## 1NC

## Topicality

#### Our interpretation is that 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”.

#### Prohibitions are laws

Collins Dictionary. "Prohibition definition and meaning". Accessed: 9-13-2021. https://www.collinsdictionary.com/dictionary/english/prohibition

Definition of 'prohibition'

prohibition

(proʊɪbɪʃən)

Word forms: plural prohibitions

1. COUNTABLE NOUN

A prohibition is a law or rule forbidding something.

...a prohibition on discrimination. [+ on]

...prohibitions against feeding birds at the airport. [+ against]

2. See also prohibit

#### The core antitrust laws are Sherman, Clayton, and FTC.

Thomas Horton 10. Professor of Law and Heidepriem Trial Advocacy Fellow, University of South Dakota School of Law. “Rediscovering Antitrust's Lost Values.” The University of New Hampshire Law Review. https://scholars.unh.edu/cgi/viewcontent.cgi?article=1305&context=unh\_lr

Part II of this Article discusses Congress’s historical balancing and blending of fundamental political, social, moral, and economic values to create a constitutional-like set of flexible laws that can be adapted to unforeseen and changing economic and political circumstances.22 Part II.A. briefly reviews some of the extensive scholarship addressing Congress’s balancing of values and objectives in its core antitrust laws including the Sherman, Clayton, and FTC Acts. Parts II.B. and C. explore the less-studied balancing of political, social, moral, and economic values and objectives in more recent antitrust legislation.23 Part II.B. specifically examines the legislative debates undergirding the passage of the HSR Act. 24 Part II.C. then turns to the debates and discourse that led to the passage of the NCRA in 1984 and the subsequent National Cooperative Production Amendments of 1993 and 2004. 25

#### Violation---they don’t defend USFG action that increases prohibitions on private sector business practices by expanding the scope of the core antitrust laws---cx was pretty clear on we don’t get DAs which proves all our offense

#### Vote negative:

#### 1. Fairness – the Neg should win on average 50 percent of the time – any unfair advantage is a reason they should lose – their arguments are shaped by the drive to win, so presume their arguments are in bad faith.

#### 2. Rigorous testing – debate requires stasis to motivate research that develops third and fourth line responses – that’s key to politics and activism regardless of your personal beliefs – their interp explodes limits, makes the Aff conditional, and forces the Neg into concessionary ground.

## World Systems

#### Neolib isn’t a monolithic root cause but pervasive---micropolitics disseminates post-Fordist productivity into remote terrains of lived experience to corrupt dissent.

Papadopoulos 8 (Dimitris, School of Social Science @Cardiff U, Leicester Reader in Sociology and Organisation. “In the ruins of representation: Identity, individuality, subjectification”, British Journal of Social Psychology, 47.1, ebsco//shree)

The turn to micropolitics and the dissolution of the foundationalist understandings of identity (either in its essentialist or discursive reductionist versions) enable political analyses of previously neglected and effaced domains of everyday life. But do micropolitics effectively challenge state regulation and open pathways for the emergence of a multiplicity of different modes of embodied subjectification? Or does embodied subjectification become a new mode of state regulated existence? The power of micropolitics is thought to lie in the fact that they bypass the reproduction of the state as an intact and paramount entity of power. Micropolitics harness everyday lived and embodied experience as a vital matter of political struggles which aim to reinvigorate civil society, that is, the struggles of associations of people which develop outside of state institutions (Warner, 2002). However, seen historically, since the 1980s micropolitics have increasingly become integral to the effective realization of neoliberal governance. This is because this mode of engagement is aligned with transformations which have occurred at the level of the state. The neoliberal state is not a monolithic container, rather it disseminates into the most remote terrains of everyday experience. The dismantling of welfare systems has accelerated, and finally consolidated, the state’s withdrawal from the traditional role of centralized organizer of society. However, the result has not been the disappearance of the state itself, rather we are witnessing the disappearance of the welfare state and the emergence of new one (Fairbrother & Rainnie, 2005; Jessop, 2002; Sassen, 1999). Social control is primarily performed through the colonization of previously regarded private areas of individual existence: the body, health, fashion and well-being, sexuality, your living-room. In this process, embodied subjectification and micropolitics have become necessary elements for the functioning of the neoliberal state. The neoliberal state needs, more than self-regulating individuals, networked actors who actively forge the structures necessary for the transformation from centralized state powers to disseminated modes of neoliberal regulation (Marazzi, 1998; Neilson & Rossiter, 2005; Papadopoulos, 2003; Stephenson, 2003). Hence, although they arose as an attempt to challenge the overly narrow focus on the state, micropolitics have played a vital role in shifting the historical function of the state from centralized control into a disseminated form of control which operates effectively in the terrain of social and cultural life. In this sense, both state- and micropolitics articulate their political agenda inside the terrain of the state and affirm its function and centrality in social life. This is the moment where embodied subjectification and the broader project of critical psychology amplify the production of affirmative subjectivity, a subjectivity which paradoxically solidifies state regulation by operating at its margins. However, the generation of affirmative subjectivity is more than a form of political regulation in contemporary North-Atlantic societies. It is also a productive force in the literal sense. The traditional apparatus for measuring and diagnosing individual differences was insufficient as a response to the social and economical transformations related to post-Fordist labour (Bowring, 2002; Gorz, 2004; Lazzarato, 2002; Moulier Boutang, 2003; Williams, 1994). This is because post-Fordism appropriates as productive resources precisely these forms of individual action and experience, which refer to the totality of individual subjectivity: relationality, emotions, memory, communication, creativity and primarily, the totality of the body. Critical psychology’s conceptualization captures the core tenet of the post-Fordist transformation in a magnificent way: embodied subjectification becomes the algorithm for the realization of the process of the ‘subjectivization of work’, a process which lies in the heart of post-Fordist productivity (Lohr & Nickel, 2005; Moldaschl & Voss, 2003; Scho¨nberger & Springer, 2003). Yet critical psychology neither traces possible ruptures in the post-Fordist arrangement nor explores everyday forms of exodus and disobedience (Moulier Boutang, 1998; Virno, 2004). In other words, the critical psychological view of subjectification can elucidate, or diagnose, the productive role of the psychology in the social earthquake which accompanied the post-Fordist reorganization of labour and everyday sociality in North-Atlantic societies (Gordo-Lo´pez & Pujol Tarre´s, 2004; Papadopoulos, 2004). However, critical psychology is unable to engage with the suppressed potentialities of post-Fordist social relations which could lead to forms of political engagement that question post-Fordism itself (Karakayali & Tsianos, 2005; Negri, 1999; Santos, 2001; Stephenson, 2004). The reason for this is, as I argued above, that embodied subjectification is the core productive form of today’s sociality. Embodied subjectification is not only a heuristic tool which enables social researchers to understand power relations in post-Fordist North-Atlantic societies, but also the very guarantor of what Weber (1978) calls ‘legitimate domination’. A form of domination which is actively and willingly performed differently by each individual and congeals a form of power, which, following Hannah Arendt (1970), emerges not as a means to dominate but by the very fact that people act together. Embodied subjectification (and its very theoreticization by governmentality studies) is a form of obedience to today’s configuration of power in North-Atlantic societies. In this sense, micropolitics and embodied subjectification constitute a form of affirmative subjectivity in neoliberal and post-Fordist conditions. In the last part of the paper, I will briefly discuss Jacques Rancie`re’s concept of politics as a means for interfering in the production of affirmative subjectivity (for a more broad discussion of this issue s. Stephenson & Papadopoulos, 2006).

#### Neolib commoditizes life, ensures inequality and eco-crisis

Harvey 5 (David, FBA is the Distinguished Professor of Anthropology and Geography @ the Graduate Center of the City Univ. of New York, A Brief History of Neoliberalism, pgs 165-171//shree)

To presume that markets and market signals can best determine all allocative decisions is to presume that everything can in principle be treated as a commodity. Commodification presumes the existence of property rights over processes, things, and social relations, that a price can be put on them, and that they can be traded subject to legal contract. The market is presumed to work as an appropriate guide––an ethic––for all human action. In practice, of course, every society sets some bounds on where commodification begins and ends. Where the boundaries lie is a matter of contention. Certain drugs are deemed illegal. The buying and selling of sexual favours is outlawed in most US states, though elsewhere it may be legalized, decriminalized, and even state-regulated as an industry. Pornography is broadly protected as a form of free speech under US law although here, too, there are certain forms (mainly concerning children) that are considered beyond the pale. In the US, conscience and honour are supposedly not for sale, and there exists a curious penchant to pursue ‘corruption’ as if it is easily distinguishable from the normal practices of influence-peddling and making money in the marketplace. The commodification of sexuality, culture, history, heritage; of nature as spectacle or as rest cure; the extraction of monopoly rents from originality, authenticity, and uniqueness (of works or art, for example)––these all amount to putting a price on things that were never actually produced as commodities.17 There is often disagreement as to the appropriate- ness of commodification (of religious events and symbols, for example) or of who should exercise the property rights and derive the rents (over access to Aztec ruins or marketing of Aboriginal art, for example).¶ Neoliberalization has unquestionably rolled back the bounds of commodification and greatly extended the reach of legal contracts. It typically celebrates (as does much of postmodern theory) ephemerality and the short-term contract––marriage, for example, is understood as a short-term contractual arrangement rather than as a sacred and unbreakable bond. The divide between neoliberals and neoconservatives partially reflects a difference as to where the lines are drawn. The neoconservatives typically blame ‘liberals’, ‘Hollywood’, or even ‘postmodernists’ for what they see as the dissolution and immorality of the social order, rather than the corporate capitalists (like Rupert Murdoch) who actually do most of the damage by foisting all manner of sexually charged if not salacious material upon the world and who continually flaunt their pervasive preference for short-term over long-term commitments in their endless pursuit of profit.¶ But there are far more serious issues here than merely trying to protect some treasured object, some particular ritual or a preferred corner of social life from the monetary calculus and the short-term contract. For at the heart of liberal and neoliberal theory lies the necessity of constructing coherent markets for land, labour, and money, and these, as Karl Polanyi pointed out, ‘are obviously not commodities . . . the commodity description of labour, land, and money is entirely fictitious’. While capitalism cannot function without such fictions, it does untold damage if it fails to acknowledge the complex realities behind them. Polanyi, in one of his more famous passages, puts it this way:¶ To allow the market mechanism to be sole director of the fate of human beings and their natural environment, indeed, even of the amount and use of purchasing power, would result in the demolition of society. For the alleged commodity ‘labour power’ cannot be shoved about, used indiscriminately, or even left unused, without affecting also the human individual who happens to be the bearer of this peculiar commodity. In disposing of man’s labour power the system would, incidentally, dispose of the physical, psychological, and moral entity ‘man’ attached to that tag. Robbed of the protective covering of cultural institutions, human beings would perish from the effects of social exposure; they would die as victims of acute social dislocation through vice, perversion, crime and starvation. Nature would be reduced to its elements, neighborhoods and landscapes defiled, rivers polluted, military safety jeopardized, the power to produce food and raw materials destroyed. Finally, the market administration of purchasing power would periodically liquidate business enterprise, for shortages and surfeits of money would prove as disastrous to business as floods and droughts in primitive society.18¶ The damage wrought through the ‘floods and droughts’ of fictitious capitals within the global credit system, be it in Indonesia, Argentina, Mexico, or even within the US, testifies all too well to Polanyi’s final point. But his theses on labour and land deserve further elaboration.¶ Individuals enter the labour market as persons of character, as individuals embedded in networks of social relations and socialized in various ways, as physical beings identifiable by certain characteristics (such as phenotype and gender), as individuals who have accumulated various skills (sometimes referred to as ‘human cap- ital’) and tastes (sometime referred to as ‘cultural capital’), and as living beings endowed with dreams, desires, ambitions, hopes, doubts, and fears. For capitalists, however, such individuals are a mere factor of production, though not an undifferentiated factor since employers require labour of certain qualities, such as physical strength, skills, flexibility, docility, and the like, appropriate to cer- tain tasks. Workers are hired on contract, and in the neoliberal scheme of things short-term contracts are preferred in order to maximize flexibility. Employers have historically used differentiations within the labour pool to divide and rule. Segmented labour markets then arise and distinctions of race, ethnicity, gen- der, and religion are frequently used, blatantly or covertly, in ways that redound to the employers’ advantage. Conversely, workers may use the social networks in which they are embedded to gain privileged access to certain lines of employment. They typically seek to monopolize skills and, through collective action and the creation of appropriate institutions, seek to regulate the labour market to protect their interests. In this they are merely construct- ing that ‘protective covering of cultural institutions’ of which Polanyi speaks.¶ Neoliberalization seeks to strip away the protective coverings that embedded liberalism allowed and occasionally nurtured. The general attack against labour has been two-pronged. The powers of trade unions and other working-class institutions are curbed or dismantled within a particular state (by violence if necessary). Flexible labour markets are established. State withdrawal from social welfare provision and technologically induced shifts in job structures that render large segments of the labour force redun- dant complete the domination of capital over labour in the market- place. The individualized and relatively powerless worker then confronts a labour market in which only short-term contracts are offered on a customized basis. Security of tenure becomes a thing of the past (Thatcher abolished it in universities, for example). A ‘personal responsibility system’ (how apt Deng’s language was!) is substituted for social protections (pensions, health care, protec- tions against injury) that were formerly an obligation of employers and the state. Individuals buy products in the markets that sell social protections instead. Individual security is therefore a matter of individual choice tied to the affordability of financial products embedded in risky financial markets.¶ The second prong of attack entails transformations in the spa- tial and temporal co-ordinates of the labour market. While too much can be made of the ‘race to the bottom’ to find the cheapest and most docile labour supplies, the geographical mobility of capital permits it to dominate a global labour force whose own geographical mobility is constrained. Captive labour forces abound because immigration is restricted. These barriers can be evaded only by illegal immigration (which creates an easily exploitable labour force) or through short-term contracts that permit, for example, Mexican labourers to work in Californian agribusiness only to be shamelessly shipped back to Mexico when they get sick and even die from the pesticides to which they are exposed.¶ Under neoliberalization, the figure of ‘the disposable worker’ emerges as prototypical upon the world stage.19 Accounts of the appalling conditions of labour and the despotic conditions under which labourers work in the sweatshops of the world abound. In China, the conditions under which migrant young women from rural areas work are nothing short of appalling: ‘unbearably long hours, substandard food, cramped dorms, sadistic managers who beat and sexually abuse them, and pay that arrives months late, or sometimes not at all’.20 In Indonesia, two young women recounted their experiences working for a Singapore-based Levi-Strauss subcontractor as follows:¶ We are regularly insulted, as a matter of course. When the boss gets angry he calls the women dogs, pigs, sluts, all of which we have to endure patiently without reacting. We work officially from seven in the morning until three (salary less than $2 a day), but there is often compulsory overtime, sometimes––especially if there is an urgent order to be delivered––until nine. However tired we are, we are not allowed to go home. We may get an extra 200 rupiah (10 US cents) . . . We go on foot to the factory from where we live. Inside it is very hot. The building has a metal roof, and there is not much space for all the workers. It is very cramped. There are over 200 people working there, mostly women, but there is only one toilet for the whole factory . . . when we come home from work, we have no energy left to do anything but eat and sleep . . .21¶ Similar tales come from the Mexican maquila factories, the Taiwanese- and Korean-operated manufacturing plants in Honduras, South Africa, Malaysia, and Thailand. The health haz- ards, the exposure to a wide range of toxic substances, and death on the job pass by unregulated and unremarked. In Shanghai, the Taiwanese businessman who ran a textile warehouse ‘in which 61 workers, locked in the building, died in a fire’ received a ‘lenient’ two-year suspended sentence because he had ‘showed repentance’ and ‘cooperated in the aftermath of the fire’.22¶ Women, for the most part, and sometimes children, bear the brunt of this sort of degrading, debilitating, and dangerous toil.23 The social consequences of neoliberalization are in fact extreme. Accumulation by dispossession typically undermines whatever powers women may have had within household production/ marketing systems and within traditional social structures and relocates everything in male-dominated commodity and credit markets. The paths of women’s liberation from traditional patri- archal controls in developing countries lie either through degrad- ing factory labour or through trading on sexuality, which varies from respectable work as hostesses and waitresses to the sex trade (one of the most lucrative of all contemporary industries in which a good deal of slavery is involved). The loss of social protec- tions in advanced capitalist countries has had particularly negative effects on lower-class women, and in many of the ex-communist countries of the Soviet bloc the loss of women’s rights through neoliberalization has been nothing short of catastrophic.¶ So how, then, do disposable workers––women in particular–– survive both socially and affectively in a world of flexible labour markets and short-term contracts, chronic job insecurities, lost social protections, and often debilitating labour, amongst the wreckage of collective institutions that once gave them a modicum of dignity and support? For some the increased flexibility in labour markets is a boon, and even when it does not lead to material gains the simple right to change jobs relatively easily and free of the traditional social constraints of patriarchy and family has intangible benefits. For those who successfully negotiate the labour market there are seemingly abundant rewards in the world of a capitalist consumer culture. Unfortunately, that culture, however spectacular, glamorous, and beguiling, perpetually plays with desires without ever conferring satisfactions beyond the limited identity of the shopping mall and the anxieties of status by way of good looks (in the case of women) or of material possessions. ‘I shop therefore I am’ and possessive individualism together con- struct a world of pseudo-satisfactions that is superficially exciting but hollow at its core. But for those who have lost their jobs or who have never managed to move out of the extensive informal economies that now provide a parlous refuge for most of the world’s disposable work- ers, the story is entirely different. With some 2 billion people condemned to live on less than $2 a day, the taunting world of capitalist consumer culture, the huge bonuses earned in financial services, and the self-congratulatory polemics as to the emancipa- tory potential of neoliberalization, privatization, and personal responsibility must seem like a cruel joke. From impoverished rural China to the affluent US, the loss of health-care protections and the increasing imposition of all manner of user fees adds considerably to the financial burdens of the poor.24

#### Vote neg for a historical materialist world-systems approach.

Chase-Dunn 99 (Chris, Christopher Chase-Dunn is Distinguished Professor of Sociology and Director of the Institute for Research on World-Systems at the University of California-Riverside. He received his Ph.D in Sociology from Stanford University in 1975. Chase-Dunn has done crossnational quantitative studies of the effects of dependence on foreign investment and he studies cities and settlement systems in order to explain human sociocultural evolution. His research focuses on interpolity systems, including both the modern global political economy and earlier regional world-systems. One project examines the causes of the expansion and collapse of cities and empires in several regional world-systems as well as the contemporary process of global state formation. His research has been supported by the National Science Foundation. Chase-Dunn is the founder and former editor of the Journal of World-Systems Research. and the Series Editor of a book series published by The Johns Hopkins University Press. In 2001 he was elected a Fellow of the American Association for the Advancement of Science. In 2002 he was elected President of the Research Committee on Economy and Society (RC02) of the International Sociological Association. And in 2008 he was elected Distinguished Senior Scholar of the International Political Economy (IPE) section of the International Studies Association. “Globalization: A World-Systems Perspective.” Journal of World-Systems Research, v2, summer, p 188-206//shree)

Today the terms “world economy”, “world market”, and “globalization” are commonplace, appearing in the sound-bites of politicians, media commentators, and unemployed workers alike. But few know that the most important source for these phrases lies with work started by sociologists in the early Seventies. At a time when the mainstream assumption of accepted social, political, and economic science held that the “wealth of nations” reflected mainly on the cultural developments within those nations, a growing group of social scientists recognized that national “development” could be best understood as the complex outcome of local interactions with an aggressively expanding Europe-centered “world-system” (Wallerstein 1974; Frank 1978).1 Not only did these scientists perceive the global nature of economic networks 20 years before they entered popular discourse, but they also saw that many of these networks extend back at least 600 years. Over this time, the peoples of the globe became linked into one integrated unit: the modern world-system. Now, 20 years on, social scientists working in the area are trying to understand the history and evolution of the whole system, as well as how local, national and regional entities have been integrated into it. This current research has required broadening our perspective to include deeper temporal and larger spatial frameworks. For example, some recent research has compared the modern Europe-centered world-system of the last six hundred years with earlier, smaller intersocietal networks that have existed for millennia (Frank and Gills 1993; Chase-Dunn and Hall 1997). Other work uses the knowledge of cycles and trends that has grown out of world-systems research to anticipate likely future events with a precision impossible before the advent of the theory. This is still a new field and much remains to be done, but enough has already been achieved to provide a valuable understanding of the phenomenon of globalization. The discourse about globalization has emerged mainly in the last decade. The term means many different things, and there are many reasons for its emergence as a popular concept. The usage of this term generally implies that a recent change (within the last decade or two) has occurred in technology and in the size of the arena of economic competition. The general idea is that information technology has created a context in which the global market, rather than separate national markets, is the relevant arena for economic competition. It then follows that economic competitiveness needs to be assessed in the global context, rather than in a national or local context. These notions have been used to justify the adoption of new practices by firms and governments all over the world and these developments have altered the political balances among states, firms, unions and other interest groups. The first task is to put this development into historical context. The world-systems perspective has shown that intersocietal geopolitics and geoeconomics has been the relevant arena of competition for national-states, firms and classes for hundreds of years. The degree of international connectedness of economic and political/military networks was already important in the fourteenth and fifteenth centuries. The first “transnational corpora-tions” (TNCs) were the great chartered companies of the seventeenth century. They organized both production and exchange on an intercontinental scale. The rise and fall of hegemonic core powers, which continues today with the relative decline of the United States hegemony, was already in full operation in the seventeenth century rise and fall of Dutch hegemony (see Arrighi 1994; Modelski and Thompson 1996; Taylor 1996). The capitalist world-economy has experienced cyclical processes and secular trends for hundreds of years (Chase-Dunn 1998:Chapter 2). The cyclical processes include the rise and fall of hegemons, the Kondratieff wave (a forty to sixty year business cycle)2 , a cycle of warfare among core states (Goldstein 1988), and cycles of colonization and decolonization (Bergesen and Schoenberg 1980). The world-system has also experienced several secular trends including a long-term proletarianization of the world work force, growing concentration of capital into larger and larger firms, increasing internationalization of capital investment and of trade, and accelerating internationalization of political structures. In this perspective, globalization is a long-term upward trend of political and economic change that is affected by cyclical processes. The most recent technological changes, and the expansions of international trade and investment, are part of these long-run changes. One question is exactly how the most recent changes compare with the long-run trends? And what are the important continuities as well as the qualitative differences that accompany these changes? These are the questions that I propose to explore. types of globalization There are at least five different dimensions of globalization that need to be distinguished. There are also several misunderstandings and misinterpretations that need to be clarified. Let us evaluate five different meanings of globalization: (1) Common ecological constraints This aspect of globalization involves global threats due to our fragile ecosystem and the globalization of ecological risks. Anthropogenic causes of ecological degradation have long operated, and these in turn have affected human social evolution (Chase-Dunn and Hall 1997). But ecological degradation has only recently begun to operate on a global scale. This fact creates a set of systemic constraints that require global collective action. (2) Cultural globalization This aspect of globalization relates to the diffusion of two sets of cultural phenomena: • the proliferation of individualized values, originally of Western origin, to ever larger parts of the world population. These values are expressed in social constitutions that recognize individual rights and identities and transnational and international efforts to protect “human rights.” • the adoption of originally Western institutional practices. Bureaucratic organization and rationality, belief in a law-like natural universe, the values of economic efficiency and political democracy have been spreading throughout the world since they were propagated in the European Enlightenment (Meyer 1996; Markoff 1996). Whereas some of the discussions of the world polity assume that cultural components have been a central aspect of the modern world-system from the start (e.g. Meyer 1989; Mann 1986), I emphasize the comparatively non-normative nature of the modern world-system (Chase-Dunn 1998: Chapter 5). But I acknowledge the growing salience of cultural consensus in the last 100 years. Whereas the modern world-system has always been, and is still, multicultural, the growing influence and acceptance of Western values of rationality, individualism, equality, and efficiency is an important trend of the twentieth century. (3) Globalization of communication Another meaning of globalization is connected with the new era of information technology. Anthony Giddens(1996) insists that social space comes to acquire new qualities with generalized electronic communications, albeit only in the networked parts of the world. In terms of accessibility, cost and velocity, the hitherto more local political and geographic parameters that structured social relationships are greatly expanded. One may well argue that time-space compression (Harvey 1989) by new information technologies is simply an extension and acceleration of the very long-term trend toward technological development over the last ten millenia (Chase-Dunn 1994). Yet, the rapid decrease in the cost of communications may have qualitatively altered the relationship between states and consciousness and this may be an important basis for the formation of a much stronger global civil society. Global communication facilities have the power to move things visible and invisible from one part of the globe to another whether any nation-state likes it or not. This applies not only to economic exchange, but also to ideas, and these new networks of communication can create new political groups and alignments. How, and to what extent, will this undermine the power of states to structure social relationships? (4) Economic globalization Economic globalization means globe-spanning economic relationships. The interrelationships of markets, finance, goods and services, and the networks created by transnational corporations are the most important manifestations of this. Though the capitalist world-system has been international in essence for centuries, the extent and degree of trade and investment globalization has increased greatly in recent decades. Economic globalization has been accelerated by what information technology has done to the movement of money. It is commonly claimed that the market’s ability to shift money from one part of the globe to another by the push of a button has changed the rules of policy-making, putting economic decisions much more at the mercy of market forces than before. The world-system has undergone major waves of economic globalization before, especially in the last decades of the the nineteenth century. One important question is whether or not the most recent wave has actually integrated the world to a qualitatively greater extent that it was integrated during the former wave. All the breathy discussions of global capitalism and global society assume that this is the case, but careful comparative research indicates that this is not so (see below and Chase-Dunn, Kawano and Brewer 2000). (5) Political globalization Political globalization consists of the institutionalization of international political structures. The Europe-centered world-system has been primarily constituted as an interstate system—a system of conflicting and allying states and empires. Earlier world-systems, in which accumulation was mainly accomplished by means of institutionalized coercive power, experienced an oscillation between multicentric interstate systems and core-wide world empires in which a single “universal” state conquered all or most of the core states in a region. The Europe-centered system has also experienced a cyclical alternation between political centralization and decentralization, but this has taken the form of the rise and fall of hegemonic core states that do not conquer the other core states. Hence the modern world-system has remained multicentric in the core, and this is due mainly to the shift toward a form of accumulation based more on the production and profitable sale of commodities—capitalism. The hegemons have been the most thoroughly capitalist states and they have preferred to follow a strategy of controlling trade and access to raw material imports from the periphery rather than conquering other core states to extract tribute or taxes. Power competition in an interstate system does not require much in the way of cross-state cultural consensus to operate systemically. But since the early nineteenth century the European interstate system has been developing both an increasingly consensual international normative order and a set of international political structures that regulate all sorts of interaction. This phenomenon has been termed “global governance” by Craig Murphy (1994) and others. It refers to the growth of both specialized and general international organizations. The general organizations that have emerged are the Concert of Europe, the League of Nations and the United Nations. The sequence of these “proto-world-states” constitutes a process of institution-building, but unlike earlier “universal states” this one is slowly emerging by means of condominium among core states rather than conquest. This is the trend of political globalization. It is yet a weak, but persistent, concentration of sovereignty in international institutions. If it continues it will eventuate in a single global state that could effectively outlaw warfare and enforce its illegality. The important empirical question, analogous to the discussion of economic globalization above, is the relative balance of power between international and global political organizations vis a vis national states. We assume this to be an upward trend, but like economic globalization it probably is also a cycle. Measuring Economic Globalization The brief discussion above of economic globalization implies that it is a long-run upward trend. The idea is that international economic competition as well as geopolitical competition were already important in the fourteenth century and that they became increasingly important as more and more international trade and international investment occurred. In its simplest form this would posit a linear upward trend of economic globalization. An extreme alternative hypothesis about economic globalization would posit a completely unintegrated world composed of autarchic national economies until some point (perhaps in the last few decades) at which a completely global market for commodities and capital suddenly emerged. Let us examine data that can tell us more about the temporal emergence of economic globalization. There are potentially a large number of different indicators of economic globalization and they may or may not exhibit similar patterns with respect to change over time. Trade globalization can be operationalized as the proportion of all world production that crosses international boundaries. Investment globalization would be the proportion of all invested capital in the world that is owned by non-nationals (i.e. “foreigners”). And we could also investigate the degree of economic integration of countries by determining the extent to which national economic growth rates are correlated across countries. 3 It would be ideal to have these measures over several centuries, but comparable fi gures are not available before the nineteenth century, and indeed even these are sparse and probably unrepresentative of the whole system until well into the twentieth century. Nevertheless we can learn some important things by examining those comparable data that are available. Figure 1 shows trade and investment globalization. Trade globalization is the ratio of estimated total world exports (the sum of the value of exports of all countries) divided by an estimate of total world product (the sum of all the national GDPs). Investment globalization is the total book value of all foreign direct investment divided by the total world product. The trade globalization figures show the hypothesized upward trend as well as a downturn that occurred between 1929 and 1950. Note that the time scale in Figure 1 is distorted by the paucity of data before 1950. It is possible that important changes in trade globalization are not visible in this series because of the wide temporal gaps in the data. Indeed a more recent study has shown that this is the case. There was a shorter and less well-defined wave of trade globalization from 1900 to 1929 (Chase-Dunn, Kawano and Brewer 2000). Figure 1 also shows that the trade indicator differs in some ways from the investment indicator. Investment globalization was higher (or as high) in 1913 as it was in 1991, while trade globalization was considerably lower in 1913 than it was in 1992. We have fewer time points for the investment data, so we cannot tell for sure about the shape of the changes that took place, but these two series imply that different indicators of economic globalization may show somewhat different trajectories. More research needs to be done on investment globalization to determine its exact trajectory and for comparison with trade globalization and other world-system cycles and trends. A third indicator of economic globalization is the correlation of national GDP growth rates (Grimes 1993). This shows the extent to which periods of national economic growth and stagnation have been synchronized across countries. In a fully integrated global economy it would be expected that growth and stagnation periods would be synchronized across countries and so there would be a high correlation of national growth rates. Grimes shows that, contrary to the hypothesis of a secular upward trend toward increasing global integration, the correlation among national growth rates fluctuates cyclically over the past two centuries. In a data series from 1860 to 1988 Grimes found two periods in which national economic growth decline sequences are highly correlated across countries: - 1913-1927; and after 1970. Before and in between these peaks are periods of very low synchronization. Further research needs to be done to determine the temporal patterns of different sorts of economic globalization. At this point we can say that the step-function version of a sudden recent leap to globalization can be rejected. The evidence we have indicates that there are both long-term secular trends and huge cyclical oscillations. Trade globalization shows a long-term trend with a big dip during the depression of the 1930s. The investment globalization indicates a cycle with at least two peaks, one before World War I and one after 1980. Grimes’s indicator of synchronous economic growth indicates a cyclical fluctuation with one peak in the 1920s and another since 1970. These results, especially those that imply cycles, indicate that change occurs relatively quickly and that the most recent period of globalization shares important features with earlier periods of intense international economic interaction. The question of the similarities and differences between the most recent wave and earlier waves of globalization is clearly an important one. systemic cycles of accumulation Giovanni Arrighi (1994) shows how hegemony in the modern world system has evolved in a series of “systemic cycles of accumulation” (SCAs) in which finance capital has employed different forms of organization and different relationships with organized state power. These qualitative organizational changes have accompanied the secular increase in the power of money and markets as regulatory forces in the modern world-system. The SCAs have been occurring in the Europe-centered world-system since at least the fourteenth century. Arrighi’s model shows both the similarities and the differences in the relationships that obtain between financial capital and states within the different systemic cycles of accumulation. The British SCA and the American SCA had both similarities and important differences. The main differences that Arrighi emphasizes are the “internalization of transaction costs” (represented by the vertical integration of TNCs) and the extent to which the U.S. tried to create “organized capitalism” on a global scale. The British SCA had fewer global firms and pushed hard for international free trade. The U.S. SCA is characterized by a much heavier focus on global firms and by a more structured approach to “global governance” possibly intended to produce economic growth in other core regions, especially those that are geopolitically strategic. Arrighi argues that President Roosevelt used the power of the hegemonic state to try to create a balanced world of capitalist growth. This sometimes meant going against the preferences of finance capital and U.S. corporations. For example, the Japanese miracle was made possible because the U.S. government prevented U.S. corporations from turning Japan (and Korea) into just one more dependent and peripheralized country. This policy of enlightened global Keynesianism was continued in a somewhat constrained form under later presidents, albeit in the guise of domestic “military Keynesianism” justified by the Soviet threat. In this interpretation the big companies and the finance capitalists returned to power with the decline in competitiveness of the U.S. economy. The rise of the Eurodollar market forced Nixon to abandon the Bretton Woods financial structure, and this was followed by ReaganismThatcherism, IMF structural adjustment, streamlining, deregulation and the delegitimation of anything that constrained the desires of global capital investment. The idea that we are all subject to the forces of a global market-place, and that any constraint on the freedom to invest will result in a deficit of “competitiveness,” is a powerful justification for destroying the institutions of the “Second Wave” (e.g. labor unions, welfare, agricultural subsidies, etc.).4 Under conditions of increased economic globalization the ability of national states to protect their citizens from world market forces decreases. This results increasing inequalities within countries, and increasing levels of dis-satisfaction compared to the relative harmony of national integration achieved under the Keynesian regimes. It is also produces political reactions, especially national-populist movements.5 Indeed, Philip McMichael (1996) attributes the anti-government movements now occurring in the U.S. West, including the bombing of the Federal Building in Oklahoma City, to the frustrations caused by the deregulation of U.S. agriculture. It would also be useful to investigate the temporal patterns of the other types of globalization: cultural,6 political, technological and ecological. Of interest too are the relationships between these and economic globalization. Much empirical work needs to be done to operationalize these concepts and to assemble the relevant information. Here, for now, I will hypothesize that all these types exhibit both long-run secular and cyclical features. I will also surmise that cultural and political globalization are lagged behind the secular upward trend of economic globalization. the politics of globalization This last hypothesis bears on the question of adjustments of political and social institutions to increases in economic and technological globalization. I would submit that the current period of economic globalization has occurred in part due to technological changes that are linked to Kondratieff waves, and in part because of the profit squeezes and declining hegemony of the U.S. economy in the larger world market. 7 The financial aspects of the current period of economic globalization began when President Nixon canceled the Bretton Woods agreement in response to pressures on the value of the U.S. dollar coming from the rapidly growing Eurodollar market (Harvey 1995). This occurred in 1967, and this date is used by many to mark the beginning of a K-wave downturn. The saturation of the world market demand for the products of the post-World War II upswing, the constraints on capital accumulation posed by business unionism and the political entitlements of the welfare states in core countries caused a profit squeeze that motivated large firms and investors and their political helpers to try to break out of these constraints. The possibilities for global investment opened up by new communications and information technology created new maneuverability for capital. The demise of the Soviet Union8 added legitimacy to the revitalized ideology of the free market and this ideology swept the Earth. Not only Reagan and Thatcher, but Eurocommunists and labor governments in both the core and the periphery, adopted the ideology of the “lean state,” deregulation, privatization and the notion that everything must be evaluated in terms of global efficiency and competitiveness. Cultural globalization has been a very long-term upward trend since the emergence of the world religions in which any person, regardless of ethnicity or kinship, could become a member of the moral community by confessing faith in the “universal” god. But moral and political cosmography has usually encompassed a smaller realm than the real dimensions of the objective trade and political/military networks in which people have been involved. What has occurred at the end of the twentieth century is a near convergence between subjective cosmography and objective networks. The main cause of this is probably the practical limitation of human habitation to the planet Earth. But the long-run declining costs of transportation and communications are also an important element. Whatever the causes, the emergent reality is one in which consciousness embraces (or goes beyond) the real systemic networks of interaction. This geographical feature of the global system is one of its uniquenesses, and it makes possible for the future a level of normative order that has not existed since human societies were very small and egalitarian (Chase-Dunn and Hall 1997a). The ideology of globalization has undercut the support and the rationale behind all sorts of so-called Second Wave institutions—labor unions, socialist parties, welfare programs, and communist states. While these institutions have not been destroyed everywhere, the politicians of the right (e.g. Newt Gingrich in the U.S.) have explicitly argued for their elimination. At the same time, the very technologies that made capitalist economic globalization possible also have the potential to allow those who do not benefit from the free reign of capital to organize new forms of resistance, or to revitalize old forms. It is now widely agreed by many, even in the financial community, that the honeymoon of neo-liberalism will eventually end and that the rough edges of global capitalism will need to be buffed. Patrick Buchanan, a conservative candidate for the U.S. presidency in 1996, tried to capitalize on popular resentment of corporate downsizing. The Wall Street Journal has reported that stock analysts worry about the “lean and mean” philosophy becoming a fad that has the potential to delegitimate the business system and to create political backlashes. This was expressed in the context of a discussion of the announcement of huge bonuses for AT&T executives following another round of downsizing. I already mentioned the difficulties that states are having in controlling communications on the Internet. I do not believe the warnings of those who predict a massive disruption of civilization by hordes of sociopaths waging “cyberwar”9 But I do think that the new communications technologies provide new opportunities for the less powerful to organize themselves to respond should global capitalism run them over or leave them out. The important question is what are the most useful organizational forms for resistance? What we already see are all sorts of nutty localisms, nationalisms and a proliferation of identity politics. The militias of the U.S. West are ordering large amounts of fertilizer with which to resist the coming of the “Blue Helmets”—a fantasized world state that is going to take away their handguns and assualt rifles.10 Localisms and specialized identities are the postmodern political forms that are supposedly produced by information technology, flexible specialization, and global capitalism (Harvey 1989). I think that at least some of this trend is a result of desperation and the demise of plausible alternatives in the face of the ideological hegemony of neoliberalism and the much-touted triumph of efficiency over justice. Be that as it may, a historical perspective on the latest phase of globalization allows us to see the long-run patterns of interaction between capitalist expansion and the movements of opposition that have tried to protect people from the negative aspects of market forces and exploitation. And this perspective has implications for going beyond the impasse of the present to build a more cooperative and humane global system (Boswell and Chase-Dunn 1999). the spiral of capitalism and socialism The interaction between expansive commodification and resistance movements can be denoted as “the spiral of capitalism and socialism.” The world-systems perspective provides a view of the long-term interaction between the expansion and deepening of capitalism and the efforts of people to protect themselves from exploitation and domination. The historical development of the communist states is explained as part of a long-run spiraling interaction between expanding capitalism and socialist counter-responses. The history and developmental trajectory of the communist states can be explained as socialist movements in the semiperiphery that attempted to transform the basic logic of capitalism, but which ended up using socialist ideology to mobilize industrialization for the purpose of catching up with core capitalism. The spiraling interaction between capitalist development and socialist movements can be seen in the history of labor movements, socialist parties and communist states over the last 200 years. This long-run comparative perspective enables one to see recent events in China, Russia and Eastern Europe in a framework that has implications for the future of social democracy. The metaphor of the spiral means this: both capitalism and socialism affect one another’s growth and organizational forms. Capitalism spurs socialist responses by exploiting and dominating peoples, and socialism spurs capitalism to expand its scale of production and market integration and to revolutionize technology. Defined broadly, socialist movements are those political and organizational means by which people try to protect themselves from market forces, exploitation and domination, and to build more cooperative institutions. The sequence of industrial revolutions, by which capitalism has restructured production and taken control of labor, have stimulated a series of political organizations and institutions created by workers to protect their livelihoods. This happened differently under different political and economic conditions in different parts of the world-system. Skilled workers created guilds and craft unions. Less skilled workers created industrial unions. Sometimes these coalesced into labor parties that played important roles in supporting the development of political democracies, mass education and welfare states (Rueschemeyer, Stephens and Stephens 1992). In other regions workers were less politically successful, but managed at least to protect access to rural areas or subsistence plots for a fall-back or hedge against the insecurities of employment in capitalist enterprises. To some extent the burgeoning contemporary “informal sector” in both core and peripheral societies provides such a fall-back. The mixed success of workers’ organizations also had an impact on the further development of capitalism. In some areas workers or communities were successful at raising the wage bill or protecting the environment in ways that raised the costs of production for capital. When this happened capitalists either displaced workers by automating them out of jobs or capital migrated to where fewer constraints allowed cheaper production. The process of capital flight is not a new feature of the world-system. It has been an important force behind the uneven development of capitalism and the spreading scale of market integration for centuries. Labor unions and socialist parties were able to obtain some power in certain states, but capitalism became yet more international. Firm size increased. International markets became more and more important to successful capitalist competition. Fordism, the employment of large numbers of easily-organizable workers in centralized production locations, has been supplanted by “flexible accumulation” (small firms producing small customized products) and global sourcing (the use of substitutable components from broadly dispersed competing producers), are all production strategies that make traditional labor organizing approaches much less viable. communist states in the world-system Socialists were able to gain state power in certain semiperipheral states and use this power to create political mechanisms of protection against competition with core capital. This was not a wholly new phenomenon. As discussed below, capitalist semiperipheral states had done and were doing similar things. But, the communist states claimed a fundamentally oppositional ideology in which socialism was allegedly a superior system that would eventually replace capitalism. Ideological opposition is a phenomenon which the capitalist world-economy has seen before. The geopolitical and economic battles of the Thirty Years War were fought in the name of Protestantism against Catholicism. The content of the ideology may make some difference for the internal organization of states and parties, but every contender must be able to legitimate itself in the eyes and hearts of its cadre. The claim to represent a qualitatively different and superior socio-economic system is not evidence that the communist states were indeed structurally autonomous from world capitalism. The communist states severely restricted the access of core capitalist firms to their internal markets and raw materials, and this constraint on the mobility of capital was an important force behind the post-World War II upsurge in the spatial scale of market integration and a new revolution of technology. In certain areas capitalism was driven to further revolutionize technology or to improve living conditions for workers and peasants because of the demonstration effect of propinquity to a communist state. U.S. support for state-led industrialization of Japan and Korea (in contrast to U.S. policy in Latin America) is only understandable as a geopolitical response to the Chinese revolution. The existence of “two superpowers”—one capitalist and one communist—in the period since World War II provided a fertile context for the success of international liberalism within the “capitalist” bloc. This was the political/military basis of the rapid growth of transnational corporations and the latest revolutionary “time-space compression” (Harvey 1989). This technological revolution has once again restructured the international division of labor and created a new regime of labor regulation called “flexible accumulation.” The process by which the communist states have become reintegrated into the capitalist world-system has been long, as described below. But, the final phase of reintegration was provoked by the inability to be competitive with the new form of capitalist regulation. Thus, capitalism spurs socialism, which spurs capitalism, which spurs socialism again in a wheel that turns and turns while getting larger. The economic reincorporation of the communist states into the capitalist world-economy did not occur recently and suddenly. It began with the mobilization toward autarchic industrialization using socialist ideology, an effort that was quite successful in terms of standard measures of economic development. Most of the communist states were increasing their percentage of world product and energy consumption up until the 1980s. The economic reincorporation of the communist states moved to a new stage of integration with the world market and foreign firms in the 1970s. Andre Gunder Frank (1980:chapter 4) documented a trend toward reintegration in which the communist states increased their exports for sale on the world market, increased imports from the avowedly capitalist countries, and made deals with transnational firms for investments within their borders. The economic crisis in Eastern Europe and the Soviet Union was not much worse than the economic crisis in the rest of the world during the global economic downturn that began in the late 1960s (see Boswell and Peters 1990, Table 1). Data presented by World Bank analysts indicates that GDP growth rates were positive in most of the “historically planned economies” in Europe until 1989 or 1990 (Marer et al, 1991: Table 7a). Put simply, the big transformations that occurred in the Soviet Union and China after 1989 were part of a process that had long been underway since the 1970s. The big socio-political changes were a matter of the superstructure catching up with the economic base. The democratization of these societies is, of course, a welcome trend, but democratic political forms do not automatically lead to a society without exploitation or domination. The outcomes of current political struggles are rather uncertain in most of the ex-communist countries. New types of authoritarian regimes seem at least as likely as real democratization. As trends in the last two decades have shown, austerity regimes, deregulation and marketization within nearly all of the communist states occurred during the same period as similar phenomena in non-communist states. The synchronicity and broad similarities between Reagan/Thatcher deregulation and attacks on the welfare state, austerity socialism in most of the rest of the world, and increasing pressures for marketization in the Soviet Union and China are all related to the B-phase downturn of the Kondratieff wave, as are the current moves toward austerity and privatization in many semiperipheral and peripheral states. The trend toward privatization, deregulation and market-based solutions among parties of the Left in almost every country is thoroughly documented by Lipset (1991). Nearly all socialists with access to political power have abandoned the idea of doing more than buffing off the rough edges of capitalism. The way in which the pressures of a stagnating world economy impact upon national policies certainly varies from country to country, but the ability of any single national society to construct collective rationality is limited by its interaction within the larger system. The most recent expansion of capitalist integration, termed “globalization of the economy,” has made autarchic national economic planning seem anachronistic. Yet, a political reaction against economic globalization is now under way in the form of revived ex-communist parties, economic nationalism (e.g., Pat Buchanan, the Brazilian military) and a coalition of oppositional forces who are critiquing the ideological hegemony of neo-liberalism (e.g., Ralph Nader, environmentalists, populists of the right, etc.). Political Implications of the World-System Perspective The age of U.S. hegemonic decline and the rise of post-modernist philosophy have cast the liberal ideology of the European Enlightenment (science, progress, rationality, liberty, democracy and equality) into the dustbin of totalizing universalisms. It is alleged that these values have been the basis of imperialism, domination and exploitation and, thus, they should be cast out in favor of each group asserting its own set of values. Note that self-determination and a considerable dose of multiculturalism (especially regarding religion) were already central elements in Enlightenment liberalism. The structuralist and historical materialist world-systems approach poses this problem of values in a different way. The problem with the capitalist world-system has not been with its values. The philosophy of liberalism is fine. It has quite often been an embarrassment to the pragmatics of imperial power and has frequently provided justifications for resistance to domination and exploitation. The philosophy of the enlightenment has never been a major cause of exploitation and domination. Rather, it was the military and economic power generated by capitalism that made European hegemony possible.

#### Only preserving the “sovereign” solves short term eco-crisis – alt’s mindset shift takes too long

Parenti 13 (Christian Parenti, Christian Parenti is a Puffin Foundation Writing Fellow, contributing editor at The Nation and a visiting professor at Brooklyn College, CUNY, “A Radical Approach to the Climate Crisis” [http://www.dissentmagazine.org/article/a-radical-approach-to-the-climate-crisis] Summer //mtc)

Several strands of green thinking maintain that capitalism is incapable of a sustainable relationship with non-human nature because, as an economic system, capitalism has a growth imperative while the earth is finite. One finds versions of this argument in the literature of eco-socialism, deep ecology, eco-anarchism, and even among many mainstream greens who, though typically declining to actually name the economic system, are fixated on the dangers of “growth.”¶ All this may be true. Capitalism, a system in which privately owned firms must continuously out-produce and out-sell their competitors, may be incapable of accommodating itself to the limits of the natural world. However, that is not the same question as whether capitalism can solve the more immediate climate crisis.¶ Because of its magnitude, the climate crisis can appear as the sum total of all environmental problems—deforestation, over-fishing, freshwater depletion, soil erosion, loss of biodiversity, chemical contamination. But halting greenhouse gas emissions is a much more specific problem, the most pressing subset of the larger apocalyptic panorama.¶ And the very bad news is, time has run out. As I write this, news arrives of an ice-free arctic summer by 2050. Scientists once assumed that would not happen for hundreds of years.¶ Dealing with climate change by first achieving radical social transformation—be it a socialist or anarchist or deep-ecological/neo-primitive revolution, or a nostalgia-based localista conversion back to a mythical small-town capitalism—would be a very long and drawn-out, maybe even multigenerational, struggle. It would be marked by years of mass education and organizing of a scale and intensity not seen in most core capitalist states since the 1960s or even the 1930s.¶ Nor is there any guarantee that the new system would not also degrade the soil, lay waste to the forests, despoil bodies of water, and find itself still addicted to coal and oil. Look at the history of “actually existing socialism” before its collapse in 1991. To put it mildly, the economy was not at peace with nature. Or consider the vexing complexities facing the left social democracies of Latin America. Bolivia, and Ecuador, states run by socialists who are beholden to very powerful, autonomous grassroots movements, are still very dependent on petroleum revenue.¶ A more radical approach to the crisis of climate change begins not with a long-term vision of an alternate society but with an honest engagement with the very compressed timeframe that current climate science implies. In the age of climate change, these are the real parameters of politics.¶ Hard Facts¶ The scientific consensus, expressed in peer-reviewed and professionally vetted and published scientific literature, runs as follows: For the last 650,000 years atmospheric levels of CO2—the primary heat-trapping gas—have hovered at around 280 parts per million (ppm). At no point in the preindustrial era did CO2 concentrations go above 300 ppm. By 1959, they had reached 316 ppm and are now over 400 ppm. And the rate of emissions is accelerating. Since 2000, the world has pumped almost 100 billion tons of carbon into the atmosphere—about a quarter of all CO2 emissions since 1750. At current rates, CO2 levels will double by mid-century.¶ Climate scientists believe that any increase in average global temperatures beyond 2 degrees Celsius above preindustrial levels will lead to dangerous climate change, causing large-scale desertification, crop failure, inundation of coastal cities, mass migration to higher and cooler ground, widespread extinctions of flora and fauna, proliferating disease, and possible social collapse. Furthermore, scientists now understand that the earth’s climate system has not evolved in a smooth linear fashion. Paleoclimatology has uncovered evidence of sudden shifts in the earth’s climate regimes. Ice ages have stopped and started not in a matter of centuries, but decades. Sea levels (which are actually uneven across the globe) have risen and fallen more rapidly than was once believed.¶ Throughout the climate system, there exist dangerous positive-feedback loops and tipping points. A positive-feedback loop is a dynamic in which effects compound, accelerate, or amplify the original cause. Tipping points in the climate system reflect the fact that causes can build up while effects lag. Then, when the effects kick in, they do so all at once, causing the relatively sudden shift from one climate regime to another.¶ Thus, the UN’s Intergovernmental Panel on Climate Change says rich countries like the United States must cut emissions 25 percent to 40 percent below 1990 levels by 2020—only seven years away—and thereafter make precipitous cuts to 90 percent below 1990 levels by 2050. This would require global targets of 10 percent reductions in emissions per annum, starting now. Those sorts of emissions reductions have only occurred during economic depressions. Russia’s near total economic collapse in the early 1990s saw a 37 percent decrease in CO2 emissions from 1990 to 1995, under conditions that nobody wants to experience. ¶ The political implications of all this are mind-bending. As daunting as it may sound, it means that it is this society and these institutions that must cut emissions. That means, in the short-term, realistic climate politics are reformist politics, even if they are conceived of as part of a longer-term anti-capitalist project of totally economic re-organization.¶ Dreaming the Rational¶ Of course, successful reformism often involves radical means and revolutionary demands. What other sort of political pressure would force the transnational ruling classes to see the scientific truth of the situation? But let us assume for a second that political elites faced enough pressure to force them to act. What would be the rational first steps to stave off climate chaos?¶ The watchwords of the climate discussion are mitigation and adaptation—that is, we must mitigate the causes of climate change while adapting to its effects. Mitigation means drastically cutting our production of CO2 and other greenhouse gases, such as methane and chlorofluorocarbons, that prevent the sun’s heat from radiating back out to space.¶ Mitigation means moving toward clean energy sources, such as wind, solar, geothermal, and tidal kinetic power. It means closing coal-fired power plants, weaning our economy off fossil fuels, building a smart electrical grid, and making massive investments in carbon-capture and -sequestration technologies. (That last bit of techno-intervention would have to be used not as a justification to keep burning coal, as is its current function, but to strip out atmospheric CO2 rapidly and get back to 350 ppm and away from the dangerous tipping points.)¶ Adaptation, on the other hand, means preparing to live with the effects of climatic changes, some of which are already underway and some of which are inevitable. Adaptation is both a technical and a political challenge.¶ Technical adaptation means transforming our relationship to non-human nature as nature transforms. Examples include building seawalls around vulnerable coastal cities, giving land back to mangroves and everglades so they can act to break tidal surges during giant storms, opening wildlife migration corridors so species can move away from the equator as the climate warms, and developing sustainable forms of agriculture that can function on an industrial scale even as weather patterns gyrate wildly.¶ Political adaptation, on the other hand, means transforming social relations: devising new ways to contain, avoid, and deescalate the violence that climate change is fueling and will continue to fuel. That will require progressive economic redistribution and more sustainable forms of development. It will also require a new diplomacy of peace building.¶ Unfortunately, another type of political adaptation is already under way—that of the armed lifeboat. This adaptation responds to climate change by arming, excluding, forgetting, repressing, policing, and killing. The question then becomes how to conceive of adaptation and mitigation as a project of radical reform—reforms that achieve qualitative change in the balance of power between the classes.¶ The core problem in the international effort to cut emissions is fundamentally the intransigence of the United States: it failed to ratify the Kyoto Protocol and has played an obstructionist role at subsequent negotiations. Domestically, progress has been just as frustratingly slow. We have no carbon tax, nor any program of robust investment in clean technology. Even the minimal production tax credit for clean energy generated by solar, wind, and hydro power has not been locked in as a long-term commitment. This creates uncertainty about prices, and, as a result, private investment in clean tech is stalling.¶ China, on the other hand, though now the world’s second-largest economy and largest greenhouse gas polluter, is moving ahead with a fast-growing clean-tech industry—that is to say, with mitigation. The Chinese wind sector has grown steadily since 2001. “According to new statistics from the China Electricity Council,” reported American Progress senior fellow Joseph Romm, “China’s wind power production actually increased more than coal power production for the first time ever in 2012.” This growth is the result, in part, of robust government support: China has invested $200.8 billion in stimulus funding for clean tech. Estimates of U.S. stimulus funding for clean technology range from $50 to $80 billion.¶ The European Union is also moving forward to create a €1 trillion regional supergrid. Germany and Portugal in particular are moving aggressively to expand their already quite large clean-tech sectors. Action in the core industrial economies is essential because only they have the infrastructure that can propel the clean-tech revolution and transform the world economy.¶ A De Facto Carbon Tax¶ Environmental economists tend to agree that the single most important thing the United States could do to accelerate the shift to clean energy would be to impose a carbon tax. Despite our political sclerosis and fossil fuel fundamentalism, the means to do that already exist.¶ First and foremost, there is the Environmental Protection Agency, which could achieve significant and immediate emissions reductions using nothing more than existing laws and current technologies. According to Kassie Siegel at the Center for Biological Diversity, “The Clean Air Act can achieve everything we need: a 40 percent reduction of greenhouse gas emissions over 1990 levels by 2020.”¶ Rather boring in tone and dense with legalistic detail, the ongoing fight over EPA¶ rulemaking is probably the most important environmental battle in a generation. Since 2007, thanks to the pressure and lawsuits of green activists, the EPA has had enormous—but under-utilized—power. That was the year when the Supreme Court ruled, in Massachusetts v. Environmental Protection Agency, that the agency should determine whether greenhouse gases threaten human health. In December 2010, the EPA published a science-based “endangerment finding,” which found that CO2 and five other greenhouse gases are, in fact, dangerous to human life because they cause global warming.¶ Once the EPA issues an endangerment finding, it is legally bound to promulgate regulations to address the problem. The first of these post–Massachusetts v. EPA “tailoring rules” were for “mobile sources.” Between 2011 and 2012, regulations for cars and for trucks went into effect. Then the EPA set strict limits for new power plants in 2012. But other major sources of greenhouse gas pollution—like existing electric power plants (which pump out roughly 40 percent of the nation’s total GHG emissions), oil refineries, cement plants, steel mills, and shipping—have yet to be properly regulated pursuant to Massachusetts v. EPA.¶ If the EPA were to use the Clean Air Act—and do so “with extreme prejudice”—it could impose a de facto carbon tax. Industries would still be free to burn dirty fossil fuels, but they would have to use very expensive, and in some cases nonexistent, new technology to meet emission standards. Or they would have to pay very steep and mounting fines for their emissions. Such penalties could reach thousands of dollars per day, per violation. Thus, a de facto carbon tax. Then cheap fossil fuel energy would become expensive, driving investment toward carbon-neutral forms of clean energy like wind and solar. For extra measure we could end fossil fuel subsidies. Before long, it would be more profitable to invest in clean energy sources than dangerous and filthy ones.¶ Big Green Buy and U.S. “Shadow Socialism”¶ According to clean-tech experts, innovation is now less important than rapid, large-scale implementation. In other words, developing a clean-energy economy is not about new gadgets but about new policies. Most of the energy technologies we need already exist. You know what they are: wind farms, concentrated solar power plants, geothermal and tidal power, all feeding an efficient smart grid that, in turn, powers electric vehicles and radically more energy-efficient buildings.¶ But leading clean technologies remain slightly more expensive than the old dirty-tech alternatives. This “price gap” is holding back the mass application of clean technology. The simple fact is that capitalist economies will not switch to clean energy until it is cheaper than fossil fuel. The fastest way to close the price gap is to build large clean-tech markets that allow for economies of scale. But what is the fastest way to build those markets? More research grants? More tax credits? More clumsy pilot programs?¶ Government procurement is one of the hidden tools of American capitalism’s “shadow socialism.”¶ No. The fastest, simplest way to do it is to reorient government procurement away from fossil fuel energy and toward clean energy and technology—to use the government’s vast spending power to create a market for green energy. Elsewhere, I have called this the Big Green Buy. Consider this: federal, state, and local government constitute more than 38 percent of our GDP. In more concrete terms, Uncle Sam owns or leases more than 430,000 buildings (mostly large office buildings) and 650,000 vehicles. (Add state and local government activity, and all those numbers grow by about a third again.) The federal government is the world’s largest consumer of energy and vehicles, and the nation’s largest greenhouse gas emitter.¶ Government procurement is one of the hidden tools of American capitalism’s “shadow socialism.” By shadow socialism I refer to the massively important but often overlooked role of government planning, investment, subsidy, procurement, and ownership in the economic development of American capitalism. A detailed account of that history is offered in Michael Lind’s book Land of Promise. From railroads, to telecommunications, and aviation and all the attendant sub-industries of these sectors, government has provided the capital and conditions for fledging industries to grow large. For example, government didn’t just fund the invention of the microprocessor; it was also the first major consumer of the device. Throughout the 1950s, more than half of IBM’s revenue came from government contracts. Along with money, these contracts provided a guaranteed market and stability for IBM and its suppliers, and thus attracted private investment—all of which helped create the modern computer industry.¶ Now consider the scale of the problem: our asphalt transportation arteries are clogged with 250 million gasoline-powered vehicles sucking down an annual $200 to $300 billion worth of fuel from more than 121,000 filling stations. Add to that the cost of heating and cooling buildings, jet travel, shipping, powering industry, and the energy-gobbling servers and mainframes that are the Internet, and the U.S. energy economy reaches a spectacular annual tab of 1.2 trillion dollars.¶ A redirection of government purchasing would create massive markets for clean power, electric vehicles, and efficient buildings, as well as for more sustainably produced furniture, paper, cleaning supplies, uniforms, food, and services. If government bought green, it would drive down marketplace prices sufficiently that the momentum toward green tech would become self-reinforcing and spread to the private sector.¶ Executive Order 13514, which Obama signed in 2009, directed all federal agencies to¶ increase energy efficiency; measure, report, and reduce their greenhouse gas emissions from direct and indirect activities; conserve and protect water resources through efficiency, reuse, and storm water management; eliminate waste, recycle, and prevent pollution; leverage agency acquisitions to foster markets for sustainable technologies and environmentally preferable materials, products, and services; design, construct, maintain, and operate high performance sustainable buildings in sustainable locations.¶ The executive order also stipulates that federal agencies immediately start purchasing 95 percent through green-certified programs and achieve a 28 percent greenhouse gas reduction by 2020. But it has not been robustly implemented.¶ Government has tremendous latitude to leverage green procurement because it requires no new taxes, programs, or spending, nor is it hostage to the holy grail of sixty votes in the Senate. It is simply a matter of changing how the government buys its energy, vehicles, and services. Yes, in many cases clean tech costs more up front, but in most cases, savings arrive soon afterward. And government—because of its size—is a market mover that can leverage money-saving deals if it wishes to. ¶ Protest and the “Relative Autonomy” of the State¶ Why would the capitalist state move to euthanize the fossil fuel industry, that most powerful fraction of the capitalist class? Or put another way, how can the state regain some of its “relative autonomy” from capital? History indicates that massive, crisis-producing protest is one of the most common reasons a modern state will act against the interests of specific entrenched elites and for the “general interest” of society. When the crisis of protest is bad enough, entrenched elites are forced to take a loss as the state imposes ameliorative action for the greater good of society.¶ Clearly, we need to build a well-organized, broadly supported, yet tactically and strategically radical movement to demand proper climate policy. For such a movement to be effective it must use myriad tactics, from lawsuits and lobbying to direct action such as tree-sits, road blockades, and occupations aimed at the infrastructure of the fossil fuel industry. Only by disrupting the working of the political and economic system as a whole can we forge a consensus that ending the fossil fuel sector is essential. (The work of Francis Fox Piven and Richard Cloward is, in my opinion, still among the best in tracing the dynamic of this process of rebellion and reform.)¶ At question, then, is not just the state’s capacity to evolve, but the capacity of the American people to organize and mobilize on a massive scale. Far be it from me to say exactly how such movements could or should be built, other than the way they always have been: by trial and error and with good leadership. Movement building is a mass and organic process.¶ The Rebellion of Nature¶ Along with protest, a more organic source of crisis is already underway and may also help scare political elites into confronting big carbon. Climate change is a “rebellion of nature,” by which I mean the disruption caused by ecological breakdown. The history of environmental regulation in the West is, in many ways, the story of protest and advocacy combining with the rebellion of nature at the local (urban) scale. Together, they have forced rudimentary regulation in the name of health and sanitation.¶ By the 1830s, America’s industrial cities had become perfect incubators of epidemic disease, particularly cholera and yellow fever. Like climate change today, these diseases hit the poor hardest, but they also sickened and killed the wealthy. Class privilege offered some protection, but it was not a guarantee of safety. And so it was that middle-class “goo-goos” and “mugwumps” began a series of reforms that contained and eventually defeated the urban epidemics.¶ First, garbage-eating hogs were banned from city streets, then public sanitation programs of refuse collection began, sewers were built, safe public water provided, and housing codes were developed and enforced. Eventually, the epidemics of cholera stopped. Soon other infectious diseases, such as pulmonary tuberculosis, typhus, and typhoid, were largely eliminated. At the scale of the urban, capitalist society solved an environmental crisis through planning and public investment.¶ Climate change is a problem of an entirely different order of magnitude, but these past solutions to smaller environmental crises offer lessons. Ultimately, solving the climate crisis—like the nineteenth-century victory over urban squalor and epidemic contagions—will require a re-legitimation of the state’s role in the economy.¶ The modern story of local air pollution offers another example of the “rebellion of nature.” As Jim McNeil outlines in Something New Under The Sun, smog inundations in industrial cities of the United States and Europe used to kill many people. In 1879–1880 smog killed 3,000 Londoners, and in Glasgow a 1909 inversion—where cold air filled with smoke from burning coal was trapped near the ground—killed 1,063. As late as 1952, a pattern of cold and still air killed 4,000 people in London, according to McNeil, and even more according to others. By 1956, the Britons had passed a clean air act that drove coal out of the major cities. In the United States there was a similar process. In 1953, smog in New York killed between 170 and 260 people, and as late as 1966 a smog inversion killed 169 New Yorkers. All of this helped generate pressure for the Clean Air Act of 1970.¶ Today, a similar process is underway in China. Local air quality is so bad that it is forcing changes to Chinese energy policy. A major World Bank study has estimated that “the combined health and non-health cost of outdoor air and water pollution for China’s economy comes to around $US 100 billion a year (or about 5.8% of the country’s GDP).” People across China are protesting pollution. Foreign executives are turning down positions in Beijing because of the toxic atmospheric stew that western visitors have taken to calling “airpocalypse.” The film director Chen Kaige, who won the Palme d’Or for his 1993 film Farewell My Concubine, told the world he couldn’t think or make films because of the Chinese capital’s appallingly bad air.¶ These local pressures are a large part of what is driving Chinese investment in renewable energy. Last year China added more energy capacity from wind than from the coal sector.¶ Capitalism vs. Nature?¶ Some of the first thinkers to note a conflict between capitalism and non-human nature were Karl Marx and Friedrich Engels. They came to their ecology through examining the local problem of relations between town and country—expressed simultaneously as urban pollution and rural soil depletion. In exploring this question they relied on the pioneering work of soil chemist Justus von Liebig. And from this small-scale problem, they developed the idea of capitalism creating a rift in the metabolism of natural processes.¶ Here is how Marx explained the dilemma:¶ Capitalist production collects the population together in great centers, and causes the urban population to achieve an ever-growing preponderance. This has two results. On the one hand it concentrates the historical motive force of society; on the other hand, it disturbs the metabolic interaction between man and the earth, i.e., it prevents the return to the soil of its constituent elements consumed by man in the form of food and clothing; hence it hinders the operation of the eternal natural condition for the lasting fertility of the soil….All progress in capitalist agriculture is a progress in the art, not only of robbing the worker, but of robbing the soil.¶ And as with “soil robbing,” so too concentrations of atmospheric CO2: the natural systems are out of sync; their elements are being rearranged and redistributed, ending up as garbage and pollution.¶ It may well be true that capitalism is incapable of accommodating itself to the limits of the natural world. But that is not the same question as whether or not capitalism can solve the climate crisis. Climate mitigation and adaptation are merely an effort to buy time to address the other larger set of problems that is the whole ecological crisis.¶ This is both a pessimistic and an optimistic view. Although capitalism has not overcome the fundamental conflict between its infinite growth potential and the finite parameters of the planet’s pollution sinks, it has, in the past, addressed specific environmental crises.¶ Anyone who thinks the existing economic system must be totally transformed before we can deal with the impending climate crisis is delusional or in willful denial of the very clear findings of climate science. If the climate system unravels, all bets are off. The many progressive visions born of the Enlightenment will be swallowed and forgotten by the rising seas or smashed to pieces by the wrathful storms of climate chaos.

#### Self-care represents the legacy of Reagan era politics that produces violent forms of disciplining.

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Audre Lorde didn’t die a natural death. She died an institutionally produced one, a death that was generated at the level of social infrastructure. I want us to learn to regard Audre Lorde’s death as an effect of racial capitalism – its fundamentally unequal provisioning of wealth and social goods, its ableist and productivist standards as to what constitutes a healthy person, its fashioning of health care as a private commodity rather than as a fundamental right, and its particular commingling of sexism and racism that at one and the same time materializes the constant demand that black women work and renders the work they do invisible. The conditions that produced Audre Lorde’s death, in other words, might also serve as a reminder that in the aggregate, black women bear a disproportionate share of racial capitalism’s propensity to work its workers to death. And a major feature of these death-making conditions is to be found in the ways in which it is structured so as to refuse to recognize as work what so many black women do for themselves, for each other, and for their communities – this may include but is not limited to the largely unwaged work of cooking, cleaning, raising, educating, and caring for children and adults in its myriad forms. (This is the work, to paraphrase part of the most overlooked chapter of Angela Davis’s Women, Race, and Class, that no one notices until it’s not done.)

To reiterate, these death-making conditions serve as a motor for racial capitalism not only through the erasure, devaluation, and naturalization of life-making and life-sustaining (also called "reproductive”) work that women are expected to learn to do, to do, and to love doing,[1] but also because through the erasure of “women’s work” as work, they serve to compel and coerce workers to accept waged labor above and beyond the work they already perform. This compulsion and coercion regularly takes the form of the form of the stigmatization and surveillance of poor people and poor women especially, who use governmental assistance to survive. And again, here, black women bear the brunt of the burden of capitalism’s stigmatization of the poor (of color). "Welfare,“ as Dorothy Roberts puts it, "has become a code word for race.” By which she means: a code word for blackness. Think here of the sheer prominence of the “welfare queen” stereotype (and its deployment to make common sense out of the notion that black women who use governmental assistance are parasitic on the social body). Think here, also, how the racializing and gendering of that stereotype authorizes the constant surveillance to which welfare recipients are regularly and systematically subjected, surveillance whose purpose it is to call into doubt the ability of welfare recipients to make fitting choices in deciding how and what to feed themselves (and those that depend upon them), how and what they should consume.

It matters that Audre Lorde, by virtue of a class mobility that materialized in the form of advanced degrees, international recognition and renown, and semi-stable employment with what were clearly circumscribed “health benefits,” may have been able to escape the worst of the state-sanctioned, Reaganomics-fueled state surveillance directed towards poor black women.[2] And it also matters that the racializing and gendering project of the capitalism that underwrites that surveillance also shaped the conditions in which she lived and died in ways that are too rarely recognized. We in the U.S. left are well trained to express outrage when black lives are stolen in spectacular events – not only in the assassinations of “our” Malcolms and Martins, but even in the executions of our less famed Emmetts and Oscars and Trayvons. Yet we are not always best equipped to organize against the politics that produce deaths not in spectacular (and regular), direct, face-to-face expressions of violence but rather, through other, less readily visible, rhythms and structures of everyday life. To ask that we regard Audre Lorde’s death as the outcome of a politics (and not just a disease) is both to invoke Lorde less as an exceptional figure than as a powerfully exemplary one, and to direct our attention to how the murderousness of capitalism expresses itself where it is most mundane.[3]

Mundane murderousness, slow death (which may in many cases not be slow at all), has taken institutional form in part as a consequence of the consolidation of health care as a for-profit industry that defines health as the capacity to work. “Health,” in this context, is measured by the health of racial capitalism. Such a definition means that being healthy is understood as having the capacity to optimize your ability to be exploited. No medical leave, then, for the English prof who’s battling cancer. No capacity, then, to decide for herself what her health needs are and to act on that decision – the social infrastructure of neoliberalism has already coded giving its workers that much freedom, that kind of autonomy, as an unaffordable extravagance.

Care as extravagance. Historically speaking, it is here, in the Reagan era, that the “self” of self-care emerged. Donald Vickery and James Fries’s bestseller Take Care of Yourself: A Consumer’s Guide to Medical Care was published in 1981, and formed part of a larger explosion of “self-help” publications that encouraged a readership increasingly clobbered by a neoliberal assault – against liveable wages, workers rights, social services, and the welfare state writ large – to take it upon themselves to manage the consequences of that clobbering. And I would argue that the “self” of self-care came into being precisely as an effect of that management, as well as of the clobbering that both preceded and accompanied it. It euphemizes as a goodwill gesture (the benevolent “take care of yourself!”) an imperative that, if elaborated, looks much more like a relation of coercion and discipline (“take care of yourself or your job will go to someone who does”; “take care of yourself lest you fall ill and get saddled with medical debt”; “take care of yourself because you have no right to expect that society will”; “take care of yourself…or else”). The self of self-care, all of this is to say, has a history that should serve as a caution toward attempts to make self-care an unqualified good. It is a self that is specifically calibrated as a defensive reaction to the combination of austerity politics with reinvigorated forms of gendered racism that cut across the entire social formation.

Especially for those of us who were born and/or grew up in the Reagan and Bush I eras, the self of self-care was the form of selfhood that hegemonic institutions taught us to internalize. This is not to say that there is nothing of value to be found in the language of practice of self-care. It is to suggest, rather, that self-care is not simply a form of struggle but the outcome of various struggles that have played out on a larger scale than we tend to acknowledge when we speak of it. This struggle involved, among other things, the disqualification of initiatives by the radical labor movement to establish universal health care as a right rather than a “benefit” restricted to and contingent upon employment in certain sectors. It involved the marginalization of years of efforts by the Black Panther Party and the National Welfare Rights Organization both to establish community clinics and to redefine health care not as a commodity but as both a fundamental question of justice and a condition of community self-determination.[4]

With all of this said, what do we make of this Audre Lorde quote?: “Caring for myself is not self-indulgence, it is self-preservation, and that is an act of political warfare.” It is both thrilling and affirming, I think, to sit with the possibilities of redefining self-care as though it were going on the political offensive. This may especially be the case in a context where the dominant meaning of “care” either has become industrialized in such a way that it consolidates (instead of contests) one’s'alienation from her conditions of existence, or from the means necessary to inform herself about, determine, and pursue the course of care and wellbeing that she needs.

But what I think is especially important about this now regularly cited quotation is what comes before the first comma, what comes before, that is, the moment when self-care finds its euphemistic, sunny resolution as “political warfare”: the disavowal of self-care as “self indulgence.” What, after all, is wrong with self-indulgence, with stealing time to enjoy the self, to pursue ways of being and living that are not necessarily productive, even if to do so is to steal away from the justifiably voracious appetites of left political desire? Lorde’s rewriting of self-care as political warfare seems to me to be symptomatic of a philosophy of movement building that has an unacknowledged investment in surveilling the behavior of its members (and demanding that they surveil themselves), a philosophy that is so deeply committed to the idea that everything is political that it cannot see the ways it enforces that definition through the implicit demand that its members justify all their behavior on its terms. Everything is political, in other words, can be a particularly disciplinary and disciplining definition of the political because of the way that it privileges a kind of ruthless scrutiny, assessment, and justification of one’s behaviors on the basis of whether or not they generate political value. At the same time, it tends to regard the political less as a contestation over social transformation than as the sum total of “good” or “bad” political behaviors.

At worst, everything is political can privilege a kind of left version of austerity logic, one that calls implicitly for the abstention from behaviors that don’t serve the Higher Purpose of generating and assessing individual behavior in the form of political value. It can only handle self-indulgence and extravagance when those things can be given a justifiable political form, when they can be commended or valorized, in other words, for how radical they are. It can only handle self-indulgence and extravagance, in other words, when they cease to be self-indulgent or extravagant at all, and claim, on the flip, to be productive and progressive.

Austerity logics, whether they come from the left or the right, get articulated through the bodies of black women by making certain kinds of demands on them. An important thing to understand about these demands is that they do not simply take the form of general devaluation. They do not simply take the form of the welfare queen stereotype. They can also take the form of a general overinvestment or hypervaluation – in feelings and performances of excessive admiration, deference, and high regard. They can inhabit the expectation – an expectation that, again, can have the force of a demand – that black women embody a kind of superhuman strength, or that they inherently possess an exceedingly resolute political consciousness. Unlike the bad faith that underwrites the demonization of black women as unproductive, this leftist hypervaluation of black women often takes the form of love.

Love: Killing love, perhaps. It is the kind of love that solicits a constant performance from black women, one that demands that they be endlessly productive, endlessly working, for the movement, even after death. It is for this reason that I spent some time in the last post attempting to contest the deification of Lorde: I want to make visible just how much work is implicitly called for in the desire for black women to be adequate to what is asked of them–which they very well may also want of themselves. The point is that any politics that seeks to celebrate the seemingly superhuman accomplishments of black women can become the unwitting collaborator with the entire field of the political that we might want to contest, a field in which the superhuman demands placed on black women are nothing short of murderous. The point is, while it may appear to honor the Audre Lordes (1934-1992) and the Barbara Christians (1943-2000) and the VèVè Clarks (1944-2007) and the Sherley Anne Williamses (1944-1999) with the demand that they rest in power, there may also be an ethics, if not also a justice, in insisting on their right to rest in peace.

And the point is that our discussions about self care are particularly impoverished when they fail to engage broader questions about the structure of health care, the social distribution of wealth, and the conditions in which we live and work. This is the thread I’ll pick up in the third and final installment of this piece by addressing last year’s series of debates on self-care and community care.

### OFF---Privacy [:50]

#### FTC enforcing algorithmic bias now---wins with strong authority and resources

K.C. Halm 21. Partner at Davis Wright Tremaine LLP, with Nancy Libin, 4/26/21. “FTC Warns of Greater Scrutiny Over Biased AI, Offers Best Practices to Mitigate Potential Harm.” https://www.dwt.com/blogs/artificial-intelligence-law-advisor/2021/04/ftc-ai-bias-best-practices-guidance

Building on prior guidance issued in 2020, the Federal Trade Commission (FTC) recently warned in a new blog post that it will use its authority under existing laws to take enforcement action against companies that sell or use algorithms or artificial intelligence (AI) technology that results in discrimination by race or other legally protected classes. The agency urged companies developing or using AI to ensure their AI tools or applications do not result in biased outcomes because a failure to do so may result in "deception, discrimination—and an FTC [] enforcement action." The agency's latest pronouncement leaves no doubt that the FTC will be actively reviewing the market for potential bias or discrimination when AI-enabled applications and services are used to provide access to housing, credit, finance, insurance, or other important services. As our readers know, AI is emerging as a transformative technology that is enabling new systems, tools, applications, and use cases. At the same time, perceived risks arising from potential bias, discrimination, or other negative outcomes is leading regulators to look more closely at both the benefits and potential risks of the technology. To that end, the FTC is moving quickly to assert itself as a leading regulator with authority to oversee a broad range of AI providers, systems, and applications on the market. Basis of Potential AI-related FTC Enforcement Actions Three statutes provide the FTC significant authority to act in this area. Specifically, Section 5 of the FTC Act prohibits unfair or deceptive practices. The FTC's latest statement suggests that the agency believes it can use Section 5 authority, for example, to penalize entities selling or using "racially biased algorithms." Further, the agency also has authority to act under the Fair Credit Reporting Act (FCRA), which could be applied when an algorithm is used in a process that results in the denial of employment, housing, credit, insurance, or other benefits. Similarly, the Equal Credit Opportunity Act (ECOA)—which prohibits a company from using a biased algorithm that results in credit discrimination on the basis of race, color, religion, national origin, sex, marital status, age, or because a person receives public assistance—could be another basis for the agency to act. Thus, for example, if your algorithm results in credit discrimination against a protected class, you could find yourself facing a complaint alleging violations of the FTC Act and ECOA. Notably, the FTC's blog post is framed as both guidance and a reaffirmation that the FTC has been policing issues around AI and big data for many years and sends a clear signal that it intends to do so going forward. This reinforces Acting Chair Rebecca Kelly Slaughter's recent speech on algorithmic discrimination in which she cited a study demonstrating that an algorithm used with good intentions—to target medical interventions to the sickest patients—ended up funneling resources to a healthier, white population, to the detriment of sicker, patients of color. She asked the FTC staff "to actively investigate biased and discriminatory algorithms" and expressed an interest "in further exploring the best ways to address AI-generated consumer harms." Indeed, as we explained in recent blog posts, recent FTC enforcement actions reflect increased scrutiny of companies using algorithms, automated processes, and/or AI-enabled applications. The FTC's recent settlement with Everalbum is instructive in that it illustrates the agency's latest remedial tool: the so-called "disgorgement" of ill-gotten data. In the recent enforcement case, the FTC alleged that Everalbum, an app developer that used photos uploaded by users to train its facial recognition technology, failed to properly obtain users' consent. The agency also alleged that Everalbum made false statements about the users' ability to delete their photos upon deactivating their accounts. On these facts, the FTC secured a settlement and consent decree that required Everalbum to delete algorithms that used the data obtained without consent—a remedy that is akin to the "fruit of the poisonous tree" concept—and obtain consent before using facial recognition technology on user content. The FTC's latest reaffirmation of its authority to act in this area demonstrates that the agency will hold businesses accountable for using AI that may result in biased outcomes or for making promises that the technology cannot deliver. Its message is clear: "Hold yourself accountable – or be ready for the FTC to do it for you."

#### Antitrust undermines privacy enforcement.

David Hyman 19 – Professor at Georgetown University Law Center, with William E. Kovacic, “Implementing Privacy Policy: Who Should Do What?” 29 Fordham Intell. Prop. Media & Ent. L.J. 1117 (2019). https://ir.lawnet.fordham.edu/iplj/vol29/iss4/3

The case for making an enhanced FTC the national privacy regulator is straightforward. Of all U.S. privacy implementation institutions, the FTC has unequaled capacity in the form of expert case handling and policy teams and physical resources (including the development, over the past decade, of an internet laboratory to do high-quality forensic work, and the hiring of technology experts to assist in that effort). The agency’s capacity also is the product of extensive experience in applying its UDAP authority and enforcing statutes such as the FCRA and COPPA. The FTC has a broad portfolio of policy instruments (litigation, rulemaking, consumer and business education, data collection, the preparation of reports, the convening of conferences), and it has demonstrated its ability to use all of them to good effect in the privacy domain. The FTC’s stature as an independent agency gives it additional credibility in the eyes of foreign officials, who generally distrust the vesting of privacy powers in an executive department.

Within an enhanced FTC, privacy policy implementation also would be informed by the Commission’s larger experience with consumer protection. The FTC’s privacy unit is one part of its Bureau of Consumer Protection, rather than being a self-contained bureau. This reflected the institution’s reasonable view that the effort to safeguard consumer interests in “privacy” was one dimension of “consumer protection,” rather than a wholly distinct policy realm. Our impression is that many matters that involve privacy issues also raise problems that fit within other areas of the FTC’s consumer protection program. The analysis of the “privacy” issue often benefits from perspectives developed in the course of applying the agency’s deception and unfairness authority in other cases. The intertwining of privacy issues with other consumer protection concerns in many scenarios has important implications for how the mandate of a privacy agency should be defined. In whatever setting one ultimately might place a “privacy” mandate, we would expect that the host agency would have a mandate that incorporates powers that traditionally have been associated with the FTC’s broader consumer protection program.83

The FTC’s expertise in antitrust should also help it develop and enforce privacy policy. Enforcing antitrust law has given the FTC ongoing involvement in multiple high-tech markets—as well as an understanding of how competition can motivate companies to offer better privacy protections. The FTC’s work in both consumer protection and antitrust draws upon a Bureau of Economics with over 80 PhDs in economics.84 The Bureau of Economics has developed considerable skill in sub-disciplines (including behavioral economics) with special application to privacy issues.

Of course, inputs are not the same thing as outputs. The FTC has not always achieved the full integration of perspectives that the combination of these institutional capacities would permit. And, although there are policy complementarities across the domains of antitrust, consumer protection, and privacy, this combination of functions is not an unmixed blessing. An agency with all three functions might seek to use its position as a gatekeeper with respect to one policy domain to leverage concessions from firms over which it exercises oversight in another domain.85 Such temptations have been present when the FTC has applied its antitrust powers to review mergers involving companies in the information services sector.86

Finally, there is the possibility that any one of these functions might be diminished if all three are contained in the same agency. An agency focused solely on privacy will make privacy policy its single concern. An agency responsible for antitrust, consumer protection, and privacy is likely to find itself making tradeoffs as it sets priorities for how to use its resources.

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

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

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

### \*OFF---Regs [0:14]

#### The United States federal government should increase prohibitions on anticompetitive business practices through a total welfare standard through not antitrust regulations

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

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

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

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

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

## Case

#### Vote Neg on presumption---their method of cooperation in debate does nothing to change dominant discourses or structures they criticize BUT, their belief that it does is cruel optimism, which turns case. Nothing about voting Aff is an intervention---the only impact the ballot has is to decide the winner---it’s not a referendum on the community or debate practices. The ballot is not a method of accountability---what does it mean for a team who must negate the aff to be invited to a conversation

#### Shedding ego impossible, is akin to mental abuse, ensures self-destructive behavior that spills over to people and environments

Bhikkhu 7 (Thanissaro Bhikkhu is an American Theravada Buddhist monk of the Dhammayut Order and currently serves as the abbot of the Metta Forest Monastery in San Diego County. Hang on to Your Ego. <https://tricycle.org/magazine/healthy-ego/> //shree)

Years back, many Buddhist teachers in the West began using the term “egolessness” to explain the Buddha’s teaching on not-self. Since then, egolessness has come to mean many things to many people. Sometimes egolessness is used to mean a lack of conceit or self-importance; sometimes, a pure mode of acting without thought of personal reward. In its most extended form, though, the teaching on egolessness posits a fundamental error of perception: that despite our sense of a lasting, separate self, no such self really exists. According to this view, to provide for the happiness of this illusory self, we not only place our hopes on an impossible goal but also harm ourselves and everyone around us. If we could only see the fallacy of the ego and understand its harmful effects, we would let it go and find true happiness in the interconnectedness that is our true nature.

At least that’s what we’re told, and often with a fair amount of vehemence. Buddhist writers, often so gentle and nonjudgmental, can quickly turn vicious when treating the ego. Some portray it as a tyrannical bureaucracy deserving violent overthrow; others, as a ratlike creature—nervous, scheming, and devious—that must be squashed. Whatever the portrait, the message is always that the ego is so pernicious and tenacious that any mental or verbal abuse directed against it is fair play in getting it to loosen its foul grip on the mind.

But when people trained in classical Western psychotherapy read these attacks on the ego, they shake their heads in disbelief. For them the ego is not something evil. It’s not even a singular thing you can attack. It’s a cluster of activities, a set of functions in the mind—and necessary functions at that. Any mental act by which you mediate between your raw desires for immediate pleasure and your super-ego—the oughts and shoulds you’ve learned from family and society—is an ego function. Ego functions are our mental strategies for gaining lasting happiness in the midst of the conflicting demands whispering and shouting in the mind. They enable you to say No to the desire to have sex with your neighbor’s spouse, in the interest of a greater happiness. They also enable you to say No to the demands of your parents, teachers, or government when those demands would jeopardize your own best interest.

But ego functions don’t just say No. They also have a mediator’s sense of when to say Yes. If they’re skillful, they negotiate among your desires and your super-ego so that you can gain the pleasure you want in a way that causes no harm and can actually do a great deal of good. If your ego functions are healthy and well-coordinated, they give you a consistent sense of priorities as to which forms of happiness are more worthwhile than others; a clear sense of where your responsibilities do and don’t lie; a strong sense of your ability to judge right and wrong for yourself; and an honest sense of how to learn from your past mistakes for the sake of greater happiness in the future.

From this perspective, egolessness would be a disaster. A person devoid of ego functions would be self-destructive: either a beast with uncontrolled impulses, or a neurotic, repressed automaton with no mind of her own, or an infantile monster thrashing erratically between these two extremes. Anyone who tried to abandon ego functioning would arrest his psychological growth and lose all hope of becoming a mature, responsible, trustworthy adult. And as we know, self-destructive people don’t destroy only themselves. They can pull down many of the people and places around them.

This is not only the view of trained Western psychologists. Buddhist communities in the West have also begun to recognize this problem and have coined the term “spiritual bypassing” to describe it: the way people try to avoid dealing with the problems of an unintegrated personality by spending all their time in meditation retreats, using the mantra of egolessness to short-circuit the hard work of mastering healthy ego functioning in the daily give and take of their lives.

Then there’s the problem of self-hatred. The Dalai Lama isn’t the only Asian Buddhist teacher surprised at the amount of self-hatred found in the West. Unfortunately, a lot of people with toxic super-egos have embraced the teaching on egolesness as the Buddha’s stamp of approval on the hatred they feel toward themselves.

#### Buddhism isn’t science---can’t translate normative ideas like the self to the scientific method

CBC 20 (Quoting Evan Thompson, who grew up around renowned Buddhist teachers. At university, he studied Buddhist scripture, philosophy and classical Chinese. And his mentor in graduate school was Francisco Varela, a neuroscientist who was also a serious practitioner of Tibetan Buddhism. Buddhism and science: a doomed romance? <https://www.cbc.ca/radio/ideas/buddhism-and-science-a-doomed-romance-1.5745107> //shree)

"They turn the tables… and they say, well, Buddhism is actually the scientific religion because we don't believe in a creator God. We don't believe in an immortal, unchanging, essential soul," Thompson tells IDEAS.

"We ground our ethical system on an understanding of cause and effect. We emphasize causality, that things are impermanent, that things are in flux. So they present Buddhism as either not a religion, or as the truly scientific religion."

As it turned out, Buddhist modernism was tailor-made for the modern West's preoccupation with rationality, scientific validity, and independent thought. But as Thompson argues, things have gotten a little out of hand.

Buddhism now enjoys a kind of exceptionalism among religions. It's regarded as a 'science of the mind,' mindfulness meditation is a 'brain-changing,' commodified, individualistic activity, and complex ideas of the self in Buddhist teaching are conflated with scientific contentions that the self doesn't exist because it can't be found in the brain. It's at this point, Thompson argues, that we begin to miss the point.

"One of the problems with this scientific statement that, 'Well, science shows that there is no self and that validates Buddhism,' is it just completely elides or ignores the difference between a scientific description and scientific use of a concept like the self, and the Buddhist one, where the Buddhist one is inherently ethical or normative," says Thompson, a philosophy professor at the University of British Columbia.

#### 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.

#### 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 ansd 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

## 2NC

#### 4---Util is the only egalitarian metric---anything else collapses cooperation on collective action crises and makes extinction inevitable---all these silly cx games about hypotheticals prove that we can only do evaluations if we know specifics like the door having a handle or our actual capabilities to save the child

Khan 18 (Risalat, activist and entrepreneur from Bangladesh passionate about addressing climate change, biodiversity loss, and other existential challenges. He was featured by The Guardian as one of the “young climate campaigners to watch” (2015). As a campaigner with the global civic movement Avaaz (2014-17), Risalat was part of a small core team that spearheaded the largest climate marches in history with a turnout of over 800,000 across 2,000 cities. After fighting for the Paris Agreement, Risalat led a campaign joined by over a million people to stop the Rampal coal plant in Bangladesh to protect the Sundarbans World Heritage forest, and elicited criticism of the plant from Crédit Agricolé through targeted advocacy. Currently, Risalat is pursuing an MPA in Environmental Science and Policy at Columbia University as a SIPA Environmental Fellow, “5 reasons why we need to start talking about existential risks,” https://www.weforum.org/agenda/2018/01/5-reasons-start-talking-existential-risks-extinction-moriori/)

Infinite future possibilities I find the story of the Moriori profound. It teaches me two lessons. Firstly, that human culture is far from immutable. That we can struggle against our baser instincts. That we can master them and rise to unprecedented challenges. Secondly, that even this does not make us masters of our own destiny. We can make visionary choices, but the future can still surprise us. This is a humbling realization. Because faced with an uncertain future, the only wise thing we can do is prepare for possibilities. Standing at the launch pad of the Fourth Industrial Revolution, the possibilities seem endless. They range from an era of abundance to the end of humanity, and everything in between. How do we navigate such a wide and divergent spectrum? I am an optimist. From my bubble of privilege, life feels like a rollercoaster ride full of ever more impressive wonders, even as I try to fight the many social injustices that still blight us. However, the accelerating pace of change amid uncertainty elicits one fundamental observation. Among the infinite future possibilities, only one outcome is truly irreversible: extinction. Concerns about extinction are often dismissed as apocalyptic alarmism. Sometimes, they are. But repeating that mankind is still here after 70 years of existential warning about nuclear warfare is a straw man argument. The fact that a 1000-year flood has not happened does not negate its possibility. And there have been far too many nuclear near-misses to rest easy. As the World Economic Forum’s Annual Meeting in Davos discusses how to create a shared future in a fractured world, here are five reasons why the possibility of existential risks should raise the stakes of conversation: 1. Extinction is the rule, not the exception More than 99.9% of all the species that ever existed are gone. Deep time is unfathomable to the human brain. But if one cares to take a tour of the billions of years of life’s history, we find a litany of forgotten species. And we have only discovered a mere fraction of the extinct species that once roamed the planet. In the speck of time since the first humans evolved, more than 99.9% of all the distinct human cultures that have ever existed are extinct. Each hunter-gatherer tribe had its own mythologies, traditions and norms. They wiped each other out, or coalesced into larger formations following the agricultural revolution. However, as major civilizations emerged, even those that reached incredible heights, such as the Egyptians and the Romans, eventually collapsed. It is only in the very recent past that we became a truly global civilization. Our interconnectedness continues to grow rapidly. “Stand or fall, we are the last civilization”, as Ricken Patel, the founder of the global civic movement Avaaz, put it. 2. Environmental pressures can drive extinction More than 15,000 scientists just issued a ‘warning to humanity’. They called on us to reduce our impact on the biosphere, 25 years after their first such appeal. The warning notes that we are far outstripping the capacity of our planet in all but one measure of ozone depletion, including emissions, biodiversity, freshwater availability and more. The scientists, not a crowd known to overstate facts, conclude: “soon it will be too late to shift course away from our failing trajectory, and time is running out”. In his 2005 book Collapse, Jared Diamond charts the history of past societies. He makes the case that overpopulation and resource use beyond the carrying capacity have often been important, if not the only, drivers of collapse. Even though we are making important incremental progress in battles such as climate change, we must still achieve tremendous step changes in our response to several major environmental crises. We must do this even while the world’s population continues to grow. These pressures are bound to exert great stress on our global civilization. 3. Superintelligence: unplanned obsolescence? Imagine a monkey society that foresaw the ascendance of humans. Fearing a loss of status and power, it decided to kill the proverbial Adam and Eve. It crafted the most ingenious plan it could: starve the humans by taking away all their bananas. Foolproof plan, right? This story describes the fundamental difficulty with superintelligence. A superintelligent being may always do something entirely different from what we, with our mere mortal intelligence, can foresee. In his 2014 book Superintelligence, Swedish philosopher Nick Bostrom presents the challenge in thought-provoking detail, and advises caution. Bostrom cites a survey of industry experts that projected a 50% chance of the development of artificial superintelligence by 2050, and a 90% chance by 2075. The latter date is within the life expectancy of many alive today. Visionaries like Stephen Hawking and Elon Musk have warned of the existential risks from artificial superintelligence. Their opposite camp includes Larry Page and Mark Zuckerberg. But on an issue that concerns the future of humanity, is it really wise to ignore the guy who explained the nature of space to us and another guy who just put a reusable rocket in it? 4. Technology: known knowns and unknown unknowns Many fundamentally disruptive technologies are coming of age, from bioengineering to quantum computing, 3-D printing, robotics, nanotechnology and more. Lord Martin Rees describes potential existential challenges from some of these technologies, such as a bioengineered pandemic, in his book Our Final Century. Imagine if North Korea, feeling secure in its isolation, could release a virulent strain of Ebola, engineered to be airborne. Would it do it? Would ISIS? Projecting decades forward, we will likely develop capabilities that are unthinkable even now. The unknown unknowns of our technological path are profoundly humbling. 5. 'The Trump Factor' Despite our scientific ingenuity, we are still a confused and confusing species. Think back to two years ago, and how you thought the world worked then. Has that not been upended by the election of Donald Trump as US President, and everything that has happened since? The mix of billions of messy humans will forever be unpredictable. When the combustible forces described above are added to this melee, we find ourselves on a tightrope. What choices must we now make now to create a shared future, in which we are not at perpetual risk of destroying ourselves? Common enemy to common cause Throughout history, we have rallied against the ‘other’. Tribes have overpowered tribes, empires have conquered rivals. Even today, our fiercest displays of unity typically happen at wartime. We give our lives for our motherland and defend nationalistic pride like a wounded lion. But like the early Morioris, we 21st-century citizens find ourselves on an increasingly unstable island. We may have a violent past, but we have no more dangerous enemy than ourselves. Our task is to find our own Nunuku’s Law. Our own shared contract, based on equity, would help us navigate safely. It would ensure a future that unleashes the full potential of our still-budding human civilization, in all its diversity. We cannot do this unless we are humbly grounded in the possibility of our own destruction. Survival is life’s primal instinct. In the absence of a common enemy, we must find common cause in survival. Our future may depend on whether we realize this.

#### Studies” and “brain scans” are misused – results are variable

Horgan 11 (John Horgan directs the Center for Science Writings at the Stevens Institute of Technology. Why I Don't Dig Buddhism. <https://blogs.scientificamerican.com/cross-check/why-i-dont-dig-buddhism/> //shree)

Those who emphasize Buddhism's compatibility with science usually downplay or disavow its supernatural elements (and even the Dalai Lama has doubts about reincarnation, a philosopher who discussed the issue with him once told me). The mystical philosopher Ken Wilber, when I interviewed him, compared meditation to a scientific instrument such as a microscope or telescope, through which you can glimpse spiritual truth. This analogy is bogus. Anyone can peer through a telescope and see the moons of Jupiter, or squint through a microscope and see cells divide. But ask 10 meditators what they see, feel or learn and you will get 10 different answers.

Research on meditation (which I reviewed in my 2003 book Rational Mysticism, and which is usually carried out by proponents, such as psychologist Richard Davidson) suggests how variable its effects can be. Meditation reportedly reduces stress, anxiety and depression, but it has been linked to increased negative emotions, too. Some studies indicate that meditation makes you hyper-sensitive to external stimuli; others reveal the opposite effect. Brain scans do not yield consistent results, either. For every report of heightened neural activity in the frontal cortex and decreased activity in the left parietal lobe, there exists a contrary result.

Moreover, those fortunate souls who achieve deep mystical states—through meditation or other means—may come away convinced of very different truths. Shortly before his death in 2001, the Buddhist neuroscientist Francisco Varela (a friend of Trungpa) told me that a near-death experience had showed him that mind rather than matter constitutes the deepest level of reality and is in some sense eternal. Other Buddhists, such as the psychologist Susan Blackmore, are strict materialists, who deny that mind can exist independently of matter.

Blackmore looks favorably, however, upon the Buddhist doctrine of anatta, which holds that the self is an illusion. "Where, exactly, is your self?" Buddha asked. "Of what components and properties does your self consist?" Since no answer to these questions suffices, the self must be in some sense illusory. Meme theory, Blackmore contends in The Meme Machine (Oxford University Press, 2000), leads to the same conclusion; if you pluck all the memes out of a mind, you will have nothing left. She even rejects the concept of free will, holding that there is no self to act freely.

Actually, modern science—and meditative introspection—have merely discovered that the self is an emergent phenomenon, difficult to explain in terms of its parts. The world abounds in emergent phenomena. The school where I teach can't be defined in strictly reductionist terms either. You can’t point to a person or classroom or lab and say, "Here is Stevens Institute." But does that mean my school doesn't exist?

#### Either their ethic says death is bad in which case you vote neg OR they don’t which means they are a bad form of ethics---Death is the ultimate evil because it is irreversible and ontologically destroys the subject

Craig Paterson 3. Director and Consultant, Bioethics World; Professor of Philosophy, Providence College. “A Life Not Worth Living?” *Studies in Christian Ethics* 16: 1-20. Emory Libraries.

Contrary to those accounts, I would argue that it is death per se that is really the objective evil for us, not because it deprives us of a prospective future of overall good judged better than the alternative of non-being. It cannot be about harm to a former person who has ceased to exist, for no person actually suffers from the sub-sequent non-participation. Rather, death in itself is an evil to us because it ontologically destroys the current existent subject — it is the ultimate in metaphysical lightening strikes. 80 The evil of death is truly an ontological evil borne by the person who already exists, independently of calculations about better or worse possible lives. Such an evil need not be consciously experienced in order to be an evil for the kind of being a human person is. Death is an evil because of the change in kind it brings about, a change that is destructive of the type of entity that we essentially are. Anything, whether caused naturally or caused by human intervention (intentional or unintentional) that drastically interferes in the process of maintaining the person in existence is an objective evil for the person. What is crucially at stake here, and is dialectically supportive of the self-evidency of the basic good of human life, is that death is a radical interference with the current life process of the kind of being that we are. In consequence, death itself can be credibly thought of as a ‘primitive evil’ for all persons, regardless of the extent to which they are currently or prospectively capable of participating in a full array of the goods of life. 81 In conclusion, concerning willed human actions, it is justifiable to state that any intentional rejection of human life itself cannot therefore be warranted since it is an expression of an ultimate disvalue for the subject, namely, the destruction of the present person; a radical ontological good that we cannot begin to weigh objectively against the travails of life in a rational manner. To deal with the sources of disvalue (pain, suffering, etc.) we should not seek to irrationally destroy the person, the very source and condition of all human possibility.

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#### 2] Learning about the history of antitrust is essential to effective strategies.

Ron Knox 20. Senior researcher and writer at the Institute for Local Self-Reliance, 10/8/20. “Congress’s big tech report shows why antitrust history is so important.” https://www.washingtonpost.com/outlook/2020/10/08/congress-big-tech-anti-trust/?outputType=amp

This week, Congress released a report on big tech monopolies that makes clear what so many Americans instinctively know: A handful of powerful corporations rule over our lives and our economy. The report details the actions the four big tech platforms — Amazon, Google, Facebook and Apple — have taken in gaining and preserving their monopoly power across numerous markets. (Amazon CEO Jeff Bezos owns The Washington Post.) The report’s prescription for undoing their power is just as clear: We must break them up. Alongside this essential recommendation, the report also calls for strengthening the antitrust laws and adopting new rules to ensure the dominant platforms do not exploit their power. If we fail to confront the tech monopolies head on, the report argues, we relinquish our control over the way we shop, sell and speak to one another.

While the report itself falls in line with the other great anti-monopoly documents in the history of the U.S. Congress, it also situates the big tech companies in their historical context, likening them to “the kinds of monopolies we last saw in the era of oil barons and railroad tycoons.” That’s a valuable approach, because the United States can allay the situation the report describes only if policymakers situate it in its proper historical context. The big tech companies may be relatively new, but their monopolistic practices aren’t unique. And neither are the remedies — or what would happen if Washington implemented them.

A century ago, another cabal of powerful businesses controlled much of the American economy. It was the dawn of the formal American anti-monopoly movement. The Sherman Act, our first antitrust law passed some decades before in 1890, had been successfully used to break up the most notorious monopolies of the time, Standard Oil and American Tobacco. But despite these early victories against corporate control, the rot at the heart of the economy persisted.

Wall Street financiers, led by J.P. Morgan, bankrolled industrial titans in their pursuit of monopoly. Rather than the American people or a democratic market picking winners and losers, Morgan’s capital paid for the mergers and permitted the cutthroat pricing that created U.S. Steel, AT&T, General Electric and the railroad monopolies. As historian J. Bradford DeLong wrote, “Morgan and a small band of fellow financiers exercised a degree of control over corporate America not even remotely paralleled by any group since World War II.” The public called this dominance over the democratic market “the money trust.”

In 1912, the House convened a group of lawmakers, led by Rep. Arsène Pujo, to investigate the money trust and its effect on major U.S. industries. The Pujo Committee’s findings led to major reforms, including the passage of the Clayton Act, which banned corporate concentration through mergers and barred people from controlling an industry by sitting on the boards of directors of competing companies. At the same time, Congress created the Federal Trade Commission to use the new law to fight and prevent monopoly power.

Congress’s democratic intervention worked. By January 1914, as Congress and the public chastised the money trust, Morgan announced he would withdraw from more than two dozen directorships. Although the grip of Wall Street finance wouldn’t be fully broken until the Great Depression and passage of the Glass-Steagall Act two decades later, Morgan had relinquished control of the railroads and AT&T.

#### 3] Debates about antitrust are critical to understanding the fault lines of capitalism.

Katie Wilson 20. General Secretary of the Transit Riders Union, a Seattle-based organization advocating for improved public transit and other progressive urban issues. She is a contributing columnist covering local politics, economics and urbanism, 10/28/20. “Capitalism, competition, and why antitrust is so confusing.” https://crosscut.com/opinion/2020/10/capitalism-competition-and-why-antitrust-so-confusing

Such an extreme concentration of economic power in the hands of one corporation raises urgent questions about the health of our economy and our democracy. As I wrote last week, Congress is beginning to ask those questions. As denizens of a region transformed by Amazon’s rise, we’d all do well to ask them, too, and that means wrapping our heads around “antitrust” — the area of public policy and law intended to address the perils of excessive corporate power. It’s a tricky subject, and not merely because antitrust, like any corner of the law, has its share of intricacies, arcane terminology and subtle disputes. It’s also confusing because antitrust lies at one of the fault lines where the ideology of the capitalist marketplace begins to self-destruct.

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#### Should means must---the resolution is an instruction.

Supreme Court of Kansas 95. STATE OF KANSAS, Appellee, v. MICHAEL McCLOUD, Appellant. Date published: Feb 28, 1995. https://casetext.com/case/state-v-mccloud-53

In State v. Stuart and Jones, 223 Kan. at 603-04, this court considered the identical arguments that McCloud advances. In that case, the defendants argued that the jury should have been instructed it "must" find the defendants not guilty if there is reasonable doubt, rather than that it "should" find the defendants not guilty if there is reasonable doubt. The defendants further argued that the word "must" was mandatory and complied with the statutory language of K.S.A. 21-3109, while "should" is permissible and does not. This court noted that in State v. Connor, 74 Kan. 898, 87 P. 703 (1906), the court held that the word "should" as used in instructions conveys a sense of duty and obligation and could not be misunderstood by a jury. McCloud fails to establish that this court erroneously decided Stuart and Jones. Intent Instruction