# 1NC Round 5

## OFF

### Topicality---1NC

#### The resolution should define the division of ground. It was negotiated and announced in advance providing both teams a reasonable opportunity to prepare. Only a textual reading of the resolution provides a predictable basis for research.

#### USFG means the three branches.

OECD 87. Organization for Economic Cooperation and Development. The Control and Management of Government Expenditure. 179. Google Book.

1. Political and organizational structure of government The United States America is a federal republic consisting of 50 states. States have their own constitutions and within each State there are at least two additional levels of government, generally designated as counties and cities, towns or villages. The relationships between different levels of government are complex and varied (see Section B for more information). The Federal Government is composed of three branches: the legislative branch, the executive branch, and the judicial branch. Budgetary decisionmaking is shared primarily by the legislative and executive branches. The general structure of these two branches relative to budget formulation and execution is as follows.

#### ‘Resolved’ means to enact a policy by law.

Words and Phrases 64. Permanent Edition. Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### Vote negative:

#### 1. Clash: debate requires a predictable topic to motivate in depth research that yields the values of negation and argument refinement. Their interp explodes limits, allows affirmative conditionality, and makes debate a one-sided monologue devoid of argumentation which turns the case.

#### 2. Fairness: the neg should win on average 50% of the time. Entering a competitive activity proves their arguments are shaped by a drive to win. The insurmountable advantage of being affirmative under their unfair model is a reason they should lose.

### Cap K---1NC

#### Capitalism transforms individuals into ‘Nobodys’ that creates the conditions for state violence. Our critique does not deny the importance of identity, rather only an understanding of class as the mediating condition of oppression can make movements effective.

Marc L. Hill 16. Distinguished Professor of African American Studies at Morehouse College. *Nobody, Casualties of America’s War on the Vulnerable, from Ferguson to Flint and Beyond*. Atria Books. 17-20.

To be Nobody is to be abandoned by the State. For decades now, we have witnessed a radical transformation in the role and function of government in America. An obsession with free-market logic and culture has led the political class to craft policies that promote private interests over the public good. As a result, our schools, our criminal justice system, our military, our police departments, our public policy, and virtually every other entity engineered to protect life and enhance prosperity have been at least partially relocated to the private sector. At the same time, the private sector has kept its natural commitment to maximizing profits rather than investing in people. This arrangement has left the nation’s vulnerable wedged between the Scylla of negligent government and the Charybdis of corporate greed, trapped in a historically unprecedented state of precarity.

To be Nobody is to be considered disposable. In New Orleans, we saw the natural disaster of Hurricane Katrina followed by a grossly unnatural government response, one that killed thousands of vulnerable citizens and consigned many more to refugee status. In Flint, Michigan, we are witnessing this young century’s most profound illustration of civic evil, an entire city collectively punished with lead-poisoned water for the crime of being poor, Black, and politically disempowered. Every day, the nation’s homeless, mentally ill, drug addicted, and poor are pushed out of institutions of support and relocated to jails and prisons. These conditions reflect a prevailing belief that the vulnerable are unworthy of investment, protection, or even the most fundamental provisions of the social contract. As a result, they can be erased, abandoned, and even left to die.

Without question, Nobodyness is largely indebted to race, as White supremacy is foundational to the American democratic experiment. The belief that White lives are worth more than others – what Princeton University scholar Eddie Glaude calls the “value gap” – continues to color every aspect of our public and private lives.1 This belief likewise compromises the lives of vulnerable White citizens, many of who support political movements and policies that close ranks around Whiteness rather than ones that enhance their own social and economic interests.

While Nobodyness is strongly tethered to race, it cannot be divorced from other forms of social injustice. Instead, it must be understood through the lens of “intersectionality,” the ways that multiple forms of oppression operate simultaneously against the vulnerable.2 It would be impossible to example the 2014 killing of Mya Hall by National Security Agency police without understanding how sexism and transphobia conspire with structural racism to endanger Black trans bodies. We cannot make sense of Sandra Bland’s tragic death without recognizing the impact of gender and poverty in shaping the current carceral state. To understand the complexity of oppression, we must avoid simple solutions and singular answers.

Despite the centrality of race within American life, Nobodyness cannot be understood without an equally thorough analysis of class. Unlike other forms of difference, class creates the material conditions and relations through which racism, sexism, and other forms of oppression are produced, sustained, and lived. This does not mean that all forms of injustice are due to class antagonism, nor does it mean that all forms of domination can be automatically fixed through universal class struggle. Rather, it means that we cannot begin to address the various forms of oppression experienced by America’s vulnerable without radically changing a system that defends class at all costs.

This book is my attempt to tell these stories of those marked as Nobody. Based on extensive research, as well as my time on the ground – in Ferguson, Baltimore, New York City, Atlanta, Hempstead, Flint, and Sanford – I want to show how the high-profile and controversial cases of State violence that we’ve witnessed over the past few years are but a symptom of a deeper American problem. Underneath each case is a more fundamental set of economic conditions, political arrangements, and power relations that transforms everyday citizens into casualties of an increasingly intense war on the vulnerable. It is my hope that this book offers an analysis that spotlights the humanity of these “Nobodies” and inspires principled action.

#### The world is too complex for local politics---multipolar global politics, economic instability, and climate change necessitates a collective response that changes the structural conditions of power rather than tinkering around at the margins.

Nick SRNICEK AND Alex WILLIAMS 15. \*\*Lecturer at City University London and a PhD from the London School of Economics. \*\*Lecturer at City University London. *Inventing the Future: Postcapitalism and a World Without Work*. Verso Books. 34-40.

OVERWHELMED

Why did folk politics arise in the first place? Why is it that folk political tendencies, for all their manifest flaws, are so seductive and appealing to the movements of today? At least three answers present themselves. The first explanation is to see folk politics as a response to the problem of how to interpret and act within an ever more complex world. The second, related explanation involves situating folk politics as a reaction to the historical experiences of the communist and social democratic left. Finally, folk politics is a more immediate response to the empty spectacle of contemporary party politics.

Increasingly, multipolar global politics, economic instability, and anthropogenic climate change outpace the narratives we use to structure and make sense of our lives. Each of these is an example of what is termed a complex system, which features nonlinear dynamics, where marginally different inputs can cause dramatically divergent outputs, intricate sets of causes feedback on one another in unexpected ways, and which characteristically operates on scales of space and time that go far beyond any individual’s unaided perception.23 Globalisation, international politics, and climate change: each of these systems shapes our world, but their effects are so extensive and complicated that it is difficult to place our own experience within them. The global economy is a good example of this. In simple terms, the economy is not an object amenable to direct perception; it is distributed across time and space (you will never meet ‘the economy’ in person); it incorporates a wide array of elements, from property laws to biological needs, natural resources to technological infrastructures, market stalls and supercomputers; and it involves an enormous and intricately interacting set of feedback loops, all of which produce emergent effects that are irreducible to its individual components.24 In other words, the interaction of an economy’s parts produces effects that cannot be understood just by knowing how those parts work in isolation – it is only in grasping the relations between them that the economy can be made sense of. While we might have an idea of what an economy consists of, we will never be able to experience it directly in the same way as other phenomena. It can only be observed symptomatically through key statistical indexes (charting changes in inflation or interest rates, stock indexes, GDP, and so on), but can never be seen, heard or touched in its totality.

As a result, despite everything that has been written about capitalism, we still struggle to understand its dynamics and its mechanisms. Most importantly, we lack a ‘cognitive map’ of our socioeconomic system: a mental picture of how individual and collective human action can be situated within the unimaginable vastness of the global economy.25 Recent decades have seen an increasing complexity in the dynamics that impinge upon politics. We might consider the imminent threat of anthropogenic climate change as a new kind of problem – one that is unamenable to any simple solution and that involves such intricately woven effects that it is hard to even know where to intervene. Equally, the global economy today appears significantly more complex in terms of the mobility of capital, the intricacies of global finance and the multiplicity of actors involved. How well do our traditional political images of the world map onto these changes? For the left at least, an analysis premised on the industrial working class was a powerful way to interpret the totality of social and economic relations in the nineteenth and early twentieth centuries, thereby articulating clear strategic objectives. Yet the history of the global left over the course of the twentieth century attests to the ways in which this analysis failed to attend to both the range of possible liberating struggles (based in gender, race or sexuality) and the ability of capitalism to restructure itself – through the creation of the welfare state, or the neoliberal transformations of the global economy. Today, the old models often falter in the face of new problems; we lose the capacity to understand our position in history and in the world at large.

This separation between everyday experience and the system we live within results in increased alienation: we feel adrift in a world we do not understand. The cultural theorist Fredric Jameson notes that the proliferation of conspiracy theories is partly a response to this situation.26 Conspiracy theories act by narrowing the agency behind our world to a single figure of power (the Bilderberg Group, the Freemasons or some other convenient scapegoat). Despite the extraordinary complexity of some of these theories, they nevertheless provide a reassuringly simple answer to ‘who is behind it all’, and what our own role is in the situation. In other words, they act precisely as a (faulty) cognitive map.

Folk politics presents itself as another possible response to the problems of overwhelming complexity. If we do not understand how the world operates, the folk-political injunction is to reduce complexity down to a human scale. Indeed, folk-political writing is saturated with calls for a return to authenticity, to immediacy, to a world that is ‘transparent’, ‘human-scaled’, ‘tangible’, ‘slow’, ‘harmonious’, ‘simple’, and ‘everyday’.27 Such thinking rejects the complexity of the contemporary world, and thereby rejects the possibility of a truly postcapitalist world. It attempts to give a human face to power; whereas what is truly terrifying is the generally asubjective nature of the system. The faces are interchangeable; the power remains the same. The turn towards localism, temporary moments of resistance, and the intuitive practices of direct action all effectively attempt to condense the problems of global capitalism into concrete figures and moments.

In this process, folk politics often reduces politics to an ethical and individual struggle. There is a tendency sometimes to imagine that we simply need ‘good’ capitalists, or a ‘responsible’ capitalism. At the same time, the imperative to ‘make it local’ leads folk politics to fetishise immediate results and the concrete appearance of action. Delaying a corporate attack on the environment, for instance, is lauded as a success – even if the company simply waits out public attention before returning once again. Moreover, as Rosa Luxemburg pointed out long ago, the fetishisation of ‘immediate results’ leads to an empty pragmatism that struggles to maintain the present balance of power, rather than seeking to change structural conditions.28 Without the necessary abstraction of strategic thought, tactics are ultimately fleeting gestures. Finally, the abjuring of complexity dovetails with the neoliberal case for markets. One of the primary arguments made against planning has been that the economy is simply too complex to be guided.29 The only alternative is therefore to leave the distribution of resources to the market and reject any attempt to guide it rationally.30 Considered in all these ways, folk politics appears as an attempt to make global capitalism small enough to be thinkable – and at the same time, to articulate how to act upon this restricted image of capitalism. By contrast, the argument of this book is that folk-political tendencies are mistaken. If complexity presently outstrips humanity’s capacities to think and control, there are two options: one is to reduce complexity down to a human scale; the other is to expand humanity’s capacities. We endorse the latter position. Any postcapitalist project will necessarily require the creation of new cognitive maps, political narratives, technological interfaces, economic models, and mechanisms of collective control to be able to marshal complex phenomena for the betterment of humanity.

#### Their individual strategy is the simulation of popular insurgency and reifies neoliberal social categorization.

Ingolfur Bluhdorn 7, PhD, Reader in Politics/Political Sociology, University of Bath, “Self-description, Self-deception, Simulation: A Systems-theoretical Perspective on Contemporary Discourses of Radical Change,” Social Movement Studies, Vol. 6, No. 1, 1–20, May 2007, google scholar

Yet the established patterns of self-construction, which thus have to be defended and further developed at any price, have fundamental problems attached to them: ﬁrstly, the attempt to constitute, on the basis of product choices and acts of consumption, a Self and identity that are distinct from and autonomous vis-a`-vis the market is a contradiction in terms. Secondly, late-modern society’s established patterns of consumption are known to be socially exclusive and environmentally destructive. Despite all hopes for ecological modernization and revolutionary improvements in resource efﬁciency (e.g. Weizsa¨cker et al., 1998; Hawkenet al., 1999; Lomborg, 2001), physical environmental limits imply that the lifestyles and established patterns of consumption cherished by advanced modern societies cannot even be extended to all residents of the richest countries, let alone to the populations of the developing world. For the sake of the (re)construction of an ever elusive Self, in their struggle against self-referentiality and in pursuit of the regeneration of difference, late-modern societies are thus locked into the imperative of maintaining and further developing the principle of exclusion (Blu¨hdorn, 2002, 2003). At any price they have to, and indeed do, defend a lifestyle that requires **ever increasing social inequality, environmental degradation, predatory resource wars, and the tight policing of potential internal and external enemies**.14 For this effort, military and surveillance technology provide ever more sophisticated and efﬁcient means. Nevertheless, the principle of exclusion is ultimately still unsustainable, not only because of spiralling ‘security’ expenses but also because it directly contradicts the modernist notion of the free and autonomous individual that late-modern society desperately aims to sustain. For this reason, late-modern society is confronted with the task of having to sustain both the late-modern principle of exclusion as well as its opposite, i.e. the modernist principle of inclusion. Very importantly, the conﬂict between the principles of exclusion and inclusion is not simply one between different individuals, political actors or sections of society. Instead, it is a politically irresolvable conﬂict that resides right within the late-modern individual, the late-modern economy and late-modern politics. And if, as Touraine notes, late-modern society no longer believes in nor even desires political transcendence, the particular challenge is that the two principles can also no longer be attributed to different dimensions of time, i.e. the former to the present, and the latter to some future society. Instead, late-modern society needs to represent and reproduce itself and its opposite at the same time. If considered within this framework of this analysis, the function of Luhmann’s system of protest communication, or in the terms of this article, the signiﬁcance of late-modern societies’ discourses of radical change becomes immediately evident. At a stage when the possibility and desirability of transcending the principle of exclusion has been pulled into radical doubt but when, at the same time, the principle of inclusion is vitally important, **these discourses simulate the validity of the latter as a social ideal**. In other words, latemodern society reconciles the tension between the cherished but exclusive status quo – for which there is no alternative – and the non-existent inclusive alternative – on whose existence it depends – **by means of simulation**. The analysis of Luhmann’s work has demonstrated how the societal self-descriptions produced by the system of protest communication, or late-modern society’s discourses of radical change, fulﬁl this function exactly. They are an indispensable function system not so much because they help to resolve late-modern society’s problems of mal-coordination, but **because by performing the possibility of the alternative they help to cope with the fundamental problem of self-referentiality**. In this sense, late-modern society’s discourses of sustainability, democratic renewal, social inclusion or global justice, to name but a few, suggest that advanced modern society is working towards an environmentally and socially inclusive alternative – genuinely modern – society, but they do not deny the fact that the big utopia and project of late-modern society is the reproduction and further enhancement of the status quo, i.e. the sustainability of the principle of exclusion. Protest movements as networks of physical actors and actions complement the purely communicative discourses of radical change in that they bring their narrative and societal selfdescription to life. Whilst the declarations of institutionalized mainstream politics cannot escape the generalized suspicion that they are purely rhetorical, social movements provide an **arena for** the physical expression and experience of the **authenticity and reality of the alternative** or at least of the reality of its possibility and the authenticity of the commitment to its realization. For late-modern individuals who seek to find their elusive identity in ever new acts of consumption, protest movements offer an opportunity to experience themselves as autonomous, as subjects, as actors, as distinct from and opposed to the all-embracing market. Social movements and the more or less institutionalized discourses of radical change thus transmute from germ cells of the alternative society into reserves of alterity, or theme-parks 14 I. Blu¨hdorn for simulated alterity (Blu¨hdorn, 2005a). This interpretation reflects Luhmann’s suggestion that contemporary discourses of radical change are not so much about the actual implementation of radical social change as about the ‘symbolism of the alternative’. And it now appears that the societal self-descriptions they generate fulfil a vital function not in so far as they increase the reflexivity of late-modern society but in so far as they are arenas for the experience of simulated subjectivity, duality and modernity. They provide an opportunity to reconcile the cherished but exclusive status quo with the equally cherished but unsustainable belief in the inclusive alternative. Protest movements and discourses of radical change are the implantation of the alternative into the system itself, or the simulated reproduction of alterity from the system’s own resources. As the real alternatives to the system are utterly unattractive, disappearing fast, and indeed resisted and annihilated at any price, this internal simulation of alterity is becoming late-modern society’s only remaining way of coping with the threat of self-referentiality.

#### The impact is mass death and global violence.

Adrian Parr 13. Associate Professor of Philosophy and Environmental Studies at the University of Cincinnati. *The Wrath of Capital: Neoliberalism and Climate Change Politics*. Columbia University Press. 145-7.

A quick snapshot of the twenty-first century so far: an economic meltdown; a frantic sell-off of public land to the energy business as President George W Bush exited the White House; a prolonged, costly, and unjustified war in Iraq; the Greek economy in ruins; an escalation of global food prices; bee colonies in global extinction; 925 million hungry reported in 2010; as of 2005, the world's five hundred richest individuals with a combined income greater than that of the poorest 416 million people, the richest 10 percent accounting for 54 percent of global income; a planet on the verge of boiling point; melting ice caps; increases in extreme weather conditions; and the list goes on and on and on.2 Sounds like a ticking time bomb, doesn't it? Well it is.

It is shameful to think that massive die-outs of future generations will put to pale comparison the 6 million murdered during the Holocaust; the millions killed in two world wars; the genocides in the former Yugoslavia, Rwanda, and Darfur; the 1 million left homeless and the 316,000 killed by the 2010 earthquake in Haiti. The time has come to wake up to the warning signs.3

The real issue climate change poses is that we do not enjoy the luxury of incremental change anymore. We are in the last decade where we can do something about the situation. Paul Gilding, the former head of Greenpeace International and a core faculty member of Cambridge University's Programme for Sustainability, explains that "two degrees of warming is an inadequate goal and a plan for failure;' adding that "returning to below one degree of warming . . . is the solution to the problem:'4 Once we move higher than 2°C of warming, which is what is projected to occur by 2050, positive feedback mechanisms will begin to kick in, and then we will be at the point of no return. We therefore need to start thinking very differently right now.

We do not see the crisis for what it is; we only see it as an isolated symptom that we need to make a few minor changes to deal with. This was the message that Venezuela's president Hugo Chavez delivered at the COP15 United Nations Climate Summit in Copenhagen on December 16 09, when he declared: "Let's talk about the cause. We should not avoid responsibilities, we should not avoid the depth of this problem. And I'll bring it up again, the cause of this disastrous panorama is the metabolic, destructive system of the capital and its model: capitalism.”5

#### The alt is pragmatic demands upon the state towards an anti-capitalist project. This is necessary to open space for more radical projects. Their strategy cedes the political.

David Harvey 15. Distinguished Professor of anthropology and geography at the Graduate Center of the City University of New York. “Consolidating Power.” Roar Issue 0, 16. https://roarmag.org/magazine/david-harvey-consolidating-power/.

So, looking at examples from southern Europe – solidarity networks in Greece, self-organization in Spain or Turkey – these seem to be very crucial for building social movements around everyday life and basic needs these days. Do you see this as a promising approach?

I think it is very promising, but there is a clear self-limitation in it, which is a problem for me. The self-limitation is the reluctance to take power at some point. Bookchin, in his last book, says that the problem with the anarchists is their denial of the significance of power and their inability to take it. Bookchin doesn’t go this far, but I think it is the refusal to see the state as a possible partner to radical transformation.

There is a tendency to regard the state as being the enemy, the 100 percent enemy. And there are plenty of examples of repressive states out of public control where this is the case. No question: the capitalist state has to be fought, but without dominating state power and without taking it on you quickly get into the story of what happened for example in 1936 and 1937 in Barcelona and then all over Spain. By refusing to take the state at a moment where they had the power to do it, the revolutionaries in Spain allowed the state to fall back into the hands of the bourgeoisie and the Stalinist wing of the Communist movement – and the state got reorganized and smashed the resistance.

That might be true for the Spanish state in the 1930s, but if we look at the contemporary neoliberal state and the retreat of the welfare state, what is left of the state to be conquered, to be seized?

To begin with, the left is not very good at answering the question of how we build massive infrastructures. How will the left build the Brooklyn bridge, for example? Any society relies on big infrastructures, infrastructures for a whole city – like the water supply, electricity and so on. I think that there is a big reluctance among the left to recognize that therefore we need some different forms of organization.

There are wings of the state apparatus, even of the neoliberal state apparatus, which are therefore terribly important – the center of disease control, for example. How do we respond to global epidemics such as Ebola and the like? You can’t do it in the anarchist way of DIY [do it yourself]-organization. There are many instances where you need some state-like forms of infrastructure. We can’t confront the problem of global warming through decentralized forms of confrontations and activities alone.

One example that is often mentioned, despite its many problems, is the Montreal Protocol to phase out the use of chlorofluorocarbon in refrigerators to limit the depletion of the ozone layer. It was successfully enforced in the 1990s but it needed some kind of organization that is very different to the one coming out of assembly-based politics.

From an anarchist perspective, I would say that it is possible to replace even supra-national institutions like the WHO with confederal organizations which are built from the bottom up and which eventually arrive at worldwide decision-making.

Maybe to a certain degree, but we have to be aware that there will always be some kind of hierarchies and we will always face problems like accountability or the right of recourse. There will be complicated relationships between, for example, people dealing with the problem of global warming from the standpoint of the world as a whole and from the standpoint of a group that is on the ground, let’s say in Hanover or somewhere, and that wonders: ‘why should we listen to what they are saying?’

So you believe this would require some form of authority?

No, there will be authority structures anyway – there will always be. I have never been in an anarchist meeting where there was no secret authority structure. There is always this fantasy of everything being horizontal, but I sit there and watch and think: ‘oh god, there is a whole hierarchical structure in here – but it’s covert.’

Coming back to the recent protests around the Mediterranean: many movements have focused on local struggles. What is the next step to take towards social transformation?

At some point we have to create organizations which are able to assemble and enforce social change on a broader scale. For example, will Podemos in Spain be able to do that? In a chaotic situation like the economic crisis of the last years, it is important for the left to act. If the left doesn’t make it, then the right-wing is the next option. I think – and I hate to say this – but I think the left has to be more pragmatic in relation to the dynamics going on right now.

More pragmatic in what sense?

Well, why did I support SYRIZA even though it is not a revolutionary party? Because it opened a space in which something different could happen and therefore it was a progressive move for me.

It is a bit like Marx saying: the first step to freedom is the limitation of the length of the working day. Very narrow demands open up space for much more revolutionary outcomes, and even when there isn’t any possibility for any revolutionary outcomes, we have to look for compromise solutions which nevertheless roll back the neoliberal austerity nonsense and open the space where new forms of organizing can take place.

For example, it would be interesting if Podemos looked towards organizing forms of democratic confederalism – because in some ways Podemos originated with lots of assembly-type meetings taking place all over Spain, so they are very experienced with the assembly structure.

The question is how they connect the assembly-form to some permanent forms of organization concerning their upcoming position as a strong party in Parliament. This also goes back to the question of consolidating power: you have to find ways to do so, because without it the bourgeoisie and corporate capitalism are going to find ways to reassert it and take the power back.

What do you think about the dilemma of solidarity networks filling the void after the retreat of the welfare state and indirectly becoming a partner of neoliberalism in this way?

There are two ways of organizing. One is a vast growth of the NGO sector, but a lot of that is externally funded, not grassroots, and doesn’t tackle the question of the big donors who set the agenda – which won’t be a radical agenda. Here we touch upon the privatization of the welfare state.

This seems to me to be very different politically from grassroots organizations where people are on their own, saying: ‘OK, the state doesn’t take care of anything, so we are going to have to take care of it by ourselves.’ That seems to me to be leading to forms of grassroots organization with a very different political status.

But how to avoid filling that gap by helping, for example, unemployed people not to get squeezed out by neoliberal state?

Well there has to be an anti-capitalist agenda, so that when the group works with people everybody knows that it is not only about helping them to cope but that there is an organized intent to politically change the system in its entirety. This means having a very clear political project, which is problematic with decentralized, non-homogenous types of movements where somebody works one way, others work differently and there is no collective or common project.

This connects to the very first question you raised: there is no coordination of what the political objectives are. And the danger is that you just help people cope and there will be no politics coming out of it. For example, Occupy Sandy helped people get back to their houses and they did terrific work, but in the end they did what the Red Cross and federal emergency services should have done.

The end of history seems to have passed already. Looking at the actual conditions and concrete examples of anti-capitalist struggle, do you think “winning” is still an option?

Definitely, and moreover, you have occupied factories in Greece, solidarity economies across production chains being forged, radical democratic institutions in Spain and many beautiful things happening in many other places. There is a healthy growth of recognition that we need to be much broader concerning politics among all these initiatives.

The Marxist left tends to be a little bit dismissive of some of this stuff and I think they are wrong. But at the same time I don’t think that any of this is big enough on its own to actually deal with the fundamental structures of power that need to be challenged. Here we talk about nothing less than a state. So the left will have to rethink its theoretical and tactical apparatus.

#### Status quo movements must engage one another – viewing problems as separate denies the necessity of solidarity. Claims that the aff’s struggle is most important ignore political realities that require coalitions.

Keeanga-Yamahtta TAYLOR 17, assistant professor in Princeton University's Center for African American Studies [“No Time for Despair,” *Jacobin*, January 28 17, https://www.jacobinmag.com/2017/01/trump-black-lives-racism-sexism-anti-inauguration/]

There is deep anger and disgust with the political status quo in the United States. The Occupy movement, Black Lives Matter, the heroic pipeline struggles in North Dakota, and the thirteen million people who voted for Bernie Sanders have unearthed that to the world.

When systemic problems become too large to ignore, when socialists start gaining millions of votes, for example, or when black people riot and rebel in the streets, the news media is forced to provide some explanation. And in doing so, they typically give us fractured glimpses of reality. But rarely do they piece together the entire picture. Consider four separate news stories from last year.

The first is the continuing crisis of the opioid addiction crisis in this country. There are two million people addicted to opioids in the United States, a disproportionate number of whom are white. From 2009 to 2014, almost half a million people have died from opioid overdoses, a fourfold increase since 1999.

A second story, briefly in the news, reported on the decline in life expectancy for white women. It is unprecedented for life expectancy to reverse in a so-called first-world country. In the United States peer countries, life expectancy is actually growing. Why is life expectancy for working-class white women in decline? Drug overdose, suicide, and alcohol abuse.

In Chicago, the story has been the rise in shootings and murders in the city’s working-class black neighborhoods. In 2016, there were 4,379 people shot in Chicago, and 797 people killed. The overwhelmingly majority of both were African-American.

The news media’s nonsensical explanations for the violence include retaliation. But that is only matched by the nonsense offered by elected officials, which includes the absence of role models and poor parenting. What is almost never offered as at least part of the answer is how Chicago has the highest black unemployment rate of the nation’s five largest cities at 25 percent, that nearly half of black men aged 20 to 24 are neither in school nor employed, that Chicago has the third-highest poverty rate of large cities in the US, and that it is the most segregated city in the country.

Finally, there is the story of the shrinking of the so-called middle class. In the 1970s, 61 percent of Americans fell into that vague but stable category. Today, that number has fallen to 50 percent. It is driven by the growing wealth inequality that exists in this country.

In the last year alone, the one percent saw their income rise by seven percent, and the .1 percent saw their income rise by 9 percent. In general, the richest 20 percent of US households own 84 percent of the wealth in this country, while the bottom 40 percent own less than one percent.

The media would have us believe that this is a story primarily about the Rust Belt and disgruntled white workers. In fact, it is also a story about 240,000 black homeowners, who lost their houses to foreclosures in the last eight years. It is also a story about urban school closures and the decimation of employment for black educators. Thousands of black teachers have been fired in the last decade.

These four prominent stories reported on over the last several years are often told separately, reinforcing the perception that different groups of ordinary people in this country live in their own world and have experiences that are wholly separate from each other. But what would happen if we put these stories together, and told them as a single narrative about life in this country?

If we told them together, it could allow us to see that the anxieties, stresses, confusions, and frustrations about life world today are not owned by one group, but are shared by many. It would not tell us that everyone suffers the same oppression, but it would allow us to see that even if we don’t experience a particular kind of oppression, every working person in this country is going through something. Everyone is trying to figure out how to survive, and many are failing.

If we put these stories together, we would gain more insight into how ordinary white people have as much stake in the fight for a different kind of society as anyone else.

We wouldn’t so casually dismiss their suffering as privilege, because they do not suffer as much as black and brown people in this country. In fact, we might find that the privileges of white skin run very thin in a country where nineteen million white people languish in poverty.

Apparently, the wages of whiteness are not so great that they can stop millions of ordinary white people from literally drinking and drugging themselves to death, to escape the despair of living in this “greatest country on earth.”

If we put these separate stories into a single story, we could make better sense of why socialism is rising in popularity, why people have taken to the streets over the last six years to protest the growing and racial and economic inequality. There are 400 billionaires in this country. They are the reason why there are forty-seven million poor people. You cannot have untold, obscene wealth unless you have untold, obscene poverty. That is the law of the free market.

And how does this parasitic one percent of the population hold onto their wealth when we are so many? Racism, immigrant bashing, homophobia, transphobia, sexism, nationalism – they get us to fight each other while they hoard their wealth, and they keep our stories separate from each other, so that we never understand the entire story, only our particular part of it.

But knowledge alone of the existence of racism, inequality, poverty, and injustice does not equip with our side with the political tools needed to fight the battles of today or fight for a socialist future. We need struggle, but we also need politics, because we must contend with a political establishment that wants to lower our expectations, to believe that this existing society is the best that we can expect from humanity.

Hillary Clinton ran a campaign of low expectations, a campaign that cynically pivoted around the notion that ordinary people shouldn’t ask for too much. For all the excitement that Bernie Sanders’ campaign generated for rightly demanding more, his commitment to remaining in the Democratic Party then threatens to neuter his political revolution. Expecting the Democratic Party to fight for the democratic redistribution of wealth and resources in this country is like expecting to squeeze orange juice out of an apple. It is impossible.

We must build independent organizations and political parties that are not connected to the Democratic Party, or that rise and fall with each electoral cycle. We have to build organizations that are democratic, multiracial, and militant, with a foundation in solidarity.

“Solidarity” meaning that even if you don’t experience a particular oppression, it doesn’t matter, because you understand that as ordinary people, our fates are tied together, and that one group’s liberation is dependent upon the liberation of all the oppressed and exploited.

Another world is possible. Another United States is possible, but only if we organize and fight for it. In closing, I want to quote from a note that was taped to the front door of my son Ellison’s daycare center on Inauguration Day. It said simply: “Do not despair. Eyes wide open. Strength in numbers. Keep the faith. And stay strong.”

## Case

### Presumption---1AC

#### Vote neg on presumption---

#### 1. The PRL and anti-blackness in the debate community are objectively bad, but they’re not a reason you should vote against us. They don’t solve it, we don’t cause it, and individual judges shouldn’t assess where to deflect blame. All teams will see is a win or a loss on tabroom which doesn’t mobilize change.

#### 2. Their method of debate links to a competition turn that magnifies our offense. The nature of debate requires the neg to disagree which creates a moral hazard where we’re forced to negate the value of the 1AC or weaponize strategies against the students---intensifies psychic burnout.

#### 3. Ballots as validating are bad.

Karlberg 3 (Michael, Assistant Professor of Communication at Western Washington University, PEACE & CHANGE, v28, n3, July, p. 339-41)

Granted, social activists do "win" occasional “battles” in these adversarial arenas, but the root causes of their concerns largely remain unaddressed and the larger "wars" arguably are not going well. Consider the case of environmental activism. Countless environmental protests, lobbies, and lawsuits mounted in recent generations throughout the Western world. Many small victories have been won. Yet environmental degradation continues to accelerate at a rate that far outpaces the highly circumscribed advances made in these limited battles the most committed environmentalists acknowledge things are not going well. In addition, adversarial strategies of social change embody assumptions that have internal consequences for social movements, such as internal factionalization. For instance, virtually all of the social projects of the "left” throughout the 20th century have suffered from recurrent internal factionalization. The opening decades of the century were marked by political infighting among vanguard communist revolutionaries. The middle decades of the century were marked by theoretical disputes among leftist intellectuals. The century's closing decades have been marked by the fracturing of the a new left\*\* under the centrifugal pressures of identity politics. Underlying this pattern of infighting and factionalization is the tendency to interpret differences—of class, race, gender, perspective, or strategy—as sources of antagonism and conflict. In this regard, the political "left" and "right" both define themselves in terms at a common adversary—the "other"—defined by political differences. Not surprisingly, advocates of both the left and right frequently invoke the need for internal unity in order to prevail over their adversaries on the other side of the alleged political spectrum. However, because the terms left and right axe both artificial and reified categories that do not reflect the complexity of actual social relations, values, or beliefs, there is no way to achieve lasting unity within either camp because there are no actual boundaries between them. In reality, social relations, values, and beliefs are infinitely complex and variable. Yet once an adversarial posture is adopted by assuming that differences are sources at conflict, initial distinctions between the left and the right inevitably are followed by subsequent distinctions within the left and the right. Once this centrifugal process is set in motion, it is difficult, if not impossible, to restrain. For all of these reasons, adversarial strategies have reached a point of diminishing returns even if such strategies were necessary and viable in the past when human populations were less socially and ecologically interdependent those conditions no longer exist. Our reproductive and technological success as a species has led to conditions of unprecedented interdependence, and no group on the planet is isolated any longer. Under these new conditions, new strategies not only are possible but are essential. Humanity has become a single interdependent social body. In order to meet the complex social and environmental challenges now facng us, we must learn to coordinate our collective actions. Yet a body cannot coordinate its actions as long as its "left" and is "right," or its "north" and its "south," or its "east" and its "west" are locked in adversarial relationships.

### Economization Turn---1AC

#### Their description of the timeline of the project of anti-trust, anti-competition and whiteness turns the case. It reinforces corporatization of education and normalizes inequitable power structures.

Kip Austin Hinton 15, Assistant Professor, The University of Texas Rio Grande Valley, “Should We Use a Capital Framework to Understand Culture? Applying Cultural Capital to Communities of Color,” Equity & Excellence in Education, 48(2), 299-319, 2015.

Influence of an Economic Metaphor on Communities of Color

It makes sense for a neoliberal economist to embrace the prism of social or cultural capital, because economic research frequently interprets the world as a primarily economic sphere. But what about when a social justice educator embraces social or cultural capital? Many social justice advocates do not define the world in economic terms, and do not see market forces as the primary solution to oppressive systems. Capitalism promotes hegemony, not social justice. The agenda of capital has always run counter to the goals of community empowerment: “Within this transformed system, capital demanded that the household function as a factory” (Perelman, 2000, p. 74). According to Weber, the mere existence of family relationships presents an obstacle to capitalism (Collins, 1986, p. 269). Decades ago, Apple (1971) warned that schools were slipping into a marketplace orientation, prioritizing “maintenance of the same dominant world-view” (p. 27). Public institutions have indeed become more market-driven, focused on capital in a way that disempowers communities of color, making it harder to enact democratic reforms (Apple, 2006; Clawson & Leiblum, 2008). Metaphorical capital does not contribute to this directly, but rather indirectly—through metaphor.

Across metaphorical capitals, each framework is fundamentally economic. Research on funds of knowledge and community cultural wealth mimic economic vocabulary without a conception of investment or of supply and demand. Looking to the source, Bourdieu’s (1977) prominent theories are influenced by the economic work of Marx (2011). This makes it particularly notable that Bourdieu himself ignores most aspects of economic capital when he applies it to cultural interaction. Bourdieu does not theorize systems of exchange, return on investment, loans, entrepreneurship, or the actions of cultural capitalists. In fact, Bourdieu’s original concept is somewhat analogous to money, not to capital. Successive theorists have been reluctant to move beyond Bourdieu’s initial, imprecise articulations (Dika & Singh, 2002; Lin, 1999). So, although it may be unusual to come across a theory of race that ignores racism, it is common for a theory of capital to ignore capitalism.

Metaphors have influence. In a metaphor, one domain of human thought is superimposed on a different domain, creating important influence on the receiving domain (Barcelona, 2003). Lakoff (2004) and others have explained how a repeated metaphor reifies in our consciousness, even altering neural processes (Kovecses, 2010). The way any issue is framed, writes Mehta (2013), ¨ “changes the nature of the debate” (p. 292). A problem’s definition is a political consideration, deeply influencing which questions we ask, and which solutions we consider (Lakoff & Pinker, 2007; Sandikcioglu, 2003). This is illustrated by prominent metaphors in the languages of industrialized nations. We use money metaphors to think about time (spend time, living on borrowed time); we use war metaphors to think about arguments (defend a position, surrender a point). As Lakoff and Johnson (2003) explain, we do not explain arguments using a dance metaphor (p. 5), but if we did, it would influence the way we see our opponents/partners.

In the case of culture, are there limits to what education researchers are willing to characterize as capital? Derrida and Moore (1974) warn us of “deploying” metaphors “without limit”: “Consequently the reassuring dichotomy between the metaphorical and the proper is exploded” (p. 74). S. Smith and Kulynych (2002) claim social capital confuses analytical categories because capital is inextricably tied to economic discourse; this critique applies to all forms of metaphorical capital. In public consciousness, capital will not be divorced from capitalism. Deployments of metaphorical capital, therefore, impose the economic worldview of capitalism. These theories position capital and wealth as the normal ways of defining a relationship. Even if such theories were revised to reflect money instead (e.g., “cultural currency”), they would still precariously assume that human interaction can and should be explained in economic terms.

Metaphorical capital advances an economic framework that interprets educational or cultural situations as capitalist, neoliberal, and market-based. We have adopted a specific paradigm, and now that paradigm dictates policy options (P. Hall, 1993). Neoliberal solutions, including standardized testing and charter schools, already dominate education reform (Jones & Vagle, 2013). Political and social critiques are central to critical race theory—yet are marginalized by neoliberal discourse. It is significant that Friedman (1997), one of the most influential proponents of capital and capitalism, advocated privatization of all public schools through vouchers. Rather than functioning as independent fields, education and economics are deeply connected, often in destructive ways. In the past decades, education research has seen an increase in both capitalrelated social theory and the influence of economics. Privatization and corporatization have increased throughout education systems (Saltman, 2012). Aside from the direct harm caused by market-based reform (Burch, 2009; Saltman, 2000), corporatization has reinforced the economic worldview that was embodied by metaphorical capital. Education reports are filled with finance-related vocabulary: funds, investment, value-added, stakeholder, productivity, buy-in. Economic perspectives infringe on discussions about students, even when topics are ostensibly unrelated to money. “This is the extent of capitalism’s hegemony, that it has colonized our capacity to imagine alternatives” (Hickel & Khan, 2012, p. 221). Language influences thought, and educators begin to accept the market mindset. We normalize an inequitable power structure. The capitalist viewpoint becomes the normal way to see everything, and its opportunistic oppression, likewise, becomes normal. It is not surprising, then, that the assets of communities of color go unrecognized—and as I write this, I struggle to explain the limitations of a capitalist frame without reproducing that frame, with my problematic word choice, “assets.”

Freire (1970) has been influential among scholars who rely on metaphorical capital to write about students of color. It is significant that Freire employs economic metaphors to represent the problem (Oughton, 2010): “Banking education” is his name for the method that dehumanizes students (Freire, 1970, p. 73). Freire recognizes economic power as a destructive force at play in the lives of the poor. He consistently opposes multiple elements of the neoliberal agenda, especially the prioritization of capital (Carnoy, 1998; Freire, 1998). Throughout his work, Freire offers ways to counter the commodification of students and promote true democracy (Marginson, 2006). A Freirean analysis of metaphorical capitals, then, notices the neglect of power relations and the depiction of human relationships as economic exchanges.

Hegemonic cultural values, says Gramsci (2011), are those that are accepted as inevitable. The status quo of the economic system cannot be separated from the status quo of the education system. Gramsci embraces education, believing the development of working class intellectuals will reshape the status quo. Gramsci recognizes resistance and promotes agency, in ways that are echoed by community cultural wealth. Though Gramsci opposes economism, he never claims culture, education, and economics are independent (Jessop & Sum, 2006). These are multiple facets of a single, comprehensive system of power. That is to say, there is no such thing as a non-economic policy goal. Do we choose capital as a metaphor because it is the best metaphor, or because it is the one we are familiar with? A Gramscian analysis by Torres (2013) examines the way a neoliberal framework asserts itself as common sense within educational reforms. In a capitalist system, power is allocated to the financially powerful, structuring our self-definitions. As participants in a capitalist system, capital is our common sense, our default, so it is not a surprise that we append the word even when it is unnecessary. These are “tacit, discursive endorsements of neoliberal ideology” (Ayers, 2005, p. 535). From a social justice perspective, metaphors are not arbitrary tools to assign without consequence. They make claims about truth, using rhetoric that “cannot be neutral” (Derrida & Moore, 1974, p. 41). Discourse matters, whether within controversies over Native American mascots (King & Springwood, 2001) or a politician’s description of a war as a “crusade” (Kellner, 2007). Power relations connect seemingly innocuous discursive practices to broader practices of political rhetoric, discrimination, and global financial institutions (McKenna, 2004). In an analysis of community college mission statements, Ayers (2005) concludes that “neoliberal discourse” directs attention to market concerns, so “curriculum is likely to become heavily laden with a market ideology that reinforces and reproduces power asymmetries” (p. 546). By repeating neoliberal vocabulary, frameworks of metaphorical capital have potentially weakened democracy by re-inscribing a framework of capitalism. Even when a particular study’s content works against oppression, language choices may not.

Although market-based education reforms have become more powerful, those who promulgate theories of metaphorical capital have become less likely to have academic understanding of capital itself (Dika & Singh, 2002). Cultural neglect of students of color cannot be logically separated from the economic exclusion they face, as irrelevant curriculum leads to higher pushout rates (M. Fine, 1991; Solorzano & Yosso, 2001). Yes, the cultures of black, Latina/o, Native ´ American, and Asian American students deserve equal footing inside classrooms, and this is true even—or especially—when those cultural practices are not easily framed as a form of capital. I am inspired by Yosso (2005) in her referral to Anzaldua’s (1990) call for a more empowering ´ theory. Yet I think of Lorde’s (1984) warning, “the master’s tools will never dismantle the master’s house,” because those tools keep a part of us stuck within “the master’s relationships” (p. 123). Wealth and capital are the capitalist’s tools, the capitalist’s relationships. These are not ethical relationships (Schweickart, 2002). The dominance of financial vocabulary empowers non-human (and inhumane) relationships, through capitalism. These are the relationships between supply and demand; between capital and commodity; between powerful and powerless; between legislation and corporation. As argued by Giroux and Giroux (2006), global capital is responsible for making the wealth and achievement gaps worse for black and Latina/o communities.

I specifically claim that this supposed metaphorical capital is not capital at all. As social justice researchers, we are not neutral; we seek ways to fight oppressive conditions. Yet by basing our metaphors on capital, our theoretical frameworks promote a worldview that is inconsistent with our own goals. Letting go of the metaphor of capital, we may find more relevant and more ethical ways to theorize culture.

### AT: McKenzie---1NC

#### Examples of monopolization were made ineffective by collective action and legal problems. Class, not race, determined their efficacy in exclusion.

Richard R.W. Brooks 15, Charles Keller Beekman Professor of Law at Columbia Law School and Adjunct Professor of Law at Yale Law School, “The Banality of Racial Inequality,” Yale Law Journal, 124:2626, 2015.

III. RACIAL COVENANTS AND WHITE PRIMARIES: THE CENTRAL ACCOUNTS

Roithmayr argues that throughout the twentieth century, a number of "private business organizations functioned together in ways that resembled racial cartel activity."' 4 Among these private actors, Roithmayr describes the tactics of railway workers, who organized to exclude blacks;s "agricultural growers" who "collaborated to segregate Mexican laborers"; crafts unions, citizens' councils, and even parent-teacher associations, all engaging in "collective action to exclude nonwhite groups from key education, labor, and political markets. ' 6 These cases are briefly mentioned, more as general sketches, rather than as concrete examples of racial cartels. For a more sustained discussion, Roithmayr looks at voting in Texass ' and housing in Chicago. ss

Finding racially discriminatory market manipulation in housing is, sadly, not a difficult task, even today.s9 Locating discrimination in historical records is even more easily accomplished, thanks to a great corpus of research developed by scholars of race and housing over the past century. 6° Local and national real estate boards surely operated as cartels 6 '-setting policies, coordinating members, and disciplining defectors -and Roithmayr effectively describes their market-rigging practices.62

Roithmayr takes homeowners' associations to be "the poster children for racial cartels. ' , 63 Chicago's homeowners' associations were "a model in efficient racial exclusion" she writes, "[t] ightly coordinated, well run, and legally armed with the restrictive covenant. ' ' 6 '

**[Begin Footnote 64]**

64. Id. White homeowners' associations, Roithmayr argues, "looked a lot like a paramilitary cartel": they divvied up "turf on precisely defined geographic lines," and they used "tactics like harassment and coercion to keep" blacks out of their neighborhoods, "often terrorizing them physically." Id. at 35. As she describes them, these homeowners' associations behaved more like gangs, or perhaps vicious drug cartels, than nonviolent economic cartels. In fact, some homeowners' associations were more like gangs or terrorists than run-of-the-mill economic cartels. The distinction turned often, but not exclusively, on matters of class. Unfortunately, Roithmayr suppresses issues of class in this part of her analysis, although these issues do resurface later in the book when she returns to housing and neighborhood effects.

**[End Footnote 64]**

There are, however, reasons to question whether these organizations were as efficient and effective as Roithmayr suggests. First, while some Chicago neighborhood associations were better organized than others, collective action problems plagued them all. The more successful ones had to rely on the energy of a few motivated or entrepreneurial individuals, along with significant institutional support, such as the sort given by the University of Chicago to the Woodlawn Property Owners' Association,6, which Roithmayr discusses at length. Second, neighborhood association-driven racially restrictive covenants in Chicago and other cities were often sloppy affairs replete with legal defects.66 The historian Arnold Hirsch argued that it was for this reason that covenants had little impact in maintaining traditional racial barriers in Chicago.6

Hirsch no doubt understated the impact of covenants with this logic, since much of their effect was social, rather than legal, and didn't depend on court enforcement. Still, the covenants imposed by neighborhood associations were often less effective than the members sought.

Efficiency and efficacy in the use of covenants were better realized by developers than neighborhood associations. Roithmayr overlooks this aspect of the covenant account, failing to address the role of racially restrictive deeds installed by developers in planned communities as distinct from the neighbor- S•68 hood-initiated restrictive agreements organized by existing communities. Developer deed restrictions, which existed in both middle class tracts, like the Levittowns developed by William Levitt, and more upscale developments, such as those developed by the W.C. and A.N. Miller Company in the Washington, D.C. area, were able to cost-effectively subject whole communities to racial restrictions in one fell swoop, and these racially • restrictive devices 6 , tended to avoid the legal defects common to neighborhood agreements.

Class was also a significant factor in neighborhood agreements. Given the costs of establishing neighbor-driven racially restrictive covenants, working class neighborhoods, like Chicago's Back-of-the-Yards district, generally did not bother with them.7 ' Racial covenants operated in wealthier neighborhoods,' where white homeowners could afford the expense of covenant drives and the costs of their enforcement 2 By the same token, minority purchasers drawn to covenanted neighborhoods were generally themselves middle and upper-class buyers-buyers with enough cash or access to loans to purchase homes in covenanted neighborhoods notwithstanding the barriers erected by the Fair Housing Administration's (FHA) discriminatory policies.73

#### Legal avenues are key to build up social movements that challenge power.

Kate Andrias and Benjamin I. Sachs 21, Kate Andrias is Professor of Law, University of Michigan Law School. Benjamin I. Sachs is Kestnbaum Professor of Labor and Industry, Harvard Law School, “Constructing Countervailing Power: Law and Organizing in an Era of Political Inequality,” 130 Yale L.J. 546, January 2021, lexis.

[\*548] INTRODUCTION

Among the painful truths made evident by COVID-19 are the deep inequality of American society and the profound inadequacy of our social-welfare infrastructure. The nation's lack of comprehensive health care, 1Link to the text of the noteits underfunded and inefficient system of unemployment insurance, 2Link to the text of the noteand weak workplace safety and health guarantees, 3Link to the text of the notealong with nearly nonexistent paid sick leave, 4Link to the text of the notedebtor-forgiveness rules, 5Link to the text of the noteand tenant protections 6Link to the text of the noteleave poor and working-class communities--particularly communities of color--dangerously exposed to the ravages of this pandemic, both physical and economic. 7Link to the text of the noteAmerica's weak social safety net is, in turn, a product of a profound failure that has plagued American democracy for decades now: the wealthy exercising vastly disproportionate power over politics and government. 8Link to the text of the note

[\*549] Indeed, public faith in American democracy is at near-record lows, and increasing numbers of Americans report that they no longer feel confident in the health of their democratic institutions. When asked why, many say that money has too much of an influence on politics and that politicians are unresponsive to the concerns of regular Americans. 9Link to the text of the noteResearch supports these fears, showing both that wealthy individuals are spending record sums on electoral politics 10Link to the text of the noteand that elected officials are at best only weakly accountable to nonwealthy constituents. 11Link to the text of the note [\*550] As political scientist Martin Gilens has observed, "[W]hen preferences between the well-off and the poor diverge, government policy bears absolutely no relationship to the degree of support or opposition among the poor." 12Link to the text of the note

Of course, democracy does not require that policymaking always follow majority will or the median voter's preferences. But democracy, as well as the faith citizens have in their government, falters when lawmakers persistently disregard the priorities of nonwealthy citizens.

Much of the legal scholarship (and public commentary) concerned with this democracy deficit focuses on the increased flow of money into electoral politics and advocates for stemming that flow. 13Link to the text of the noteScholars writing in this vein criticize the Supreme Court's jurisprudence, exemplified by Citizens United v. FEC, that has enabled unfettered campaign spending. 14Link to the text of the noteThey offer a range of reforms designed to limit the flow of money into elections, many of which would require a change in the composition of the Supreme Court or the ratification of a constitutional amendment. 15Link to the text of the noteA related group of scholars advocates for shielding the legislative and administrative process from money's influence through, for example, lobbying restrictions and disclosure requirements. 16Link to the text of the note

[\*551] A second robust body of scholarship focuses not on insulating the political process from money but on trying to ensure equal rights of individuals to participate in the governance process through elections. These scholars criticize barriers to equal voting rights, including contemporary uses of gerrymandering and legislation that impose hurdles on individual voters' ability to exercise the franchise or minimize the effective voting power of particular constituents. 17Link to the text of the noteScholars urge both doctrinal and legislative reform that would ensure more equal rights of participation.

In the last few years, a third approach has begun to emerge in the legal scholarship. This approach begins by recognizing the difficulty--both practical and constitutional--of keeping money out of politics. It also recognizes that while equal voting and participation rights are critical to the goal of combatting political inequality, they are not enough to ensure political equality in a system where wealth functions so prominently as an independent source of political influence. Thus, this third approach moves beyond campaign finance and individual participation rights and focuses instead on what we will call countervailing power. In particular, this approach is concerned with the ability of mass-membership organizations to equalize the political voice of citizens who lack the political influence that comes from wealth. 18Link to the text of the note

The beneficial effects of countervailing, mass-membership organizations are well known to theorists and researchers of democracy. 19Link to the text of the notePut simply, such groups increase political equality by building and consolidating political power for the [\*552] nonwealthy, thus serving as counterweights to the political influence of the rich. Mass-membership organizations can serve in this capacity because, at bottom, they aggregate the political resources and political power of people who, acting as individuals, are disempowered relative to wealthy individuals and institutions. 20Link to the text of the noteMore particularly, mass-membership organizations enable pooling of politically relevant resources, including money, among individuals with fewsuch resources; they provide information to decisionmakers about ordinary citizens' views; they navigate opaque and fragmented government structures, thereby enabling citizens to monitor government behavior; and they allow citizens to hold decisionmakers accountable. And, in fact, when citizens are organized into mass-membership associations that are active in the political sphere, researchers find an exception to the general rule that policymakers are disproportionally responsive to the preferences and concerns of the wealthy. 21Link to the text of the note

Over recent decades, however, there has been a decline in broad-based, massmembership organizations of low- and middle-income Americans. 22Link to the text of the noteThis decline in countervailing organizations has exacerbated the political distortions caused by the increase in political spending by the wealthy. But the capacity for countervailing organizations to address the distorting effects of wealth raises a critical question for legal scholars: How can law facilitate the construction of countervailing organizations among the nonwealthy? Put differently, how can law facilitate political organizing among Americans whose voices are drowned out by the distorting effects of wealth? That is the question we address in this Article.

Recently, legal scholars have begun to address related topics. For example, K. Sabeel Rahman and Miriam Seifter have written about ways that participation in administrative processes can improve the organizational strength of citizen groups. Thus, Rahman argues for designing administrative processes in ways that enhance the countervailing power of ordinary citizens, 23Link to the text of the notewhile Seifter urges administrative-law scholars to pay attention to the characteristics of interest groups participating in the administrative process and to consider "looking [\*553] within interest groups," referencing the manner by which interest groups determine the views of their constituents, "to illuminate the quality and nature of participation in administrative governance." 24Link to the text of the noteTabatha Abu El-Haj has urged greater use of universal benefits and targeted philanthropy, to encourage the growth of mass-membership organizations, since both "create reasons to organize on the part of beneficiaries." 25Link to the text of the noteBoth of us have written about the countervailing role that labor organizations can play in politics. 26Link to the text of the noteAnd Daryl Levinson and one of us have written about the ways in which ordinary public policy often has the effect--and at times the intent--of mobilizing political organization around the policy. 27Link to the text of the note

Meanwhile, another group of legal scholars has highlighted the importance of social movements and their organizations in legal change, focusing on how movements shape decisionmaking by courts, legislatures, and administrative agencies. 28Link to the text of the noteIn particular, a rich literature has developed on the relationship between popular mobilization and evolving constitutional principles, 29Link to the text of the noteand on [\*554] how "cause lawyers" can best serve social movements. 30Link to the text of the noteMore recently, there has been a resurgence of scholarship that "cogenerates legal meaning alongside left social movements, their organizing, and their visions." 31Link to the text of the noteThis work builds on an older tradition of critical legal studies and critical race theory that interrogates the limits of traditional legal rights in bringing about progressive social change given the political, economic, and social conditions that systematically disadvantage poor people and people of color. 32Link to the text of the note

To date, however, no one has tackled directly the question that we pose here. 33Link to the text of the noteRather than asking how the enactment of substantive legislation or administrative-participation mechanisms might boost organizing, how social [\*555] movements can or hope to reshape law, or how a focus on traditional legal rights disables fundamental social change, we ask how law could be used explicitly and directly to enable low- and middle-income Americans to build their own socialmovement organizations for political power.

The question is particularly urgent today as the COVID-19 pandemic has exacerbated society's existing inequalities. Working-class communities, especially low- and middle-income people of color, have experienced hardships as a result of the disease to a far greater extent than the wealthy--from massive unemployment to dangerous working conditions, from food insecurity to rising debt and risk of eviction. 34Link to the text of the noteThe suffering wrought by the pandemic, as well as by the financial crisis of 2008, has led to an upsurge in protests by low- and middle-income Americans, particularly among workers, tenants, and debtors. 35Link to the text of the noteAt the same time, endemic violence against Black communities, including the recent killing of George Floyd, has led to widespread organizing around issues of racial justice. 36Link to the text of the noteThese movements demand that government respond to the [\*556] concerns of ordinary Americans and attempt to elicit better treatment from powerful actors. Yet, despite their promise, such movements face significant obstacles in translating their members' anger into robust and lasting political power. 37Link to the text of the noteA pressing task, therefore, is to ask how law can facilitate and protect these new and revived protest movements, helping to create durable organizations that can exercise sustained power in the political economy.

We start from the premise that the robustness of countervailing, mass-membership organizations should be understood as a problem both of and for law. The shape of civil society and organizational life is already a product of legal structures and rules. 38Link to the text of the noteAnd although law has frequently been a tool of oppression, rather than of empowerment, of poor and working-class people and movements, 39Link to the text of the notealternative legal regimes that encourage the growth of and the exercise of power by social-movement organizations of the poor and working class are possible. Indeed, for those who are committed to decreasing political inequality, alternative legal structures that encourage the growth of countervailing organizations are imperative.

In analyzing how legal and institutional reforms could facilitate a different picture of organizational and political life in the United States, we draw from the successes and failures of labor law--the area of U.S. law that most explicitly and directly creates a right to collective organization for working people--while also moving beyond that context to literature considering "how, in what forms, and under what conditions social movements become a force for social and political change." 40Link to the text of the noteWe do not attempt to adjudicate priority among factors that [\*557] contribute to successful organizing, nor do we attempt to build an exhaustive list of such factors. Instead, we consolidate factors that have two attributes: (1) they are likely to contribute to the successful building of membership organizations among poor and working-class people, and (2) their existence or development might be enabled by law.

We recognize that some factors, undoubtedly critical to successful organizing, are beyond the reach of our proposal. For example, sociologists and historians have demonstrated that several structural opportunities helped facilitate the growth of the Civil Rights movement, including the collapse of cotton; the increase in Black migration and electoral strength; and the advent of World War II and the Cold War. 41Link to the text of the noteThese kinds of objective structural conditions, exogenous to movements themselves, are frequently important to movement formation, but they cannot be directly affected by the kinds of legal reforms we suggest. Likewise, sociologists have shown that strategic leadership within organizations is critical to movement success, 42Link to the text of the notebut internal leadership dynamics are not easily affected through legal regulation. 43Link to the text of the note

Three additional principles guide our analysis. First, because small-scale, concrete victories are essential to successful organizing, and because organizing tends to be most successful among people with shared identities and existing relationships, we focus on reforms that enable organizing within particular structures of authority and resource relations. By way of examples, we consider organizing among workers, tenants, debtors, and recipients of public benefits. We pick these contexts in part because they are ones rife with exploitation and [\*558] power imbalances and populated by the relevant income groups, and in part because they are home to important organizing efforts, both historical and contemporary. 44Link to the text of the noteWe do not suggest that these are the only relevant contexts in which our suggestions might be explored, nor do we in any sense imply that broader organizational development encompassing poor and working-class people as a whole is impossible or ineffective. In fact, the context-specific organizing regimes we envision might well facilitate broader community-based and political organization. However, we leave for another day exploration of how the law might directly enable broad-based political organization--say, a political organization of all poor people or a political-party system that incentivizes grassroots participation among nonwealthy individuals. 45Link to the text of the note

Second, we focus on how law can build organization, as opposed to more amorphous configurations of insurgency. The organizations our reforms seek to facilitate are very much social-movement actors, in that they seek to change "elements of the social structure and/or reward distribution of a society." 46Link to the text of the noteBut the goal is to encourage enduring organization that can wield sustained, [\*559] countervailing power. 47Link to the text of the noteThus, our approach rejects the idea that formal structures facilitated by law are necessarily deradicalizing and inimical to social change. 48Link to the text of the note

Finally, our focus is on how law can facilitate organizations of working-class and poor Americans--not on either of two other questions: one, how law could be designed specifically to enhance the political power of communities of color, or two, how law could encourage the formation of interest groups generally. The first question could not be more critical. Just as our government is disproportionately responsive to the wealthy, it is also disproportionately responsive to white people, 49Link to the text of the noteand the crisis of structural racism is perhaps the most acute we face as a nation. As such, a program for building political power among communities of color is just as necessary as a program for building power among workers and the poor. But it is also true that our focus on working and poor Americans ought, in practice, and in part due to the crisis of structural racism itself, to amount to a program for building power among and by communities of color. This is not the exclusive reach of our proposals, and continued attention must be paid to ensure that racial inequities do not infect the political organizing we aspire to enable. But because people of color are over-represented in the sectors of the population that we do address--low-income workers, tenants, government-benefits recipients, debtors--these communities would likely benefit from the success of our proposals. As to the second question, while a more expansive civil society may bring a host of benefits, including greater social cohesion and civic education, this Article's concern is with building organizations that can serve as a countervailing force to the extraordinary power of economic elites in our political economy. 50Link to the text of the note

[\*560] We argue that a legal regime designed to enable this kind of organizing should have several components. First, the law should grant collective rights in an explicit and direct way so as to create a "frame" that encourages organizing. Second, as importantly, though more prosaically, the law should provide for a reliable, administrable, and sustainable source of financial, informational, human, and other relevant resources. Third, the law should guarantee free spaces--both physical and digital--in which movement organization can occur, free from surveillance or control. Fourth, the law should remove barriers to participation, both by protecting all those involved from retaliation--no worker may be fired, no tenant evicted, no debtor penalized, and no welfare recipient deprived of benefits because they are active in or supportive of the movement's efforts--and by removing material obstacles that make it difficult for poor and working people to organize. Fifth, the law should provide the organizations with ways to make material change in their members' lives and should create mechanisms for the exercise of real political and economic power, for example by providing the right to "bargain" with the relevant set of private actors and by facilitating organizational participation in governmental processes. Finally, the law should enable contestation and disruption, offering protections for the right to protest and strike. 51Link to the text of the note

The particulars necessarily vary by context. For example, a law designed to generate organizing among tenants would start by affirmatively granting tenants the right to form and join tenant unions. It would grant such unions the right to access information and landlord property for organizational purposes. It would vest the organization with authority to collect dues payments through deductions from rent payments. It would mandate that landlords negotiate with tenants' organizations over rent and housing conditions. It would ensure that organizations have special rights of participation in administrative processes related to housing policy. And it would provide for the right of tenants to engage in rent strikes and protests, free from retaliation. A law designed to facilitate organizing among debtors would similarly create a collective frame, provide a mechanism for funding, protect against retaliation, mandate bargaining and [\*561] rights of participation in governance, and protect the right to protest and strike, but a debtor-organizing law might not provide for access to physical spaces, instead putting more emphasis on providing information and enabling online organizing.

Some of our proposals will generate resistance--theoretical, legal, and political. And, indeed, we concede that our approach has limitations. For example, we do not attempt to articulate the optimal level of political influence that the organizations in question ought to enjoy, nor a way of measuring when and whether they have become sufficiently strong. As Richard Pildes has written in a related context, we believe it is possible to "identify what is troublingly unfair, unequal, or wrong without a precise standard of what is optimally fair, equal, or right." 52Link to the text of the noteIn addition, the scope of our inquiry is limited to problems of economic inequality. Yet we do not mean in any way to minimize other aspects of inequality, including racial and gender discrimination and hierarchy, which are both inseparable from economic inequality and worthy of separate examination and intervention. To that end, we believe law ought to require inclusion and nondiscrimination among poor and working people's social-movement organizations. 53Link to the text of the note

Finally, we recognize both that our recommendations will not provide a panacea to the imbalance in power that characterizes our political economy and that our proposals will be difficult to enact. Indeed, although we suggest a range of possible reforms and explain how they could be achieved, the goal is to illuminate law's constitutive potential and to suggest a path for further work, not to provide a comprehensive blueprint. 54Link to the text of the noteIn short, analysis of what makes poor and working people's social-movement organizations succeed helps show that law [\*562] can make a difference--and that the absence of such law is a choice, one we believe our society cannot afford to make. 55Link to the text of the note

#### The disappearance of antitrust law from public discourse has cemented corporate power. A paradigm shift is possible, but requires making monopolies a political issue again, and advocating legal change.

David Dayen 15, author of *Monopolized: Life in the Age of Corporate Power (2020)* and *Chain of Title: How Three Ordinary Americans Uncovered Wall Street's Great Foreclosure Fraud*, “Bring Back Antitrust,” The American Prospect, Vol. 26, No. 4, Fall 2015, lexis.

In 1964, historian Richard Hofstadter gave a speech at the University of California, Berkeley, titled "What Happened to the Antitrust Movement?" He wondered why anti-monopoly sentiment ceased to become the subject of public agitation. "Once the United States had an antitrust movement without antitrust prosecutions," Hofstadter said. "In our time, there have been antitrust prosecutions without an antitrust movement."

Now we have lost both the movement and the prosecutions. When we talk about banks that are too big to fail, we're talking about antitrust. When we talk about the high cost of health care, we're talking about antitrust. So many of our key domestic issues are fundamentally questions about whether we should tolerate monopolies, or dismantle them. But this formulation-a centerpiece of public debate in the last robberbaron era between the 1880s and 1910s-has all but disappeared from popular discourse.

Can anti-monopoly sentiment be revived? When New York's Working Families Party first recruited Zephyr Teachout to run for governor, she said she would only do it if she could talk about monopolies. "They polled it, and they were correct that nobody knew what I was talking about," Teachout says. But when she eventually ran an insurgent campaign against incumbent Andrew Cuomo, she was determined to talk about it anyway.

"The minute you got past the sound-bite level, people responded to the concentration of power," Teachout says. They did campaign events at places where people paid their cable bills, using the pending Comcast-Time Warner merger, eventually abandoned, as the hook. She engaged farmers in upstate New York about monopsony power, and discussed Amazon and big banks on the stump. And it resonated. After only one month of campaigning, Teachout won 35 percent of the vote, with particular strength in upstate counties where farming issues were prominent.

"The Tea Party talks to people and says, 'You're out of power because government is taking it away from you,"' Teachout says. "Far too often, Democrats say, 'You're wrong, you're not out of power.' That's dissonant with our lived experience. You're out of power ... because your priorities don't matter and JPMorgan's do."

Beyond Teachout, you can see through the haze the stirrings of a grassroots antitrust agenda. The greatest anti-monopoly victory of the modern age, the Federal Communications Commission's net-neutrality rules, owed much to a smart, tech-savvy movement that leveraged big protest platforms. Web-native activists fought for the decentralized power of the Internet, without gatekeepers collecting tolls along the way. And they made the connection to things like the Comcast-Time Warner merger, which failed amid public outcry.

"After this existential threat to the Web, you see the same groups becoming interested in the deep history of anti-monopoly laws," Teachout says. "It's kind of an exciting intellectual moment, a fusion between old-school farmers who have been complaining for 30 years and new net-neutrality dreamers."

Monopolists have long used technological advances to consolidate power, from Gilded Age tycoons leveraging control of railroads and telegraphs to Amazon using its first-mover status in e-commerce to squeeze book producers, or Google harvesting traffic to their market-leading search engine to serve ads. It's easy to translate the need for a neutral platform for websites into the same need for book sales or car ride-sharing.

The European Union, in fact, did file formal antitrust charges against Google, accusing it of forcing search engine users into its own shopping platforms, and bundling Android phones with their own apps, to prevent competitors from performing the same functions. The FTC shut down its own investigation into Google over the same concerns in 2013. But an inadvertent disclosure revealed that the agency's Bureau of Competition recommended bringing a lawsuit, arguing that Google's conduct "has resulted-and will result-in real harm to consumers and to innovation in the online search and advertising markets." The political leadership ignored the recommendation.

The next administration must show "leadership that has a certain intellectual curiosity," says Maurice Stucke, pointing to the Google case as a missed opportunity. An alteration in posture would make enforcement far more vigorous, and bringing more cases will give litigators more experience and confidence to negotiate the judicial barriers. The American Antitrust Institute plans to create a transition document for the incoming administration, as they did for the Obama transition.

But at a time of political disempowerment, teaching about the dangers of monopolies and how we have the laws on the books to fight them, and creating upward pressure to do it, offers great potential for a paradigm shift. Connecting Senator Elizabeth Warren's fight against a rigged financial system and Al Franken's fight against media concentration can spark broader political energy.

You could see this potential in Washington, D.C., where in August, the city's Public Service Commission rejected a merger between energy firms Exelon and Pepco, citing "more active participation by parties and interested persons than any other proceeding in the Commission's more than a century of operations." Activists argued a giant Exelon conglomerate would fail to devote resources to the city's clean-energy goals, connecting anti-monopolization with fighting climate change.

There are a lot of reasons for runaway monopolies: an intellectual hijacking by Chicago-school conservative economists, the over-financialization of the economy, a failure of federal antitrust enforcement. But perhaps the biggest reason is that antitrust policy has become divorced from politics, confined to specialized lawyers and mathematicians instead of citizens and activists. Without grassroots momentum, politicians and enforcement agencies can safely ignore the issue. That's the challenge for a small band of academics, think-tank fellows, and activists: to make monopolies a vital issue again, connecting with the severe economic anxiety Americans feel.

### AT: Hartman---1NC

#### The revolution in a minor isn’t key to solve their impacts----general strikes against Institutions can occur by infiltrating the law from within.

Hill Collins 09 – Patricia Hills Collins is a distinguished University Professor of Sociology at the University of Maryland, College Park. Accessed May 9,2019. (“Black Feminist Thought: Knowledge, Consciousness and the Politics of Empowerment.” page 277-280 <https://uniteyouthdublin.files.wordpress.com/2015/01/black-feminist-though-by-patricia-hill-collins.pdf>)

The structural domain of power encompasses how social institutions are organized to reproduce Black women’s subordination over time. One characteristic feature of this domain is its emphasis on large-scale, interlocking social institutions. An impressive array of U.S. social institutions lies at the heart of the structural domain of power. Historically, in the United States, the policies and procedures of the U.S. legal system, labor markets, schools, the housing industry, banking, insurance, the news media, and other social institutions as interdependent entities have worked to disadvantage African-American women. For example, Black women’s long-standing exclusion from the best jobs, schools, health care, and housing illustrates the broad array of social policies designed to exclude Black women from full citizenship rights. These interlocking social institutions have relied on multiple forms of segregation—by race, class, and gender—to produce these unjust results. For AfricanAmerican women, racial segregation has been paramount. Racial segregation rested on the “separate but equal” doctrine established under the 1896 ruling of Plessy v. Ferguson where the Supreme Court upheld the constitutionality of segregation of groups. This ruling paved the way for a rhetoric of color-blindness (Crenshaw 1997). Under the “separate but equal” doctrine, Blacks and Whites as groups could be segregated as long as the law was color-blind in affording each group equal treatment. Despite the supposed formal equality promised by “separate but equal,” subsequent treatment certainly was separate, but it was anything but equal. As a result, policies and procedures with housing, education, industry, government, the media, and other major social institutions have worked together to exclude Black women from exercising full citizenship rights. Whether this social exclusion has taken the form of relegating Black women to inner-city neighborhoods poorly served by social services, to poorly funded and racially segregated public schools, or to a narrow cluster of jobs in the labor market, the intent was to exclude. Within the structural domain of power, empowerment cannot accrue to individuals and groups without transforming U.S. social institutions that foster this exclusion. Because this domain is large-scale, systemwide, and has operated over a long period of time via interconnected social institutions, segregation of this magnitude cannot be changed overnight. Structural forms of injustice that permeate the entire society yield only grudgingly to change. Since they do so in part when confronted with wide-scale social movements, wars, and revolutions that threaten the social order overall, African-American women’s rights have not been gained solely by gradual reformism. A civil war preceded the abolition of slavery when all efforts to negotiate a settlement failed. Southern states routinely ignored the citizenship rights of Blacks, and even when confronted with the 1954 Brown v. Board of Education Supreme Court decision that outlawed racial segregation, many dug in their heels and refused to uphold the law. Massive demonstrations, media exposure, and federal troops all were deployed to implement this fundamental policy change. The reemergence of White supremacist organizations in the 1990s, many of which recirculate troubling racist ideologies of prior eras, speaks to the deep-seated resentment attached to Black women, among others, working toward a more just U.S. society. Events such as these indicate how deeply woven into the very fabric of American society ideas about Black women’s subordination appear to be. In the United States, visible social protest of this magnitude, while often required to bring about change, remains more the exception than the rule. For U.S. Black women, social change has more often been gradual and reformist, punctuated by episodes of systemwide upheaval. Trying to change the policies and procedures themselves, typically through social reforms, constitutes an important cluster of strategies within the structural domain. Because the U.S. context contains a commitment to reformist change by changing the laws, Black women have used the legal system in their struggles for structural transformation. African-American women have aimed to challenge the laws that legitimate racial segregation. As Chapter 9’s discussion of Black women’s activism suggests, African-American women have used various strategies to get laws changed. Grassroots organizations, forming national advocacy organizations, and event-specific social protest such as boycotts and sit-ins have all been used, yet changing the laws and the terms of their implementation have formed the focus of change. Even the development of parallel social institutions such as Black churches and schools have aimed to prepare African-Americans for full participation in U.S. society when the laws were changed. African-American women have experienced considerable success not only in getting laws changed, but in stimulating government action to redress past wrongs. The Voting Rights Act of 1964, the Civil Rights Act of 1965, and other important federal, state, and local legislation have outlawed discrimination by race, sex, national origin, age, or disability status. This changed legal climate granted African-American women some protection from the widespread discrimination that we faced in the past. At the same time, class-action lawsuits against discriminatory housing, educational, and employment policies have resulted in tangible benefits for many Black women. While necessary, these legal victories may not be enough. Ironically, the same laws designed to protect African-American women from social exclusion have increasingly become used against Black women. In describing new models for equal treatment under the law, Black feminist legal scholar Kimberle Crenshaw argues that the rhetoric of color-blindness was not unseated by the 1954 Brown v. Board of Education ruling. Instead, the rhetoric of color-blindness was reformulated to refer to the equal treatment of individuals by not discriminating among them. Under this new rhetoric of color-blindness, equality meant treating all individuals the same, regardless of differences they brought with them due to the effects of past discrimination or even discrimination in other venues. “Having determined, then, that everyone was equal in the sense that everyone had a skin color,” observes Crenshaw, “symmetrical treatment was satisfied by a general rule that nobody’s skin color should be taken into account in governmental decision-making” (Crenshaw 1997, 284). Within this logic, the path to equality lies in ignoring race, gender, and other markers of historical discrimination that might account for any differences that individuals bring to schools and the workplace. As a new rule that maintains long-standing hierarchies of race, class, and gender while appearing to provide equal treatment, this rhetoric of color-blindness has had some noteworthy effects. For one, observes Black feminist legal scholar Patricia Williams (1995), it fosters a certain kind of race thinking among Whites: Because the legal system has now formally equalized individual access to housing, schooling, and jobs, any unequal group results, such as those that characterize gaps between Blacks and Whites, must somehow lie within the individuals themselves or their culture. When joined to its twin of gender neutrality, one claiming that no significant differences distinguish men from women, the rhetoric of color-blindness works to unseat one important strategy of Black women’s resistance within the structural domain. Black women who make claims of discrimination and who demand that policies and procedures may not be as fair as they seem can more easily be dismissed as complainers who want special, unearned favors. Moreover, within a rhetoric of color-blindness that defends the theme of no inherent differences among races, or of gender-neutrality that claims no differences among genders, it becomes difficult to talk of racial and gender differences that stem from discriminatory treatment. The assumption is that the U.S. matrix of domination now provides equal treatment because where it once overtly discriminated by race and gender, it now seemingly ignores them. Beliefs such as these thus allow Whites and men to support a host of punitive policies that reinscribe social heirarchies of race and gender. In her discussion of how racism now relies on encoded language Angela Davis identifies how this rhetoric of color-blindness can operate as a form of “camouflaged racism”: Because race is ostracized from some of the most impassioned political debates of this period, their racialized character becomes increasingly difficult to identify, especially by those who are unable—or do not want— to decipher the encoded language. This means that hidden racist arguments can be mobilized readily across racial boundaries and political alignments. Political positions once easily defined as conservative, liberal, and sometimes even radical therefore have a tendency to lose their dis tinctiveness in the face of the seductions of this camouflaged racism (Davis 1997, 264). Americans can talk of “street crime” and “welfare mothers,” all the while claiming that they are not discussing race at all. Despite the new challenges raised by the rhetoric of color-blindness and gender neutrality, it is important to remember that legal strategies have yielded and most probably will continue to produce victories for African-American women. Historically, much of Black women’s resistance to the policies and procedures of the structural domain of power occurred outside powerful social institutions. Currently, however, African-American women are more often included in these same social institutions that long excluded us. Increasing numbers of African-American women have gained access to higher education, now hold good jobs, and might be considered middle-class if not elite. These women often occupy positions of authority inside schools, corporations, and government agencies. Achieving these results required changing U.S. laws.

#### Hartman explains that survival requires acts of collaboration and genius. Ballots in competitive activities don’t remedy survival which is threatened by structural, material conditions.

Berlant 11 (Lauren, prof at U Chicago, Cruel Optimism, 174-8)

So even if, in these two films, the promise of familial love is the convey­ ance for the incitement to misrecognize the bad life as a good one, this is also a story about the conditions under which fantasy takes the most conservative shape on the bottom of so many class structures. The adults want to pass the promise of the promise on to their children.14 That may be the children's only sure inheritance-fantasy as the only capital assuredly pass­ able from one contingent space to another. And of course here, as every­ where, the gendered division of labor mediates the attritions of capital and the intimate spaces in which the labor of living is imagined beyond the urgencies of necessity. As Gayatri Spivak writes of another example, "This is not the old particularism/universalism debate. It is the emergence of the generalized value form, global commensurability in the field of gender. All the diversity of daily life escapes this, yet it is inescapable." ts Rosetta and La Promesse are training differently gendered children to take up a position not within normative institutions of intimacy but within something proximate to them. The hypervigilance required to maintain this proximity is the main visceral scene of post-Fordist affect. The fantasy of intimacy that will make one feel normal (as opposed to making one able to secure the conditions of dependable reciprocal life) provides a false logic of commensurateness and continuity between everyday appearance and a whole set of abstract value­ generating relations. The aesthetic of the potentially good enough love enables crisis to feel ordinary and less of a threat than the affective bounty that makes it worth risking being amid capitalist social life. ¶ But in the Dardennes' mise en scene, normative intimacy has been worn down to the nub of the formal and the gestural. The emotions associated with intimacy, like tenderness, are most easily assumed as scavenging strate­ gies that the children are compelled to develop to get by. Igor acts genuinely sweet to the old woman whose wallet he steals in the opening scene; Rosetta ¶ [175]¶ acts in loving and protective ways toward her mother, whom she also beats for manifesting nonnormative appetites. Roger appeals to Igor for loyalty, although he has also lied to him, beat him, and destroyed his opportunity to be a kid and to cultivate a different life (also involving building things: but go-carts that move, not houses that require property). Yet Roger can still say, "The house, this whole thing, it's all for you!" To which Igor can only say, "Shut up! Shut up!" because there is no story to counter Roger with, no proof that it wasn't love, or that love was a bad idea. Apparently, the register of love is what there is to work with, when you are managing belonging to worlds that have no obligation to you. ¶ But this is why optimism for belonging in a scene ofp otential reciprocity amid tragic impediments is, in these films, not merely cruel, even in its repe­ titions. The endings of these films tie the audience in identificatory knots of vicarious reciprocity that extend in affective and formal ways beyond the actual episode. Rosetta approaches her final shots having just had to quit her hard-won job in order to take care of her degenerating mother. She is miser­ able and defeated by her daughterly love and her commitment to not living outside the loop of a reciprocity whose feeling feels legitimate to her. ¶ At the end, we see her dragging a big canister of gas. It is unclear whether she is about to commit suicide by asphyxiation, or to make a go of things the way she always does, and it doesn't matter: her body collapses in exhaus­ tion as Riquet arrives. Riquet-whom she has previously beaten up, left to drown, turned in as a thief, and had a strange, unsteady, asexual night with, a night that ends with her sleeping, not alone, but whispering intimately with herself.16 Riquet-who is stalking her in revenge for taking his job. He is the only resource for potential reciprocity she has. As the film closes, Rosetta weeps, looking off-screen toward he who is only a proximate friend, in the hope of stimulating his compassionate impulse to rescue her. And the film cuts to darkness. ¶ Likewise, the close of La Promesse involves a scene of wishful gallantry. In the train station, just as Assita is about to escape Belgium, Igor's father, Igor, and the whole shoddy mess, Igor confesses one part of his secret. Perversely fullfilling and breaking "the promise" after which the picture is named, he gambles that revealing Amidou's death will keep Assita there, and indeed it binds her and her child to him and to the local scene of danger, violence, and poverty for the indefinite future. In the final shot, they walk away from the camera, together and not together, and as they become smaller the film cuts sharply to black. Both of these works thus end engendering in the audience [176]a kind of normativity hangover, a residue of the optimism of their advocacy for achieving whatever it was for which the protagonists were scavenging. Because Rosetta and Igor are cut off from the normal, the spectators become holders of the promise. ¶ In classic Hollywood cinema and much of queer theory, such expectant "families we choose" endings would make these films, generically, come­ dies, and the anxieties we feel on the way would be just the effects of the conventional obstacles genres put out there that threaten the genre's fail­ ure.17 In Foucault's rendering, such scenes of communicative tears and confession would mark the children's ascension into sexuality, that is, into the place where desiring acts evince the youths' subjugation to the clarifying taxonomic machinery of familial and social discipline. In La Promesse and Rosetta it is where they become sexual, but such evocations of the two clari­ fying institutions of social intelligibility, genre and gender, would mishear the tonalities of these particular episodes. In these scenarios, sexuality is not only an accession to being intelligible, but also a performance of affective avarice, a demand for a feeling fix that would inject a sense of normality.¶ What does it mean to want a sense of something rather than something? In the emergent regime of privatization that provokes aggressive fantasies of affective social confirmation in proximity to the political often without being in its register, genre shifts can point to new ways of apprehending improvisations within the ordinary. In the Dardennes' films, the formal achievement of genre and gender suggests not success but survival, a survival reeking of something that partakes of the new generic hybrid, situation tragedy: the marriage between tragedy and situation comedy where people are fated to express their flaws episodically, over and over, without learning, changing, being relieved, becoming better, or dying.18 In the situation comedy, personality is figured as a limited set of repetitions that will inevitably [177] appear in new situations-but what makes them comic and not tragic is that in this genre's imaginary, the world has the kind of room for us that enables us to endure. In contrast, in the situation tragedy, one moves between having a little and being ejected from the social, where life is lived on the outside of value, in terrifying nonp laces where one is a squatter, trying to make an event in which one will matter to something or someone, even as a famil­ iar joke (in the situation tragedy, protagonists often try heart-wrenchingly to live as though they are in a situation comedy).19 In reinventing some ver­ sion of the couple, the family, or the love link, at the end, Rosetta and Igor are repeating a desire they have fancied and longed for throughout: a desire simply and minimally to be in the game. Not controlling the conditions of labor, they take up positions within sexuality that at least enable a feeling of vague normalcy that can be derived on the fly, in a do-it-yourself (DIY) fash­ ion. They do this in gestures that try to force a sense of obligation in someone, which will just have to stand in as the achievement of their desire for acknowledgment and a way of life. ¶ Thus, we see forming here submission to necessity in the guise of desire; a passionate attachment to a world in which they have no controlling share; and aggression, an insistence on being proximate to the thing. If these motives stand as the promise of the scene that will provide them that holding feeling they want, the proof that it's worth investing in these forms is not too demanding. There is a very low evidentiary bar. The key here is proximity; ownership has been relinquished as the children's fantasy. The geopolitical space of fantasy is not a nation or a plot of land secured by a deed but a neighborhood. And just as both films feature careers involving soldering and sewing, techniques that bind parts to bigger wholes, they restage at the close our protagonists' coercive appeal to a relative stranger for rescue and reciprocity, and all the stranger has to do is to be near, to stick around. [178]¶ That this is an appeal to a proximate normativity is signified by their spatial placement outside the home (in a terminal, on the ground) but never very far afield at all; they are all in proximity to the natal and fantasmatic home, in the end. And, affectively speaking, is Riquet not a man on whom the silent Rosetta must depend; and is Assita not a motherfsisterfloverffriend forced by Igor, by his sweet downcast eyes and aphonia, to submit? ¶ Normalcy's embrace can only flicker, therefore, in the Dardennes' ren­ dering of the contemporary historical moment. Each time it looks as though a reciprocal relation has been forged, the temporal and monetary economy in which the experience of belonging can be enjoyed is interrupted by other needs, the needs of others that seem always to take priority. Nonetheless, in the context of material and parental deprivation, Rosetta and Igor crowd the cramped space of any potentially transitional moment to maintain, for one more minute, their optimism about having a thing, a life, a scene of practices of belonging and dignity that can be iterated, repeated, and depended on without much being looked forward to. ¶ So, what does it mean that the endings of these films solicit audience desire one more time for the protagonists to receive, finally, the help they seek because it feels like their last chance to experience, through openness to another, a good change amid the violence and numbing everywhere present? Since "at all costs" is no metaphor from this perch on the bottom of the class structure, here fantasy and survival are indistinguishable effects of the affects' own informal economy. To be made to desire a normativity hangover trains the audience in cruel optimism.

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### TVA

#### 1. TVA – USFG should prohibit private sector business practices that violate an antitrust worker, community, and environmental welfare standard.

Greer & Rice 21. Jeremie & Solana. Co-founders and co-executive directors of Liberation in a Generation, a national movement-support organization working to build the power of people of color to totally transform the economy. “ANTI-MONOPOLY ACTIVISM: Reclaiming Power through Racial Justice.” https://www.liberationinageneration.org/wp-content/uploads/2021/03/Anti-Monopoly-Activism\_032021.pdf.

Strengthen and Enforce Existing Laws The last section illustrated the myriad ways in which the federal government regulates companies across industries. Our current regulations are mostly meant to protect consumer interests and are enforced by the DOJ, the FTC, other federal agencies, and by direct private lawsuits. And in too many cases, courts are reluctant to rule in favor 111 of the government and its enforcers for fear of setting legal precedent. We need legislation to lower the burden of proof required to challenge anticompetitive mergers and to expand the definition of harm to go beyond consumers and include the other oppressive impacts of monopoly power on consumers, workers, communities, our democracy, and the planet. An increase in funding for enforcement agencies is also needed to keep pace with the rise in monopolization and to study the impacts of anti-monopoly action or inaction.112 While anti-monopoly efforts could be more effective at protecting consumers, we especially need better ways to protect workers, small businesses, and local economies. Key questions, that are not being asked enough now, should be top of mind for researchers and advocates who work with or for the DOJ and the FTC to consider howlabor markets are impacted by mergers and what level of market power any merger will create. Will fewer jobs exist? Will workers be less able to move from job to job? Notably, advocates are calling for laws that make non-compete and no-poaching agreements illegal outright.11

#### Advantages can center Black women

Greer & Rice 21. Jeremie & Solana. Co-founders and co-executive directors of Liberation in a Generation, a national movement-support organization working to build the power of people of color to totally transform the economy. “ANTI-MONOPOLY ACTIVISM: Reclaiming Power through Racial Justice.” https://www.liberationinageneration.org/wp-content/uploads/2021/03/Anti-Monopoly-Activism\_032021.pdf.

The Oppression Economy, which includes financial markets, labor markets, and interstate and international trading companies, was arranged to serve an economy elevated by the theft of labor from Black people. Today, Black people and other people of color are still delivering uncompensated value to monopoly power as minimum wage essential workers, as consumers without choice, as small businesses beholden to tight supply chains, as students trying to pay for a college education, and as residents of modern-day company towns. Despite the disproportionate and anticompetitive influence these monopolies have on the consumer and labor market, they are, structurally, corporations. They have CEOs who manage the day-to-day of the company. They have boards of directors responsible for maintaining corporate governance. They have shareholders that they are accountable for serving. Finally, they are subject to corporate and tax laws and regulations internationally and in the US. One of the highpoints of 2020 came in December when the FTC joined 48 states and territories to bring a lawsuit against Google for violating the United State’s anti-monopoly laws. This suit has the potential to be the most significant action taken by the federal government since the 1998 suit against Microsoft. Further, earlier in 2020, the House of Representatives Judiciary Subcommittee issued a report urging action by Anti-Monopoly Activism 57 Congress and the administration to reign in the monopoly power of Big Tech. Major democratic presidential candidates, including now-President Biden, prioritized curbing corporate monopoly power as major planks in their presidential campaigns. There appears to be momentum on the side of bold government intervention, and grassroots leaders of color can capitalize on that momentum. Thankfully, momentum also appears to be on the side of advancing racial justice. The tragic murders of Breonna Taylor, George Floyd, and Elijah McClain—and far too many before them and since—have once again thrust the issue of systemic racism into the public consciousness. We will see if this amplified awareness materializes into sustained progress, but this is clearly a moment to advance ideas that would have previously been dismissed by mainstream institutions—such as activist calls to defund the police. It is incumbent upon us in the racial justice movement to ensure that these tragic deaths vault our fight for justice to the next stage of evolution, and that they inform our approach to curbing the corporate monopoly power that is a contributing factor to our collective pain. The time is now. It’s time to accelerate grassroots efforts to rein in monopoly power. It’s time to accomplish this by advancing bold transformative policy interventions that rip the power to pilot our economy form corporate monopolies. It’s time to ground our understanding of how monopoly works against the principles of racial and economic justice. Finally, it's time to follow grassroots leaders of color in accomplishing this goal—and in delivering liberation for us all.

#### 2 –USFG should prohibit private sector business practices that price discriminate or establish barriers to entry for Black women.

1AC McKenzie Jr. 19 [Sam, Editor of *Racistocracy* and *The Sam And Me Show*, “How the Business of Whiteness Is the Ultimate Antitrust Violation,” https://sammckenziejr.medium.com/how-the-business-of-whiteness-is-the-ultimate-antitrust-violation-3d5ec1f28ae5//ak47]

Price discrimination against Black people

Price discrimination involves charging different prices to different consumers.

With price discrimination, the value of a service changes depending on the buyer, and it can be illegal.

If you’re Black in America, you are more likely to die earlier, go to jail, suffer greater health disparities, make less money, and be the target of discrimination and hate crimes.

The unnecessary, disproportionate, and discriminatory price of life that Black people pay in America is exorbitant because of white supremacy.

Barriers to entry for Black people

When companies create barriers to enter the market, they can violate antitrust laws. The barriers make it impossible or unduly difficult for other companies to start and compete.

## Case

### Turns Case---2NC

#### It leads to parasitic voyeurism that turns case

Giorgis 14 (Hannah, writer for theguardian.com, Monday 8 September 2014 16.20 EDT. “Don't watch the Ray Rice video. Don't ask why Janay Palmer married him. Ask why anyone would blame a victim.” <http://www.theguardian.com/commentisfree/2014/sep/08/ray-rice-domestic-violence-video-janay-palmer-victim-blaming> //shree)

That we feel entitled (and excited) to access gut-wrenching images of a woman being abused – to be entranced by the looks of domestic violence – speaks volumes not only about the man who battered her, but also about we who gaze in parasitic rapture. We click and consume, comment and carry on. What are we saying about ourselves when we place (black) women’s pain under a microscope only to better consume the full kaleidoscope of their suffering? This broadcasting of victims’ most vulnerable moments as sites for public commentary is not new. Indeed, victims of abuse have always been forced to recount their traumas to audiences more intent on policing their victimhood than finding justice. With YouTube and TMZ and all the rest, victim blaming extends far past simply being shunned by your immediate community – it means having your most horrific memories go viral without your consent. It means having millions of people virtually dissect your wounds, not to heal them but to decide if your injuries were bad enough for everyone to feel bad for you.

# 1NR

## Cap K

#### Cap is the origin of the plantation – theft of labor predates anti-black racism and is explained by econ, not racial motivations

Selfa 10 – Editor of and contributor to International Socialist Review; quoting Eric Williams, D. Phil from Oxford, first Prime Minister of Trinidad and Tobago; and quoting Howard University Professor of Classics Frank Snowden [Lance, “The roots of racism,” http://socialistworker.org/2010/10/21/the-roots-of-racism, accessed 20 Jun 2016]

Fortunately, racism isn't part of human nature. The best evidence for this assertion is the fact that racism has not always existed. Racism is a particular form of oppression. It stems from discrimination against a group of people based on the idea that some inherited characteristic, such as skin color, makes them inferior to their oppressors. Yet the concepts of "race" and "racism" are modern inventions. They arose and became part of the dominant ideology of society in the context of the African slave trade at the dawn of capitalism in the 1500s and 1600s. Although it is a commonplace for academics and opponents of socialism to claim that Karl Marx ignored racism, Marx in fact described the processes that created modern racism. His explanation of the rise of capitalism placed the African slave trade, the European extermination of indigenous people in the Americas and colonialism at its heart. In Capital, Marx writes: The discovery of gold and silver in America, the extirpation, enslavement and entombment in mines of the indigenous population of the continent, the beginnings of the conquest and plunder of India, and the conversion of Africa into a preserve for the commercial hunting of black skins are all things that characterize the dawn of the era of capitalist production. Marx connected his explanation of the role of the slave trade in the rise of capitalism to the social relations that produced racism against Africans. In Wage Labor and Capital, written 12 years before the American Civil War, he explains: What is a Negro slave? A man of the black race. The one explanation is as good as the other. A Negro is a Negro. He only becomes a slave in certain relations. A cotton spinning jenny is a machine for spinning cotton. It only becomes capital in certain relations. Torn away from these conditions, it is as little capital as gold by itself is money, or as sugar is the price of sugar. In this passage, Marx shows no prejudice to Blacks ("a man of the black race," "a Negro is a Negro"), but he mocks society's equation of "Black" and "slave" ("one explanation is as good as another"). He shows how the economic and social relations of emerging capitalism thrust Blacks into slavery ("he only becomes a slave in certain relations"), which produce the dominant ideology that equates being African with being a slave. These fragments of Marx's writing give us a good start in understanding the Marxist explanation of the origins of racism. As the Trinidadian historian of slavery Eric Williams put it: "Slavery was not born of racism: rather, racism was the consequence of slavery." And, one should add, the consequence of modern slavery at the dawn of capitalism. While slavery existed as an economic system for thousands of years before the conquest of America, racism as we understand it today did not exist. From time immemorial? The classical empires of Greece and Rome were based on slave labor. But ancient slavery was not viewed in racial terms. Slaves were most often captives in wars or conquered peoples. If we understand white people as originating in what is today Europe, then most slaves in ancient Greece and Rome were white. Roman law made slaves the property of their owners, while maintaining a "formal lack of interest in the slave's ethnic or racial provenance," wrote Robin Blackburn in The Making of New World Slavery. Over the years, slave manumission produced a mixed population of slave and free in Roman-ruled areas, in which all came to be seen as "Romans." The Greeks drew a sharper line between Greeks and "barbarians," those subject to slavery. Again, this was not viewed in racial or ethnic terms, as the socialist historian of the Haitian Revolution, C.L.R. James, explained: [H]istorically, it is pretty well proved now that the ancient Greeks and Romans knew nothing about race. They had another standard--civilized and barbarian--and you could have white skin and be a barbarian, and you could be black and civilized. More importantly, encounters in the ancient world between the Mediterranean world and Black Africans did not produce an upsurge of racism against Africans. In Before Color Prejudice, Howard University classics professor Frank Snowden documented innumerable accounts of interaction between the Greco-Roman and Egyptian civilizations and the Kush, Nubian, and Ethiopian kingdoms of Africa. He found substantial evidence of integration of Black Africans in the occupational hierarchies of the ancient Mediterranean empires and Black-white intermarriage. Black and mixed race gods appeared in Mediterranean art, and at least one Roman emperor, Septimius Severus, was an African. Between the 10th and 16th centuries, the chief source of slaves in Western Europe was Eastern Europe. In fact, the word "slave" comes from the word "Slav," the people of Eastern Europe. This outline doesn't mean to suggest a "pre-capitalist" Golden Age of racial tolerance, least of all in the slave societies of antiquity. Empires viewed themselves as centers of the universe and looked on foreigners as inferiors. Ancient Greece and Rome fought wars of conquest against peoples they presumed to be less advanced. Religious scholars interpreted the Hebrew Bible's "curse of Ham" from the story of Noah to condemn Africans to slavery. Cultural and religious associations of the color white with light and angels and the color black with darkness and evil persisted. But none of these cultural or ideological factors explain the rise of New World slavery or the "modern" notions of racism that developed from it. The African slave trade The slave trade lasted for a little more than 400 years, from the mid-1400s, when the Portuguese made their first voyages down the African coast, to the abolition of slavery in Brazil in 1888. Slave traders took as many as 12 million Africans by force to work on the plantations in South America, the Caribbean and North America. About 13 percent of slaves (1.5 million) died during the Middle Passage--the trip by boat from Africa to the New World. The African slave trade--involving African slave merchants, European slavers and New World planters in the traffic in human cargo--represented the greatest forced population transfer ever. The charge that Africans "sold their own people" into slavery has become a standard canard against "politically correct" history that condemns the European role in the African slave trade. The first encounters of the Spanish and Portuguese, and later the English, with African kingdoms revolved around trade in goods. Only after the Europeans established New World plantations requiring huge labor gangs did the slave trade begin. African kings and chiefs did indeed sell into slavery captives in wars or members of other communities. Sometimes, they concluded alliances with Europeans to support them in wars, with captives from their enemies being handed over to the Europeans as booty. The demands of the plantation economies pushed "demand" for slaves. Supply did not create its own demand. In any event, it remains unseemly to attempt to absolve the European slavers by reference to their African partners in crime. As historian Basil Davidson rightly argues about African chiefs' complicity in the slave trade: "In this, they were no less 'moral' than the Europeans who had instigated the trade and bought the captives." Onboard, Africans were restricted in their movements so that they wouldn't combine to mutiny on the ship. In many slave ships, slaves were chained down, stacked like firewood with less than a foot between them. On the plantations, slaves were subjected to a regimen of 18-hour workdays. All members of slave families were set to work. Since the New World tobacco and sugar plantations operated nearly like factories, men, women and children were assigned tasks, from the fields to the processing mills. Slaves were denied any rights. Throughout the colonies in the Caribbean to North America, laws were passed establishing a variety of common practices: Slaves were forbidden to carry weapons, they could marry only with the owner's permission, and their families could be broken up. They were forbidden to own property. Masters allowed slaves to cultivate vegetables and chickens, so the master wouldn't have to attend to their food needs. But they were forbidden even to sell for profit the products of their own gardens. Some colonies encouraged religious instruction among slaves, but all of them made clear that a slave's conversion to Christianity didn't change their status as slaves. Other colonies discouraged religious instruction, especially when it became clear to the planters that church meetings were one of the chief ways that slaves planned conspiracies and revolts. It goes without saying that slaves had no political or civil rights, with no right to an education, to serve on juries, to vote or to run for public office. The planters instituted barbaric regimes of repression to prevent any slave revolts. Slave catchers using tracker dogs would hunt down any slaves who tried to escape the plantation. The penalties for any form of slave resistance were extreme and deadly. One description of the penalties slaves faced in Barbados reports that rebellious slaves would be punished by "nailing them down on the ground with crooked sticks on every Limb, and then applying the Fire by degrees from Feet and Hands, burning them gradually up to the Head, whereby their pains are extravagant." Barbados planters could claim a reimbursement from the government of 25 pounds per slave executed. The African slave trade helped to shape a wide variety of societies from modern Argentina to Canada. These differed in their use of slaves, the harshness of the regime imposed on slaves, and the degree of mixing of the races that custom and law permitted. But none of these became as virulently racist--insisting on racial separation and a strict color bar--as the English North American colonies that became the United States. Unfree labor in the North American colonies Notwithstanding the horrible conditions that African slaves endured, it is important to underscore that when European powers began carving up the New World between them, African slaves were not part of their calculations. When we think of slavery today, we think of it primarily from the point of view of its relationship to racism. But planters in the 17th and 18th centuries looked at it primarily as a means to produce profits. Slavery was a method of organizing labor to produce sugar, tobacco and cotton. It was not, first and foremost, a system for producing white supremacy. How did slavery in the U.S. (and the rest of the New World) become the breeding ground for racism? For much of the first century of colonization in what became the United States, the majority of slaves and other "unfree laborers" were white. The term "unfree" draws the distinction between slavery and servitude and "free wage labor" that is the norm in capitalism. One of the historic gains of capitalism for workers is that workers are "free" to sell their ability to labor to whatever employer will give them the best deal. Of course, this kind of freedom is limited at best. Unless they are independently wealthy, workers aren't free to decide not to work. They're free to work or starve. Once they do work, they can quit one employer and go to work for another. But the hallmark of systems like slavery and indentured servitude was that slaves or servants were "bound over" to a particular employer for a period of time, or for life in the case of slaves. The decision to work for another master wasn't the slave's or the servant's. It was the master's, who could sell slaves for money or other commodities like livestock, lumber or machinery. The North American colonies started predominantly as private business enterprises in the early 1600s. Unlike the Spanish, whose conquests of Mexico and Peru in the 1500s produced fabulous gold and silver riches for Spain, settlers in places like the colonies that became Maryland, Rhode Island, and Virginia made money through agriculture. In addition to sheer survival, the settlers' chief aim was to obtain a labor force that could produce the large amounts of indigo, tobacco, sugar and other crops that would be sold back to England. From 1607, when Jamestown was founded in Virginia to about 1685, the primary source of agricultural labor in English North America came from white indentured servants. The colonists first attempted to press the indigenous population into labor. But the Indians refused to be become servants to the English. Indians resisted being forced to work, and they escaped into the surrounding area, which, after all, they knew far better than the English. One after another, the English colonies turned to a policy of driving out the Indians. The colonists then turned to white servants. Indentured servants were predominantly young white men--usually English or Irish--who were required to work for a planter master for some fixed term of four to seven years. The servants received room and board on the plantation but no pay. And they could not quit and work for another planter. They had to serve their term, after which they might be able to acquire some land and to start a farm for themselves. They became servants in several ways. Some were prisoners, convicted of petty crimes in Britain, or convicted of being troublemakers in Britain's first colony, Ireland. Many were kidnapped off the streets of Liverpool or Manchester, and put on ships to the New World. Some voluntarily became servants, hoping to start farms after they fulfilled their obligations to their masters. For most of the 1600s, the planters tried to get by with a predominantly white, but multiracial workforce. But as the 17th century wore on, colonial leaders became increasingly frustrated with white servant labor. For one thing, they faced the problem of constantly having to recruit labor as servants' terms expired. Second, after servants finished their contracts and decided to set up their farms, they could become competitors to their former masters. And finally, the planters didn't like the servants' "insolence." The mid-1600s were a time of revolution in England, when ideas of individual freedom were challenging the old hierarchies based on royalty. The colonial planters tended to be royalists, but their servants tended to assert their "rights as Englishmen" to better food, clothing and time off. Most laborers in the colonies supported the servants. As the century progressed, the costs of servant labor increased. Planters started to petition the colonial boards and assemblies to allow the large-scale importation of African slaves. Black slaves worked on plantations in small numbers throughout the 1600s. But until the end of the 1600s, it cost planters more to buy slaves than to buy white servants. Blacks lived in the colonies in a variety of statuses--some were free, some were slaves, some were servants. The law in Virginia didn't establish the condition of lifetime, perpetual slavery or even recognize African servants as a group different from white servants until 1661. Blacks could serve on juries, own property and exercise other rights. Northampton County, Virginia, recognized interracial marriages and, in one case, assigned a free Black couple to act as foster parents for an abandoned white child. There were even a few examples of Black freemen who owned white servants. Free Blacks in North Carolina had voting rights. In the 1600s, the Chesapeake society of eastern Virginia had a multiracial character, according to historian Betty Wood: There is persuasive evidence dating from the 1620s through the 1680s that there were those of European descent in the Chesapeake who were prepared to identify and cooperate with people of African descent. These affinities were forged in the world of plantation work. On many plantations, Europeans and West Africans labored side by side in the tobacco fields, performing exactly the same types and amounts of work; they lived and ate together in shared housing; they socialized together; and sometimes they slept together. The planters' economic calculations played a part in the colonies' decision to move toward full-scale slave labor. By the end of the 17th century, the price of white indentured servants outstripped the price of African slaves. A planter could buy an African slave for life for the same price that he could purchase a white servant for 10 years. As Eric Williams explained: Here, then, is the origin of Negro slavery. The reason was economic, not racial; it had to do not with the color of the laborer, but the cheapness of the labor. [The planter] would have gone to the moon, if necessary, for labor. Africa was nearer than the moon, nearer too than the more populous countries of India and China. But their turn would soon come. Planters' fear of a multiracial uprising also pushed them towards racial slavery. Because a rigid racial division of labor didn't exist in the 17th century colonies, many conspiracies involving Black slaves and white indentured servants were hatched and foiled. We know about them today because of court proceedings that punished the runaways after their capture. As historians T.H. Breen and Stephen Innes point out, "These cases reveal only extreme actions, desperate attempts to escape, but for every group of runaways who came before the courts, there were doubtless many more poor whites and blacks who cooperated in smaller, less daring ways on the plantation." The largest of these conspiracies developed into Bacon's Rebellion, an uprising that threw terror into the hearts of the Virginia Tidewater planters in 1676. Several hundred farmers, servants and slaves initiated a protest to press the colonial government to seize Indian land for distribution. The conflict spilled over into demands for tax relief and resentment of the Jamestown establishment. Planter Nathaniel Bacon helped organize an army of whites and Blacks that sacked Jamestown and forced the governor to flee. The rebel army held out for eight months before the Crown managed to defeat and disarm it. Bacon's Rebellion was a turning point. After it ended, the Tidewater planters moved in two directions: first, they offered concessions to the white freemen, lifting taxes and extending to them the vote; and second, they moved to full-scale racial slavery. Fifteen years earlier, the Burgesses had recognized the condition of slavery for life and placed Africans in a different category as white servants. But the law had little practical effect. "Until slavery became systematic, there was no need for a systematic slave code. And slavery could not become systematic so long as an African slave for life cost twice as much as an English servant for a five-year term," wrote historian Barbara Jeanne Fields. Both of those circumstances changed in the immediate aftermath of Bacon's Rebellion. In the entire 17th century, the planters imported about 20,000 African slaves. The majority of them were brought to North American colonies in the 24 years after Bacon's Rebellion. In 1664, the Maryland legislature passed a law determining who would be considered slaves on the basis of the condition of their father--whether their father was slave or free. It soon became clear, however, that establishing paternity was difficult, but that establishing who was a person's mother was definite. So the planters changed the law to establish slave status on the basis of the mother's condition. Now white slaveholders who fathered children by slave women would be guaranteed their offspring as slaves. And the law included penalties for "free" women who slept with slaves. But what's most interesting about this law is that it doesn't really speak in racial terms. It attempts to preserve the property rights of slaveholders and establish barriers between slave and free which were to become hardened into racial divisions over the next few years. Taking the Maryland law as an example, Fields made this important point: Historians can actually observe colonial Americans in the act of preparing the ground for race without foreknowledge of what would later arise on the foundation they were laying. [T]he purpose of the experiment is clear: to prevent the erosion of slaveowners' property rights that would result if the offspring of free white women impregnated by slave men were entitled to freedom. The language of the preamble to the law makes clear that the point was not yet race. Race does not explain the law. Rather, the law shows society in the act of inventing race. After establishing that African slaves would cultivate major cash crops of the North American colonies, the planters then moved to establish the institutions and ideas that would uphold white supremacy. Most unfree labor became Black labor. Laws and ideas intended to underscore the subhuman status of Black people--in a word, the ideology of racism and white supremacy--emerged full-blown over the next generation. "All men are created equal" Within a few decades, the ideology of white supremacy was fully developed. Some of the greatest minds of the day--such as Scottish philosopher David Hume and Thomas Jefferson, the man who wrote the Declaration of Independence--wrote treatises alleging Black inferiority. The ideology of white supremacy based on the natural inferiority of Blacks, even allegations that Blacks were subhuman, strengthened throughout the 18th century. This was the way that the leading intellectual figures of the time reconciled the ideals of the 1776 American Revolution with slavery. The American Revolution of 1776 and later the French Revolution of 1789 popularized the ideas of liberty and the rights of all human beings. The Declaration of Independence asserts that "all men are created equal" and possess certain "unalienable rights"--rights that can't be taken away--of "life, liberty, and the pursuit of happiness." As the first major bourgeois revolution, the American Revolution sought to establish the rights of the new capitalist class against the old feudal monarchy. It started with the resentment of the American merchant class that wanted to break free from British restrictions on its trade. But its challenge to British tyranny also gave expression to a whole range of ideas that expanded the concept of "liberty" from being just about trade to include ideas of human rights, democracy, and civil liberties. It legitimized an assault on slavery as an offense to liberty. Some of the leading American revolutionaries, such as Thomas Paine and Benjamin Franklin, endorsed abolition. Slaves and free Blacks also pointed to the ideals of the revolution to call for abolishing slavery. But because the revolution aimed to establish the rule of capital in America, and because a lot of capitalists and planters made a lot of money from slavery, the revolution compromised with slavery. The Declaration initially contained a condemnation of King George for allowing the slave trade, but Jefferson dropped it following protests from representatives from Georgia and the Carolinas. How could the founding fathers of the U.S.--most of whom owned slaves themselves--reconcile the ideals of liberty for which they were fighting with the existence of a system that represented the exact negation of liberty? The ideology of white supremacy fit the bill. We know today that "all men" didn't include women, Indians or most whites. But to rule Black slaves out of the blessings of liberty, the leading head-fixers of the time argued that Blacks weren't really "men," they were a lower order of being. Jefferson's Notes from Virginia, meant to be a scientific catalogue of the flora and fauna of Virginia, uses arguments that anticipate the "scientific racism" of the 1800s and 1900s. With few exceptions, no major institution--such as the universities, the churches or the newspapers of the time--raised criticisms of white supremacy or of slavery. In fact, they helped pioneer religious and academic justifications for slavery and Black inferiority. As C.L.R. James put it, "[T]he conception of dividing people by race begins with the slave trade. This thing was so shocking, so opposed to all the conceptions of society which religion and philosophers had, that the only justification by which humanity could face it was to divide people into races and decide that the Africans were an inferior race." White supremacy wasn't only used to justify slavery. It was also used to keep in line the two-thirds of Southern whites who weren't slaveholders. Unlike the French colony of St. Domingue or the British colony of Barbados, where Blacks vastly outnumbered whites, Blacks were a minority in the slave South. A tiny minority of slave-holding whites, who controlled the governments and economies of the Deep South states, ruled over a population that was roughly two-thirds white farmers and workers and one-third Black slaves. The slaveholders' ideology of racism and white supremacy helped to divide the working population, tying poor whites to the slaveholders. Slavery afforded poor white farmers what Fields called a "social space" whereby they preserved an illusory "independence" based on debt and subsistence farming, while the rich planters continued to dominate Southern politics and society. "A caste system as well as a form of labor," historian James M. McPherson wrote, "slavery elevated all whites to the ruling caste and thereby reduced the potential for class conflict." The great abolitionist Frederick Douglass understood this dynamic: The hostility between the whites and blacks of the South is easily explained. It has its root and sap in the relation of slavery, and was incited on both sides by the cunning of the slave masters. Those masters secured their ascendancy over both the poor whites and the Blacks by putting enmity between them. They divided both to conquer each. [Slaveholders denounced emancipation as] tending to put the white working man on an equality with Blacks, and by this means, they succeed in drawing off the minds of the poor whites from the real fact, that by the rich slave-master, they are already regarded as but a single remove from equality with the slave. Slavery and capitalism Slavery in the colonies helped produce a boom in the 18th century economy that provided the launching pad for the industrial revolution in Europe. From the start, colonial slavery and capitalism were linked. While it is not correct to say that slavery created capitalism, it is correct to say that slavery provided one of the chief sources for the initial accumulations of wealth that helped to propel capitalism forward in Europe and North America. The clearest example of the connection between plantation slavery and the rise of industrial capitalism was the connection between the cotton South, Britain and, to a lesser extent, the Northern industrial states. Here, we can see the direct link between slavery in the U.S. and the development of the most advanced capitalist production methods in the world. Cotton textiles accounted for 75 percent of British industrial employment in 1840, and, at its height, three-fourths of that cotton came from the slave plantations of the Deep South. And Northern ships and ports transported the cotton. To meet the boom in the 1840s and 1850s, the planters became even more vicious. On the one hand, they tried to expand slavery into the West and Central America. The fight over the extension of slavery into the territories eventually precipitated the Civil War in 1861. On the other hand, they drove slaves harder--selling more cotton to buy more slaves just to keep up. On the eve of the Civil War, the South was petitioning to lift the ban on the importation of slaves that had existed officially since 1808. Karl Marx clearly understood the connection between plantation slavery in the cotton South and the development of capitalism in England. He wrote in Capital: While the cotton industry introduced child-slavery into England, in the United States, it gave the impulse for the transformation of the more or less patriarchal slavery into a system of commercial exploitation. In fact, the veiled slavery of the wage-laborers in Europe needed the unqualified slavery of the New World as its pedestal. Capital comes dripping from head to toe, from every pore, with blood and dirt. The close connection between slavery and capitalism, and thus, between racism and capitalism, gives the lie to those who insist that slavery would have just died out. In fact, the South was more dependent on slavery right before the Civil War than it was 50 or 100 years earlier. Slavery lasted as long as it did because it was profitable. And it was profitable to the richest and most "well-bred" people in the world. The Civil War abolished slavery and struck a great blow against racism. But racism itself wasn't abolished. On the contrary, just as racism was created to justify colonial slavery, racism as an ideology was refashioned. It now no longer justified the enslavement of Blacks, but it justified second-class status for Blacks as wage laborers and sharecroppers. Racist ideology was also refashioned to justify imperialist conquest at the turn of the last century. As a handful of competing world powers vied to carve up the globe into colonial preserves for cheap raw materials and labor, racism served as a convenient justification. The vast majority of the world's people were now portrayed as inferior races, incapable of determining their own future. Slavery disappeared, but racism remained as a means to justify the domination of millions of people by the U.S., various European powers, and later by Japan. Because racism is woven right into the fabric of capitalism, new forms of racism arose with changes in capitalism. As the U.S. economy expanded and underpinned U.S. imperial expansion, imperialist racism--which asserted that the U.S. had a right to dominate other peoples, such as Mexicans and Filipinos--developed. As the U.S. economy grew and sucked in millions of immigrant laborers, anti-immigrant racism developed. But these are both different forms of the same ideology--of white supremacy and division of the world into "superior" and "inferior" races--that had their origins in slavery. Racism and capitalism have been intertwined since the beginning of capitalism. You can't have capitalism without racism. Therefore, the final triumph over racism will only come when we abolish racism's chief source--capitalism--and build a new socialist society.

#### Our alternative is to build solidarity around anti-capitalist demands to build a better future---solves all impacts.

Klein 17 – Award-winning journalist for NYT, the Intercept, Le Monde, The Guardian, and The Nation; documentary filmmaker; and, author of several bestselling books [Naomi, *No Is Not Enough: Resisting Trump’s Shock Politics and Winning the World We Need*, Haymarket Books, pp. 251-6]

Utopia-Back by Popular Demand

The Leap is part of a shift in the political zeitgeist, as many are realizing that the future depends on our ability to come together [END PAGE 252] across painful divides, and to take leadership from those who traditionally have been most excluded. We have reached the limits of siloed politics, where everyone fights in their own corner without mapping the connections between various struggles, and without a clear idea of the concepts and values that must form the moral foundation of the future we need.

That recognition doesn't mean that resisting the very specific attacks-on families, on people's bodies, on communities, on individual rights-is suddenly optional. There is no choice but to resist, just as there is no choice but to run insurgent progressive candidates at every level of government, from federal down to the local school board. In the months and years to come, the various resistance tactics described in this book are going to be needed more than ever: the street protests, the strikes, the court challenges, the sanctuaries, the solidarity across divisions of race, gender, and sexual identity-all are going to be essential. And we will need to continue pushing institutions to divest from the industries that profit off various forms of dispossession, from fossil fuels to prisons to war and occupation. And yet even if every one of these resistance fights is victorious-and we know that's not going to be possible-we would still be standing in the same place we were before the Far Right started surging, with no better chance of addressing the root causes of the systemic crises of which Trump is but one virulent symptom.

A great many of today's movement leaders and key organizers understand this well, and are planning and acting accordingly. Alicia Garza, one of the founders of Black Lives Matter, said on the eve of Trump's inauguration that after five years of swelling social movements,

whether it be Occupy Wall Street, whether it be the DREAMers movement or Black Lives Matter ... there's a particular hope that I have that all of those movements will join together to become [END PAGE 253] the powerful force that we can be, that will actually govern this country. So that's what I'm focused on, and I hope that everybody else is thinking about that too.

Many people are, and as they do, we're seeing a rekindling of the kind of utopian dreaming that has been sorely missing from social movements in recent decades. More and more frequently, immediate, pressing demands-a $15-an-hour living wage, an end to police killings and deportations, a tax on carbon-are being paired with calls for a future that is not just better than a violent, untenable present, but ... wonderful.

In the United States, the boldest and most inspiring example of this new utopianism is the Vision for Black Lives, a sweeping policy platform released in the summer of 2016 by the Movement for Black Lives. Born of a coalition of over fifty Black-led organizations, the platform states, "We reject false solutions and believe we can achieve a complete transformation of the current systems, which place profit over people and make it impossible for many of us to breathe." It goes on to place police shootings and mass incarceration in the context of an economic system

that has waged war on Black and brown communities, putting them first in line for lost jobs, hacked-back social services, and environmental pollution. The result has been huge numbers of people exiled from the formal economy, preyed upon by increasingly militarized police, and warehoused in overcrowded prisons. And the platform makes a series of concrete proposals, including defunding prisons, removing police from schools, and demilitarizing police. It also lays out a program for reparations for slavery and systemic discrimination, one that includes free college education and forgiveness of student loans. There is much more-nearly forty policy demands in all, spanning changes to the tax code to breaking up the banks. The Atlantic magazine remarked that the platform -which was dropped smack in the middle of the [END PAGE 254] US presidential campaign- "rivals even political-party platforms in thoroughness."

In the months after Trump's inauguration, the Movement for Black Lives played a central role in deepening connections with other movements, convening dozens of groups under the banner "The Majority." The new formation kicked off with a thrilling month-long slate of actions between April 4 (the anniversary of Dr. Martin Luther King's assassination) and May Day. Nationwide "Fight Racism, Raise Pay" protests linked racial justice to the fast-growing workers' campaign for a $15 minimum wage and the mounting attacks on immigrants. "In the context of Trump's presidency," the new coalition argues, "it is imperative that we put forth a true, collective vision of economic justice and worker justice, for all people."

And in June 2017, thousands of activists from diverse constituencies are descending on Chicago for the second annual People's Summit, organized by National Nurses United, to continue hashing out a broad-based "People's Agenda." Several similar state-level convergences are also under way, in Michigan as well as North Carolina, where "Moral Mondays" have been bringing movements together for several years. As one of its founders, Reverend William Barber, has said, "You have to build a movement, not a moment ... I believe all these movements--Moral Mondays, Fight for $15, Black Lives Matter are signs of hope that people are going to stand up and not stand down."

As it has in Canada, the climate crisis is pushing us to put plans for political transformation on a tight and unyielding deadline. A powerful and broad coalition called New York Renews is pushing hard for the state to transition entirely to renewable energy

by 2050. If more US states adopt these kinds of ambitious targets, and other countries do the same (Sweden, for instance, has a target of carbon neutrality by 2045), then [END PAGE 255] Trump and Tillerson's most nefarious efforts may be insufficient to tip the planet into climate chaos.

It's becoming possible to see a genuine path forward-new political formations that, from their inception, will marry the fight for economic fairness with a deep analysis of how racism and misogyny are used as potent tools to enforce a system that further enriches the already obscenely wealthy on the backs of both people and the planet. Formations that could become home to the millions of people who are engaging in activism and organizing for the first time, knitting together a multiracial and intergenerational coalition bound by a common transformational project.

The plans that are taking shape for defeating Trumpism wherever we live go well beyond finding a progressive savior to run for office and then offering that person our blind support. Instead, communities and movements are uniting to lay out the core policies that politicians who want their support must endorse.

The people's platforms are starting to lead-and the politicians will have to follow.

#### Communities are pre-determined by capitalism – only the alternative solves.

Robinson 14 – Professor of sociology at UC Santa Barbara [William, *Global capitalism and the crisis of humanity*, Cambridge Univ. Press, pp. 222-4]

How viable are transformative strategies based on the notion that local communities can withdraw from global capitalism? The attempt to create alter- native communities at the local level, to set up cooperatives, to decentralize circuits of food supply, to withdraw from the global agro-industrial regime, to decentralize energy distribution and consumption, and to construct cooperative enterprises and local solidarity economies are necessary and important. Yet they do not in themselves resolve the problem of power. In the absence of a strategy to confront the state and to transform the system from within we are left with the dangerous illusion that the world can be changed without resolving this matter of power. Global capitalism is now internal to practically all communities on the planet. It has spun webs of worldwide interdependency that link us all to a larger totality. Global capitalism is indeed totalizing. The notion that one can escape from global capitalism not by defeating it but by creating alternative spaces or islands of utopia ignores the unpleasant fact that no matter how one wills it to be so, these spaces cannot disengage from capitalism, if for no other reason than that capital and the state will penetrate – often forcibly – and continuously reincorporate these spaces.

Localized solutions are too piecemeal to confront the power of global capitalism – to change the global balance of class and social forces. There is no way to get around the fact that the TCC holds class power over humanity, and the TNS exercises multiple forms of direct, coercive power. The state exercises power over us. This fact will not go away by ignoring this power. It is illusory to suppose that it can be countered by constructing autonomous communities, which in fact are not autonomous because such communities cannot extricate themselves from the webs of global capitalism, and even if they could, in theory, the state would not allow them to; it would use the force of its law to reincorporate such communities. There is no getting around confrontation with the state, no avoiding a struggle to wrest state power away from capital, its agents and allies. The struggle to withdraw from global capitalism, no matter how important, must be coupled with a struggle to overthrow global capitalism, to destroy the transnational capitalist state.

#### Only a capitalist analysis can explain the production and perpetuation of racism.

Camfield 16 – Associate Professor of Labour Studies & Sociology at University of Manitoba and a PhD in Social and Political Thought at York University [David, “Elements of a Historical-Materialist Theory of Racism,” *Historical Marxism*, Vol. 24, Issue 1 16, p. 31-70, Emory Libraries]

The key question in dealing with the persistence of racism is not how racial oppression is reproduced, though it is vital to be able to show this in order to avoid falling into functionalism; 124 racism is reproduced in a myriad of ways in various situations, as has been demonstrated in detail by anti-racist researchers. Nor is it a question of locating a ‘material basis’ for racism, since such a framing of the problem assumes that racism is an ideology rather than a social relation. Rather, the question is why does racial oppression remain a major feature of matrices of social relations in the contemporary world?

Some critical race analysis, influenced by poststructuralism, does not go beyond identifying the pervasiveness of ‘race thinking’ – as Sherene Razack puts it, ‘a structure of thought that divides up the world between the deserving and the undeserving according to descent’. 125 While this phenomenon is both real and significant, naming it does not explain the persistence of racism in a way satisfactory to defenders of any kind of materialism. Eduardo Bonilla-Silva offers a materialist explanation that is widely shared among contemporary anti-racist researchers:

Racial structures remain in place for the same reasons that other structures do. Since actors racialised as ‘white’ – or as members of the dominant race – receive material benefits from the racial order, they struggle (or passively receive the manifold wages of whiteness) to maintain their privileges. In contrast, those defined as belonging to the subordinate race or races struggle to change the status quo (or become resigned to their position). Therein lies the secret of racial structures and racial inequality the world over. They exist because they benefit members of the dominant race. 126

This explanation has more than a grain of truth to it, as I will argue. However, it is inadequate because it fails to identify any connection between specific features of capitalism and the persistence of racism or to m

ake distinctions about who benefits from racism and how. But some historical materialists deny that this kind of explanation has any validity whatsoever. Callinicos argues that ‘the Marxist claim’ is that ‘the forces and relations of production, a complex set of historically developed and changing powers, explain relations of domination.’ 127 There are two problems with this approach. The first is that it equates an explanation of the origins of a form of oppression with an explanation of its persistence. I believe that the genesis of racial oppression can be explained by historical analysis of forces and relations of production. However, as Mills argues, ‘genealogy does not necessarily translate into continuing causal pre-eminence’. 128 The second is that it treats forms of oppression as generating no properties that contribute to their own persistence. However, there is considerable evidence that they do. This is why Esch and Roediger contend that ‘understanding racism necessitates a separate and distinct perspective on power relations beyond the terms of class’. For example, they suggest that ‘racist acts are sometimes or maybe often acts of racial empowerment, rather than of class disempowerment’ 129 – an insight that many Marxist accounts of racism and white workers do not acknowledge because they lack a concept of racial privilege. While it is better to treat such acts as often being about both ‘racial empowerment’ and ‘class disempowerment’ rather than one or the other, Esch and Roediger’s point about the limits of treating racism as explicable solely with reference to the forces and relations of production is clear. In their spirit, I suggest that racism’s persistence today can be explained as flowing from three deeply-rooted features of contemporary society that are interwoven in reality but analytically distinguishable: imperialism, the profits of racism, and efforts to defend or enhance racial privilege.

Imperialism

Imperialism is an essential dimension of the capitalist mode of production. The system develops in an uneven and combined manner both in time and space, with ‘spatial cycles of development at one pole and underdevelopment at another’. 130 This is a consequence of differential profits, which can lead to ‘a self-reinforcing process that gives rise to privileged concentrations of high-productivity capital’. 131 The ensuing domination of the globe by capitalist imperialism has been interwoven with racism almost from its inception. 132 A result of this fact has been histories in which, as Susan Ferguson has argued,

People become [negatively] racialised insofar as they are associated. . . with other socio-geographic spaces. The ‘other,’ of course, is relative – and determined largely by the historical configuration of geo-political and social relations. . . . So while people are necessarily ‘territorialised’ by matter of their birth (we are all born and live somewhere), they are only racialised as a function of how their location figures in the broader socio-geo-political ordering of capitalism. 133

Today imperialism reproduces, Winant writes, ‘a worldwide pattern of employment discrimination, violence, morbidity, impoverishment, pollution, and unequal exchange’. This is ‘a global system of social stratification’ that ‘correlates very well with racial criteria: the darker your skin is, the less you earn; the shorter your life span, the poorer your health and nutrition, the less education you can get.’ 134 Even if we set aside the contentious issue of unequal exchange and assert the huge importance of class divisions within imperialised countries, 135 Winant’s correlation still matters. Even when explicitly racist ideology is absent today, imperialism reproduces ‘an already racialised structural distribution of property and economic power . . . which is the product of the long history of global racialised dispossession’. 136 Moreover, imperialism today frequently operates in ways that treat the populations of imperialised countries as different in inherent and unalterable ways. This makes their oppression by imperialism racial in character. While in the twenty-first century the differences used to mark imperialised populations are not always posited explicitly as ones of inferiority, imperialised populations are in practice routinely treated as essentially culturally deficient. This can be seen in the neoliberal ideology of international development’s depiction of the people of imperialised countries as mired in irrational culture. 137 The treatment by imperialist state officials of Muslims and Arabs as essentially pre-modern, religious and irrational is another case in point. 138 Such racialised imperialist practices and ideologies are also influential within the borders of imperialist countries; they powerfully condition how state managers structure immigration controls and politically administer the portions of their populations who have migrated from imperialised countries or who are descended from such migrants or enslaved ancestors. 139 This in turn has a broad influence on the ideological environment in advanced capitalist countries.

The Profits of Racism

The mediation of capitalism by racism almost from its very beginning 140 that was registered in the preceding paragraph can also be seen in the history of how production has been socially organised. The massive use of racialised African slavery and Asian indentured migrant labour was succeeded in the twentieth century by new flows of immigration from imperialised countries. Today these flows increasingly involve migrants from imperialised countries engaging in unfree or highly precarious wage labour. As Ferguson and David McNally note,

What is unique about the neoliberal period, therefore, is not that [negatively] racialised labour-power is appropriated from the peripheries of the global system. That has been a constant of the capitalist mode of production. Instead, the key development has been the massive expansion of the global labour reserve as a result of the most accelerated and extensive processes of primitive accumulation in world history. 141

Across the history of capitalism, then, employers have often dealt with working classes stratified by racial hierarchies (and simultaneously by divisions rooted in patriarchal and other forms of oppression), which they have frequently cultivated directly or indirectly. 142 They have done so and often continue to do so in large part because racism is conducive to higher profitability. This is true in a number of ways. First, a workforce divided by racism is less able to resist managerial control, which allows employers to extract more effort from workers. Second, labour-market competition among workers divided by racism can result in workers placed lower in a racial hierarchy being willing to work for lower wages and/or in ways preferred by employers than workers ranked above them in the racial order. 143 This can extend to workers at the bottom of a racial hierarchy being willing to take jobs that other workers are unwilling to do because the work is seen as so undesirable. It is possible for employers to successfully ‘use race as a sorting mechanism in their pursuit of increased productivity’, with particular skills or capacities linked to specific racial groups, thereby reducing training costs. 144 Finally, the weakening of the social power of the working class (not simply solidarity at the point of production) by racism facilitates capitalist profitability. 145 It is admittedly easier to argue convincingly that the existence of racism contributes to profit-making than to show that this in part actually explains the contemporary perpetuation of racial oppression; the latter is important in order to avoid functionalist explanations of racism’s persistence. Nevertheless, the frequency with which employers use perceived racial identity as a sorting mechanism in dealing with job applications and play workers off against each other along racial lines lends support to this claim. So too does the widespread opposition of capitalists and their political advocates to measures that would substantially improve the bargaining power of racially oppressed workers in labour markets, such as granting citizenship or permanent-resident status to non-status migrants and those with temporary residency rights and instituting effective anti-racist reforms to employment law. 146