they were intended to affect imports and did affect them.

This theory of the intended effect (the effects doctrine) elaborated in the Alcoa case was criticized by many as an excess of jurisdiction under public international law. For instance, R.Y. Jennings noted that “in this new guise it apparently comprehends the exercise of jurisdiction over agreements made abroad, by foreigners with foreigners provided only that the agreement was intended to have repercussions upon American imports or exports,” 4 while F.A. Mann argued that “the type of effect within the meaning of the Alcoa ruling has nothing in common with the effect which by virtue of established principles of international jurisdiction confers that right of regulation.” 5 Neverthele ss, since the Alcoa case, U.S. courts have continued to follow the new jurisdictional formula of the effects doctrine.

In response to excessive application of U.S. antitrust laws, especially with respect to courts’ orders to produce documents such as subpoena duces tecum located abroad, a considerable number of states have issued diplomatic protests. Australia, France, the United Kingdom, the Netherlands, and New Zealand have even enacted blocking legislation. 6 The protesting states maintain that taking evidence abroad, including an order to produce documents, is an exercise of extraterritorial enforcement of jurisdiction that, under international law, requires the consent of the state where the evidence is located. The United Kingdom has been one of the strongest opponents to U.S. claims of extraterritorial jurisdiction. The U.K. government stated for instance that “HM Government considers that in the present state of international law there is no basis for the extension of one country’s antitrust jurisdiction to activities outside of that country of the foreign national.” 7 The Protection of Trading Interest law was enacted in 1980, which provides to extensively thwart the extraterritorial application of U.S. antitrust laws. The U.K. government invoked the provisions in the Laker Airways case (1983 W.L.R. 413) in 1983.

Having faced the antagonistic reactions of other states, U.S. courts began to show some restraint in assuming extraterritorial jurisdiction. In the Timberlane case (549 F.2d. 9 th Cir. (1976)), the court concluded that it had jurisdiction over alleged anticompetitive conducts in Honduras but refrained from asserting extraterritorial jurisdiction after having applied three tests: first, whether the challenged conduct had had some effect on the commerce of the United States; second, whether the conduct in question imposed a burden on U.S. commerce; and third, whether the complaint’s interests of and links to the United States were sufficiently strong vis-à-vis those of other nations to justify an assertion of extraterritorial authority. The Foreign Trade Antitrust Improvements Act enacted in 1976 applies to foreign conduct that has a direct, substantial and reasonably foreseeable effect on U.S. commerce, The U.S. enforcement agencies, the Department of Justice (DOJ) and the Federal Trade Commission (FTC), have adopted this jurisdictional rule of reason formula since the Enforcement Guidelines for International Operations of 1988. However, divergent views exist as to whether the third test of balancing the interests of other states is a rule of international law or just a comity. 8 Furthermore, not all U.S. courts have consistently applied the test of balancing interests. 9

In 1993, the Supreme Court decision in the Hartford Fire Insurance case (113 S. Ct. 2891 (1993)) reaffirmed the effects doctrine, stating that the Sherman Act applies to foreign conduct that was meant to produce and did in fact produce some substantial effect in the United States. The Court then took a restrictive view on the test of balancing interests, stating that the only substantial question is whether there is a true conflict between domestic and foreign law, and held that no such conflict seemed to exist because British law did not require defendants to act in a manner prohibited by U.S. law. 10

Japan maintains the territorial principle and rejects the effects doctrine, stating that the effects doctrine cannot be regarded as an established rule of international law. In the view of the Government of Japan, the extraterritorial application of U.S. domestic laws (including U.S. antitrust laws) based on the effects doctrine is not allowed under general international law. 11 In the Nippon Paper case, where a Japanese company was prosecuted under the Sherman Act, the Japanese government submitted a brief of amicus curiae where it stated, inter alia, that the extraterritorial application of the Sherman Act to a conduct of a Japanese company engaged in business in Japan is unlawful under international law. 12 Nonetheless, the U.S. Supreme Court affirmed the Court of Appeal decision, which assumed the extraterritorial application of the Sherman Act to a criminal case for the first time (118 S. Ct. 685 (1998)).

#### Economic alliance is key to Indo-Pacific cyber security---only coop allows them to leverage technology.

Patrick M. Cronin 4/15/21. Asia-Pacific Security Chair @ Hudson. "U.S.-Japan Alliance in Full Bloom". https://www.hudson.org/research/16835-u-s-japan-alliance-in-full-bloom

Even if seldom mentioned by name, China is the unmistakable fulcrum around which alliance policy on all issues turns. Competition with China is primarily economic and technological, but these issues often spill over into security and human rights.

Economically, a rebounding U.S. economy and Japan will collaborate to strengthen the resilience of vital supply chains. Semiconductor chips are essential for all electronics, and Suga and Biden are determined to ensure their availability. Equally, the U.S. and Japan have an opportunity to leverage their two-year-old digital trade agreement to help negotiate a multilateral accord and establish high international standards for finance and commerce in the cyber age.

As a dominant player in semiconductor manufacturing and a member of APEC and the World Trade Organization, Taiwanshould play a part in both supply chain security and digital trading standards. Indeed, bolstering Taiwan’s place in the global economy of other democracies is a far better means of thwarting Beijing’s intimidation strategy against Taiwan than just sailing near the Taiwan Strait with an aircraft carrier.

The commanding heights of the 21st century economy center on technology. So, while the United States and Japan retain a strong interest in economic cooperation with China, those relations become considerably sharper over leading-edge technologies such as 5G telecommunications, artificial intelligence and quantum computing. Biden and Suga should showcase their commitment, not against China, but in favor of technological innovation and secure connectivity.

An excellent way for the alliance to demonstrate a commitment to practical technology cooperation would be to work together to expand investment in 5G Open Radio Access Networks (ORAN). Given the concerns surrounding allowing China to dominate fifth-generation telecommunications infrastructure, the United States and Japan need to scale up a cloud-based software alternative. The good news is that Japan’s Rakuten is already a leader in demonstrating ORAN’s feasibility, and there is bipartisan support in Congress for increasing U.S. investment in modular 5G.

The alliance also requires deeper cooperation on cybersecurity. Of five issues highlighted at the recent 2 + 2 meeting between U.S. and Japan defense and foreign ministers, cyberspace was the most traditional national security issue. Japan is inching closer toward becoming a de facto sixth member of the Five Eyes intelligence-sharing arrangement, and the Biden administration should encourage that trajectory. A stronger digital alliance can, in turn, advance cyber resilience throughout the Indo-Pacific region.

#### Extinction---Indo-Pak nuclear war.

Ahyousha Khan 20. "Research Associate" at Islamabad Based Think-tank "Strategic Vision Institute". "Artificial Intelligence without Cyber Resilience in South Asia". South Asia Journal. 7-16-2020. http://southasiajournal.net/artificial-intelligence-without-cyber-resilience-in-south-asia/

With increased dependence on information technology and rapid digitization of systems, term cybersecurity gained momentum. However, these systems not only need to be securitized but they should be resilient against the threats. Cyber resilience is the ability of the system to operate during an attack and achieve a minimum level of operationalization while responding to an attack. It also enables the system to develop a back-up system that works in case of attack. Cyber resilience is a step forward from cybersecurity because it not only ensures the security of the system, but also identifies the threats to it and then proposes the system that could work amidst such attacks. Most military systems are resilient against kinetic attacks because resilience and survivability go hand in hand. But, with modernizations in the military, it is necessary that the state’s cyber networks which are working on artificial intelligence must be resilient against kinetic and non-kinetic attack.

Today states are in a race to use the AI in their military systems to achieve maximum military gains and denying their adversary the same. The situation is not so different in South Asia where two nuclear rivals of the region are paving the way towards the use of artificial intelligence for military purposes. India has developed the Center for Artificial Intelligence and Robotics (CAIR) in DRDO, with the aim to develop AI within the military systems to improve geographical information system technology, decision support systems, and object detection and mapping. Moreover, companies like Bharat Electronics Limited (BEL) are already in the process of developing and incorporating AI into military equipment. This includes an AI-enabled patrol robot developed by BEL built in the hope to be utilized by the Indian military. Moreover, in 2019 India’s Gen. Bipin Rawat said adversary in the north is spending a huge amount on AI and cyber warfare, so we cannot be left behind in this race. It is mostly projected by the Indian policymakers and many international scholars that India is facing adversaries at two fronts (China-Pakistan), to justify India’s military expenditure and modernization. However, recently, events like Galwan Valley clash evidently exposed that India’s military capabilities are mostly against Pakistan. Moreover, South Asia’s security dynamics are heavily characterized by the action-reaction chain. To avoid the security dilemma vis-à-vis India, Pakistan would also invest in AI. At the moment Pakistan has also started working towards achieving expertise in AI. In 2019 President of Pakistan launched PIAIC with a focus on the development of skills in AI to strengthen economy and defence systems. Moreover, there are centers like the National Center of Artificial Intelligence and the Department of Robotics and Intelligent Machine Learning in NUST, which are working to improve AI-based knowledge in Pakistan. Besides that Pakistan recently launched a program named “Digital Pakistan” to increase access and connectivity, digital infrastructure, e-government, digital killing, and training and introduce innovation and entrepreneurship.

There are many studies done on the implications of AI on nuclear deterrence and strategic stability in South Asia. These studies highlight that due to prevalent asymmetry in the conventional military build-up, the introduction of AI into military technology would worsen the already fragile deterrence stability of the region. This assumption is based on the argument that due to AI in reconnaissance systems, high-level intelligence collection would affect the survivability of nuclear weapons, which is based on diversification and concealment. However, AI would also enable both states to have more response options in a short time with the help of decision-making tools in case of a crisis, especially in aerial battles.

Moreover, both states are moving towards the massive digitalization of their military systems and society without building cyber-resilient systems. Resilience can be built against vulnerabilities like human factors, massive speed of the systems, protection, and storage of data and advanced persistent threats (ATPs). Artificial intelligence-based systems must be incorporated in societies and militaries along with mechanisms to strengthen the cybersecurity systems. A front runner in AI like the US has also expressed concerns over the need for modern equipment to operate on “internet-like networks” and subsequently increased vulnerabilities due to their applicability. Therefore, military modernization can happen effectively through cyber resiliency in military systems, network processes, and cyber architecture. A cyber-resilient system would enable the state to develop a system that would remain functional during a phishing attack. Steps like cyber deception, agility, and clone defense could increase resilience in the existing systems. This is important to understand in already lacking strategic stability, military systems based on artificial intelligence would be an ideal target of AI advanced persistent threats in South Asia.

Therefore, as the process of digitalization is increasing in the Pakistan-India equation, it is also becoming very important that both states should develop resilience in their cyber systems so that the technologies could give them an advantage rather than becoming a security peril for them.

## Solvency

### Solvency---1NC

#### Plan nukes regulatory certainty AND creates vagueness that monopolists exploit to dodge enforcement

D. Daniel Sokol 9, Assistant Professor at the University of Florida Levin College of Law, Senior Advisor at White & Case LLP, LLM from the University of Wisconsin Law School, JD from the University of Chicago Law School, MSt in History from Oxford University, AB from Amherst College, “Limiting Anticompetitive Government Interventions That Benefit Special Interests”, George Mason Law Review, 17 Geo. Mason L. Rev. 119, Fall 2009, Lexis

Antitrust litigation produces regulatory uncertainty because different courts may rule inconsistently with the same set of facts. Anecdotal evidence indicates that when courts do not understand complex antitrust issues, they rule based on a highly procedural formalism. 140 These problems of procedural formalism in antitrust decisions create particular concerns in conduct cases or with regard to penalties for conduct, regardless of the origin of the legal system. 141 For example, in New Zealand, telecommunications regulation focused on a general antitrust solution in conjunction with courts rather than with sector regulation. 142 In a case involving interconnection rates within telecommunications between the incumbent provider and a new entrant for access to the local loop, the case took five years to decide, with significant procedural delay. 143 The lack of the New Zealand judicial system's understanding of the complex pricing issues and methodologies for interconnection underlying the case meant that the conflicting court decisions left little certainty-none of the courts came up with a specific interconnection price. This enabled the incumbent Telecom Corporation to maintain its monopoly position, and it left the victims of its anticompetitive behavior without any effective means of redress. 144 A similar problem occurred in Chile, where the Chilean Supreme Court recently overruled the Chilean Competition Tribunal in cases regarding tacit collusion based on procedural rather than substantive grounds, and where it seemed apparent that the Supreme Court did not understand the antitrust issues. 145 [\*148]

#### Courts will mis enforce.

Thomas Leary 8. Hogan & Hartson Law Firm, Former Commissioner at the Federal Trade Commission; Antitrust, “Perspectives on the Future Direction of Antitrust,” vol. 22

About thirty years ago, antitrust jurisprudence began to focus on economics rather than populist slogans. After some initial resistance, this new approach gained wide acceptance. Unfortunately, some courts have not recognized that economics is still an evolving discipline, and have failed to apply William Baxter’s admonition that a “sensible antitrust policy” should be “based on whatever it is we know at any particular moment about the economics of industrial organization.”

This failure is illustrated by three recent FTC defeats in the federal courts. Each case had special factual issues, but a common thread was the inability of the courts to absorb unfamiliar economic ideas.

The Eleventh Circuit’s 2005 Schering opinion on litigation settlements between pioneer and generic drug manufacturers was dead wrong on the burden of proof when infringement is disputed and in its application of the substantial evidence standard. But the court also was unable to appreciate the unusual economics of the industry, which enabled generics to profit more from litigation settlement than from outright victory. The usual judicial preference for settlements will simply eviscerate the Hatch-Waxman Act, designed to encourage litigation to judgment in this particular area.

The D.C. District Court in Whole Foods (2007) focused on price effects, usually a traditional and sound approach. But price was not the only significant dimension of competition between the merging grocery chains. They were the two largest providers of an innovative and differentiated shopping experience for consumers of premium “organic” foods. Whole Foods was not interested in the Wild Oats stores or its cash flow; it wanted to eliminate a chain that presented a unique competitive threat. We know that because the CEO said so, in unusually candid statements that the court simply ignored.

The D.C. Circuit Court in Rambus (2008) ignored factual findings, applied a questionable evidentiary standard, and wrongfully concluded that Rambus might have merely exploited an existing monopoly. It also failed to fully appreciate that demand side distortions (in the “market” for competing technologies) are just as economically harmful as the supply side distortions with which antitrust is usually concerned, and that proof of deception can depend on the reasonable subjective expectations of an audience.

These decisions also indicate that many courts no longer recognize the FTC’s special mission to provide purely prospective antitrust guidance. An extensive body of judicial precedent may have undercut the importance of this mission, and private litigation realities diminish prospects for purely prospective guidance. Out of frustration, the FTC may begin to rely more on its Section 5 unfairness authority. This could lessen the risk of retroactive consequences in private litigation but could also awaken concerns about revival of less disciplined agency discretion. More aggressive deployment of Section 5 would not necessarily be a retrograde step, however, so long as the agency remembers that freedom to enter uncharted territory beyond precedent is not the same as freedom to ignore evolving economic principles.

#### Plan’s clarity doesn’t solve Court Circumvention.

Daniel Crane 21. Frederick Paul Furth Sr. Professor of Law at UMich (, Antitrust Antitextualism, 96 Notre Dame L. Rev. 1205 (2021). Available at: <https://scholarship.law.nd.edu/ndlr/vol96/iss3/7>

Limitations of Writing Clear Statutes This Article has shown that, historically, the judiciary has treated the antitrust statutes as broad delegations to the courts to create a pragmatic common law of competition, even when the statutes plainly said something more specifically prohibitory. What, then, are the strategies available to a reformist Congress seeking to rein in business power through remedial antitrust legislation? The one strategy that does not seem especially promising is simply writing clearer statutes. The antitrust statutes that the courts wrote down in favor of big business did not suffer from a lack of clarity or, if they did, not in the textual implications the courts chose to ignore. Strikingly, the courts continue to insist that the antitrust statutes are indeterminate delegations of common-law power, even while admitting in candor that they have simply chosen to ignore the statutes’ plain meaning in favor of a common method of deciding antitrust cases. For instance, in Professional Engineers, Justice Stevens remarked for the Court that “the language of § 1 of the Sherman Act . . . cannot mean what it says” and therefore that Congress must not have intended “the text of the Sherman Act to delineate the full meaning of the statute or its application in concrete situations,” thus justifying the courts in shaping the “statute’s broad mandate by drawing on common-law tradition.”255 Given over a century’s tradition of interpreting antitrust statutes as invitations to continue a common-law process whatever else is suggested by the statute’s text, it is difficult to see how simply accumulating stern new language in new texts would lead to a different result.

## Farming

### Farming---1NC

#### Don’t solve small farms---their author lists 5 policies that are necessary and the first one Northwestern included wasn’t even about antitrust.

Gilbert F. 1AC Houngbo 20, President of the International Fund for Agricultural Development, 11/23/20, Why small farms are key to the future of food - and how we can support them, <https://www.ifad.org/en/web/latest/-/blog/why-small-farms-are-key-to-the-future-of-food-and-how-we-can-support-them>

**NU’s evidence ends here.**

Second, **public and private investment is needed to link rural and urban areas**. This includes better roads, electricity and internet connectivity. Investments are also urgently needed to help small-scale farmers adapt to climate change.

Share of annual climate finance in small-scale agriculture 2017/2018 rounded in USD million.

Third, **we need to empower women and youth to unleash their potential**. This includes protecting their rights to land and assets and ensuring they have better access to markets, finance and technology.

Fourth, **we need to invest in research and innovation that benefit small-scale farmers; today, agricultural research tends to neglect them**. This research needs to be accompanied by technical advice, training and ICTs.

**Fifth, small-scale farmers and their organizations need to be linked to relevant policy and planning processes** - especially those around food systems in both rural and urban areas. Among other benefits, this would create opportunities for small-scale farmers to sell their products to people in large towns and cities. As well as creating new income-earning opportunities, their involvement would contribute to meeting food and nutrition needs in cities.

Making small-scale farmers a priority

Small-scale food producers must be at the centre of next year’s global food system summit convened by the UN Secretary-General António Guterres. This means putting agriculture – and the needs of small-scale farmers – high on the global political agenda and high on the list of recipients of global investments.

Thriving small-scale farmers and sustainable and inclusive food systems contribute to a brighter future for rural and urban populations alike across the planet.

#### Their evidence is about other countries and says the US needs to pass a 50-year farm bill. Emory = blue.

Matthew R. Sanderson and Stan Cox 21, social scientist at Kansas State University, research scholar in ecosphere studies at The Land Institute, 05/17/21, Big Agriculture Is Leading to Ecological Collapse, https://foreignpolicy.com/2021/05/17/big-industrialized-agriculture-climate-change-earth-systems-ecological-collapse-policy/#:~:text=Forest%20loss%20and%20species%20extinctions,has%20scaled%20up%20in%20Brazil.&text=In%20August%202019%2C%20smoke%20blocked,planet's%20capacity%20to%20support%20life.

Today, there is more carbon dioxide in the atmosphere than at any point in the past 3.6 million years. On April 5, atmospheric carbon dioxide exceeded 420 parts per million—marking nearly the halfway point toward doubling the carbon dioxide levels measured prior to the Industrial Revolution, a mere 171 years ago. Even amid a pandemic-induced economic shutdown—during which global annual emissions dropped 7 percent—carbon dioxide and methane levels set records in 2020. The last time Earth held this much carbon dioxide in its atmosphere, sea levels were nearly 80 feet higher and the planet was 7 degrees Fahrenheit warmer. The catch: Homo sapiens did not yet exist.

Change is in the air. U.S. Director of National Intelligence Avril Haines announced climate change is “at the center of the country’s national security and foreign policy.” Business-as-usual is no longer a viable strategy as more institutions consider a future that will look and feel much different. In this context, it is striking to read a recent piece in Foreign Policy arguing “big agriculture is best.”

“Big agriculture is best” cannot be an argument supported by empirical evidence. By now, it is vitally clear that Earth systems—the atmosphere, oceans, soils, and biosphere—are in various phases of collapse, putting nearly one-half of the world’s gross domestic product at risk and undermining the planet’s ability to support life. And big, industrialized agriculture—promoted by U.S. foreign and domestic policy—lies at the heart of the multiple connected crises we are confronting as a species.

The litany of industrial agriculture’s toll is long and diverse. Consider the effects of industrial animal agriculture, for example. As of this writing, animal agriculture accounts for 14.5 percent of total anthropogenic greenhouse gas emissions annually. It is also the source of 60 percent of all nitrous oxide and 50 percent of all methane emissions, which have 36 times and 298 times, respectively, the warming potential of carbon dioxide. As industrial animal agriculture has scaled up, agricultural emissions of methane and nitrous oxide have been going in one direction only: up.

Efforts to scale industrial agriculture are undermining the planet’s capacity to support life at more local scales too. Consider Brazil, home to the Amazon Rainforest, which makes up 40 percent of all remaining rainforest and 25 percent of all terrestrial biodiversity on Earth. Forest loss and species extinctions have only increased as industrial agriculture has scaled up in Brazil. Farmers are burning unprecedented amounts of forest to expand their operations in pursuit of an industrial model. In August 2019, smoke blocked the sun in São Paulo, Brazil, 2,000 miles away from the fires in the state of Amazonas.

In India, the pace of agricultural industrialization is hastening as indicated by rising agricultural production and declining employment in agriculture, which now accounts for less than one-half of India’s workforce. Agriculture has been scaled with all the tools of the Green Revolution: a high-input farming system comprised of genetically modified seeds and accompanying synthetic fertilizers and pesticides. As agriculture has industrialized in India, the use of pesticides and fertilizers has risen as well.

Although it has become more difficult to breathe the air in Brazil, it has become harder to find clean freshwater in India, where pesticide contamination is rising. There, the costs of the industrial agriculture model are plainly ecological and human: Unable to drink the water or pay back the loans they took out to finance their transition to industrial farming, an alarming number of Indian farmers are drinking pesticides instead. Almost a quarter-million Indian farmers have died by suicide since 2000, and 10,281 farmers and farm laborers killed themselves in 2019 alone. In Punjab, the country’s breadbasket, environmental destruction coexists with a raging opioid epidemic ensnaring nearly two-thirds of households in the state.

If the events in Brazil and India sound familiar to U.S. readers, it is because there are analogous stories in the United States—where industrial agriculture is rendering entire landscapes uninhabitable. The U.S. Corn Belt, which spans the region from Ohio to Nebraska, produces 75 percent of the country’s corn, but around 35 percent of the region has completely lost its topsoil. Industrial agriculture has been pursued with special zeal in Iowa, where there are 25 million hogs and 3 million people. There, water from the Raccoon River enters the state capital of Des Moines—home to 550,000 people—with nitrates, phosphorus, and bacteria that have exceeded federal safe water drinking standards.

At a larger scale, nutrient runoff from industrial agriculture in the U.S. Midwest has created an annual dead zone—a hypoxic area low in or devoid of oxygen—that is the size of Massachusetts. The ecological consequences of industrial agriculture manifest alongside a growing human toll. Rural communities are experiencing rising suicide rates, especially among young people, along with increases in “deaths of despair” from alcohol and drugs—an expanding human dead zone.

Although tragic, these outcomes are neither inevitable nor natural. They are outcomes of U.S. policy choices. Industrialized agriculture has been a hallmark of U.S. foreign policy in the post-World War II era. Under the guise of development for all and the mantra of “feed the world,” the United States has used policy to dump surplus grain in low-income countries—undermining markets for smallholder farmers—and cultivate foreign markets as importers of high-input, industrial agriculture technologies to scale agriculture. At home, federal policy since the 1970s has explicitly promoted scaling industrial agriculture through the “get big or get out” imperative.

Society did not arrive at this precipice because agriculture was too small or because industrialized agriculture respected the laws of physics. Instead, we are peering into an abyss of systemic socioecological collapse because every effort has been made to use industrialization to break through all known ecological and human limitations to scaling agriculture.

Industrial agriculture simplifies ecosystems, rendering us more vulnerable to threats. Transformative policies will be required to pull us back from the edge. As a start, the United States could set an example for the Global North with a 50-year farm bill.

#### 1AC Hendy evidence is about ag runoff generally as a result of all farming---not industrial ag.

#### Genetic diversity was lost prior to consolidation. The aff isn’t key. Emory = blue.

NSAC 21. National Sustainable Agriculture Coalition, 07/09/21, FARMERS TRAPPED IN UNSUSTAINABLE CYCLE BY BIOTECHNOLOGY, SEED CONSOLIDATION, https://sustainableagriculture.net/blog/farmers-trapped-in-unsustainable-cycle-by-biotechnology-seed-consolidation/

Impact on farmers and communities

To many, the advent of the modern seed and biotechnology industry represents the pinnacle of benevolent ingenuity for our food system.

There are certainly conversations to have about the role genetically engineered crops play in increasing yields and boosting productivity of agricultural land per-acre through the reduction of crop loss. However, just as important but less present in mainstream conversations is a frank consideration about whether those gains can be justified given the adverse, long-term impacts that conventional farming has on people, animals, and the land.

When these conversations are better informed by the growing number of studies which point to the benefits of sustainable farming models, as well as its scaleable potential, we are compelled to ask: “Is the status quo worth defending?”

It could be, if the power imbalance between farmers, rural communities, and multinational corporations did not breed adverse consequences for the former. Recall that seed was once treated as public property and openly shared – not only in the 1800s, but for millennia on this continent by Indigenous people. In addition, integrated crop-livestock systems kept pests and weeds at bay while limiting soil disturbance to preserve the microbial community and prevent erosion, among other restorative benefits for soil health. No rising input costs or potentially dangerous chemicals were necessary, unlike today.

In 2019, U.S. farmers spent $118 billion to purchase seed and plants, fertilizers, animal feed, and agricultural chemicals. The cost of total farm input expenditures has increased almost $80 billion since 2009, a classic symptom of an industry that has become too concentrated. Bayer, Corteva, Limagrain, Chem-China, and BASF exclude competitors with control of at least 50 percent of the seed and agrochemicals markets by raising the price of inputs for farmers (including with a novel “technology fee”) without risking their own market dominance.

To strictly analyze the cost of seed, consider that corn farmers who paid $26.65 per planted acre of seed in 1990 paid $93.48 in 2019. This represents a dramatic increase of roughly 350 percent, beyond the rate of inflation, following the biotechnology merger-mania and the co-opting of the seed industry.

Health and human consequences compound this financial loss, with all such liabilities externalized by multinational corporations and placed upon farmers and consumers. In 2015, the International Agency for Research on Cancer classified the active ingredient in Bayer’s Roundup, glyphosate, as “probably carcinogenic to humans.” Farmers and farmworkers in proximity to glyphosate are potentially at-risk, as are consumers who consume GE food with glyphosate residue. Though glyphosate has since been banned or limited in dozens of countries, the Environmental Protection Agency re-approved Roundup to be used in the United States last year – even as lawsuits from 46,800 plaintiffs alleged personal injury from exposure to Bayer’s glyphosate-based products.

Bayer insisted that they would “defend the safety of glyphosate… vigorously.” Then, in February 2021 Bayer announced a $2 billion settlement to cover claims from individuals who developed cancer after being exposed to Roundup. This settlement, reached in private arbitration, is not an admission of guilt. Roundup not only remains on the market but is still the weedkiller favored by farmers. What else would conventional farmers use with their Roundup Ready seed?

Genetically engineered seed has indeed taken over. The Food and Drug Administration (FDA) reports that GE soybeans comprise a stunning 94 percent of all soybeans planted in the United States, GE cotton accounts for 94 percent of all cotton planted, and 92 percent of corn planted was GE corn. The multinational corporations that produce and market these GE seed varieties do not only place their products on the market but remove non-GE varieties of seed inherited from acquired seed companies. The result has been an alarming reduction in farmer choice  – despite the illusion of many unique seed brands – as well as the decimation of crop biodiversity.

In 1983, a report by the Rural Advancement Foundation International (RAFI-USA) revealed that the United States lost 93 percent of its agricultural genetic diversity in the twentieth century. That was before the consolidation of the seed and biotechnology industries in the mid-1990s, and nationally the trend has continued. This genetic uniformity poses a significant threat to the U.S. food supply. The more that the agriculture sector relies on a few uniform, patented seed varieties, the more susceptible these conventional farms become to epidemic pathogens or unexpected climate events. (We saw what happened during the Dust Bowl when traditional foodways were replaced with industrial, monocrop farming.)

Rather than elevating the long-term resilience and security of our food system, a 2019 AGree report notes that “the tendency for farmers to specialize production to only a few commodities presents risks in the event of any type of shock (e.g., extreme weather, disease or pest outbreaks, price cycles, market fluctuations, etc.).”

The corn problem

Let’s take a closer look at corn production to illustrate the vulnerabilities of monoculture systems eand how they were shaped by corporate interests at farmers’ expense. With more than 90 million acres of land planted to corn – almost 30 percent of the country’s 320 million acres of harvested cropland – it is the United States’ leading crop commodity.

Do Americans eat that much corn on the cob? No! The demand to produce this much corn did not come from consumers, but was artificially generated by private agribusiness interests.

If you drive through the American corn belt, you will see the degree to which U.S. agriculture has become dependent on just two commodities: corn and soybeans. Defenders of the corn monoculture system point to the wide array of products which contain corn as an integral ingredient – from sweeteners and biofuels to animal feed – as proof of what must have been an inevitable climb to occupy this position of primacy. Yes, the United States meets the climate, soil, and topographic conditions necessary to mass-produce corn, but that does not mean that it always will or that we should.

Corn is a resource intensive crop to grow. It demands copious amounts of water and nitrogen, and industrial farming practices to plant and harvest corn are beginning to erode carbon-rich soil in the Corn Belt. Despite attempts to boost nitrogen levels in the soil with synthetic fertilizer (runoff from which poses an environmental concern), these products cannot completely replace natural minerals. In addition, genetic uniformity increasingly exposes farmers throughout the Heartland to elevated market and weather risks, including drought and emerging patterns of climate change. The United States cannot continue to produce and rely on corn to the extent that we do today – it is not resilient long-term.

Jonathan Foley warns in his piece, It’s Time to Rethink America’s Corn System, that “given enough time, most massive monocultures fail, often spectacularly… A single disaster, disease, pest, or economic downturn could cause a major disturbance in the corn system.”

In fact, corn farmers are already losing nearly $3 billion per year in harvest yields per acre. It is fortunate, then, that so much corn is not inherently necessary to the functioning of a society and may be replaced as an input by several alternatives. To illustrate, biofuels can be produced from less-intensive, even regenerative plants, including hemp and switchgrass. In addition, nearly 95 percent of processed animal feed is made of corn and may be replaced with broader adoption of integrated crop-livestock systems and pasture grazing.

Why, then, does the production of and dependence on corn continue to grow? Because farmers lose real income, not agribusiness, in the same way that farmers receive a decreasing share of every dollar spent on food in the United States while the share of biotechnology, equipment, and food processing corporations rises. This relationship is imbalanced at best and at worst parasitic, but always framed as symbiotic.

It’s a trap!

To remain profitable, multinational agribusiness companies must generate and maintain a constant state, or at least a general trend, of overproduction and depressed commodity prices. Input suppliers, including biotechnology and seed corporations, can sell their patented products to a client (farmers) always seeking to expand their operations. Meanwhile, on the other end of harvest season, a concentrated number of food processors are able to purchase commodities for a price driven down by excess supply.

To illustrate the relationship, the following chart demonstrates that corn yields increased rapidly during the decades that these corporations amassed profit and influence – multiplying almost 600 percent since the mid-century dawn of the age of industrial agriculture and consolidation.

It is important to acknowledge that farmers may indeed experience lucrative years and rising commodity prices, often due to increased demand from international export markets. This is an exception, however; it is not a rule. While farmers win on occasion in this system, it is always as the industry collectively spirals downward.

Farmers who seek to permanently raise the price of commodities and otherwise elevate their share of the food dollar find themselves trapped. Realistically, corn farmers have few options to cut their input costs with an industry as consolidated as seed and biotechnology. They need to purchase the genetically engineered seed designed to withstand the herbicides, pesticides, and synthetic fertilizer which they have used for many growing seasons – but use of these chemicals and additional industrial practices, including mechanical tilling, erode soil nutrients until non-GE strands may no longer be able to maintain yields. The conventional farmer is not able to simply save and replant GE seed to save input costs either, for it is protected under utility patent law.

Similar to the biotechnology and seed industry, the farm equipment sector is highly consolidated. Four companies, chief among them John Deere, control at least 45 percent of global farm machinery sales. The farmer who decides to increase their yield to make up for lost income from falling prices may purchase new, productivity enhancing technologies from these companies. Because this decision is invariably made by thousands of farmers every planting season, with everyone reasonably aiming to stabilize their bottom line, a renewed downward pressure on prices is created. “The lower prices, in turn,” according to Darryl E. Ray in a 2003 University of Tennessee report, “become further incentives to adopt more cost-reducing technologies, and prices continue their slide.”

Unless farmers are able to adopt sustainable farming practices or radically alter their business models, they will continue to rely on these patented products year after year, sending half of the checks they write to increase the balance sheets of these corporations.

John Deere’s revenue growth consistently outperforms farm incomes, even as they rise and fall together. Large equipment manufacturers even use patents to prevent farmers from repairing their own heavy machinery (which is more damaging to soil health than previously thought) using independent repair technicians, or continuing to maintain equipment that is no longer supported by the manufacturer. This multiplies the profit streams for companies and perpetuates the need for farmers to continue to invest in the newest available equipment.

The imbalance does not stop there. In recent years, these industries have been acquiring data technology companies to create programs like Monsanto’s Climate View, now owned by Bayer. Farmers who participate in the program supply harvest field data through the sensors on combines manufactured by John Deere and AgCo, which together control 70 percent of the U.S. combine industry, and receive prescriptions sent back to the combine advising farmers which Bayer products to purchase to maximize their yields.

In his recent book, Perilous Bounty, Tom Philpott recounts an interview with an ex-Monsanto executive who “painted a future in which farmers would essentially outsource their decisions to Monsanto, or at least rely on the company to narrow their choices dramatically… This could empower farmers to make better decisions,” he continued, “but the farmers’ interests and the industry’s don’t necessarily align.”

Contrary to the vision of these corporate executives, basic economics instructs that limiting supply would cause commodity prices that farmers receive to rise. The industry, however, is unable to self-correct because no platform exists for all farmers – who are in competition with one another – to agree to cut production in a given year. Even if that scaled coordination were possible, farmers might be pressured to maintain or expand production to justify past investments in heavy machinery or other inputs, and to avoid furloughing staff and laborers. Further, the design of federal crop insurance and commodity programs currently incentivize the maintenance of conventional farming models and levels of production.

Federal crop insurance and commodity programs are designed to maximize yields, directly serving the interests of multinational agribusiness corporations who profit from maintaining a state of overproduction. These subsidies enable the biggest industrial operations to get bigger at the expense of smaller producers, as benefits are siphoned to a limited number of commodity crops and a relatively small number of farmers. The artificial absence of risk for these farmers, as well as bias against alternative operations from financial lending institutions, inhibits what motivation might otherwise exist to adopt diversified production systems as a risk management strategy.

That is why agribusiness lobbyists work to preserve federal support that reduces crop insurance premiums and prevents payment limitations to commodity subsidies. This arrangement maintains the incentive for farmers to overproduce, while also enabling these agribusinesses to signal that their relationship with farmers is indeed symbiotic, rather than parasitic. In reality, however, the public benefits of commodity programs are funneling potential resources away from farms and rural communities. Currently, any farmer or landowner – even multimillionaires and billionaires not actively engaged in farming – can receive unlimited premium subsidies.

As an added consequence, these programs have been fundamental to the acceleration of rural depopulation and the consolidation of farmland. This places small and mid-sized farms, or other low-resource, beginning, and BIPOC farmers, at a competitive disadvantage when it comes to buying land. According to a study by agricultural economists from Cornell University and the University of Illinois, crop insurance contributed to a four to nine percent increase in forage and rangeland values. Another study that looked only at the impacts of direct payments eliminated by the 2014 Farm Bill, found that those payments caused an increase of about $18 per acre in cropland value.

To demonstrate one facet of the impacts of farmland consolidation, 40 percent of farmland in the United States was rented from landowners in 2017. Farmers who do not own but only rent farmland are, sensibly, wary against sinking heavy investments into land which they may be asked to leave at the end of any contract period. This particularly affects small and mid-sized, BIPOC, and beginning farmers who do not have the resources to purchase land at inflated prices. This effectively traps the next generation of farmers and would-be innovators, limiting them to adhere to conventional and unsustainable practices supported by existing farm infrastructure, or only modest and transferable investments.

For more on farmland access issues, refer to the recent National Young Farmers Coalition (NYFC) report, Land Policy: Toward A More Equitable Farming Future, and this guest post authored by Holly Rippen-Butler, NYFC Land Access Program Director.

The trouble with opting out

Financial ruin generated by rising input costs and falling commodity prices (in addition to systemic discrimination against BIPOC producers within USDA) catalyzed the flight of farmers to cities in the twentieth century, particularly those farmers who did not industrialize.  That said, a minority of farmers were able to resist the shift to conventional farming or later embraced sustainable production when its comparable, long-term benefits became clear.

Dave Bishop, 70, a mid-sized farmer in Illinois, endured heavy crop loss and debt caused by a severe drought in 1988. “It was traumatic,” he expressed, “to watch something die a little at a time for months and months and months.” Bishop was farming conventionally at the time, but that experience motivated him to deviate from the “get big or get out” mantra of the time – ”get different.” Bishop began to diversify his operations and eventually farm organically. “We dealt with opting out of the system,” he said. “That is possible for farmers to do.”

Farming organically to supply local and regional markets may indeed be considered an almost separate industry to monoculture farming, with its emphasis on sustainable farming practices, values, and markets. These farmers generally rely on a consumer base that is willing and able to spend a bit more than conventional market price for locally produced food that they know will be free of synthetic pesticides, promote greater animal welfare, and avoid GE seed that can trap farmers in unsustainable cycles. Many organic producers adopt techniques with ancient roots that center diversified systems, including crop rotation and the use of composted animal manure, to replace the need for synthetic inputs.

Research suggests that organic farmers save money on seed (which are not patented and can be saved from season to season), improve soil health, sequester more carbon, and harvest higher yields per acre than previously thought. These diversified farm systems may even be considered a natural form of risk mitigation, as opposed to crop insurance: “The next severe drought was in 2012,” Bishop recalled, “which turned out to be our most profitable year to date.”

Despite the proven resilience of this farming model, less than 0.8 percent of farms are certified as organic operations with USDA. Farmers must adhere to strict regulations related to soil quality, animal raising practices, and pest and weed control to become certified organic. In addition, the certification process is expensive and may not yield immediate financial benefit. The National Organic Certification Cost Share Program (NOCCSP) helps to alleviate the costs of certification for small and mid-sized organic farm businesses, although obstacles to certification remain.

While Bishop notes that “certifying our vegetable crops has little to no impact on local sales,” where consumers are able to build a relationship with their farmer, the label does “give us access to larger markets like Chicago where shoppers may not recognize the farm name.” That means these lucrative markets are more difficult to access for small organic farmers without the means to attain organic certification, or whose practices may deviate from the standards.

This demonstrates that existing farm policies place an outsized burden on small and mid-sized organic growers to grow, market, and sell their produce. Meanwhile, no comparable certification or market obstacles exist for conventional farmers – even though industrial agriculture is inherently riskier. Instead, monopsonist dynamics rooted in extreme concentration mean agribusiness corporations, including food processors, are the guaranteed buyers for overproduced and devalued commodity inputs. This difference reflects the dominance of agribusiness, which continues to shape the food system in ways that impede the success of even those farmers who choose to “opt out” of the industrial model.

## China

### China---1NC

#### No modelling---divergences in implementation inevitable, especially with an arbitrary standard.

Ma. Joy V. Abrenica 18. Professor, School of Economics, University of the Philippines Diliman. BALANCING CONSUMER WELFARE AND PUBLIC INTEREST IN COMPETITION LAW. 13:2 Asian J WTO & Int'l Health L & Pol'y 443. 2018. Pg 448-449

The economic approach to antitrust enforcement has been embraced not only by the U.S. and European Commission (hereinafter "EC"), but also by developing countries whose antitrust laws were very much influenced by these two regimes. The OECD describes the convergence among antitrust regimes as follows: There is general consensus that the basic objective of competition law is to protect and preserve competition as the most appropriate means of ensuring the efficient allocation of resources . . . in free market economies. While countries differ somewhat in defining efficient market outcomes, there is general agreement that the concept is manifested by lower consumer prices, higher quality products and better product choice. 22 But the adoption of a common framework has not resulted in uniform implementation of competition principles. This is because most competition regimes are still conditioned by the zeitgeist of their own competition law, as well as by social and political realities in the domestic front. Two opposing philosophies are driving antitrust enforcement in different directions. One perspective presumes that unencumbered markets are vulnerable to abuse of dominance and collusion among competing producers; thus vigorous enforcement is necessary to preserve competition. Another perspective holds that market competition is robust and could prevail upon any private attempt to suppress it; therefore, rigid enforcement is counterproductive as it could undermine rivalry, hinder innovation and thus harm consumers in the long term. Most regimes would strive for the middle ground, i.e., neither intransigent nor too lenient. However, the effects of and intent behind market behavior are rarely apparent and often difficult to discern. This could result in a finding of infringement when in fact the conduct is a legitimate response to competitive pressure (type 1 error), or a failure to foil an anticompetitive conduct as it is mistaken for an innocuous pursuit of efficiency (type 2 error). Both types of error could ruin competition. Indeed, striking the right balance in enforcement is arduous and mature jurisdictions are not exempted from the challenge. One observes notable disagreements between the U.S. and EC on such issues as refusal to deal and reverse patent payments, for example, as well as flip-flopping of decisions on various forms of vertical restraints. The divergence in views and inconsistencies in decision is probably inevitable as the understanding of economic behavior and market processes continue to evolve. Boudreaux explained: Almost all of the original bases for antitrust intervention have been shattered by sound economics. Price-cutting is no longer an obvious means of monopolizing; bigness is no longer believed to be inevitable, inevitably harmful, or perpetual; and the myriad contracting arrangements devised by actual market participants are increasingly understood to enhance competition despite having been ignored by authors of textbooks. The advances that have occurred in economic theorizing are generally abstruse demonstrations of theoretical possibilities. Only when these theories have been supported by solid empirical findings should they serve as the basis for policy . . .. (emphases added)23 Against this perplexed environment in the backdrop, the meshing of public interest and competition objectives adds further complication, uncertainty and unpredictability in competition enforcement.

#### 1AC Reynolds is about China’s Five Year Plan launched five years ago---it’s been implemented---too late.

#### No incentive to adopt domestic antitrust policy---risks costs, delays and uncertainty.

Anu Bradford 12. Anu H. Bradford is an author, law professor, and expert in international trade law. In 2014, she was named the Henry L. Moses Distinguished Professor of Law and International Organization at the Columbia Law School. “Antitrust Law in Global Markets”. Columbia Law School. 2012. <https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=2977&context=faculty_scholarship>

Multilateral corporations’ activities span across global markets. Yet antitrust laws regulating those activities remain national. Europeans can ban American companies from merging,1 tell American companies how to design their products,2 or determine what kind of discounts American companies are permitted to offer to their customers.3 Chinese can impose conditions on off-shore mergers.4 And Brazilians can insist on reviewing a transaction with minimal connections to the Brazilian market.5 As the global web of antitrust laws thickens, companies are forced to navigate an increasingly complex regulatory environment. The need to comply with multiple different domestic antitrust regimes exposes multinational corporations to additional transaction costs, delays, and uncertainty. Simultaneous application of many antitrust laws carries the risk of enforcement conflicts and is likely to lead to global overenforcement of antitrust laws. A lack of international antitrust regulation may also lead to antitrust protectionism if states underenforce their antitrust laws towards domestic corporations, while overenforcing those same laws towards foreign corporations.6

#### No evidence that rural the industrial model of farming explains all poverty in China---1AC Ni is broadly about high poverty undermining the CCP---it says jobs are leaving because nearby countries are increasing wages.

#### No CCP collapse impact.

Peter Hartcher 17, international editor., 11-27-2017, "The surprising way the Chinese Communist Party keeps power," Sydney Morning Herald, <https://www.smh.com.au/opinion/the-surprising-way-the-chinese-communist-party-keeps-power-20171127-gztdqm.html>

Their error, and the error of an army of other doomsayers, is entirely understandable. The longevity of the Chinese Communist Party's rule is unique among modern one-party states. Every day it continues is another record-setting day in defiance of precedent. So the interesting question, surely, is how they do it? The answer from John Keane's new book When Trees Fall, Monkeys Scatter is that China is not a rigid dictatorship in the model of the Soviet Union but a restless experiment that is endlessly innovating in how to govern. "The big controversial idea at the heart of the book is 'Don't think of China as a big, simple case of authoritarianism'. That's the way three-quarters of my profession thinks of China," says Keane, a political scientist and University of Sydney professor. China is, he says, "a political laboratory structured by methods of government that contradict all the standard textbooks of political science." And one of its experimental aspects is to draw heavily on the tools of democracy. "The book is basically a catalogue of what are locally called democratic innovations that the Chinese Communist Party has been fostering for four decades," Keane tells me. The party uses voting, elections, opinion polls widely and constantly. Keane says that China has an extraordinary total of about 800 polling agencies, and half are independent of the party. Many use cutting-edge Western methodologies. Local villages commonly elect their own leaders. Local and regional governments conduct votes on matters like proposed developments and new parking laws. "In Beijing there was extensive polling by the party leadership to tread very carefully in introducing new public transport prices," reports Keane. Democratic methods are used in the private sector, too. Alibaba, the world's biggest online retailer, for instance, held a secret ballot among tens of thousands of staff on how it should allocate a portion of company profits to social causes. The party tries to read public opinion and the public mood by intensively surveying the internet. "We usually think of the Chinese internet with the party as a censorial body that crushes opposition and that is certainly the case", but it's much more. The party conducts online forums and debates on all sorts of matters at many levels. "Even live streaming of public forums is a part of the system," says Keane. But hold on. It's a one-party state. There is no alternative. The people have no choice in who governs them. Why does the party bother? The essential reason is fear: "Fear runs through the party at all levels," says Keane. Before taking the leadership, President Xi Jinping commissioned a year-long study of why Soviet communism collapsed. This is the fate that the Chinese Communist Party's efforts are designed to avoid. "The party knows that its ultimate resource is popular loyalty to it. They know that if the people get annoyed locally, regionally, certainly nationally, they are sunk. They want to avoid another Tiananmen Square", the 1989 student demonstrations that the party ultimately quashed by shooting the protesters. The party uses its democratic methods not to grant democratic freedoms but to manage public grievances and avoid mass uprisings. The Chinese people are not as quiescent as many Western visitors assume. Every year there are an estimated 150,000 protests, rallies, demonstrations, occasionally violent ones, across China. It's a high priority for the party that these so-called "mass incidents" remain manageable and localised. Where possible, the party even tries to respond to public concerns. For this reason one sinologist has called China neither an autocracy nor a democracy but a "respond-ocracy". Keane isn't sure about this tag; he proposes his own novel descriptor of the Chinese Communist Party as a "phantom democracy". It's sophisticated. Explains Keane: "They use the internet as an early warning device." The People's Daily Online Public Opinion Monitoring Centre, for instance, uses data-harvesting algorithms to send summaries of internet chatter trends in real time to party leaders, he writes. "Often with advice about which language to use, or which language to avoid, in handling hot topics." There are hard limits to the party's solicitude, of course. "You cannot ask about the leading role of the party," says Keane. And criticism of Xi Jinping - or Papa Xi as he's sometimes called - and the top leadership is strictly off-limits. The Chinese Communist Party, says Keane, is "kicking the habit of keeping the lid on everything so that, both in its thinking and its practice, the CCP grows smarter by learning to be 'a learning party'". This is central to the longevity of the party and it reminds us of an observation by the American political scientist Francis Fukuyama: "All societies, authoritarian and democratic, are subject to decay over time. The real issue is their ability to adapt and eventually fix themselves." This forces us to look at our own democracies. Instead of assuming that one-party systems must fail and become more like ours, perhaps we should be learning from the efforts of China's one-party system to fix itself. If it can learn and adapt and Western democracies cannot, which system ultimately will prevail?

#### No U.S.-China war.

Abraham Denmark et al 20 is director of the Asia Program at the Woodrow Wilson International Center for Scholars and a former deputy assistant secretary of defense for East Asia, April 16, “SAME AS IT EVER WAS: CHINA’S PANDEMIC OPPORTUNISM ON ITS PERIPHERY”, <https://warontherocks.com/2020/04/same-as-it-ever-was-chinas-pandemic-opportunism-on-its-periphery/>

While Washington and Beijing’s overheated rhetoric and mutual recriminations amid the ongoing coronavirus pandemic are grabbing headlines, equally important is what has been playing out across China’s eastern and southern peripheries over the past several weeks. At a moment when the Chinese Communist Party has been touting the generosity of its approach to COVID-19, there has been a marked increase in the number of incidents between China and its neighbors. Beijing has used its naval and paramilitary forces as well as its increasingly sophisticated information operations to ratchet up tensions, probe responses, and see how much it can get away with. This raises the question of what exactly China is up to. Has Beijing truly embraced a new approach of cooperation with its neighbors? Is it trying to take advantage of the COVID-19 mess to assert its interests more aggressively? Or is this simply an extension — albeit an opportunistic one — of its pre-pandemic strategy? BECOME A MEMBER The novel coronavirus pandemic has not curtailed geopolitics — in fact, it seems to be intensifying preexisting tensions. Understanding if and how China’s foreign policy has shifted is critical for assessing what is happening along China’s periphery and what Beijing might do next. Answering these questions is necessary for the United States and its allies to fashion a proper response. This, in turn, demands understanding what Beijing was doing before the crisis and thinking through what might actually signal a significant shift toward a more confrontational foreign policy. How Did I Get Here? China’s Latest Moves Chinese ships and aircraft have been involved in a spate of recent incidents across China’s maritime periphery. While there have been no fatalities, lives were certainly put at risk. Considering these incidents have involved two of China’s primary regional rivals — Japan and Vietnam — as well as Taiwan, the possibility that Beijing may see the COVID-19 pandemic as an opportunity to press an advantage during a time of geopolitical distraction and uncertainty should be considered. In mid-March, a group of People’s Liberation Army (PLA) aircraft crossed the median line in the Taiwan Strait — an unofficial demarcation line between Taiwan and China — in an exercise intended to intimidate Taiwan by demonstrating China’s ability to conduct operations at night while also testing Taiwan’s ability to react. While PLA ships and aircraft have been operating within the vicinity of Taiwan for several years, the pace and assertiveness of these activities have noticeably increased in recent years: The latest incident was the fourth time in two months that PLA aircraft forced Taiwan’s air force to scramble and intercept. Considering the impending second inauguration of Taiwan’s leader, President Tsai Ing-wen, as well as dwindling levels of support in Taiwan for Beijing’s “One Country, Two Systems” formulation, these exercises are likely to grow even more common and assertive. In late March in the East China Sea, a Chinese fishing vessel collided with a Japanese destroyer. The collision ripped a hole in the destroyer, but the ship was able to move on its own, and its crew suffered no casualties. Beijing announced that one Chinese fisherman had been hurt and blamed the Japanese vessel for the incident, calling for Japan’s cooperation to prevent future incidents. It is unclear if the Chinese vessel was a part of China’s “maritime militia,” described by the U.S. Department of Defense as “an armed reserve force of civilians available for mobilization” that plays a “major role in coercive activities to achieve China’s political goals without fighting.” The South China Sea has also seen several recent incidents involving Chinese vessels. In early March, a Vietnamese fishing vessel was moored near a small island in the Paracel archipelago — islands claimed by both Vietnam and China, among others — when a Chinese vessel chased it and fired a water cannon, causing the boat to sink after hitting some rocks. The crew was rescued by another Vietnamese fishing boat, with Hanoi claiming that the fishing boat was rammed by the Chinese vessel. The U.S. State Department issued a statement in early April expressing its serious concerns about the incident and calling on China “to remain focused on supporting international efforts to combat the global pandemic, and to stop exploiting the distraction or vulnerability of other states to expand its unlawful claims in the South China Sea.” The State Department also noted that since the outbreak of the pandemic, “Beijing has also announced new ‘research stations’ on military bases it built on Fiery Cross Reef and Subi Reef, and landed special military aircraft on Fiery Cross Reef.” Most recently, a Chinese coast guard (CCG) ship — one of several Chinese ships that harassed a Philippine commercial vessel in September 2019 — was seen patrolling near the Scarborough Shoal, representing one of many CCG ships that have been patrolling nearly all of the disputed areas between China and the Philippines in the South China Sea. Are these incidents merely a coincidence? Are they a sign that Beijing is distracted by COVID-19 and the resulting historic economic slowdown, and aggressive local commanders are pushing the envelope of their own accord? Or is this merely the result of China fielding more ships and more aircraft, leading to a predictable increase in incidents and exercises? While these explanations are all plausible, a more likely driver of China’s actions is, in fact, continuity. These incidents are not unprecedented and likely do not indicate a new, post-pandemic Chinese strategy. Rather, these incidents are consistent with a Chinese approach to foreign affairs under CCP General Secretary Xi Jinping’s leadership that even before the outbreak of COVID-19 demonstrated flexibility, assertiveness, and a singular desire to exploit opportunities of external weakness and distraction in order to advance China’s interests. For more than a decade, Chinese leaders have come to see their external security environment as generally favorable, representing a “strategic window of opportunity” in which China could achieve its primary objective of national revitalization through economic and social development, military modernization, and the expansion of its regional and global influence. Since the 2008 to 2009 global financial crisis, Beijing has perceived an opportunity to expand its geopolitical power relative to the United States yet does not seek an explicit conflict with the United States or its allies. As a result, Beijing has intensified its use of “gray zone” tactics that seek to gradually advance Chinese interests using ambiguity and tactics that are tailored to not provoke a military retaliation. These activities also serve as “probing behavior” that tests how far China can go before encountering determined resistance. In recent years, Beijing has used this approach to increase pressure on Japan in the East China Sea and advance Beijing’s territorial claims in the South China Sea against the Philippines, Vietnam, Malaysia, and Indonesia. Throughout, Beijing’s approach to regional geopolitics has been adaptive to specific conditions, flexible to broader strategic trends, and opportunistic to perceptions of weakness or distraction in its adversaries. Chinese actions are not the reckless gambles they may initially appear to be. Rather, they are premeditated probes seeking to identify weakness and opportunity. Chinese pressure is carefully calibrated to fit, but not necessarily to exceed, a given situation. This approach reflects a maxim of Vladimir Lenin, whom the Chinese Communist Party continues to revere to this day: “Probe with a bayonet: if you meet steel, stop. If you meet mush, then push.” In multiple instances, Beijing has continued to push when it perceives that its actions are unlikely to cause a significant response. But when Chinese assertiveness has been met with resolute counterpressure, Beijing’s response has not been predictably escalatory.Beijing has demonstrated flexibility when confronted with determined opposition. Examples include Japan’s response to China’s rollout of an air defense identification zone in the East China Sea in 2013 and President Obama’s reported drawing of a red line around Scarborough Shoal to Xi Jinping in March 2016. Moreover, India’s response to Chinese activities in Doklam did not lead to war.

# Block

## 2NC

### Framework Top---2NC

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

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

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

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

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

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

#### 3. Reciprocity. Fiating attitudinal, durable enforcement of antitrust despite lack of political will and the ongoing effects of Republican court packing is utopian. It doesn’t reflect pragmatic reality. Neg gets the equal right to test desirability, not feasibility.

Paul Mason 7-17-15. Writer of Live Working or Die Fighting: How the Working Class Went Global and [PostCapitalism: A Guide to our Future](https://en.wikipedia.org/wiki/PostCapitalism:_A_Guide_to_our_Future). Culture and Digital Editor of Channel 4 News. Visiting Professor at the University of Wolverhampton. Bachelors in Music and Politics from the University of Sheffield. "The end of capitalism has begun," Guardian, https://www.theguardian.com/books/2015/jul/17/postcapitalism-end-of-capitalism-begun

The power of imagination will become critical. In an information society, no thought, debate or dream is wasted – whether conceived in a tent camp, prison cell or the table football space of a startup company. As with virtual manufacturing, in the transition to postcapitalism the work done at the design stage can reduce mistakes in the implementation stage. And the design of the postcapitalist world, as with software, can be modular. Different people can work on it in different places, at different speeds, with relative autonomy from each other. If I could summon one thing into existence for free it would be a global institution that modelled capitalism correctly: an open source model of the whole economy; official, grey and black. Every experiment run through it would enrich it; it would be open source and with as many datapoints as the most complex climate models. The main contradiction today is between the possibility of free, abundant goods and information; and a system of monopolies, banks and governments trying to keep things private, scarce and commercial. Everything comes down to the struggle between the network and the hierarchy: between old forms of society moulded around capitalism and new forms of society that prefigure what comes next. ... Is it utopian to believe we’re on the verge of an evolution beyond capitalism? We live in a world in which gay men and women can marry, and in which contraception has, within the space of 50 years, made the average working-class woman freer than the craziest libertine of the Bloomsbury era. Why do we, then, find it so hard to imagine economic freedom? It is the elites, cut off in their dark-limo world, whose project looks forlorn It is the elites – cut off in their dark-limo world – whose project looks as forlorn as that of the millennial sects of the 19th century. The democracy of riot squads, corrupt politicians, magnate-controlled newspapers and the surveillance state looks as phoney and fragile as East Germany did 30 years ago. All readings of human history have to allow for the possibility of a negative outcome. It haunts us in the zombie movie, the disaster movie, in the post-apocalytic wasteland of films such as [*The Road*](https://www.theguardian.com/film/movie/131971/road) or [*Elysium*](https://www.theguardian.com/film/2013/aug/22/elysium-review). But why should we not form a picture of the ideal life, built out of abundant information, non-hierarchical work and the dissociation of work from wages? Millions of people are beginning to realise they have been sold a dream at odds with what reality can deliver. Their response is anger – and retreat towards national forms of capitalism that can only tear the world apart. Watching these emerge, from the pro-Grexit left factions in Syriza to the [Front National](https://www.theguardian.com/world/marine-le-pen) and the isolationism of the American right has been like watching the nightmares we had during the [Lehman Brothers](https://www.theguardian.com/business/lehmanbrothers) crisis come true. We need more than just a bunch of utopian dreams and small-scale horizontal projects. We need a project based on reason, evidence and testable designs, that cuts with the grain of history and is sustainable by the planet. And we need to get on with it.

#### 4. Invert your standard for solvency.

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

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

#### The idea that “there is no alternative” ensuring change becomes impossible.

Detlev ZWICK 13, Associate Professor of Marketing at Schulich School of Business, York University, Toronto [“The myth of metaphysical enclosure: A second response to Adam Arvidsson,” *Ephemera*, Vol. 13, No. 2, May 2013, p. 413-419, Accessed Online through Emory Libraries]

My initial response to Adam Arvidsson's excellent and provocative essay entitled 'The Potential of Consumer Publics,' was met by the author with a thoughtful response in which he provides, I think in very helpful ways, some clarification about the politico-ideological underpinnings of his notions of the productive consumer public and the reputation (or ethical) economy (see also Arvidsson, 2008; Arvidsson, 2009). As his defense against my charges illustrates, Arvidsson represents a position that, with Zizek, we could call 'Fukuyamaist'. This position holds that the collapse of the Communist Bloc put an end to the competition between ideological and economic systems, with the result that

liberal-democratic capitalism is accepted as the finally found formula of the best possible society; all one can do is to render it more just, tolerant and so on. The simple but pertinent question arises here: if liberal-democratic capitalism is, if not the best, then the least bad form of society, why should we not simply resign ourselves to it in a mature way, even accept it wholeheartedly? (Zizek, 2009: 52)

Is this not exactly the question Arvidsson is posing in his response? Is he not asking us to accept the reality of neoliberal capitalism and get on with it? At his Fukuyamaist best, Arvidsson suggests that to keep criticizing what cannot be changed constitutes little more than the immature trolling of Utopian dreamers and tenured radicals, especially when unaccompanied by a clear description of the solution to the problem. In principle, there are two main charges leveled by Arvidsson against my critique of his argument.

First, he rejects my critique for being naïve and Utopian, but he does so not because I suggest that his productive consumer publics reproduce neoliberal capitalist logic. On the contrary, Arvidsson himself seems to agree with my assessment that his concepts of reputation economy and productive consumer publics are at the same time both product and producer of communicative capitalism. What he objects to is the anti-capitalist position from which I state my critique, because, as already mentioned above, Arvidsson has concluded that the rule of capitalism cannot be changed; it is, to put it in Zizek's terms, the real of our lives, a real so powerful that, as Fredric Jameson (2003: 73) puts it, 'it is easier to imagine the end of the world than to imagine the end of capitalism'.

Second, Arvidsson faults my response for articulating a critique without at the same time providing my own constructive vision. In other words, criticizing his neoliberal fantasies is fine as long as it is constructive, which for him means accepting his Fukuyamaist position and thus focusing one's criticism on how to make capitalism more humane and tolerable. After having been too Utopian in my anti-capitalist critique, here I am not Utopian enough for Arvidsson because I refuse to develop a vision of a more just, democratic, tolerant and environmentally sustainable capitalism.

Before I formulate a short response to these two charges, I would like to emphasize that as far as the assessment of Arvidsson's original argument is concerned, we actually do not have a substantial disagreement. My main claim has been that in his essay Arvidsson is advancing a conservative notion of social change that celebrates the global subsumption of digital labour as some kind of postmodern capitalist communism; an argument and vision that very much recalls Hardt & Negri's (2004) notion of the multitude as the new positive form of economic and social productivity and new radical political subjectivities. For Negri (2008), value forms created by autonomous digital collaboration and co- creation by the multitude - or as Arvidsson puts it, 'by putting common resources to work in processes that unfold beyond the direct control of markets and hierarchies' - are already just one small step removed from communism. No matter that the capitalists appropriate autonomous labour, commodify all forms of life and make the rules of the new productive game. Capitalists here are mere parasites leeching off the labour of the multitude and they can, at any moment, be cut off from the various forms of collaboration and common consumptive production, bringing about something we could 'call commonism if we want, or simply an "informational mode of production" to use a less loaded term'.

As I wrote in my earlier response, I see many problems with this theory of informational communism outside markets and hierarchies, not least being that the most convincing examples presented by Arvidsson of such an informal mode of production rely for their continuous existence and viability on markets and hierarchies. But again, the main point here is not that I believe Arvidsson's theory of the productive consumer public is inconsistent and in the final analysis misguided and naïve1. The main point I was trying to make in my initial response was that despite all his anti-capitalist language, Arvidsson is in actuality presenting a conservative vision of social change that takes for granted the continuation of neoliberal capitalism, albeit a version of neoliberal capitalism that over time somehow learns to accommodate and tolerate other forms of economic production and political subjectivities. In short, a neoliberalism with a human face (which is good enough for Arvidsson to move 'beyond neoliberalism', as if just saying it will make it so). And it turns out that Arvidsson, in his reply, admitted that much. Along similar lines, Arvidsson repeatedly states his disappointment about my refusal to

recognize that notions like peer-to-peer production, high-tech gift economies and the like have the power to mobilize the energies of the subjects that are most likely to become the pioneers of a new political vision - today's version of the skilled workers that have taken the lead in most modern political movements. Even though the social theory that they produce might be shallow and imperfect... we cannot simply dismiss these versions as mere ideologies to be replaced by our theoretically more refined ideologies.

I can assure you that I have no difficulty recognizing the real existence of the self- branding, entrepreneurial competitor who, via skilled knowledge work, hopes to change the world. There are plenty of them in my classroom. And I am not concerned about the depth and perfection of the social theories driving their visions for the future. What I am concerned about are the processes that constitute these students as neoliberal subjectivities in the first place and subsequently limit their desire for a better world - a desire that, of course, we should encourage and not dismiss a priori - to variations on neoliberal capitalism (variously called social entrepreneurism, corporate social responsibility, conscious capitalism and so on).

Thus, my point was not at all to moralize about the effects of communicative capitalism but to decry two things: first, that Arvidsson elevates this neoliberal subject to be the legitimate historical subject of radical transformation, and second, that Arvidsson seems to believe that the radical transformation ushered in by this subject is one we should desire. It is one thing to acknowledge the current hegemony of neoliberal governmentality. I have no problem with that. That neoliberalism is a radical social force is plain for all to see. It is something different entirely, however, to suggest, as Arvidsson appears to, that the competitive, self-branding and entrepreneurial subject is the only possible subject we can imagine today - that this subject should be allowed to create the future world. Here, we have to become normative and demand alternatives.

### Profit Bad

#### 2. Profit inventive leads to unsustainable agriculture and dooms innovation.

Vanessa A .Bee 18 Senior Litigation Counsel at the Consumer Financial Protection Bureau with a JD from Harvard Law. Innovation Under Socialism. 10-24-2018. <https://www.currentaffairs.org/2018/10/innovation-under-socialism>

But prioritizing profit is a double-edged sword that can hamper innovation. Owning the proprietary rights allows private firms to block workers—through anti-competitive tools like non-compete agreements, patents, and licenses—who put labor into the innovation process from applying the extensive technical expertise and intimate understanding of the product to improve the innovation substantially. This becomes especially relevant once the workers leave the firm division in which they worked, or leave the firm altogether. Understandably, this lack of control and ownership will cause some workers, however passionate they may be about a project, to be less willing to maximize their contribution to the innovation.

Of course, the so-called nimbleness that allows firms to make drastic changes like mass layoffs is extremely harmful to the workers. This is no fluke. The capitalist economy thrives on a reserve army of labor. Inching closer to full employment makes workers scarcer, which empowers the labor force as a whole to bargain for higher wages and better work conditions. These threaten the firm’s bottom line. So, the capitalist economy is structured to maintain the balance of power towards the owners of capital. Positions that pay well (and less than well) come with the precariousness of at-will employment and disappearing union power. A constant pool of unemployed labor is maintained through layoffs and other tactics like higher interest rates, which the government will compel to help slow growth and thereby hiring. This system harms the potential for innovation, too.

The fear of losing work can dissuade workers from taking risks, experimenting, or speaking up as they identify items that could improve a taken approach—all actions that foster innovation. Meanwhile, thousands of individuals who could be contributing to the innovative process are instead involuntarily un-employed. This model also encourages monopolization, as concentrating market power gives private firms the most control over how much profit they can extract. But squashing competition that could contribute fresh ideas hurts every phase of the innovation process, while giving workers in fewer workplaces space to innovate.

Deferring to profit causes many areas of R&D to go unexplored. Private firms have less reason to invest in innovations likely to be made universally available for free if managers or investors do not see much upside for the firm’s bottom line. In theory, the slack in private research can be picked up by the public sector. In reality, however, decades of austerity measures  threaten the public’s ability to underwrite risky and inefficient research. Both the Democratic and Republican parties increasingly adhere to a neoliberal ideology that vilifies “big government,” promotes running government like a business, pretends that government budgets should mirror household budgets or the private firm’s balance sheet, and rams privatization under the guises of so-called public-private partnerships and private subcontractors.

In the United States, public investment in R&D has been trending downward. As documented in a 2014 report from the Information Technology & Innovation Foundation, “[f]rom 2010 to 2013, federal R&D spending fell from $158.8 to $133.2 billion … Between 2003 and 2008, state funding for university research, as a share of GDP, dropped on average by 2 percent. States such as Arizona and Utah saw decreases of 49 percent and 24 percent respectively.” Even if public investment in the least profitable aspect of research suddenly surged, in our current model, the private sector continues to be the primary driver of development, production, and distribution. Where there remains little potential for profit, private firms will be reluctant to advance to the next phases of the innovation process. Public-private projects raise similar concerns. Coordinated efforts can increase private investment by spreading some costs and risk to the public. But to attract private partners in the first place, the public sector has a greater incentive to prioritize R&D projects with more financial upsides.

This is how the quest for profits and tight grip over proprietary rights, both important features of the capitalist model, discourage risk. Innovations are bound for plateauing after a few years, as firms increasingly favor minor aesthetic tweaks and updates over bold ideas while preventing other avenues of innovation from blossoming. At the same time, massive amounts of capital continue to float into the hands of a few. The price of innovating under capitalism is then both decreased innovation and decreased equality. The idea that this approach to innovation must be our best and only option is a delusion.

### Anti-Trust Link---2NC

#### The cap K link is especially true for agriculture.

Nathan Rosenberg & Bryce Wilson Stucki, 21. Nate is a visiting scholar at the Harvard Food Law and Policy Clinic and an adjunct professor at the University of Iowa College of Law. Bryce is an independent journalist based in D.C. who writes about food and agriculture. “Don’t trust the antitrust narrative on farms.” 05.10.21 This post is part of our symposium on the Law and Political Economy of Meat. https://lpeproject.org/blog/dont-trust-the-antitrust-narrative-on-farms/

The mainstream antitrust approach also does little to solve more fundamental problems. In 1524, the German peasant leader and preacher, Thomas Müntzer, lambasted the nobility for taking living creatures as their private property. He wrote, outraged, “that all creatures have been turned into property, the fish in the water, the birds in the air, the plants on the earth—all living things must also become free.” Karl Marx approvingly cited Müntzer 320 years later, when he argued that capitalism not only degrades how we relate to each other, but also how we relate to nature. As long as we treat living things as commodities, neither they, nor we, will be free.

A programmatic path to the liberation of all things is beyond the scope of this post— instead, we offer a critique of the antitrust narrative focused on farmers.

**Antitrust** enforcement can be a useful tool at times, but when its proponents use concentration to explain all the ills of agriculture, they distort reality. **The break ’em up approach may distribute property rights in human and animal misery more evenly, but it does not address the exploitation at the heart of the system.**

The antitrust movement has a profoundly flawed analysis of the farm economy. Its proponents argue that, in effect, tending to the needs of a small, highly conservative, and well-off constituency will redound to the benefit of their workers and society. But it is farmworkers, not farmers, who are already at the forefront of movements against environmental abuses and labor violations by their employers, that is to say, farmers. They also have the ability, through withholding and redirecting their labor, to shut down and reshape food production in the United States. Antitrust writers argue that breaking up agribusiness will help farmers and farmworkers alike. They dream of a cross-class alliance, but deny the intense conflict already with us, playing out every day in fields and farmhouses across the country.

#### Capitalism inevitably trends toward monoculture and profit.

Matt Huber 20. Assistant professor of geography at Syracuse University. “COVID-19 Shows Why We Must Socialize the Food System”. https://jacobinmag.com/2020/04/covid-food-system-coronavirus-agriculture-farming

The COVID-19 crisis is revealing a basic contradiction at the heart of capitalism. On the one hand, we have learned that this virus is itself a product of our capitalist agricultural system. As Rob Wallace and coauthors argue, the conditions for virus transmission are rooted in our propensity to clear-cut dense, wild forests — often the reservoirs of viruses themselves — and replace them with homogenous plantation ecologies like palm oil or livestock operations with one species of animal crowded together.

As they put it:

the entirety of the production line is organized around practices that accelerate the evolution of pathogen virulence and subsequent transmission. Growing genetic monocultures — food animals and plants with nearly identical genomes — removes immune firebreaks that in more diverse populations slow down transmission.

For example, the avian and swine influenza outbreaks of years past often have their origins in confined livestock feeding operations. COVID-19 apparently emerged in a “wet market” that combined all kinds of natural commodities, from exotic wild animals like snakes to domesticated livestock like hogs. Congregating multiple kinds of species in a small space with loads of human buyers and sellers is an excellent platform for virus transmission.

As one scholar put it, “We cut the trees; we kill the animals or cage them and send them to markets. We disrupt ecosystems, and we shake viruses loose from their natural hosts. When that happens, they need a new host. Often, we are it.”

On the other hand, for millions of workers across the world, a brutal ecological reality of capitalism asserts itself: we depend on money to access those same very agricultural supply chains to live. Millions of workers living paycheck to paycheck see their jobs or wages cut, forcing families to decide how much they can spend on rent versus food.

For those working-class people still with income, the experience of the epidemic has been one of nervously pacing through crowded grocery aisles, fighting with others over toilet paper, and discovering shelf after emptied shelf. Grocery supply chain experts declare that “there is plenty of food in the country,” but it is clear that “just-in-time” supply-chain capitalism is ill equipped to service all of society’s needs in a global pandemic.

The supply chains use statistical algorithms to predict consumer demand so it can be fine-tuned with production and logistics networks. These systems are geared toward saving retail corporations money on inventory (warehousing) costs, but they easily fail when demand unexpectedly spikes or “disruptions” occur in the supply chain.

And now the violence of the market is asserting itself through price spikes for basic food staples. Communities are going hungry as local food banks run short of the basics, while farmers are leaving fresh vegetables to rot in the fields and dairy producers are dumping milk down the drain because of plummeting prices and lack of demand. So much for the nimble and resilient market, supposedly the most efficient system in allocating resources.

The capitalist agri-food system is clearly irrational. The socialist demand that can move us toward a food system based on social and ecological needs should ring a familiar bell: food for all.

If the “Medicare for All” struggle has shown the popularity of the slogan “health care is a human right,” then why is food not seen the same way? The only thing preventing “food as a human right” is an industry that relies on creating artificial scarcity of food to maintain prices and profits.

A socialist approach to these problems can’t address them piecemeal, reforming agriculture on the one hand and delivering food as a human right on the other. The goal should be to revolutionize the entire food system and orient it toward social and ecological needs.

COVID-19 and the Capitalist Food System

As we discover our agricultural system is responsible for spreading the virus, we also realize how perilously dependent we all are on those very systems of food provision for survival. Both of these problems are caused by one problem: our food system as a whole is controlled by private, for-profit capitalists.

As Wallace et al. explain, the agricultural system is structured in a narrow way: “the private command of production remains entirely focused on profit.” It is the profit motive and competition that compels agricultural producers to brutally rationalize and homogenize nature in the form of the monoculture plantation or mono-species livestock operation. These not only provide perfect ecological systems for virus transmission, they also replace formerly biodiverse ecologies that tend to keep wild viruses at bay.

Yet we can’t think of these agro-industrial farms in isolation from the larger system. All these capitalist agro-industrial profits would be impossible if it were not for its main source of consumer demand: working classes all around the world dispossessed of any means of livelihood, who can only eat so long as they work for money.

As Raj Patel argued over a decade ago, we live in an “hourglass” food system where, on both ends, millions of farmers and worker-consumers are exploited by a tiny group of agro-industrial corporations in the middle, the food processors and retail giants. Working-class demand is essential to the entire system. Even the best kind of government-welfare provisions, like food stamps or the current interest in a Universal Basic Income (UBI), only ensure further cash flowing into the hands of the massive retail chains, food processors, and agribusiness companies.

### Link/Presumption---2NC

#### Mooney. First part is just explaining the current regulatory gaps in anti-trust with no causal claim for how the plan solves it. The second part of Mooney at best says that corporations must “acknowledge” their harm to consumers, farmers, and rural communities. It may stop a few EGREGIOUS mega mergers BUT there’s zero reason judges rule against other environmentally unsustainable mergers since they have NO card that this is a tough burden for agribusinesses to meet. EMORY GK = BLUE

Pat Mooney et al. 17, founder of the ETC group, October 2017, TOO BIG TO FEED, http://www.ipes-food.org/\_img/upload/files/Concentration\_FullReport.pdf

3.1 BUILDING ON EXISTING FOUNDATIONS TO CREATE A NEW ANTI-TRUST ENVIRONMENT

In principle, competition (or anti-trust) laws aim to discourage anticompetitive practices, including unhealthy levels of concentration and the abuse of dominant positions. Implemented through both public and private enforcement at the domestic level, governments seek to limit the formation of monopolies and cartels, in part by monitoring M&As.

Following the global economic liberalization of the early 1990s, American and European legal arrangements have set precedents for many national competition laws, setting the terms of debate on how consolidation is understood and regulated around the world. To date, over 120 countries have some anti-trust or competition regulation (Morton, 2016). At the domestic level, competition law is enforced through competition authorities and private enforcement. With the rise of transnational enterprises and globalization, national authorities seek to cooperate to share information and enforce rules (Papadopoulos, 2010).

However, anti-trust laws often fail to ask the right questions on industry consolidation. Both European and US competition regimes are underpinned by ‘consumer welfare’, which is the standard against which ‘unfair’ market activity is assessed. The focus on how consumers are impacted draws attention to competition and end prices, and the demand side of food systems more generally. The impacts of concentration on production and processing activities are therefore made secondary: whether a farmer has been paid fairly has little impact on the (economic) welfare of the customers (e.g. a farm income squeeze may even boost ‘consumer welfare’ by making products cheaper) unless clear abuse of dominant position is proven. The environmental or public health impacts are also kept outside these frames. Moreover, placing the emphasis on consumer welfare – an intrinsically subjective concept – makes it a delicate matter to regulate, and generally leaves interventions exposed to accusations of paternalism (De Schutter, 2010; Hendrickson & James, 2016).

This approach leaves major regulatory gaps. Amazon, for example, has been able to satisfy anti-trust regulators on the basis of the low prices and diversity of products it delivers to its consumers (Khan, 2017). Data implications represent a further blind spot. In August 2017, only two months after the proposed merger, the US Federal Trade Commission approved the Amazon-Whole Foods deal as it was only seen to involve 2% of the US food retail market. The FTC, however, ignored any possible impacts of Amazon’s ownership and use of consumer data.

The focus on consumers’ interests also raises questions about the jurisdictional efficiency of existing regulations. For example, if Country A and B’s anti-trust regulatory scope are both limited to their own jurisdictions, and standards are set to meet the interest of consumers living in Country B though production happens in country A, companies will more often than not benefit from de facto immunity (De Schutter, 2010; Colene et al., 2013). In other words, the ability of a competition authority to prevent possible abuses of a dominant firm from another jurisdiction is, at best, limited.

In addition, given the variety of ways in which companies tend to collaborate and collude in food systems, it is often difficult to gauge the extent of a given company’s power and influence in the marketplace. Primary concentration indicators such as market concentration ratios, though based on complex statistical models, fail to capture the influence gained by informal means. Current indicators only tend to focus on economic power, and rarely speak to the socio-cultural or political influences acquired by corporate actors and the impacts those may have on food system sustainability.

Implementation of current legislation poses further problems. In the US, of all 15,000 M&A deals that took place between 2005 and 2014, only about 3% were subject to scrutiny by anti-trust regulators (The Economist, 2016). In the EU, of the 1,300 mergers considered between 2004 and 2012, 83 – or 6.4% of cases – were found to raise concern (European Competition Network, 2012), but only 8 were prohibited as only M&As passing a certain market turnover threshold27 are considered relevant for anti-trust.

However, the tide may now be turning. In 2016, regulators from 26 jurisdictions28 intervened in more merger cases than they had done in previous years (Allen & Overy LLP, 2017). While 7 deals were prohibited and 13 deals abandoned in 2015 in all sectors of the economy, 2016 saw 8 deals prohibited and 23 deals dropped (ibid). Of note, only 2 of the 8 deals were prohibited by EU legislators and none by the US, though both jurisdictions are still considered global leaders in anti-trust.29

The agri-food sector has itself remained largely immune from the new tide of anti-trust activity. In its 2014 review of mergers, the OECD acknowledged that the regulatory trend is to make M&As easier for merging parties, and recognized that current policies tend to play out to the detriment of those most negatively affected by food system concentration (OECD, 2014). The capacity of anti-trust regulators to keep pace with rapidly expanding agri-food M&As remains weak (Schanbacher, 2014). Even though fines have been levied against several companies for abuses of power, regulators (particularly in the EU and US) have come under increasing fire for failing to address the impacts of existing agri-food sector concentration and the new generation of M&As (Leonard, 2014) – including the influence exerted by firms over political processes. The reluctance to file cases in major agricultural industries has itself been alleged to reflect corporate lobbying influence (see Impact 8).

Nonetheless, the growing resolve to tackle anti-competitive practices across the economy may now be permeating food systems. Steps being taken in a variety of different jurisdictions and in a variety of sectors may be starting to create a less conducive environment for M&A activity. In some cases, these measures seek to redefine anti-competitive practices and to reframe the scope of anti-trust rules. Steps to date may not be sufficient to reverse the current direction of travel. However, they point the way to key entry points where action is already occurring and could be taken further:

i) Addressing unfair practices in supply chains. Legislative and judicial bodies around the world are showing more interest in tackling excessive power in food supply chains and its impact on farmers and consumers alike:

• In 2010, an investigation by the South African Competition Commission charged a number of leading milk processors with price fixing for raw and processed milk, and restricting market competition.

• In June 2017, the South African Commission began an investigation into the grocery retail market, on the basis of unfair competition practices within the sector.

• In 2016, the European Commission published a report on unfair business-to-business trading practices in the food supply. The EU Directive on Unfair Commercial Practices adopted in 2005 is also currently undergoing evaluation to assess whether the regulatory framework is meeting its purpose of supporting small and medium sized enterprises and curbing abuses within the food supply chain.

ii) Considering the collective impact of sector-wide consolidation and redefining a competitive market. As M&A activity has escalated, a number of calls have been made for mergers to be considered as a whole, rather than in isolation, to acknowledge the unprecedented power a handful of consolidated firms to collectively shape food system dynamics (ETC, 2017; Friends of the Earth, 2017; TWN, 2017). Actions are being taken and proposals are being made for new ways of defining and measuring anti-competitive practices, often on the basis of considering food systems as a unique sector with high social importance:

• “Creeping concentration”, i.e. a series of minor mergers leading to high levels of market concentration, is coming to the attention of regulators in Australia and elsewhere.

• In Ireland, the Competition Authority considers concentration along the whole supply chain in order to assess market power resulting from vertical integration (OECD, 2014).

• In France, the M&A vetting process has been amended to give more space to the participation and the concerns of competing enterprises not immediately affected by the proposed merger. A related law further stipulates that companies looking to close a site – including following a takeover – must frst set it up for public sale and/or attempt to find a buyer.

• In South Africa, the 2012 review of the Walmart (US) and Massmart (South Africa) merger sparked unprecedented public debate. Though the merger was ultimately approved with conditions, it highlights the possibility of drawing on a more integrated competition review process. During the review, a number of government departments brought forward opinions and conditions on the case, allowing authorities to recognize the impacts of mergers beyond consumer welfare and competition, including employment and displacement of small business suppliers.

iii) Shifting the burden of proof onto companies. Some proposals are now being made for companies to proactively justify their M&A activity:

• In July 2017, the US Democrats presented their new political platform, the “Better Deal”, urging a new precautionary approach to current and future mergers. The vision included setting new standards for a more holistic, long-term view of concentration’s effects on the economy and society, and better monitoring of a company post-merger. While still focused on consumer welfare, in September 2017, Democrats on the US Senate Judiciary Committee’s anti-trust panel stipulated that companies seeking a mega-merger would have to show that the deal would not hurt consumers and demonstrate its benefits, rather than simply relying on the FTC to judge the impact of mergers on consumers (US Democrats, 2017). The Better Deal goes so far as to acknowledge the detrimental impact on farmers and rural communities likely to result from the Dow-Dupont, Monsanto-Bayer and Syngenta-ChemChina mergers, as well as the influential role large corporate actors have in shaping policy. It identifies the food and beverage sectors as two of the five key industries requiring more stringent anti-trust monitoring.

#### Courts will strictly interpret antitrust law and antitrust enforcement alone fails. Emory = blue.

Diana L. Moss and Laura Alexander 20, President of the American Antitrust Institute, Vice President of Policy at the American Antiturst Instiute, 05/07/20, When COVID-19 is the Symptom and Not the Disease: Consolidation, Competition, and Breakdowns in Food Supply Chains, https://www.antitrustinstitute.org/work-product/when-covid-19-is-the-symptom-and-not-the-disease-consolidation-competition-and-breakdowns-in-food-supply-chains/

WHERE DO WE GO FROM HERE?

The food industry has undergone sweeping consolidation in the last two decades, leading to multiple highly concentrated markets and vertically-integrated companies. The result has been food markets that are less diverse, less resilient, and less competitive. Such markets are also more prone to anticompetitive conduct and outright collusion. At the same time, courts have made it more and more difficult for the agencies and private plaintiffs to combat anticompetitive conduct and collusion by increasingly **strict interpretations of procedural rules and substantive antitrust law.**

The recent surge of private antitrust litigation in the food industry highlights the scope of the problem. But these cases also illuminate the challenges and limitations of bringing lawsuits to combat anticompetitive conduct after it has occurred, instead of preventing the conditions for that conduct from developing in the first place. Despite these challenges, private antitrust enforcement has achieved significant victories against food producers.[24] These successes, hard fought and incomplete, cannot alone counter the anticompetitive forces in these industries or unwind the decades of consolidation that have led us to this point.

In light of sweeping consolidation in the food supply chain, and the instability that it has created, it is likely that other COVID-19-like shocks will further demonstrate that they are symptomatic of a lack of rigorous antitrust enforcement. The lack of resiliency in supply chains such as food, healthcare, and others demonstrates just some of the public policy problems that lax enforcement poses. Solutions to these problems include stronger antitrust enforcement, but also other tools for addressing demonstrated harms to consumers, workers, and businesses from consummated mergers. This will require public policy solutions, including legislative approaches to clarify and strengthen the antitrust laws, to better combat threats to competition and promote the welfare of consumers and workers.

#### Courts will strictly interpret antitrust law and antitrust enforcement alone fails. Emory = blue.

Diana L. Moss and Laura Alexander 20, President of the American Antitrust Institute, Vice President of Policy at the American Antiturst Instiute, 05/07/20, When COVID-19 is the Symptom and Not the Disease: Consolidation, Competition, and Breakdowns in Food Supply Chains, https://www.antitrustinstitute.org/work-product/when-covid-19-is-the-symptom-and-not-the-disease-consolidation-competition-and-breakdowns-in-food-supply-chains/

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### Solve Aff---2NC

#### The cap K turns the food scenario. Emory = blue.

Carmen G. Gonzalez 11, Professor of Law at Seattle University School of Law and Former Visiting Professor at the Hopkins-Nanjing Center and U.S. Supreme Court Fellow, CLIMATE CHANGE, FOOD SECURITY, AND AGROBIODIVERSITY: TOWARD A JUST, RESILIENT, AND SUSTAINABLE FOOD SYSTEM, Fordham Environmental Law Review, Vol. 22, p. 493-500

The global food system is in a state of profound crisis. Decades of misguided aid, trade, and production policies have generated record levels of world hunger despite bountiful harvests and soaring profits for the transnational corporations that dominate the global food supply.' The rapid expansion of industrial agriculture has produced an unprecedented loss of plant genetic diversity,2 making the world's food supply dangerously vulnerable to wide-spread crop failure akin to that of the Iish potato famine. 3 In addition, climate change threatens to wreak havoc on food production by increasing the frequency and severity of extreme weather events, depressing agricultural yields, reducing the productivity of the world's fisheries, 4 and placing additional pressure on scarce water resources.

This Article examines the underlying causes of the global food crisis and recommends specific measures to address the distinct but related problems of food insecurity, loss of genetic resources, and climate change. Part I introduces the seldom-discussed crisis of agrobiodiversity, and explains the threats that genetic uniformity poses to the world's food supply. Part II explores the historic and current causes of widespread food insecurity, and analyzes the common roots of food insecurity and loss of agrobiodiversity. Part III examines the threat posed by climate change to global agricultural production and the role of agriculture in mitigating and adapting to climate change. Part IV argues that small-scale sustainable agriculture has the potential to address the interrelated climate, food and agrobiodiversity crises, and suggests specific measures that the international community might take through law and regulation to promote socially just and environmentally sustainable agricultural production.

The Article concludes that the root cause of the global food crisis is corporate domination of the food supply and the systemic destruction of local food systems that are healthy, ecologically sustainable, and socially just. As the devastating social and environmental consequences of industrial agriculture become increasingly apparent, social movements in the Global North and the Global South are calling for sustainable food systems that minimize greenhouse gas emissions, rely on local inputs, strengthen rural economies, and connect farmers and consumers.5 By threatening widespread destruction of the natural resources necessary for food production, the climate crisis and the biodiversity crisis may spark a broad-based political movement to redirect resources toward food production systems that sequester carbon, promote agrobiodiversity, and support the livelihoods of small farmers.

I. THE CRISIS OF AGROBIODIVERSITY

While the reality of climate change has finally penetrated the popular psyche, another environmental crisis - the dramatic loss of agrobiodiversity - silently threatens the world's food supply. 6 Agrobiodiversity consists of the biological resources that are important for food production, including the diverse varieties of animals, plants, and micro-organisms that sustain the functioning of agro-ecosystems. 7 This Article focuses on one aspect of agrobioversity - the planet's food crop diversity.

Over the last fifty years, much of the world's agriculture has transitioned into industrial agriculture, which requires greater inputs of water, synthetic pesticides and fertilizers, and fossil fuel-based energy than traditional peasant agriculture. 8 This model of agricultural production has triggered a wide range of environmental problems, including deforestation, increased reliance on dwindling stocks of fossil fuels, soil degradation, agrochemical contamination of water supplies, depletion of aquifers, and the release of greenhouse gases.9 The impact on genetic diversity, however, has been particularly devastating.10

[TO FOOTNOTE]

10. See FOWLER & MOONEY, supra note 2, at ix (describing the loss of genetic diversity in agriculture as a "devastating time bomb .... leading us to a rendezvous with extinction").

[END FOOTNOTE]

According to the United Nations Food and Agriculture Organization, 75% of the world's food crop diversity was lost in the twentieth century as farmers abandoned local varieties in favor of genetically uniform high-yielding crops." Although thousands of crops have been cultivated since the dawn of agriculture,12 twelve crops currently supply 80% of the world's plant-based dietary energy.' 3 Just four crops - rice, wheat, potato, and maize - supply nearly 60% of plant-derived calories and protein.14 In addition to relying on a small number of crops, the world's food supply also relies on an alarmingly narrow genetic base.' 5 Genetically uniform, high-yielding varieties have supplanted traditional varieties for 70% of the world's maize;16 50% of the wheat in Asia, Africa, and Latin America;' 7 and 75% of Asian rice.' 8 While Indian farmers cultivated 30,000 wild varieties of rice in 1950, only fifty varieties are projected to remain by 2015.19

The dangers posed by the genetic uniformity of the world's food crops can best be illustrated by the Irish potato famine of the 1840s. 20 Native to the Andes, the potato was introduced into Spain in 1570 and into England and Ireland in approximately 1590.21 For over two centuries, all of the potatoes cultivated in Europe descended from these two introductions. 22 The Irish potato famine was caused by a fungus known as phytophthora infestans.23 Due to the genetic uniformity of the Irish potato crop, a single infestation was sufficient to produce widespread devastation.24 The Irish potato famine lasted for five years, and resulted in the death of as many as 2,000,000 people and the migration to the United States of a comparable number.25 Eventually, potato varieties resistant to phytophthora infestans were discovered among the thousands of distinct potato varieties in the Andes and in Mexico, thus enabling potato cultivation to recover in Ireland.26 If some of these resistant potato varieties had originally been planted in Ireland along with the more vulnerable varieties, then the Irish potato famine might have been averted.27

The Irish potato famine is a tragic example of the vulnerability of genetically uniform crops to pests and disease. Unable to rely on their own natural defenses, genetically uniform crops typically require significant agrochemical inputs to survive.28 However, pesticides kill beneficial organisms as well as target pests, and typically lead to the resurgence of pests, outbreaks of new pests, and pesticide resistance.29 In contrast, genetically diverse crops are more resilient than genetically uniform monocultures because some varieties are able to resist pests, disease, and adverse weather conditions to which other varieties might succumb.30 Indeed, cultivating different crops and different crop varieties has historically served as an insurance policy for farmers - a means of protecting their livelihoods in the face of climate variations, pathogen infestations, price fluctuations, and socio-political disruptions.3 1

Regrettably, agrobiodiversity is under threat world wide - along with the local knowledge and skills required to cultivate and utilize different wild and harvested plant species and varieties.32 The main reasons for this global crisis are the rapid expansion of industrial agriculture, the Green Revolution, the globalization of the food system and consequent marginalization of small-scale farmers, and the replacement of local crop varieties by "improved" non-native varities.33 Local cultivation practices often disappear due to the intrusion of foreign technology that promises farmers short-term gains in the form of higher yields. 34 High-yielding crop varieties may thrive under favorable weather conditions, but they can also fail spectacularly under adverse conditions. 35 It is therefore vitally important to protect and preserve the skills, customs, traditions, and technologies of small farmers as these skills form one component of an integrated system of agricultural knowledge.36

The diverse plant varieties under the stewardship of the world's small farmers are vital to global food security, not only for their ability to ward off catastrophic crop failure, but also as a source of the raw germplasm used by plant breeders to develop crops that can withstand environmental shocks, including those that may be associated with climate change. 37 Historically, plant breeders have used the diverse characteristics of traditional crops to select particular traits, such as drought resistance, tolerance for heat and cold, and resistance to specific pests and diseases. 38 Because traditional crops have survived in farmers' fields for thousands of years amidst pests and diseases without chemical inputs, they usually possess a wealth of valuable characteristics. 39 If traditional varieties cannot supply the needed traits, plant breeders typically turn to "wild relatives" - wild or weedy plants closely related to cultivated crops. 40 Plant breeders have used wild relatives to breed many cultivated crops, including sugarcane, strawberries, black pepper, peanuts, potatoes, tomatoes, tobacco, maize, wheat, and cacao.41 Sadly, wild relatives are increasingly at risk as a consequence of the loss, degradation and fragmentation of natural habitats, and the continuing industrialization of agriculture.42

Genetic diversity also has value beyond the ability to fight pests and disease. As weather patterns become less predictable and agricultural yields decline, plants that currently have little or no economic value may become very important as sources of food and medicine.43 Although the planet contains at least 75,000 edible plants, humans have historically consumed only 3,000 plant species, only 150 of which have been cultivated on a large scale. 44 Similarly, while one fourth of all medicines and pharmaceuticals are derived from plants, animals, and microorganisms (including analgesics, tranquilizers, contraceptives, diuretics, and cancer-fighting compounds),45 only 3% of the world's flowering plant species have been tested for medicinal properties.46 Regrettably, the dangerous decline in the genetic diversity of the world's cultivated crops is taking place at a time when the planet is losing wild plant and animal species at a rate 100 to 1,000 times the historical average - a rate of extinction unparalleled since the Cretaceous-Tertiary extinction sixtyfive million years ago that resulted in the disappearance of dinosaurs. 4

In sum, the expansion of industrial agriculture has narrowed the genetic base of the world's food supply, and has increased the likelihood of catastrophic crop failure in the event of drought, heavy rains, and outbreaks of pest and disease. In addition, the loss of genetic resources and the loss of local knowledge about traditional agricultural practices compromise the ability of farmers and plant breeders to develop plants that will resist future environmental shocks, including those associated with climate change. All of this is transpiring at a time of unprecedented extinction of wild plants and animals.4 8 Because the agrobiodiversity crisis and global food insecurity have similar roots, the following section examines the common causes underlying these problems.

#### Alt solves decommodification of food.

Matt Huber 20. Assistant professor of geography at Syracuse University. “COVID-19 Shows Why We Must Socialize the Food System”. https://jacobinmag.com/2020/04/covid-food-system-coronavirus-agriculture-farming

“Food for All”

As people lose their jobs and incomes, they are starving themselves to make sure their children eat. Like health care, food should have always been considered a fundamental human right. This means we need an ecosocialist strategy focused on a core platform of the decommodification of food. It is commodification — and the forces of competition and profit — that compel capital to design food production landscapes as if they were factories — rows of the same crop harvested assembly-line style.

The first premise of decommodification is provisioning food as a human right to everyone. Consider another vital need of humans: water. Despite efforts at privatization, many societies provision water as a public utility, either for free or below cost. When bankrupt cities like Detroit attempt to shut off water to poor households, they are rightly accused of human rights abuses.

Why can’t we also see the food system as a similar kind of public utility? Food is, of course, much different than water (although our need for it is not). Food is highly diverse: it comes in different forms and is the product of divergent cultural practices. This is not a call for centrally planned gruel rations. It is about making food — in all its cultural diversity — a public question rather than a private one.

Currently, consumers vote with their dollars to express food preferences — more money, more votes — and private food sellers make decisions based on shareholder returns.

Thus, making the food system a public utility also entails the second aspect of decommodification: democratic control. While decommodification is often seen as simply the provision of “free stuff,” basic human dignity should also include people controlling decisions that affect their lives.

What would food-system democracy look like? Sam Gindin argues for a socialist middle ground between local worker control and higher-level and democratic state planning. He proposes we could create “sectoral councils” for specific and socially important sectors like food and agriculture. These councils would ideally represent both communities in need of food provision and the workers involved in agricultural production.

These councils could inform larger-scale efforts at “ecological planning.” Wallace and others’ research shows that our food production system is highly irrational from an ecological perspective. We have no shortage of ecological scientific knowledge that could be used to inform all kinds of production. Capital simply ignores it. Ecosocialists need to argue that ecological planning must be integrated into all our production systems — and our food system is an obvious place to start.

The coronavirus crisis has revealed capitalism as a system at war with life. Deadly viruses emerge on capitalist plantations and travel through networks of money and commodity circulation. Humans not killed by the virus itself are left unable to access the food they need to live a healthy life. This crisis represents a dramatic opportunity to reimagine what our society and economy could be if organized on different terms.

### Off Shoring---2AC

#### 5. Any solvency mechanism is explained by offshoring.

Jerry Kopf et al 13 . Professor of Economics, Radford University. Charles Vehorn, Professor of Economics, Radford University. Joel Carnevale, Professor of Economics, Syracuse University. “Emerging Oligopolies in Global Markets: Was Marx Ahead of His Time?” Journal of Management Policy and Practice 14(3): 96-98. <http://www.m.www.na-businesspress.com/JMPP/KopfJ_Web14_3_.pdf>

With firms branching out into global competition and countries lowering their trade barriers to promote such competition, the absence of effective global regulation once again raises Marx concerns. Because of strong federal governments, national governments were able to pass and enforce, through the uses of military or police force where necessary, laws that regulated externalities, such as pollution, and antitrust. At the moment there is no strong federal government at the global level and, therefore, no one to pass and enforce laws that effectively regulate externalities or antitrust. Epstein and Greve raise a Marx like concern, “when firms have international market power, one would expect them to behave as monopolists just like domestic firms with market power” (2004). Therefore, without any dominant form of regulatory governance, industry concentration could very well replicate what was seen in the late 19th century, though, globally instead of nationally. Carstensen & Farmer discusses this tendency towards M&A’s: The transformation of formerly regulated or noncompetitive industries to competition is closely linked with merger movements. The historical record demonstrates that once faced with competition, leading firms in these industries began to merge. This has been the pattern in airlines, banks, railroads, electric and gas utilities, health care and, with great prominence, telecommunications (2008). While some may argue that reaching that level of concentration is unlikely, one should consider current industries that hold a considerable global market share. “Although it may be more difficult to establish and maintain market power internationally, there is no reason to believe that it is impossible or, for that matter, rare. Industries such as pharmaceuticals, passenger aircraft, and software illustrate the phenomenon” (Epstein & Greve, 2004). There are actually quite a few firms who have emerged into the global market that hold what can be considered a significant share within global industries, ranging from manufacturing, financial intermediation, and transport service along with other service industries. For example, The European Aeronautic Defense and Space Company and The Boeing Company combined hold more than 50% market share within the global civil aerospace products manufacturing industry. Goldman and Sachs hav2 20.20% market share within the global investment banking and brokerage industry and Vivendi holds 20.10% within the global music production and distribution industry. United Parcel Service holds 23.80%, within the global logistics – couriers industry (IBISW, 2011). We do not intend to imply that the monopolization that had plagued the United States in the late 19th century has emulated itself at the global level, creating one dominant firm controlling an entire global industry. However, it does appear that a number of industries are starting to exhibit Marx, “inevitable move toward a monopoly.” The increase in oligopoly power at the global level presents unprecedented challenges. Reaching a cross-country consensus on competition policy is a difficult. Epstein & Greve discuss some of the issues that arise when attempting to unite foreign and domestic competition policy. Competition policy embodies imprecise normative judgments that invite controversy and defection rather than consensus and commitment. Because its scope extends to such a wide range of economic activity, it has the potential to inflict significant costs on many transactors. In particular, competition policy tempts states both to impose nominally neutral policies that favor local producers and consumers at the expense of global welfare, and to administer their policies in a discriminatory fashion to similar ends” (2004). While more and more countries are adopting competition policies, this seemingly positive step towards unification of trust law has its negative effects. “Nearly one hundred jurisdictions now have antitrust laws” according to Epstein & Greve, this raises increasing issues of “jurisdictional overlaps” since many countries will assert their “jurisdiction over extraterritorial conduct that has a domestic impact” (2004). Antitrust enforcement agencies around the world have tried to cope with the increased power of global corporations by staying in regular and increasing contact with one another on individual merger cases as well as on general issues of mutual enforcement interest. Through instruments such as the 1995 Recommendation of the Organization for Economic Co-operation and Development (OECD) that its 29 members cooperate with one another in antitrust enforcement and bilateral agreements like that which exists between the United States and the European Community, the antitrust agencies notify one another when a case under investigation affects another's important interests and they share what information they can and otherwise cooperate in the investigation and resolution of those cases (1999). Richard Parker, Senior Deputy Director of the Bureau of Competition FTC, presenting on global merger enforcement, discussed the implementation of the Organization for Economic Co-operation and Development (OECD) and concluded with examples of global merger enforcement. While attempts at unified standards of competition policy are underway, the efforts of the OECD are considered to have substantial limitations on enforcing global merger laws. Epstein and Greve state: Information sharing or “soft” cooperation has also been pursued at the Organization for Economic Co-operation and Development, which has generated several aspirational texts. None of these impose obligations on states, and they are not intended to do so. Their goals are modestly limited to improving communication on competition issues. History shows us that even with a strong federal government with the ability to enforce laws through the use of force where necessary, such as the United States federal government has on its states, firms are very good at ignoring or getting around antitrust laws. If the U.S. government did not have strong federal power over states, and it was up to the states to reach agreements on antitrust laws, one can easily imagine that there would likely be problems resulting in less strenuous competition policy. Take for example state control over age discrimination laws. When these laws originated, states chose whether to enact policies aimed at protecting workers rights. By 1960 only 8 states had age discrimination laws until the federal government enacted such regulations as the Age Discrimination Employment Act of 1967 (ADEA). This, along with the Department of Labor in 1979 giving administrative authority to the U.S. Equal Employment Opportunity Commission (EEOC), established unified laws protecting individual employment rights (Lahey, 2007). Without this dominant authority of the federal government, fair employment practices may still continue to be a regionally dependent right. In the current era of globalization, where industry’s actions domestically can be felt by all corners of the globe and vice versa, without a global entity with strong “federal” powers capable of monitoring and enforcing competition policy, it seems reasonable to conclude that Marx may in fact be proven correct: the inevitable result of the efficient market is increasing concentration of power resulting in global oligopolies or, eventually, monopolies.

### AT: Sustainability/Hsu

#### 1. Shareholder value maximization ensures green assets can’t solve.

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

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

#### 2. It can’t scale up fast enough.

Jason Hickel 10-27-20. Visiting Senior Fellow at the International Inequalities Institute at the London School of Economics, and Professor at the Institute for Environmental Science and Technology at the Autonomous University of Barcelona. Associate Editor of the journal *World Development* and serves on the Statistical Advisory Panel for the UN Human Development Report, the advisory board of the [Green New Deal for Europe](https://www.gndforeurope.com/), and the Harvard-*Lancet* Commission on Reparations and Redistributive Justice. Fellow of the Royal Society of Arts. "Degrowth: A response to Branko Milanovic — Jason Hickel," Jason Hickel, https://www.jasonhickel.org/blog/2017/11/19/why-branko-milanovic-is-wrong-about-de-growth

**6.** Green growth is not a thing Milanovic believes that technology will come to our rescue, and make growth “green”. Unfortunately there is a strong consensus against this assumption. We have reviewed the relevant empirical evidence here (“[Is green growth possible?](https://www.tandfonline.com/doi/full/10.1080/13563467.2019.1598964)”), examining both CO2 emissions and resource use. Briefly, about CO2, the question is not whether GDP can be decoupled from emissions (we know that it can be), the question is whether this can be done fast enough to stay within safe carbon budgets while growing GDP at the same time. And the answer to this is no. More growth entails more energy use, and more energy use makes it all the more difficult to cover that demand with renewables. The only scenarios that succeed in reducing emissions fast enough to keep us under 1.5 or 2C involve a reduction in resource and energy use (in other words, degrowth). I discuss this in more depth [here](https://www.jasonhickel.org/s/Hickel-Degrowth-A-Theory-of-Radical-Abundance.pdf). This [2020 review](https://iopscience.iop.org/article/10.1088/1748-9326/ab842a/meta) examines 835 empirical studies and finds that decoupling alone is not adequate to achieve climate goals; it requires what the authors themselves refer to as “degrowth” scenarios. [This paper](https://www.nature.com/articles/s41893-020-0484-y) in Nature Sustainability comes to similar conclusions. As for resources: resource use continues to rise along with GDP (despite significant efficiency improvements, and a significant shift to services and knowledge as share of GDP), and indeed all existing models indicate that absolute decoupling is unlikely to happen, even under strong policy conditions. See [here](https://foreignpolicy.com/2018/09/12/why-growth-cant-be-green/) and [here](https://foreignpolicy.com/2020/06/18/more-from-less-green-growth-environment-gdp/) for more. [Ward et al (2016)](http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0164733) find that even the most optimistic projections of efficiency improvements yield no absolute decoupling in the medium and long term. The authors state: “this result is a robust rebuttal to the claim of absolute decoupling”; “decoupling of GDP growth from resource use, whether relative or absolute, is at best only temporary. Permanent decoupling (absolute or relative) is impossible… because the efficiency gains are ultimately governed by physical limits.” Schandl et al (2016) find the same thing. Even in their best-case scenario projection, global material consumption still grows steadily. The authors conclude: “Our research shows that while some relative decoupling can be achieved in some scenarios, none would lead to an absolute reduction in energy or materials footprint.” Our review was published in 2019, and the literature on this has grown since: i.e., [here](https://www.tandfonline.com/doi/abs/10.1080/09644016.2020.1783951?journalCode=fenp20) and [here](https://www.sciencedirect.com/science/article/pii/S1462901120304342)… the latter paper reviews 179 studies on decoupling published since 1990 and finds “no evidence of economy-wide, national or international absolute resource decoupling, and no evidence of the kind of decoupling needed for ecological sustainability.” [Here is a 2020 meta-analysis](https://iopscience.iop.org/article/10.1088/1748-9326/ab842a/meta) of all available data on GDP and resource use, which comes to the same conclusion. \* In sum, it is irrational to hope, against the evidence, that our existing economic system will deliver the development outcomes we want while at the same time reversing ecological breakdown. We need to be smarter than that. Degrowth provides an empirically-informed alternative: a pathway to reducing excess resource and energy use while at the same time ensuring flourishing lives for all. Given the stakes of the crisis we face, we should be open to fresh thinking.

### Boom & Bust---2NC

#### 1. Boom & Bust.

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

When Things Fall Apart

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Carbon Bubble & Peak Oil---2NC

#### 3. Carbon bubble, peak oil.

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

### AT: Mousseau – Cap Solves War

#### Cap turns it because neoliberalism undermines the operating assumptions of democratic peace.

Christopher HOBSON 17, Assistant Professor in the School of political science and Economics, Waseda University [“Democratic Peace: Progress and Crisis,” *Perspectives on Politics*, Vol. 15, No. 3, September 2017, p. 697-710, Accessed Online through Emory Libraries]

Building on the long tradition of “commercial liberalism” that emphasizes the pacifying effect of trade and commerce, democratic-peace research tends to assume a positive and complimentary relationship between democracy and capitalism. A prominent example of this is Russett and Oneal’s “Kantian Triangle,” in which democracy and economic interdependence are two of the triangle’s corners. 59 As the research program has developed further, some scholars have moved beyond suggesting that free trade works as a supplement in promoting peaceful behavior to instead proposing that it is the key factor. The debate over what role capitalism plays in the dyadic peace is arguably now the central point of contention in this research program. 60 While this literature acknowledges an alternative tradition of thought that argues capitalism fuels war, it largely assumes that the economic and political realms work together in a harmonious fashion to promote peace and preserve democracy. Critical scholarship is more skeptical, but an overriding focus on democratic wars has meant the economic dimension has not received sufficient attention. A notable exception is Barkawi and Laffey’s early contribution, which proposed that the global capitalist system may work at cross-purposes with the expansion of democracy and peace. 61 This argument was recently picked up by John MacMillan, who uses a critical materialist approach to highlight the relevance of core-periphery relations for democratic-peace claims. He points to the way that global capitalism has restricted possibilities for democratization in periphery states, while also fostering forms of social violence missed by democratic-peace scholarship. 62 If anything, MacMillan understates his case: neoliberal globalization has had grave consequences for democracies not only in the periphery, but also in the core.

History and theory offer a more nuanced understanding of the relationship between democracy and capitalism than the one prevalent in democratic-peace research. All models of democracy necessarily include a set of assumptions about how the political and economic spheres relate. 63 This point is bypassed by democratic-peace scholars, who assume a natural fit between democracy and markets. Yet this relationship is not inevitable: it is historically conditioned and has changed over time. Indeed, classical liberals were doubtful that capitalism and democracy were compatible. 64 An important part of the development of the liberal democratic model was the more radical social features associated with democracy—which liberals saw as a threat to property rights—being muted and restrained. Certainly within democratic-peace research there is an awareness that liberal democracy is a composite form, with scholars such as John Owen arguing that it is actually liberalism—not democracy—that does the causal work in dyadic arguments. 65 The point here is a different one, however: insofar as the dominant model of liberal democracy is one in which liberalism is the senior partner, this has important ramifications for the way the political and economic spheres are related. As Kurki notes, “even (and especially!) the liberal model, by separating the economic and the political, structures the relationship between democracy and the economy.” 66

Central to the development and expansion of the zone of peace after World War II were democracies reasserting political control over the economic realm. Capitalism, largely freed from political restraints, had proven corrosive of democracy and peace in the first half of the twentieth century. 67 The experience of the Great Depression and its role in fueling the rise of Fascism, combined with the ongoing challenge posed by Communism, meant that in the immediate postwar-period democracies introduced reforms that tempered the dangerous excesses of unchecked markets and in so doing, promoted a form of capitalism that was more socially sustainable. This reflected an awareness of the remarkable power of capitalism in generating economic growth, but also the considerable political and social costs it can have if not carefully regulated. As Berman notes, in this form of democracy “not only did it include free and fair elections and explicit protections of individual rights and liberties, it was also committed to ensuring certain social and economic rights and outcomes.” 68 The Keynesian bargain oversaw a period of economic growth and social stability that lasted until the economic problems of the early 1970s. In the following decades there was a massive revision in the way the economic and political realms relate, triggered by the interconnected trends of the decline of the welfare state, the rise of neoliberalism and the intensification of globalization. As Streeck notes, “the history of capitalism after the 1970s . . . is a history of capital’s escape from the system of social regulation imposed on it against its will after 1945.” 69 While this transformation has had far-reaching consequences for democracy, it has generally been overlooked by the democratic-peace research program. 70

The emergence and subsequent hegemony of neoliberalism has played a fundamental role in reshaping the relationship between politics and economics in contemporary democracy, threatening to completely sever the latter from the constraints imposed by the former. To the extent that trends related to neoliberalism have been considered by those making capitalist or democratic-peace arguments, Erik Gartzke suggests that the globalization of capital reduces the likelihood of conflict between economically integrated states, while Patrick McDonald proposes that privatization reduces state autonomy and the resources available to mobilize for war, which can work to reduce conflict. 71 In considering these issues, remarkably neither makes any reference to neoliberalism. A considerably different perspective is provided by Offe:

Neoliberal states are regimes whose policy agenda is so restricted that the substantive concerns of the “people” remain largely bracketed out from it and have no access to the making of public policies, as major areas of public interest (urban development, health, education, the environment, transportation, utilities, etc.) are taken off the agenda of political authorities in the name of privatisation, deregulation, marketisation, competitiveness, and efficiency. 72

What Offe points to is the manner in which neoliberalism has shrunk the political sphere in democracies. It is not simply that the economic realm has become detached from democratic control, helping to exacerbate inequality. The situation is more drastic than this; it is what Manet terms the “economic evisceration of our bodies politic.” 73 Market-based relations have become the dominant framework for conceiving of the role of government, what citizenship means, how we see ourselves, the way we determine value, and how people relate to each other in society. 74 Economic logic is effectively consuming the political sphere, corrupting the register in which democracy is enacted. If one takes these arguments seriously, it suggests that one of the greatest threats to the dyadic peace comes from established democracies being hollowed out and destroyed from within. Put strongly, neoliberalism is acting like acid on democratic norms and institutions, eating away not only at the foundations of this form of rule, but also the zone of peace.

#### Mousseau’s database omits every Latin American intervention from 1816-1992.

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3 A closely aligned set of literature on the issue of ‘democratic peace’ demonstrates also the malleability of definitions, often tainted by US-friendly readings of history. For example, an article by Michael Mousseau based on the Militarized Interstate Dispute data set omits every US intervention in Latin America from 1816 to 1992 (except for a dispute with Ecuador in 1980), allowing the author to conclude that ‘joint highly democratic dyads are about 3 times more likely  …  to resolve their militarized conflicts with mutual concessions’ (Mousseau, [1998](https://www.tandfonline.com/doi/full/10.1080/21622671.2018.1550012), p. 210; see also Bremer, [1993](https://www.tandfonline.com/doi/full/10.1080/21622671.2018.1550012)).

#### Alt solves war---changes calculi that enable conflict.

Wills et al 20. Professor of History, Brooklyn College, CUNY. Joseph Entin, Professor of American Studies, Brooklyn College, CUNY. Richard Ohmann, Professor Emeritus of English, Wesleyan University. “’Resist, Rethink, and Restructure’: Teaching About Capitalism, War, and Empire in a Time of COVID-19.” Radical Teacher (117): 5-6. DOI: 10.5195/rt.2020.792

Moreover, endless spending on war has had dire consequences for those living within the United States and its territories. With monopoly capitalists, systems integrators, and military-intelligence contractors exercising undue influence over both federal and state spending, the United States has created international chaos and a “Homeland Security Bubble” on the verge of collapse. With the Bush administration gutting the Federal Emergency Management Agency (FEMA) and increasing its military-surveillance-prison budget year-after-year, the world has watched in horror as the United States fails to protect people within its own borders, beginning with Hurricane Katrina and thereafter showing its inability to meet the challenges of the next in a series of climate disasters. As the ongoing deregulation of the financial services sector continued during the first decade of the 21st century, George W. Bush also called upon Americans to mortgage their futures on consumption as a patriotic duty. When combined with risky financial instruments, and billion-dollar markets opened up for small- and medium-sized “Homeland Security” providers in North America, Internet and other forms of consumption also created the context for a real-estate bubble that collapsed in 2006 and ushered in the Great Recession of 2008. To make U.S. war-making less visible as the Obama administration focused on restoring an economy teetering on the brink of another depression, drone strikes became more common even if spending on the military declined from a then-high of $824 billion in 2008 to $621 in 2016.9

Over the past twenty years, the response to every crisis, at both the federal as well as state and local levels, has consistently centered on funding for war, policing, and surveillance, tax cuts for the ultra-wealthy, and austerity programs that have eviscerated budgets for public health, transportation, education, and other social-essential services. The Trump administration has merely made things much, much worse: “re-branding” the United States from a mythological nation of immigrants who welcome all-comers to a walled society intolerant of anyone other than those who are white, fomenting what Americans have described under right-wing dictatorships as “death squads” (white nationalists, the police, the military, second amendment revisionists, and others) to engage in an all-out war against black and brown people, and advancing a more rabid doctrine of private property rights at the expense of Americans, the undocumented, the global population, and other “barriers” to expansion as the country plunges more deeply into the authoritarian state Trump and his enablers fetish, no matter the cost. The 25 May 2020 public lynching of George Floyd by members of the Minneapolis Police Department is symptomatic of a much longer history, one we desperately need to unpack, not only for those who already understand that this nation needs structural change, but also for those who still refuse to come to terms with the United States’ catastrophic trajectory.

Drawing on his 20-year experience in studying, writing, and teaching about war, Vine provides a thoughtful and comprehensive list of suggestions about how we might more effectively engage people from a variety of backgrounds, respecting those we meet in the classroom where we find them, then gently guiding them through the mythology, misinformation, and mystification of the post-9/11 rationale for militarization, and on to alternative visions of the future. In addition to the many proposals and resources he offers, Vine suggests that we need to show how much wars have cost, and the trade-offs of war spending, including comparisons of military spending versus spending on universal free education and the eradication of student debt. He additionally cautions that we need to focus on the system rather than the soldier, making capitalism, settler-colonialism, Native Americans and indigenous communities, people of color, U.S. territories and overseas colonies and military bases, and the human toll of war and empire visible in ways that expose militarization as neither natural nor inevitable no matter the time period. Employing intersectionality more broadly also allows us to make displacement, racism, sexism, and hypermasculinity more visible, along with the militarization of policing in communities of color and poor neighborhoods, along the U.S.-Mexican border, and within white supremacist militia movements. At the same time, it offers the opportunity to connect these phenomena to dissent and anti-war, civil rights, and other social movements focused on “climate justice, universal health care, labor, racial justice, gender equality, and LGBTQI+ rights.” Doing so will have the added benefit of countering the historical amnesia and clouds of forgetfulness that have infused education in the United States.

Much of this work can be done, Vine suggests, by assigning research projects focused on investigating the long arm of institutions involved in the military-industrial-academic-prison-surveillance complex, and by turning classrooms into “war clinics,” ones that take people out of the classroom to work with various groups, including but not limited to Code Pink, the Costs of War Project, the Institute for Policy Studies, veterans groups, and anti-recruitment/war/military base movements. We would also suggest that readers of Radical Teacher delve into Vine’s latest book—The United States of War: A Global History of America’s Conflicts, from Columbus to the Islamic State (University of California Press, 2020)—along with Daniel Immerwahr’s How to Hide an Empire: A Short History of the United States (Vintage, 2020), both excellent primers about how the United States—along with the global capital markets, multinational corporations, and international organizations it has long dominated—has deepened the integration of an increasingly globalized military-industrial-intelligence complex.

All of this might seem like a heavy lift, but as we know from our own experiences on campus and beyond it, those who embrace capitalism as an article of faith do not necessarily know what it means or implies. Once defined and unpacked, however, capitalism’s profit motive, insatiable appetite for expansion, and internal contradictions make clearer the ways in which inhabitants of the United States, particularly since World War II, have slowly but surely acquiesced to the “privatization and militarization of everything,” to the belief that the nation’s imperial ambitions are for the greater good of humanity, that the benefits and conveniences of surveillance technologies developed for the military (the computer, the Internet, GPS tracking, drones, and so on) outweigh the costs; that is, until they learn about the provenance of the U.S. command economy, examine the numbers, and realize that they can never again unsee the bedeviling trade-offs they have unwittingly sanctioned: warmaking for profit versus healthcare and education; resource extraction versus environmental protections; surveillance versus convenience; and the snare and delusion that technologies can solve our larger political, social, and economic problems versus actually tackling them through structural change. As sociologist Vincent Mosco observed after the dot.com bubble burst at the turn of the 21st century, “Myth is not a gloss on reality; it embodies its own reality. These views are especially difficult for people to swallow as the chorus grows for the view that we are entering a new age, a time so significant that it merits the conclusion that we have entered ‘the end of history.’” But he also asserted that such myths fail “to consider the potential for a profound contradiction between the idea of a liberal democracy and the growing control of the world’s political economy by the concentrated power of its largest businesses.”10 As the rest of the essays in this volume make clear, we may live in the present, but we carry our histories with us; and therefore need to confront those histories, make them more visible, if we hope to change course.

As a complement to Vine’s piece, William J. Astore shares his decades-long experiences as a retired lieutenant colonel, professor of history, academic administrator, author of books on Vietnam and the aerospace industry, and regular contributor to various publications, including TomDispatch.com, CounterPunch, and Truthout. His “Militarism and Education in America” makes another vital pedagogical intervention. Astore emphasizes the need for critical thinking about and resistance to what he describes as the “soft militarism” of American society, including but hardly limited to the commodification of an education “infused with militarism,” and a popular culture of films, literature, and performative acts that celebrate war and spectacular feats of violence. He also unveils many of the other ways in which the military influences education, including the hiring of retired generals and admirals to run universities “even though they have no experience in education,” military fly-overs at football games and other militaristic displays and celebrations, ROTC recruiting at high schools and on college campuses, funding to universities that push them to become “feeders to the military-industrial complex and the wider intelligence community,” pension plans heavily invested in military expansion, and every other act that sells education as a commodity “for private gain rather than a process of learning for the public good.” Among the antidotes he recommends, Astore suggests antiwar comic/graphic books that can reach wider audiences, “impact maps” that show the military suppliers who have entered states in which campus communities live, research into the “revolving door” between senior military officers and major defense contractors, and collaborative projects with organizations such as Veterans for Peace and About Face: Veterans Against the War.

As the rest of the essays in this volume make clear, we may live in the present, but we carry our histories with us; and therefore need to confront those histories, make them more visible, if we hope to change course.

#### Transition stops short term war.

Rose ‘21 [Nick. PhD in Political Ecology from RMIT University. Executive Director of Sustain: The Australian Food Network. From the Cancer Stage of Capitalism to the Political Principle of the Common: The Social Immune Response of “Food as Commons.” Int J Health Policy Manag 2021. 3-31-21. DOI: 10.34172/ijhpm.2021.20 //shree]

Until recently, it has for most ‘been easier to imagine the end of the world than to imagine the end of capitalism.’89 The COVID-19 pandemic has been a disruptive event, for the food system, for the wider economy, for national and global political elites, and for populations everywhere. Glimpses of a different, quieter, more peaceful and less destructive world have emerged, albeit fleetingly and falteringly. At the same time, the suffering wrought by the pandemic, both directly in the form of disease and death, and indirectly via the cascading economic shocks brought about through societywide shutdowns, has fallen, and will continue to fall, on the most vulnerable and marginalised members of societies. In many ways it has accelerated and intensified a growing systemic crisis that has been building for decades, politically, economically, ecologically and culturally.

We have reached a fork in the road. The last time the global capitalist system confronted a systemic crisis was in the 1970s, and that crisis created the conditions for the emergence of neoliberalism, ushering us into the cancer stage of capitalism. The time before that, in the 1930s, the profound economic crisis heralded the rise of genocidal fascism and world war, with tens of millions dead in the worst slaughter humanity has ever unleashed. The embers and echoes of both these earlier decades of systemic crisis are with us now, at the beginning of the 2020s. Capitalism is once more in profound, systemic crisis. The political far right is, once more, in the ascendancy. The drums of war are being beaten, with China the clearly identified ‘enemy.’

At the same time, the yearning for profound change in the direction of greater equality and ecological integrity is both powerful and substantial, with major political protests in 2019 and 2020 in many parts of the world. Hence the significance, relevance and importance of proposals for transformative change in both food system governance and in the social relations that underpin the food system. Currently we have global and national food systems that are oligopolistic in nature, supported by political structures that resemble plutocracies and oligarchies more closely than they do democracies, insofar as that characterisation is based on their policy development and policy outcomes. Dardot and Laval’s theorisation of the political principle of the common, informed by Holt-Gimenez and van Lammeren’s historically and materially grounded modification of the food as commons proposal, with Federici’s insistence on an explicit anti-capitalist orientation, offers progressive scholars, activists and practitioners a principled and hopeful pathway beyond the contemporary crisis.

### Alt---2NC

#### 2. Kotz thinks it’s likely.

David 2AC Kotz 21, Professor Emeritus of Economics and Senior Research Fellow in the Political Economy Research Institute at the University of Massachusetts Amherst, “Working for Reforms While Advancing Toward Socialism,” Socialist Forum, Spring 2021, https://socialistforum.dsausa.org/issues/spring-2021/working-for-reforms-while-advancing-toward-socialism/

New Movements

The long period of worsening conditions facing working people, people of color, and young people during the neoliberal era, intensified during the structural crisis period, led to a series of protests and uprisings in the US. The massive Occupy Wall Street movement broke out in 2011, the first significant openly anti-capitalist protest movement in the US since the end of World War II. The Black Lives Matter movement originated in 2013 and, unlike the Occupy movement, gained momentum and support in the following years. Trump’s election and reactionary policies spurred a massive resistance movement in 2016-17. Large-scale labor actions have erupted in recent years among teachers and low-wage retail and service workers. That process led tens of thousands of newly radicalized activists to join Democratic Socialists of America (DSA), powering its fifteen-fold growth.

The COVID-19 pandemic that struck the US in March 2020 had a major impact on the country’s political mood. More than 21.8 million jobs were lost in April 2020 as the unemployment rate shot up to 14.7% and remained high through the end of the year, particularly affecting women and people of color. A terrified Congress passed a truly massive bailout and relief bill in March 2020 that provided a lifeline to many people and small businesses, and the poverty rate actually declined despite the deep recession. This offered an impressive lesson about how progressive federal action can benefit ordinary people. The pandemic itself, as a public health crisis, exposed the huge cost of the decades of underinvestment in America’s public health infrastructure.

The aforementioned protest movements likely contributed to a noticeable swing to the left in US public opinion on many economic policy issues including a higher minimum wage, access to affordable health care as a human right, action to combat climate change, affordable higher education, and the right to join a union. While most African American voters chose Biden over Sanders in the 2020 Democratic primaries, they also have shown strong support for Bernie’s economic policy demands. The COVID‑19 pandemic may have further increased public support for progressive economic policies. The pandemic has served as a real‑life case study of the limits of the “free market” and the value of a strong and comprehensive welfare state that assures access to health care, a strong public health system, and income security for the population.

#### 3. It’s succeeding now.

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Forgetting about growth

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

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

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

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

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

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

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

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

#### 4. There is a wide approval for the alternative.

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Neoliberalism alternative.

Capitalism is in crisis. Until recently, that conviction was confined to the left. Today, however, it has gained traction across the political spectrum in advanced economies. Economists, policymakers, and ordinary people have increasingly come to see that neoliberalism—a creed built on faith in free markets, deregulation, and small government, and that has dominated societies for the last 40 years—has reached its limit.

This crisis has been long in the making but was brought into sharp focus in the aftermath of the global financial meltdown of 2007–8 and the global recession that followed it. In the developed countries of the Organization for Economic Cooperation and Development, economic growth over the last decade ceased to benefit most people. At the end of 2017, nominal wage growth among OECD members was only half what it was a decade earlier. More than one in three people in the OECD countries are estimated to be economically vulnerable, meaning they lack the means to maintain a living standard at or above the poverty level for at least three months. Meanwhile, in those countries, income inequality is higher than at any time in the past half century: the richest ten percent hold almost half of total wealth, and the bottom 40 percent hold just three percent.

Defenders of neoliberalism frequently point out that although decades of wage stagnation and wealth concentration have led to ballooning inequality in developed countries, the same time period has seen a dramatic increase in prosperity on a global scale. Over a billion people, they argue, have been lifted out of extreme poverty owing to technological advances, investments, and prosperity that were made possible by the spread of free markets. However, this argument fails to account for the critical role that governments have played in that change through the provision of education, health care, and employment. Such state interventions have arguably been as decisive as the invisible hand of the market in lifting living standards. This defense also ignores the fact that despite many gains in prosperity, massive wealth concentration and staggering inequality continue to shape the global economy: less than one percent of the world’s population owns 46 percent of the world’s wealth, and the poorest 70 percent own less than three percent.

Inequality has always been a feature of capitalist societies, and people have been willing to tolerate it as long as they felt that their quality of life was improving, their opportunities were expanding, and their children could expect to do even better than them—that is, as long as all the proverbial boats were rising. When that stopped happening in recent decades, it fed a growing perception that the system is unfair and is not working in the interest of the majority of people. Pent-up frustration has led to a clamor for change—including a new receptivity to socialist ideals that have long been sidelined or even considered taboo. In the United Kingdom, for example, 53 percent of people recently polled said they believed that the economy has become more unfair over the last decade. Eighty-three percent said they felt that the economy worked well for the wealthy, but only ten percent said that it worked for people born into poor families. And ideas such as restoring public ownership of the essential utilities that were privatized in recent decades, such as railways, electrical services, and water companies, are gaining traction, with over 75 percent of people polled supporting such a step. Meanwhile, in the United States, a 2018 Gallup poll found that among Americans aged 18 to 29, socialism had a higher approval rating (51 percent) than capitalism (45 percent). “This represents a 12-point decline in young adults’ positive views of capitalism in just the past two years,” Gallup noted, “and a marked shift since 2010, when 68 percent viewed it positively.”

A mere revival of the social democratic agenda of the postwar era, however, would not be sufficient. For one thing, that period’s emphasis on central authority and state ownership runs counter to the widespread demand in developed economies for more local and collective control of resources. Perhaps more important, however, is the need to confront a challenge that postwar social democratic models did not have to take into account: the threat posed by climate change and catastrophic environmental degradation. After all, neoliberalism is not just failing people: it’s failing the earth. Owing in no small part to the massive levels of consumption and fossil fuel use required by an economic model that prioritizes growth above all else, climate change now imperils the future of human existence. Last year, the Intergovernmental Panel on Climate Change concluded that the world has barely over a decade to halve carbon emissions if humanity is to have any chance of limiting the increase in average global temperatures to 1.5 degrees Celsius above preindustrial levels—a point past which the damage to human and natural systems would be devastating and largely irreversible.

Just like the economic breakdown that has chipped away at people’s quality of life, environmental decline is rooted in the crisis of capitalism. And both challenges can be addressed by embracing an alternative economic model, one that responds to a hunger for genuine reform by adapting socialist ideals to the contemporary era. A new economic model must prioritize a thriving and healthy natural environment. It must deliver improvements in well-being and guarantee all citizens a decent quality of life. It must be built by businesses that plan for the long term, seek to serve a social purpose beyond just increasing profits and shareholder value, and commit to giving their workers a voice. The new model would empower people and give them a larger stake in the economy by establishing common ownership of public goods and essential infrastructure and by encouraging the cooperative and joint ownership of private, locally administered enterprises. This calls for an active but decentralized state that would devolve power to the level of local communities and enable people to act collectively to improve their lives.

## 1NR

### Mergers Not Key---1NR

#### Canada thumps and the past several decades of mergers disprove the impact. Emory = blue.

Pat Mooney et al. 17, founder of the ETC group, October 2017, TOO BIG TO FEED, http://www.ipes-food.org/\_img/upload/files/Concentration\_FullReport.pdf

Mega-mergers are sparking unprecedented consolidation across food systems, and new data technologies represent a powerful new driver. For decades, firms in the agri-food sector have pursued mergers and acquisitions (M&A) and other forms of consolidation as part of their growth strategies. However, the recent spate of mega-mergers takes this logic to a new scale. Since 2015, the “biggest year ever for mergers and acquisitions”, a number of high-profile deals have come onto the table in a range of agri-food sectors - often with a view to linking different nodes in the chain. These include the $130 billion merger between US agro-chemical giants, Dow and DuPont, Bayer’s $66 billion buyout of Monsanto, ChemChina’s acquisition of Syngenta for $43 billion and its planned merger with Sinochem in 2018. These deals alone will place as much as 70% of the agrochemical industry in the hands of only three merged companies. Meanwhile, the merger between leading Canadian fertilizer companies Potash Corp. and Agrium, Kraft-Heinz’s bid for processing giant Unilever, and online retailer Amazon’s acquisition of Whole Foods Market are proof that mega-deals are sweeping through all nodes of the chain. Financialization – i.e. the increasingly powerful role of financial actors, motives and trends in shaping global economic activity – has become a major driver of corporate consolidation across various sectors as investors demand higher and shorter-term payouts. However, beyond the physical (e.g. drones) and scientific (e.g. gene editing) technologies behind agri-food sector consolidation, information technology comes out as the newest and most powerful driver. Big Data connects inputs—seeds, fertilizers, and chemicals—to farm equipment and retailers to consumers in unprecedented ways.

A significant horizontal and vertical restructuring is underway across food systems. Rampant vertical integration is allowing companies to bring satellite data services, input provision, farm machinery and market information under one roof, transforming agriculture in the process. Mega-mergers come in the context of an already highly-consolidated agri-food industry, and are ushering in a series of structural shifts in food systems. Agrochemical companies are acquiring seed companies, paving the way for unprecedented consolidation of crop development pathways, and bringing control of farming inputs into fewer hands. The mineral-dependent and already highly concentrated fertilizer industry is seeking further integration on the back of industry overcapacity and a drop in prices; fertilizer firms are also moving to diversify and integrate their activities via hostile takeovers, joint ventures, and the buying and selling of of regional assets– with mixed results. Meanwhile, livestock and fish breeders, and animal pharmaceutical firms, are pursuing deeper integration with each other, and are fast becoming a one-stop shop for increasingly concentrated industrial livestock industry. Leading farm machinery companies – already possessing huge market shares – are looking to consolidate up- and down-stream, and are moving towards ownership of Big Data and artificial intelligence, furthering their control of farm-level genomic information and trending market data accessed through satellite imagery and robotics. Agricultural commodity trade remains dominated by a handful of actors – including new players from emerging markets – with trading, shipping, and processing increasingly rolled together into highly-integrated operations straddling different commodity sectors and regions, and independent grain traders finding it ever more difficult to compete. Food processors and retailers, the biggest players in the system, are seeking international expansion and capturing new segments of the market to meet changing consumer demands. Many leading processors already control the digital data for raw material sourcing, processing, marketing, and delivery. They are moving upstream to better oversee their supply chains and meet quality requirements; to address changing consumer demands, they are reconstructing their images through the acquisition and creation of seemingly healthier and more sustainable brands. Retailers are moving to consolidate their position in the major markets while expanding into growth markets through further M&A activity. New actors such as Amazon are vying to harness Big Data possibilities in order to track and analyze consumer shopping habits to strengthen both in-store and online delivery systems.

The high and rapidly increasing levels of concentration in the agri-food sector reinforce the industrial food and farming model, exacerbating its social and environmental fallout and aggravating existing power imbalances. Rather than putting food systems on a path to sustainability, consolidation reinforces the logic of the industrial food and farming model – and its widespread social, environmental, and economic fallout. Consolidation also allows firms to pool economic and political capital in ways that reinforce their ability to influence decision-making on the national and international levels – and to defend the status quo.

Consolidation across the agri-food industry has made farmers ever more reliant on a handful of suppliers and buyers, further squeezing their incomes and eroding their ability to choose what to grow, how to grow it, and for whom. The emergence of increasingly dominant retail and processing firms has driven concentration along the chain in order to provide the requisite scale and volume, enforcing a de facto consolidation of agriculture. Meanwhile, upstream consolidation has left farmers hostage to a handful of suppliers and mounting commercial input costs. These trends have exacerbated existing power imbalances, allowing costs to be shifted onto farmers, squeezing their incomes, eroding their autonomy, and leaving them vulnerable to unilateral sourcing shifts. Despite the supposed efficiencies of a highly-consolidated agri-food industry, consumer food prices have not been systematically reduced – and tend to rise in highly concentrated markets.

The scope of research and innovation has narrowed as dominant firms have bought out the innovators and shifted resources to more defensive modes of investment. Increasing market concentration has reinforced a focus on input traits and major crops promising greater returns on investment. Companies have shifted R&D resources to the least risky modes of investment, e.g. focused on protecting patented innovations and creating barriers to entry. Meanwhile an explosion of new product lines is providing an illusion of innovation in processing and retail – but often amounts to little more than the repackaging of existing products. Genuine innovation is emerging from start-ups, but tends to be diluted as smaller brands and companies are bought out by mega-firms.

The merry-go-round of company buyouts, boardroom turnover, and product rebranding is eroding commitments to sustainability, dissipating accountability, and opening the door to abuse and fraud. Commitments to sustainability tend to be lost as progressive CEOs are replaced and products are rebranded following mergers and buyouts. Proliferating M&A activity in food systems is also bringing financial players, e-retailers, and logistics firms to center-stage in defining the trajectory of food systems – raising further questions about the prospects for building greater sustainability and accountability. Furthermore, horizontal and vertical integration is driving a reduction in seed and livestock genetic diversity, while increasing the risks of foodborne and livestock disease proliferation in increasingly centralized and homogenized systems.

### Don’t Solve Poverty---1NR

#### They don’t solve poverty---based on 2AC CX, they will try to say the Ni evidence is about rural areas. It’s not. It’s about poverty broadly---employing small farmers doesn’t solve. Emory = blue.

Vincent Ni 21, Guardian's China affairs correspondent, 07/07/21, Gap between rich and poor Chinese threatens nation, https://www.taipeitimes.com/News/editorials/archives/2021/07/07/2003760416

When Wang Zhenyu moved out of his small village in central Henan Province to the coastal city of Dalian at 18, he was astonished.

“It was like culture shock for me, even though it was just a big city in my country, not a foreign land,” Wang said.

A few years later when he was enrolled in Peking University as a graduate student, he found that many fewer students in the country’s top university came from a background similar to his. Growing up in a small village of 2,000 farmers, many of Wang’s childhood friends had dropped out of school after finishing their nine years of compulsory education.

Now with a decent academic job, Wang experiences “reverse culture shock” every time he returns to his village for the lunar New Year holiday.

“When I get together with my childhood friends in my village, the number of attendees drops every year. Some went out to be migrant workers in big cities then never came back, while others have gotten used to life as villagers,” Wang said. “It’s the poverty that is dividing us. It’s a vicious circle.”

As China grows wealthier as a nation, its gap between rich and poor, urban and rural also increases. Although the country’s official Gini coefficient, a measurement of income inequality, has improved slightly over the past few years, experts have also questioned its accuracy.

Chinese Premier Li Keqiang (李克強) in May revealed that 600 million citizens only earn about 1,000 yuan (US$155) per month, indicating the extent of the problem.

Many worry that the COVID-19 pandemic might have reversed the trend.

TREND REVERSAL

The story of Wang’s home village is common in China. After all, 40 percent to two-thirds of China’s 1.4 billion people still live in rural areas.

Wang’s own path from poverty to the ranks of the educated middle class is “very rare,” said Scott Rozelle, a development economist at Stanford University’s Freeman Spogli Institute for International Studies.

“How much Wang’s childhood friends and their fellow villagers can contribute to the country’s changing labor market matters for the future of the world’s second-largest economy.

However, the reality does not look optimistic,” added Rozelle, who has spent the past 30 years researching China’s labor force and its rural-urban divide.

As the Chinese Communist Party (CCP) celebrated its centennial last week, Chinese President Xi Jinping (習近平) vowed to keep it in power, but some analysts have said that the ever-increasing rural-urban divide — and the division between rich and poor — pose the biggest uncertainty to China’s society, as well as a threat to the longevity of the 92 million-strong political organization.

“Although the CCP does not face any electoral pressure, anger over inequalities could undermine its authority and trigger resentment if it fails to take actions that alleviate the people’s pain,” said Yu Jie (余杰), senior research fellow on China at the London-based think tank Chatham House. “The Chinese people are watching closely, so are foreign nations, not least the US.”

“It is all about citizens’ expectation,” said Rozelle, who coauthored Invisible China: How the Urban-Rural Divide Threatens China’s Rise.

“If those at the bottom of the social strata begin to lose hope of a better future as a result of the increasing wealth gap and stagnant wages, we are very likely to see the emergence of a polarized society,” he said. “This is not good for the stability of the world’s second-largest economy.”

It is not just researchers who are concerned about the urgency of the problem.

In January, Xi said that the country’s wealth gap is not just an economic issue, but a political one that could threaten the legitimacy of the CCP.

“Achieving common prosperity is not just an economic issue, but a significant political one that matters to the party’s basis to rule,” Xi told his provincial and ministerial-level cadres.

“We absolutely cannot allow the rich-poor gap to increase bigger and bigger, resulting in the poor poorer and the rich richer,” Xi said. “We should absolutely not allow an insurmountable gap between the rich and the poor.”

LITTLE CHANGE

Despite the political rhetoric from the nation’s highest level, very little change is happening on the ground, Rozelle said.

China needs long-term and sufficient investment into programs such as early childhood education and rural health nutrition, he said.

“But just like the US, although political leaders understand the significance of these issues, as the effects of such an investment would not be seen immediately, it makes it less of a priority,” Rozelle added.

The stakes are high for China.

For example, a lack of early childhood education is making the country’s labor force less sophisticated in the long term, Rozelle said.

In one of his studies in China’s rural Gansu and Shaanxi provinces, Rozelle measured the cognitive abilities of students who were 13 to 14 years old and found that about half of them would be considered delayed enough to qualify for special education programs in developed nations.

“In the past, China’s rural-urban divide enabled the country’s urban factories to exploit cheap manufacturing labor from rural areas, but many of these jobs are disappearing, as the country moves up the economic ladder,” said Jan Knoerich, a senior lecturer in the economy of China at King’s College London.

“Wages are going up in China, and other countries — such as Vietnam and others in Africa — are getting more competitive in labor cost,” Knoerich said.

Rozelle agreed, adding that this changing economic structure would not only have profound economic implications for China, but also social and political effects.

“As a result, many of those people are not going to be able to participate in the new economy,” Rozelle said. “They are going to be forced into a peripheral and informal economy. It not only won’t be productive for the society, and many of them may end up being a drag for China.”

‘MIDDLE-INCOME TRAP’

Chinese economists have for many years worried about the “middle-income trap,” a situation where a country that has reached a certain level of income gets stuck for a long time.

According to the World Bank, only a handful of economies — including South Korea and Singapore — have risen from middle income to high income since 1960.

Even when they were still middle-income economies, the average share of the labor force with a high-school education was 72 percent, Rozelle found.

However, 2015 census data for China showed that only 30 percent of the nation’s workers aged 25 to 65 had attended high school — a figure below the average of other middle-income countries (36 percent) and much lower than the average for nations in the Organisation for Economic Co-operation and Development (78 percent).

“Most middle-income countries don’t make it, such as Malaysia. This is what’s challenging for China, to move beyond manufacturing and low-skilled labor, and arrive at a more advanced economy characterized by booming hi-tech and services sectors,” Knoerich said.

Wang has thought about this since recent visits to his home village in Henan.

Now at the age of 34 and living with his wife in China’s wealthy southern Guangdong Province, Wang considers himself “a lucky one” — or “a success story” from his poor village.

“I don’t exactly know how I did not end up like my childhood friends in the village, but I’m now helping my nine-year-old nephew to get into a better school and receive a proper education,” he said. “No one wants their next generation to be left behind.”

### No Impact---1NR

#### 2---Empirics prove resiliency.

Timothy R. Heath 18, senior defense and international researcher at the non-profit, non-partisan RAND Corporation., 3-20-2018, "China’s Strengthening of Communist Party Rule Is Not Just a Power Grab," World Politics Review, https://www.worldpoliticsreview.com/articles/24476/china-s-strengthening-of-communist-party-rule-is-not-just-a-power-grab

Fears of increased repression are well founded, but this does not mean that stronger Communist Party rule will fail in its main purpose, which is the realization of difficult but needed changes to China’s governance and economy. To understand why, consider two points. First, the immensity of the challenge confronting Chinese authorities raises the need for strong political leadership. Second, China’s legacy of weak civil society and Leninist rule limits the options available for that leadership. The challenge confronting China is immense, and one that few countries have successfully managed. Its growth in the past few decades has been impressive, but it also relied on a fairly typical development strategy pioneered by other East Asian economies—defined by labor-intensive export and investment-driven growth. Many developing countries have successfully carried out this strategy, but few have then successfully transitioned to a mode of high-income growth. As the economists Daron Acemoglu and James Robinson have pointed out, a principal reason for this “middle-income trap” lies in the political conflict inherent in the high-income transition. In such countries, authorities eager to maintain economic growth frequently clash with powerful elites who have profited from the old ways of doing business. The few countries that successfully transitioned into high-income growth, including the United States, required strong political leadership to overcome elite opposition and ensure improvements in governance needed to incentivize economic activity by more citizens. Examples of governance improvements include the expansion of social welfare services, the establishment of a more reliable legal system, and control of corruption. Chinese authorities similarly appear to recognize that the challenge is really a structural one, involving governance, economic rebalancing and anti-corruption issues, and have outlined a comprehensive reform agenda accordingly. But to furnish the political leadership required to make these changes, Chinese authorities are constrained by the realities of a political system characterized by a weak civil society, fragile political institutions and Communist Party leadership. “Without the party’s leadership, none of China’s modernization goals can be achieved,” declared one commentary in the People’s Daily, the party’s official newspaper. Such statements no doubt will cause eye rolls among Western observers familiar with the myriad abuses of Leninist rule. However, such Western skepticism ignores the reality that China has little alternative than to rely on the Communist Party to oversee widespread systemic changes. The coming years could, as a result, see the prospect of stronger repression under single-party rule actually coinciding with improvements to governance and economic performance. While the former has received considerable attention, signs of the latter have in fact surfaced in Western media. According to reporting in the Financial Times, for example, reductions in corruption have already boosted corporate profits. A survey by Transparency International similarly found the anti-graft campaign had made some progress, and that corruption in China now lags that of India. The plan for reorganizing the government, released at the National People’s Congress, will likely strengthen the central government’s regulatory authority, which is badly needed to control some of China’s persistent financial, economic and environmental abuses. The court system is seeing improvements, too, as plaintiffs are receiving fairer hearings in cases that do not touch on party rule. In terms of overall economic reforms, the World Bank has reported progress in the country’s economic rebalancing. Skeptics have pointed out that to date, only liberal, democratic nations have achieved the highest levels of prosperity. There are still plenty of reasons to doubt whether a repressive political system is ultimately compatible with an economy premised on the contributions of a large, highly educated middle-class. But a better understanding of why China has adopted stronger Communist Party rule in pursuit of its ambitions can also help inform a more accurate assessment of the country’s prospects. Read this way, the turn to stronger single-party rule may be understood as a sign both of the leadership’s determination to realize its vision of national revitalization, and of the lack of other options.

#### 3---Lack of credible alternatives, domestic reform, and empirics.

Heath 15—Senior Defense and International Analyst at the RAND Corporation and Senior China Analyst at USPACOM (2009-2014) [Tim, “No, China’s Not About to Collapse,” 13 Mar, <http://thediplomat.com/2015/03/no-chinas-not-about-to-collapse/>, accessed 9 Nov 2016]

The party’s advantages are less often discussed, but these bear reviewing if one is to evaluate the viability of CCP rule. One of the most overlooked, but important, assets is a lack of any credible alternative. The party’s repressive politics prevent the formation of potential candidates, so the alternative to CCP rule for now is anarchy. For a country still traumatized by its historic experience with national breakdown, this grants the party no small advantage. To truly imperil its authority, the CCP would need to behave in so damaging a manner as to make the certainty of political chaos and economic collapse preferable to the continuation of CCP rule. A party that attempted to return to extreme Mao-era policies such as the catastrophic Great Leap Forward could perhaps meet that threshold. But despite the numerous superficial comparisons in Western media, little about the current administration policy agenda resembles classic Maoism.

The second major political advantage lies in improvements to the party’s effectiveness in recent years. In a major paradigm shift, the CCP redefined itself as a “governing party” whose primary responsibility rests in addressing the myriad economic, political, cultural, ecological, and social welfare demands of the people. It has carried out ideological and political reforms to improve its competence and effectiveness accordingly. The Xi administration has refined, but upheld, the focus on increasing the nation’s standard of living and realizing national revitalization, objectives embodied in the vision of the “Chinese dream.” Although the party has rightly come in for criticism for moving slowly and inadequately on these issues, the policy agenda nevertheless appears to resonate with the majority of Chinese citizens. Independent polls consistently show that the party has in recent years enjoyed surprisingly strong public support.

When weighing the party’s political liabilities against its assets, therefore, the evidence suggests that the CCP faces little danger of imminent collapse. Improvements to its cohesion, competence, and responsiveness, combined with a policy agenda that resonates with most Chinese and the lack of a compelling alternative outweigh the persistent political liabilities. The party’s overall political stability throughout the 2000s, despite massive political unrest generated by breakneck economic growth, underscores this point.

### No China War---1NR

#### 3---Both sides have strong incentives to de-escalate incidents

Kevin Rudd 15, President of the Asia Society Policy Institute, “Video: Kevin Rudd on Why Conflict Between the US and China Remains Unlikely,” July 28 2015, <http://asiasociety.org/blog/asia/video-kevin-rudd-why-conflict-between-us-and-china-remains-unlikely>

I think the underlying dynamic is that neither side has any interest to allow any significant incident to occur which would then flame into a regional conflict. From the Chinese side that would upset the agenda in terms of their number one priority, which is to continue to transform the economy. And secondly, from Beijing’s perspective, if they were to trigger conflict with the United States, the military realists in the People’s Liberation Army know full well that they would in all probability lose hands down. So, these are very sobering elements within the Chinese analysis. On the American side, America, as we’ve seen more broadly in U.S. strategic policy around the world, has no particular interest in going to war by accident or design in Asia. So, these incidents will come and go, but I suggest, analytically speaking, we take a bit of a cold shower because I don’t think we’re at the cusp of something radically spinning out of control.