# 1nc---kentucky r5

## offcase

### t-usfg---1nc

#### interpretation---the resolution divides of aff and neg 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

#### the 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 by law

Words & 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”.

#### “core antitrust laws” are The Sherman Act, the Clayton Act, and the Federal Trade Commission Act

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 substantially expands the scope of its core antitrust laws

#### vote neg:

#### 1---fairness---the neg should win on average 50% 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---clash---debate requires stasis to motivate research that develops third- and fourth-line responses---that’s key to effective politics and activism regardless of your personal beliefs---their interpretation explodes limits, makes the aff conditional, and forces the neg into concessionary ground

### pik---1nc

#### We endorse the reading of the 1AC, without their call for the ballot.

#### Voting negative endorses the 1AC as a good idea without their use of the ballot to delineate changes in community structure. Tokenization and icon-ification relies upon a fetishistic victim economy that assuages white, liberal guilt and devolves to black squares on Instagram – that reifies the worst tenets of racial capitalism

Fleishman 13 (Katie, PhD student in English at UC Berkeley, with an emphasis in Film & Media Studies, "The Female Complaint" April 28, <http://circleuncoiled.wordpress.com/2013/04/28/lauren-berlant-the-female-complaint/>) DR 16-edited GK 17

Everyone knows what the female complaint is: women live for love, and love is the gift that keeps on taking” 1. Popular culture“market[s] what is sensational about the complaint, speaking from a pretense to skewer an open secret that has been opened and skewered, in US culture, since at least the 1830s. Fusing feminine rage and feminist rage, each has its own style of hailing the wounded to testify, to judge, to yearn, and to think beyond the norms of sexual difference, a little… [they] foreground witnessing witnessing and explaining women’s disappointment… they are also sentimental, and therefore ambivalent: they trust affective knowledge and irrational assurance more than truths of any ideology; they associate femininity with the pleasures, burdens, and virtues of emotional expertise and track its methods in different situations; they focus on the sacrifice of women’s emotional labor to a variety of kinds of callousness, incompetence, and structural inequity; they catalog strategies of bargaining, adaptation, and flouting the rules. But in popular culture ambivalence is seen as the failure of a relation, the opposite of happiness, rather than as an inevitable condition of intimate attachment and a pleasure in its own right”1. The “thrilling encounter with pleasure, foreboding, and disappointment familiar to fans of the soap opera and the melodrama” might be placed on a spectrum with the type personality of the sitcom 2. “Complaint genres” blame “flawed men and bad ideologies” for “women’s intimate suffering,” but also “maintain some fidelity to the world of distinction and desire that produced such disappointment in the first place” 2. This is a “vigilance” in “recording how other women manage” – “a space of disappointment, not disenchantment” 2. The sentimentality lies in the American “love affair with conventionality,” as well as with the “tomorrow is another day” attitude that demonstrates a “confidence in the critical intelligence of affect, emotion, and good intention… agency that is focused on ongoing adaptation… transcending the world as it presents itself” 2. Such “permission to thrive” constitutes “permission to live small but to feel large; to live large but to want what is normal too; to be critical without detaching from disappointing and dangerous worlds and objects of desire… the aesthetically expressed desire to be somebody in a world where the default is being nobody” 3. “Thus to love conventionality is not only to love something that constrains someone or some condition of possibility: it is another way of talking about negotiating belonging to a world. To love a thing is not only to embrace its most banal iconic forms, but to work those forms so that individuals and populations can breathe and thrive in them or in proximity to them. The convention is not only a mere placeholder for what could be richer in an underdeveloped social imaginary, but it is also sometimes a profound placeholder that provides an affective confirmation of the idea of a shared confirming imaginary in advance of inhabiting a material world in which that feeling can actually be lived. In popular culture, when conventionality is not being called a homogenizing threat to people’s sovereignty and singularity it is seen as a true expression of something both deep and simple in the human… I span the term’s normative and aesthetic senses and claim that the **mass mediation** of desires in women’s genres constructs a deep affinity between them” 3. A genre “mediates what is singular, in the details, and general about the subject. It is a form of **aesthetic expectation** with porous boundaries allowing **complex audience identifications**: it locates real life in the **affective capacity** to **bracket** many kinds of **structural and historical antagonism** on behalf of finding a way to connect with the **feeling of belonging** to a larger world, however aesthetically mediated” 4. “To call an identity like a sexual identity a genre is to think about it as something repeated, detailed, and stretched while retaining its intelligibility, its capacity to remain readable or audible across the field of all its variations. For femininity **to be a genre** like an aesthetic one **means that** **it is** **a structure of conventional expectation** **that people rely on to provide certain kinds of affective intensities and assurances**” 4. Importantly, for Berlant, this means that ‘performativity’ often means variations within convention, rahter than “dramas of potentially frame-breaking alternativity” 4. The swerves a genre takes as “transgressions” on the way to the ultimate end are often part of the convention: “women’s culture always contains episodes of refusal and creative contravention to feminine normativity, even as it holds tightly to some versions of the imaginable conventional good life in love” 4. “**The** gender-marked **texts of** women’s popular culture cultivate **fantasies of vague belonging as an alleviation of** what is hard to manage in the lived real – **social antagonisms, exploitation**, compromised intimacies, the attrition of life… **one of the main utopias is normativity** itself… **an aspirational site of** rest and **recognition in and by a social world**” 5. “An intimate public operates when a market opens up to a bloc of consumers, claiming to circulate texts and things that express those people’s particular core interests and desires… participants… feel as though it expresses what is common among them, a subjective likeness that seems to emanate from their history and their ongoing attachments and actions… seems to confirm the sense that even before there was a market addressed to them, there existed a world of strangers who would be **emotionally literate in each other’s experience of power**, intimacy, desire, **and discontent**, with all that entails… ‘**Women’s culture’ was the first such mass-marketed intimate public** in the United States of significant scale” 5. “As long as they have had a public sphere, **bourgeois white women** writers have **mobilized fantasies of what black and working-class interiority based on suffering must feel like in order to find a language for their own** more privileged **suffering** at the hands of other women, men, and callous institutions [The Help!]… **Compassionate liberalism** **is**, at best, a kind of **sandpaper** on the surface of the racist monument **whose structural** and economic **solidity** **endures**: **in the intimate sphere** of femininity **a** kind of **soft supremacy rooted in compassion and coercive identification** wants to dissolve all that structure… while **busily** **exoticizing and diminishing the inconvenient and the noncompliant**… But… intimate spheres feel like ethical places…” 6. [vs Mad Men?] “**The problem** at hand **is of naming what appears when a collectivity is historically created by biopower, class antagonism, nationalism, imperialism, and/or the law and**, at the same time, is **engendered by an ongoing social life mediated by capital and organized by** all kinds of **pleasure**… **Intimate publics elaborate themselves through a commodity culture**; have an osmotic relation to many modes of life; **and are organized by fantasies of transcending**” 8. “Biopower has indeed reorganized individuals into populations deemed incompetent to the privileges of citizenship… fields of historical commonality that are at once specifically related to events… and to what it was like back in the day” 9. “**A public is intimate** **when** it foregrounds **affective** and **emotional attachments** **located in fantasies of the common, the everyday, and a sense of ordinariness**, a space where the social world is **rich** **with** anonymity and **local recognitions**… textually mediated: as Miriam Hansen has argued, modern publics required stylistic strategies and **modes of narration to absorb viewers into textually constructed positions of general subjectivity that also serve**d **the historical convergence of social and economic objectives** [think Williams and **the code and** Mulvey and **the gaze**]…. in mass society, **what counts as collectivity has been a** loosely organized, **market-structured juxtapolitical sphere of people attached to each other by a sense that there is a common emotional world available** **to those** individuals who have been **marked by the historical burden of being harshly treated in a generic way**… **a sense of** lateral **identification**… revelations of what is personal, regardless of how what is persona has itself been threaded through mediating institutions and social hierarchy” 10 [think faceting!] “Mass-mediated **popular culture is always generating more opportunities for fomenting a sense of focused belonging to an evolving world in this intensely connected yet mediated way**… **Belonging to an intimate public is therefore** a condition of feeling general within a set of porous constraints, and of **feeling held or sustained by an evolving sense of experience that confirms some homogeneity** and elaborates social distinctions” 13. Disappointment and fulfillment are “partners” in the culture of women and love: “Each is central to the absorbing anxiety that gets animated by having an object oAf desire” 13. In Lacanian terms, “the loss of pleasure, then, can be defined as the insufferable interruption of a repetition with which a lover has identified the optimism of a fundamental attachment” 14. “Love is the gift that keeps on giving when people can rely on reexperiencing their intimates’ fundamental sympathy with the project of repetition and recognition [importance of ‘tomorrow’]… Love is the gift that keeps on taking for the same reason: the search for mirroring (desire) demands constant improvisation (anxiety) and taking of accounts (disappointment)” 15. When a success, this is called reciprocity. For Jacqueline Rose, “anxiety is the core affect of femininity, which operates under an imperative never to fail to stop working on itself” 16. “In women’s culture, normative femininity and aesthetic conventionality constitute the real central couple, with the love plot as the vehicle for and object of desire. Spivak’s description of the ‘concept/metaphor’ that is simultaneously descriptive and transformative is useful here… for not changing, but adapting, propping the play of surface against a stubborn demand to remain in proximity to the promise” 19. “For a woman committed to romantic fantasies of love as reciprocity to break with the normative emotional bargains is to threaten her participation in the good life that seems to unfold from desire and to be maintained by ordinary emotional labor. The sentimental bargain of femininity… receives her own value back not only in the labor of recognition she performs but in the sensual spectacle of its impacts. In this discursive field the emotional labor of women places them at the center of the story of what counts as life, regardless of what lives women actually live: the conjuncture of family and romance so structures the emergence of modern sexuality, with its conflation of sexual and emotional truths, and in that nexus femininity marks the scene of the reproduction of life as a project… to be proximate to this story of emotional centrality. The circularity of the feminine project… is a perfect form, a sphere infused with activities of ongoing circuits of attachment that can at the same time look and feel like a zero” 19. [think Joan Holloway Harris] “The mechanism of sentimental saturation of the intimate sphere with materials and signs of consumer citizenship has been crucial to what Mark Seltzer has called the ‘pathological public sphere’ of the contemporary US… the sensationalism of the late 19th and early 20th century. The Uncle Tom genealogy is notable precisely because its sensationalism was a politically powerful suturing device of a bourgeois revolutionary aesthetic” 20. f consumer citizenship has been crucial to what Mark Seltzer has called the ‘pathological public sphere’ of the contemporary US… the sensationalism of the late 19th and early 20th century. The Uncle Tom genealogy is notable precisely because its sensationalism was a politically powerful suturing device of a bourgeois revolutionary aesthetic” 20.

#### The aff’s invocation of discursive representation of blackness render blackness into a visible site for affective attachment – this process forces blackness to perform the labor of maintaining the public sphere, rendering it subject to continual circulation and fetishization

Fleetwood 11

(Nicole R Fleetwood, assistant professor of American Studies at Rutgers University, *Troubling Vision: Performance, Visuality, and Blackness*, pgs. 8-9)

It is the constant troubling presence of blackness and the recurrence of certain visual narratives of black subjectivity that thread together the chapters that follow. David Marriott links this recurrence to “a failed mourning” of slavery that results in both affect—remorse, guilt, blame, disavowal; the traces left by persons long dead —and spectacle; in particular, the occult presence of racial slavery, nowhere but nevertheless everywhere, a dead time which never arrives and does not stop arriving, as though by arriving it never happened until it happens again, then it never happened.... Here it is the power of exclusion that shapes black experience of political and ethical life and the awful feeling of one's visible invisibility.23 This affective response arises in American public discourse, but especially within the black public sphere. The arguments for or against, even the voice of authority offering context, ring with emotional excess. The investment (p.10) seems all or nothing, no matter how catastrophic—such as the abandonment of thousands of blacks during Hurricane Katrina —or seemingly fleeting.24 The various responses convey not only the attachment to black representations in visual media but also a particular investment in black iconicity. Black iconicity serves as a site for black audiences and the nation to gather around the seeing of blackness. However, in the focus on the singularity of the image, the complexity of black lived experience and discourses of race are effaced. The image functions as abstraction, as decontextualized evidence of a historical narrative that is constrained by normative public discourse. It is a critique that Lubiano launches against the use of images of Malcolm X and Martin Luther King Jr. throughout Do the Right Thing. Lubiano writes, “Iconography and fetishization is no consistent substitute for history and critical thinking. The film offers no consistent critique of ‘pictures’—as icons, as fetishes.”25 Lubiano suggests that Do the Right Thing perpetuates the unquestionable evidentiary significance of the icon in black public culture. W. J. T. Mitchell looks at how iconic photographs circulate throughout the film as public art and represent a struggle over the public sphere. This struggle in the film takes place between Sal, the pizzeria owner whose Wall of Fame portrays a number of famous Italian Americans, and Buggin' Out, who challenges him to include images of African Americans on the wall given that the clientele is predominantly the black working-class residents of the neighborhood. This investment in black iconicity is reflective of black audiences and a national public. It is interwoven into the national narrative of democratic progress and American exceptionalism, in which the children of slaves become the exemplars of the nation-state, a topic pursued in detail in chapter 1 of this study. The repetition of public outcries, cautious celebrations, struggles over “the image,” or even tepid ambivalence reveal the affective power of black representational practices. The collective responses reinvigorate what cultural theorists call “the history of the present.” In theorizing affect and the sociality of emotions, Lauren Berlant uses the phrase “collective attachment” and defines this concept as a form of optimism in how emotions can bring individuals together. It “is a way of describing a certain futurism that implies continuity with the present, but, it does not always feel good, attachment seems a better way to describe the pleasures of repetition without presuming their affective reverb.” As Berlant writes, “the public spheres are affect worlds,” evidenced in what Lubiano describes as the Spike Lee discourse.26 Sara Ahmed's theory of affective economies is very useful to understand the recurrence of collective attachment to black visual representation. Moving (p.11) emotion beyond interiority (especially as conceptualized in psychoanalytic theory) to the externalizing effects in public discourse and collective belonging, Ahmed writes, In such affective economies, emotions do things, and they align individuals with communities—or bodily space with social space—through the very intensity of their attachments. Rather than seeing emotions as psychological dispositions, we need to consider how they work, in concrete and particular ways, to mediate the relationship between the psychic and the social, and between the individual and the collective.27

### k---climate leninism---1nc

#### The 1AC’s opposition to the resolution has offered moralism when it needs to offer organization – refusal to seize the state from the capitalist class forecloses a dictatorship of the proletariat

Heron & Dean 20 (Kai Heron, editor at ROAR Magazine. Jodi Dean, Professor of Political Science at Hobart and William Smith Colleges. “Revolution or Ruin.” E-Flux. Journal #110 - June 2020. <https://www.e-flux.com/journal/110/335242/revolution-or-ruin/> //shree)

Let’s look at this third option more closely. To build towards an eco-communist revolution, we need to avoid both a politics of pure negation and a politics of “critical affirmation.” As Marx argued, revolutions need dialectics. They need us to find what Fredric Jameson calls the “dialectical ambivalence” in capitalism. This means training ourselves to locate aspects of the present that point beyond themselves and towards the communist horizon. Lenin did precisely this after the outbreak of the First World War. Rather than joining with the majority of the socialist parties of the Second International in capitulating to imperialist war, and rather than wallowing in melancholia following the betrayal of so many of his German comrades as they voted for war credits, Lenin saw in the war an opportunity for revolutionary advance. Those interested in the emancipation of the working class needed to fight not for peace but for the dialectical conversion of nationalist war to civil war. The war, and the collapse of the Second International, was the opportunity for something new.

What would it mean to think dialectically about the GND? We think it would mean stripping the policy’s reformist content away from its revolutionary form. For decades environmental movements in the capitalist core have busied themselves fighting for local solutions to global problems: cooperatives, local currencies, urban agriculture, and ethical consumerism. As these experiments blossomed, the climate crisis continued unabated. More pipelines were built, more indigenous land was stolen, more fires raged, and more species flickered out of existence.

In their form the GND and GIR put localism aside. Both recognize that the climate crisis demands a state-led, centrally planned, and global response. They take for granted that we need a state to intervene on behalf of nature and workers against capital. The fact that the GND and GIR promise to do this is what makes capitalists fear them. Those who are excited about the promise of the GND—such as Riofrancos—have similarly turned towards the state as a terrain of struggle and a locus of power. Consciously or not, these movements have learned from the failures of Climate Camp, Occupy, and the Movement of Squares. It is not enough to suspend the normal running of things. Taking responsibility means taking power and organizing society in what Marx called the interests of “freely associated workers,” or more controversially, the “dictatorship of the proletariat.” The struggles to implement the GND and GIR tell us that environmentalists are increasingly aware of the need to seize the state—and the need to develop a fighting organization with the capacity to do so.

Against State Denialism

Ironically, at almost the precise moment that progressive movements have become conscious of the necessity of a climate response operating at the necessary scale, the Marxist left has taken a state-phobic turn. Consider “disaster communism.” Confronted with the choice between ruin or revolution, disaster communism opts for ruin as the path to revolution—without considering the form of association necessary to ensure that the revolution ushers in a more equal, just, and sustainable world rather than insulated groups struggling with each other over resources. In lieu of the revolutionary subject emphasized in the Marxist tradition, disaster communism turns to climate breakdown as the agent of history.

Drawing on Rebecca Solnit’s book A Paradise Built in Hell, a study of how practices of mutual aid and collectivity arise in the aftermath of crises, disaster communists argue that we do not need to seize the state because the state will be washed away, along with the capitalist system itself, as the full force of the climate crisis crashes down around us. While Solnit emphasizes the ephemerality of “disaster communities,” disaster communists ask how these communities might be sustained and even flourish well beyond the punctual point of a climatic disaster wrought by capitalism. Theirs is a vision of communism arising, triumphantly, from capital’s ashes. Vision may be too strong a term here: for the most part, disaster communism is a hope, a screen covering over the need for organization and planning at a scale that can produce a form of life suitable for billions of people and nonhuman species.

Responses to the Covid-19 pandemic illustrate the point. Even as mobilized volunteers and mutual aid can meet real needs by distributing meals, assisting neighbors, and coordinating webinars, they are inadequate to the most demanding tasks of developing and administering tests for the virus, securing hospital beds in intensive care units, producing and distributing respirators, and providing adequate protective equipment at the necessary scale. Mutual aid is inspiring, but it’s not enough—it can’t stop the hoarders and profiteers, pay hospital bills and unemployment insurance, release prisoners and detainees. It doesn’t scale, particularly when the prevailing logic comes from the market. That capital accumulation takes place through dispossession as well as exploitation brings home the real limit of mutual aid: poor and working people do not own the means of production and therefore production does not meet social needs.

Furthermore, in extreme capitalist countries like the US and the UK, social and political diversity means that many do not voluntarily comply with public health recommendations. Employers insist that employees come to work. Students spend spring break at the beach. Individuals approach their own situations in terms of exceptions, reasons why they don’t need to comply with directives. Orders from the state don’t eliminate all these exceptions. But they reduce them substantially, most significantly by preventing employers from requiring workers to put themselves at risk. Were the state used as an instrument of working class power, it would, at a minimum, guarantee that workers would continue to be paid, that the health and well-being of people would be the focus of government attention. The pandemic demonstrates a truth that the left’s responses to climate change have been slow to acknowledge: global problems require a centrally planned response with all the tools that are at the disposal of the state. Failing to seize hospitals, industry, banks, and logistical networks from the capitalist class results in needless death—and gives a green light to disaster capitalism.

Geoff Mann and Joel Wainwright’s 2018 book Climate Leviathan provides another state-phobic response to the climate crisis. Mann and Wainwright predict four possible resolutions to the climate crisis. The first is “Climate Leviathan.” This is a global sovereign power that would act in the interests of capitalist states and global capital to limit the effects of climate breakdown. This is effectively the scenario hoped for by Chakrabarty. The second is “Climate Behemoth.” Here, states cannot agree to constitute a global sovereign power and so the crisis is tackled by international capital in the interests of international capital. The third is “Climate Mao.” In this scenario a single authoritarian sovereign power, most likely China, leads global mitigation and adaptation efforts. Finally, their fourth and preferred scenario is “Climate X.” This would be a so-far-nonexistent social movement that struggles to resolve the crisis in a way that is simultaneously anti-capitalist and anti-sovereign.

Alyssa Battistoni and Patrick Bigger have already written compelling Marxist critiques of Climate Leviathan. We don’t need to rehearse them here. We note, however, that responses to the Covid-19 pandemic have resembled Climate Behemoth and Climate Mao. While the US, UK, and EU have been slow to use state power to coordinate either within or among the themselves, instead following the dictates and interests of capital in their structuring of economic responses to the pandemic, China has modeled both rigorous state action with respect to quarantines and international leadership with respect to provision of medical aid. What’s important for our argument here is that Mann and Wainwright’s state denialism prevents them from conceiving the state as a form for the collective power of working people, an instrument through which we remake the economy in the service of human and nonhuman life.

Jasper Bernes offers a third state-phobic Marxist response to the climate crisis. A proponent of communization theory, Bernes argues that communism means “the immediate abolition of money and wages, of state power, and of administrative centralization.” Absent something like a state, how is a just response to the climate crisis even possible? Should we assume that it will spontaneously emerge as a result of disparate local disaster communisms? Should we assume that access to food, water, living space, and capacities for self-defense will be equally distributed, that by some miracle the immediate abolition of money and wages will leave everyone in the same position? The pandemic gives us insight into the inability of the communization approach to respond to catastrophe: when millions who have been dependent on the wage are without it, they require centralized state power to seize the means of production and distribution and administer both on the scale necessary to meet social needs. The issue isn’t the power of the state. It’s the class wielding state power.

#### Cap turns case – it’s a para-ontological phenomenon that defangs black radicalism, penetrating even the maroons of the university

Curry 13 (Tommy; lack Studies, Not Morality: Anti-Black Racism, Neo-Liberal Cooptation, and the Challenges to Black Studies Under Intersectional Axioms. // 2013; <https://www.academia.edu/8160498/_Draft_Black_Studies_Not_Morality_Anti-Black_Racism_Neo-Liberal_Cooptation_and_the_Challenges_to_Black_Studies_Under_Intersectional_Axioms> //Ritt)

Our present day descriptions of the crisis of Black Studies have identified neo-liberalism as a major cause of the financial and political obstacles preventing flourishing of the discipline. In this schema there is a shared concerned with other liberal arts programs that their contributions to the university are being devalued because of the encroaching corporatism in the American university. Henry Giroux‟s (2002) “Neo -liberalism, Corporate Culture, and the Promise of Higher Education: The University of as a Democratic Public Sphere” warns that under neoliberalism politics are market driven and the claims of democratic citizenship are subordinated to market values” (p.428). According to Giroux (2002) these are ubiquitous in scope. “As large amounts of corporate capital flow into the universities, those areas of study in the university that don't translate into substantial profits get either marginalized, underfunded, or eliminated… we are witnessing…a downsizing in the humanities …Moreover, programs and courses that focus on areas such as critical theory, literature, feminism, ethics, environmentalism, post-colonialism, philosophy, and sociology suggest an intellectual cosmopolitanism or a concern with social issues that will be either eliminated or technicized because their role in the market will be judged as ornamental” (p.434). But the role of neoliberalism has been underappreciated and understudied in relation to Black politics and the 21 st century articulations of “race.” While Giroux‟s analysis suggests a shared neoliberal repression upon the marked Black community of the university, Lester Spence correctly observes that “while scholars and activists alike increasingly use the concept of neoliberalism to explain rising levels of racial inequality they… miss the way this dynamic is reproduced within, and not simply on black communities ” (2012, p.140). This “reproduction within” Black communities exposes an unattended aspect of the political economy at work in the valuation of discourse and ideology within the university. The current deployment of neoliberalism in relation to the fields of knowledge and “politics” in Black Studies thereby exposes a paraontological dilemma in our diagnosis; as neoliberalism both represents the market ontology of corporations (our traditional understanding), and the internalization as homo-economicus (the Black subject as self-interested economic thinker). As Joy James (2000) observes , “In academe, a self/text preoccupation and careerism may marginalize or psychologize political struggles. In the present form of Black Studies, it is not unusual to find writers advocating for the intellectual-interrogator as more enlightened than the activist-intellectual (we also find the inflation of literary production into a form of political “activism” without analysis of the relation to community organizing. Professionalizing progressive discourse validating it within academic conversation, has a lot to do with the commodification of not only Black Studies, but Black radicalism within Black Studies. This analysis is not all together surprising given the research of Fabio Rojas ‟s (2007) From Black Power to Black Studies which argues that the corporate foundations like Ford and Carnegie directly influenced and deradicalized the course of Black Studies departments in the years following the Civil Rights movement from paradigms focusing on material-nationalist-radicalism accounts of racism to poststructuralist-integrationist-reformism accounts of identity through post-doctoral fellowships and grants. In contrast to our present day articulations of neoliberalism, or more appropriately the neoliberal crisis in relation to Black Studies, we are not only bringing attention to the externality of a white supremacist corporatism which devalues Blackness, but the reification of neoliberal axioms in the production and commodification of Black radicalism by Black scholars in Black Studies.

#### Root Cause link – yes, race is historically constitutive of capitalism as are many other factors, but asserting homo economicus’s primacy turns case because it’s a neoliberal move to obscure the mundane specificities that inform material inequalities which undermine informed resistance – only the alt’s materialism can account for this

Reed 12, professor of political science at the University of Pennsylvania and a member of the interim national council of the Labor Party. RACE, CLASS, CRISIS: THE DISCOURSE OF RACIAL DISPARITY AND ITS ANALYTICAL DISCONTENTS, <http://www.sas.upenn.edu/~merlinc/ReedChowkwanyunSR.pdf> //shree. Note by google dictionary: “sui generis” means “unique”)

It should give us pause that these decidedly non-leftist policy prescriptions flow from the leftist frame of choice for analyzing the racial minority experience in the crisis of 2008. In choosing that frame, rather than fundamentally rethinking default approaches in the face of changing historical circumstances, the left has simply dusted off, rinsed, and repeated. This reflex is reinforced by commitment to a pro forma anti-racism that depends on evocations – as in Michelle Alexander’s widely noted recent book, The New Jim Crow62 – of regimes of explicitly racial subordination in the past to insist on the moral primacy of simplistic racial metaphor for characterizing inequality in the present. Most charitably, this tendency arises from intensified concerns to defend racial democracy in debates over the legitimacy of race-targeted social policy that have recurred since the late 1970s. Less charitably, it is an expression of an at best self-righteous and lazy-minded expression of the identitarian discourse that has increasingly captured the left imagination in the United States since the 1990s.63 This is moreover an antagonistic alternative to a politics grounded in political economy and class analysis, despite left-seeming defences that insist on the importance of race and class. Its commitment to a fundamentally essentialist and ahistorical racefirst view is betrayed in the constantly expanding panoply of neologisms – ‘institutional racism’, ‘systemic racism’, ‘structural racism’, ‘colour-blind racism’, ‘post-racial racism’, etc. – intended to graft more complex social dynamics onto a simplistic and frequently psychologistic racism/anti-racism political ontology. Indeed, these efforts bring to mind Kuhn’s account of attempts to accommodate mounting anomalies to salvage an interpretive paradigm in danger of crumbling under a crisis of authority.64 And in this circumstance as well the salvage effort is driven by powerful material and ideological imperatives. The discourse of racial disparity is, when all is said and done, a class discourse. Even the best of the studies analyzing the racial impact of the crisis, for example, in focusing on racial disparity in subprime mortgage markets and foreclosure rates, sidestep a chance to interrogate the very limitations of the hegemonic commitment to homeownership altogether. More generally, automatic adoption of the racial disparities approach avoids having to conduct the detailed work that would situate ascriptive status within the neoliberal regime of accumulation that mitigates its influence. Repetitiously noting the existence of segregated neighbourhoods and how they decrease property value (real and perceived) and increase the likelihood of subprime mortgage is to identify a result, albeit one that is surely repellent. It does not tell us with much exactitude what institutions, policies, actuarial models, and systems of valuation produce those results, or more generally, what sociologist Mara Loveman describes as the ‘extent a particular essentializing vocabulary is related to particular forms of social closure and with what consequences’.65 It substitutes in its place pietistic hand-wringing and feigned surprise over results that can hardly be surprising. Ironically, it is authors who operate from outside of that frame, and in some cases outside the left entirely, that currently have the most to offer us. Gretchen Morgenson and Joshua Rosner’s Reckless Endangerment traces the short-term roots of the crisis, detailing how a 1990s consensus on pushing homeownership led to a system of tax credits, perverse incentives, refinancing, risky (and often fraudulent) loans, lax regulation, and debt securitization that exploded a decade and a half later. To cast the story primarily in terms of racial disparity is to capture only a sliver of what some have labelled the ‘real estate financial complex’. Doing so misses as well the legitimizing role that disparities rhetoric played in pushing minority homeownership. Focusing so robotically on racially disparate home financing and credit access obscures how these injustices, repugnant as they are, fit into a larger picture of income stagnation

and welfare state instability, which gave rise to the increasing need, documented by Hyman, for significant household debt, protracted mortgages, and accelerated re-financing in the first place, all simply to stay afloat. In the accounts we reviewed here, the Kerner Report’s ‘white racism’ remains the enemy, while the Big Kahuna, financialization, wobbles in the background, meriting more an obligatory mention than focused inquiry on how it impacts other phenomena. The misdirection strategies can take if predicated on such an analysis are obvious. Our call to transcend this stifling frame is absolutely not a call to ignore racial exclusion or to declare in abstract terms, as Ellen Wood has, that race is not ‘constitutive of capitalism’ the way class is.66 Rather, we advocate that in analyzing the current situation and how it fits into historical context, left analysts ought to conduct what Ian Shapiro has labelled ‘problem-driven’ research, in his words, ‘to endeavor to give the most plausible possible account of the phenomenon that stands in need of explanation’, in this case racially disparate impacts, instead of forcing it into a stifling, readymade narrative.67 Doing so will break away from analytical sloth and widen strategic options. Doing so also requires jettisoning the hoary, mechanistic race/class debate entirely. We believe that our critique here demonstrates the virtues of a dynamic historical materialist perspective in which race and class are relatively distinct – sometimes more, sometimes less, sometimes incoherently related or even interchangeable – inflections within a unitary system of capitalist social hierarchy, without any of the moralizing, formalist ontological baggage about priority of oppression that undergirds the debate. From this perspective insistence that race, or any other category of ascriptive differentiation, is somehow sui generis and transcendent of particular regimes of capitalist social relations appears to be, as we have suggested here, itself reflective of a class position tied programmatically to the articulation of a metric of social justice compatible with neoliberalism. That is a view that both obscures useful ways to understand the forces that are intensifying inequality and undermines the capacity to challenge them.

#### Capitalism ensures climate apartheid and extinction

Heron & Dean 20 (Kai Heron, editor at ROAR Magazine. Jodi Dean, Professor of Political Science at Hobart and William Smith Colleges. “Revolution or Ruin.” E-Flux. Journal #110 - June 2020. <https://www.e-flux.com/journal/110/335242/revolution-or-ruin/> //shree)

We know how the first paragraph begins. We’ve read about the changing climate for over twenty years, infrequently at first and then daily until we couldn’t deny it any longer. The world is burning. The oceans are heating up and acidifying. Species are dying in the Sixth Great Extinction. Koalas have replaced polar bears as the charismatic species whose dwindling numbers bring us to tears. Millions are displaced and on the move, only to be met with fences, borders, and death.

We’ve read the news and it keeps getting worse. As pandemics spread, as the climate crisis continues unabated, the imperatives of capital prevent state action on anything but protecting banks and corporations. Since 1988, when human-induced climate change was officially recognized by the establishment of the Intergovernmental Panel on Climate Change (IPCC), the oil and gas sector has doubled its contribution to global warming. The industry emitted as much greenhouse gas over the twenty-eight years after 1988 as it had in the 237 years since the beginning of the industrial age. Regular reports announce that the atmospheric impact of these emissions is manifesting faster than scientists previously expected. The IPCC clock tells us that we have eleven years to prevent warming from rising more than 1.5 degrees above preindustrial levels. Some places on earth already hit that mark in the summer of 2019. “Climate change”—that innocuous moniker preferred by Republican political consultant Frank Lutz and adopted by the George W. Bush administration because “global warming” seemed too apocalyptic—has moved from seeming far away and impossible to being here, now, and undeniable. This has not stopped the United States and Canada from providing economic relief funds in the wake of coronavirus to oil and gas companies.

Those least responsible for climate change, those who have suffered the most from capitalism’s colonizing and imperial drive, are on the frontlines of the climate catastrophe. How to find clean water amidst never-ending drought? How to gather needed herbs, food, and firewood amidst rapid deforestation? How to survive the floods and fires? Centuries of colonialism, exploitation, and war undermine people’s capacities to survive and thrive, hitting poor people, women, children, people with disabilities, already disadvantaged racialized and national minorities, and the elderly hardest of all. According to a UN report, “We risk a ‘climate apartheid’ scenario where the wealthy pay to escape overheating, hunger and conflict while the rest of the world is left to suffer.” Capitalism has always permitted some to flourish by forcing others to fight for survival. The climate crisis—and now the coronavirus—intensifies these dynamics into a global class war. In Marx’s words, “ruin or revolution is the watchword” for our times.

#### Vote neg for climate Leninism – power must not be smashed, it should be wrested

Heron & Dean 20 (Kai Heron, editor at ROAR Magazine. Jodi Dean, Professor of Political Science at Hobart and William Smith Colleges. “Revolution or Ruin.” E-Flux. Journal #110 - June 2020. <https://www.e-flux.com/journal/110/335242/revolution-or-ruin/> //shree)

Climate Lenin

Lenin recognized the difference between confiscation and socialization, or, more in keeping with the terms here, between abolition and communism. The latter requires creative, collective cooperation, which has to be organized. Through the reorganization of the modes and relations of production and reproduction, the many come to exercise control over their lives and work. Neither revolution nor communism occurs in a single moment. For communists, revolution is the process of building communism. The negation of prior practices, assumptions, and institutions doesn’t happen overnight. Acknowledging the “long haul” is not to capitulate to capitalism or social democracy. It is how we refuse to capitulate to capitalism and democracy and accept the complexity of the task of building free societies and the revolutionary organizations adequate to that task.

One of the lessons Lenin took from the experience of the Paris Commune was the revolutionary role of the state. He applied this lesson to the setting in which the Bolsheviks found themselves:

This apparatus must not, and should not, be smashed. It must be wrested from the control of the capitalists; the capitalists and the wires they pull must be cut off, lopped off, chopped away from this apparatus; it must be subordinated to the proletarian Soviets; it must be expanded, made more comprehensive, and nation-wide. And this can be done by utilising the achievements already made by large-scale capitalism (in the same way as the proletarian revolution can, in general, reach its goal only by utilising these achievements).

The state is a ready-made apparatus for responding to the climate crisis. It can operate at the scales necessary to develop and implement plans for reorganizing agriculture, transportation, housing, and production. It has the capacity to transform the energy sector. It is backed by a standing army. What if all that power were channeled by the many against the few on behalf of a just response to the climate crisis?

During the Covid-19 pandemic, multiple voices have called on the state to take control of hospitals and industries, to build field units, supply necessary equipment, and provide economic relief. State response has been uneven, typically coupling enormous benefits to corporations with minimal benefits to working people. Even worse, repressive regimes such as those in Hungary and the US have seized the opportunity to enact anti-trans, anti-abortion, and anti-environmental measures. Again, our situation is one of revolution or ruin.

As Ted Nordhaus argues in a pro-capitalist takedown of the contemporary left, the progressive response to climate change has failed because of the incoherence between its diagnosis and its solution. The left sees that capitalism is responsible for climate change. It recognizes the urgency of the situation. But instead of building its capacity to seize the state, it advocates small-scale, local, decentralized solutions and more protests and democracy. If we really are on the verge of catastrophe, shouldn’t we building a revolutionary party able to respond to the disaster and push forward an egalitarian alternative?

The left has offered moralism when it needs to offer organization. Consider the contrast between the widely popular Fridays for the Future protests and the mass strikes in France and India. The former attempt moral persuasion. The latter assert proletarian power as they interrupt capital’s circulation and stand up against capital’s state. What if electrical workers all over the world followed the lead of their French comrades and turned off the lights? What if all transport workers refused to drive or fly all vehicles that weren’t zero-emission? What if the global working class emulated the 250 million Indians who brought their country to a halt with their January 8, 2020 general strike? Such mass working class action creates the space for further radicalization, further organization, further conviction that we have the capacity to bring about a radical transformation of the global economy. Organization, not moralism, gives us the power.

Nordhaus pinpoints the cause of the left’s incoherence: its rejection of centralized, top-down power. Climate Leninism, however, doesn’t fall for this tired spatial metaphor. When the state is seized by a revolutionary party, it is turned bottom-up. Grappling with the challenge of working this out in practice occupied Lenin until the end of his life. Getting local soviets or worker’s councils functioning is a challenge. In a complex federated system like the US, there are already elaborate local, county-wide, state, and national governmental offices. Lenin himself was particularly enamored of the post office and libraries, seeing both as models for socialist accounting and distribution. Our problem today is not excessive centralization. After forty years of neoliberalism, it is disorganization, unaccountability, ongoing exploitation, and widespread accumulation by dispossession. We need a politics adequate to this context, a militant, disciplined, communist politics that doesn’t flinch from the enormity of the challenge, nor the coordination at scale required to address it.

We know that this is a tall order. We know that the forces of fossil capital and social democracy stand in our way. But to do anything less than build towards an international revolution today would be ruinous. As dire as both the coronavirus and climate crises are—and we really have seen nothing yet—we need to exercise some dialectical ambivalence. Global capital sees these crises as an opportunity to entrench its power, to break into new markets, to extract more wealth. Social democracy sees the crises as a chance to strike an impossible social compromise between capital and workers. We need to see these crises as both social and ecological catastrophes of unprecedented proportions and as an opportunity to end exploitation, oppression, imperialism, and inequality. We need to see this moment from the perspective of the revolutionary party that we must build as climate Leninists.

## case

### weheliye wrong---1nc

#### telos sufficient means state action good

**weheliye’s thesis is inconsistent. *habeas viscus* lacks a vision for what ought to happen – if the law is inaccessible, there is no way to utilize agamben’s state of exception for revolution---metaphor is not action.**

David **Marriott**, **2015**. Professor of History, UC Santa Cruz. “Black Critical and Cultural Theory.” *Years Work Crit Cult Theory* 23(1): 190-206. Emory Libraries.

I suppose Habeas Viscus must be read very differently depending on whether it is approached as a contribution to the theory of bare life or as a contribution to the social death theory of blackness. Yet, as both it succeeds in showing why the reader of the one needs to become the reader of the other. If the biopolitical can never have done with the problem of black social death and the language of race; and any philosophical engagement with that problem and language finds itself implicated and at issue in how race informs the notion of exception, then it is important to know how bare life and biopolitics ‘misconstrues how profoundly race and racism shape the modern idea of the human’ (p. 4). If Weheliye’s underlying thematic encourages us to read that opening question as fundamental, if the eight chapters that compose the book—on blackness, bare life, assemblages, racism, law, depravation, deprivation and freedom—thus beckon towards a future focus for Black Studies in the light of that question, then it **matters** whether Weheliye **offers a persuasive answer** to this question. While the critique of bare life and politics is an important one, the need to rethink blackness as a refusal of the exception is not entirely convincing and thus the risk of incompleteness is **not only methodological**. At risk is the overall coherence of the book, and this risk is never quite resolved.

Moreover, how are we to take this reference to ‘flesh’ when it is made without reference to the alterations it has already wrought on feminist theories of black abjection, on, say, the sexual reproduction of chattel slavery? What is it that saves the flesh from suffering if not Spiller’s reference to a symbolic yay-saying to the law (of the mother) rather than the father’s name? Perhaps it is because black flesh in being so quickly removed from law, and placed in parenthetical abjection, is always the trace of violent dejection, that its freedom belongs in formulating itself in relation to law’s obliteration? Weheliye describes his notion of habeas viscus as more radical than Spillers insofar as it does not ‘obey the logic of legal possession’ but nonetheless also inhabits a language of future anteriority (that is, an ending or catastrophe that has already happened, but one that can also only be borne in a messianic now). Weheliye, like Scott, refers to Benjamin’s theory of messianic time in which time is restituted neither through ontology or ethics nor some amalgam of the two, but through revolutionary acts of the oppressed (p. 133).

Perhaps what Weheliye and Scott (and Benjamin) have in common is the thought that at a certain time and in a variety of ways, a future can be thought as a point of redemption or transformation or irrevocable encounter that can never be read, or written as such. Unlike Scott, Weheliye will not say that time and history are out of joint, for what revolution requires is ‘a real state of exception’ (!) which he describes as a ‘prehensive shift’ in time (p. 134). In one of its guises, habeas viscus will name and be the name of this real state in the very possibility of a non-racializing emergence of the human. But how can this shift be both ‘exterior to the jurisdiction of law’ and be a real state of exception if the exception is what calls into being both law and sovereignty? (p. 136) Habeas Viscus rarely goes beyond a language of metaphor and lyricism when describing this shift to future anterior freedoms and, in his readings of Benjamin (and other thinkers and texts), his theorizing quickly **breaks down into a serial use of metaphors** but one which singularly fails to open up ‘flesh’ as a space of thinking the beyond of sovereignty, capitalism, and of law. As such, Habeas Viscus represents, in my view, a somewhat **tenuous**, inconclusive attempt to think a future from the ‘enfleshed parenthetical present of the oppressed’ (p. 138).

### presumption---1nc

#### Presumption – the affirmative does not have a justification for the uniqueness of their advocacy to the subject they have critiqued, a method for how debates over that advocacy might alter the status quo, and an explanation of why the ballot is necessary – they need each to justify voting aff

#### They structurally can’t meet these – debate is a space shaped not by political introspection but strategic competition – losses result in modifying blocks, not opinions, and it encourages a race to the margins

#### That’s a voter:

#### a – burden of proof – the aff hasn’t met the burden of proving why their advocacy is necessary – vote neg to invalidate the incomplete argument they’ve made

#### b – means you err neg on any tests of competition – lack of demonstration of what they result in lowers the threshold for how you evaluate competitiveness and makes perms a neg argument

### cikara---1nc

#### Neurological, racial bias is flexible and determined by coalitional habit forming in the brain---orienting groups around institutional change best breaks down bias. This is offense because their theory rejects these solutions.

Cikara and Van Bavel 15. (Mina Cikara is an Assistant Professor of Psychology and Director of the Intergroup Neuroscience Lab at Harvard University. Her research examines the conditions under which groups and individuals are denied social value, agency, and empathy. Jay Van Bavel is an Assistant Professor of Psychology and Director of the Social Perception and Evaluation Laboratory at New York University. The Flexibility of Racial Bias: Research suggests that racism is not hard wired, offering hope on one of America’s enduring problems. June 2, 2015. <https://www.scientificamerican.com/article/the-flexibility-of-racial-bias/>)

The city of Baltimore was rocked by protests and riots over the death of Freddie Gray, a 25-year-old African American man who died in police custody. Tragically, Gray’s death was only one of a recent in a series of racially-charged, often violent, incidents. On April 4th, Walter Scott was fatally shot by a police officer after fleeing from a routine traffic stop. On March 8th, Sigma Alpha Epsilon fraternity members were caught on camera gleefully chanting, “There Will Never Be A N\*\*\*\*\* In SAE.” On March 1st, a homeless Black man was shot in broad daylight by a Los Angeles police officer. And these are not isolated incidents, of course. **Institutional and systemic racism reinforce discrimination in countless situations, including hiring, sentencing, housing, and even mortgage lending**. It would be easy **to see in all this powerful evidence that racism is a permanent fixture in America’s social fabric and** even, perhaps, **an** inevitable aspect of human nature. Indeed, the mere act of labeling others according to their age, gender, or race is a reflexive habit of the human mind. Social categories, like race, impact our thinking quickly, often outside of our awareness. **Extensive research has found that these implicit racial biases—negative thoughts and feelings about people from other races—are automatic, pervasive, and difficult to suppress**. Neuroscientists have also explored racial prejudice by exposing people to images of faces while scanning their brains in fMRI machines. **Early studies found that when people viewed faces of another race, the amount of activity in the amygdala—a small brain structure associated with experiencing emotions, including fear—was associated with individual differences on implicit measures of racial bias**. This work has led many to conclude that racial biases might be part of a primitive—and possibly hard-wired—neural fear response to racial out-groups. **There is little question that** categories such as **race**, gender, and age **play a major role in shaping the biases and stereotypes that people bring to bear in their judgments of others**. However, **research has shown that how people categorize** themselves **may be just as fundamental to understanding prejudice as how they categorize others**. When people categorize themselves as part of a group, their self-concept shifts from the individual (“I”) to the collective level (“us”). People form groups rapidly and favor members of their own group even when groups are formed on arbitrary grounds, such as the simple flip of a coin. These **findings highlight the remarkable ease with which humans form coalitions**. Recent research confirms **that** coalition**-based** preferences trump race**-based** preferences. For example, **both Democrats and Republicans favor the resumes of those affiliated with their political** party **much** more than **they favor those who share** their race. These **coalition-based preferences remain powerful even in the absence of the animosity present in electoral politics**. Our **research has shown that the simple act of placing people on a** mixed-race team **can** diminish **their** automatic racial bias. In a series of experiments, **White participants who were randomly placed on a mixed-race team—the Tigers or Lions—showed little evidence of implicit racial bias**. **Merely belonging to a mixed-race team trigged positive automatic associations with all of the members of their own group, irrespective of race**. **Being a part of one of these seemingly trivial mixed-race groups produced similar effects on brain activity—the** amygdala responded **to** team **membership** rather than race. Taken together, **these studies indicate that momentary changes in group membership can override the influence of race on the way we see, think about, and feel toward people who are different from ourselves**. Although these coalition-based distinctions might be the most basic building block of bias, they say little about the other factors that cause group conflict. Why do some groups get ignored while others get attacked? Whenever we encounter a new person or group we are motivated to answer two questions as quickly as possible: “is this person a friend or foe?” and “are they capable of enacting their intentions toward me?” In other words, once we have determined that someone is a member of an out-group, we need to determine what kind? The nature of the relations between groups—are we cooperative, competitive, or neither?—and their relative status—do you have access to resources?—largely determine the course of intergroup interactions. Groups that are seen as competitive with one’s interests, and capable of enacting their nasty intentions, are much more likely to be targets of hostility than more benevolent (e.g., elderly) or powerless (e.g., homeless) groups. This is one reason why sports rivalries have such psychological potency. For instance, fans of the Boston Red Sox are more likely to feel pleasure, and exhibit reward-related neural responses, at the misfortunes of the archrival New York Yankees than other baseball teams (and vice versa)—especially in the midst of a tight playoff race. (How much fans take pleasure in the misfortunes of their rivals is also linked to how likely they would be to harm fans from the other team.) **Just as a particular person’s group membership can be flexible, so too are the relations between groups. Groups that have previously had cordial relations may become rivals (and vice versa)**. Indeed, psychological and biological responses **to out-group members** can change, depending on whether or not that out-group is perceived as threatening. For example, people exhibit greater pleasure—they smile—in response to the misfortunes of stereotypically competitive groups (e.g., investment bankers); however, this malicious pleasure is reduced when you provide participants with counter-stereotypic information (e.g., “investment bankers are working with small companies to help them weather the economic downturn). Competition between “us” and “them” can even distort our judgments of distance, making threatening out-groups seem much closer than they really are. These distorted perceptions can serve to amplify intergroup discrimination: the more different and distant “they” are, the easier it is to disrespect and harm them. Thus, not **all out-groups are treated the same: some elicit indifference whereas others become targets of antipathy. Stereotypically threatening groups are especially likely to be targeted with violence, but those** stereotypes can be tempered **with** other info**rmation.** **If perceptions of intergroup relations can be changed, individuals may overcome hostility toward perceived foes and become more responsive to one another’s grievances.** **The** flexible nature **of both group membership and intergroup relations offers reason to be** cautiously optimistic **about the potential for greater cooperation among groups in conflict** (be they black versus white or citizens versus police). One strategy is to bring multiple groups together around a common goal. For example, during the fiercely contested 2008 Democratic presidential primary process, Hillary Clinton and Barack Obama supporters gave more money to strangers who supported the same primary candidate (compared to the rival candidate). Two months later, after the Democratic National Convention, the supporters of both candidates coalesced around the party nominee—Barack Obama—and this bias disappeared. In fact, merely **creating a sense of** cohesion **between two competitive groups can increase empathy for the suffering of our rivals**. **These** sorts of **strategies** can help **reduce aggression toward hostile out-groups, which is** critical for creating more opportunities for constructive dialogue addressing greater social injustices. Of course, instilling a sense of common identity and cooperation is extremely difficult in entrenched intergroup conflicts, but when it happens, the benefits are obvious. Consider how the community leaders in New York City and Ferguson responded differently to protests against police brutality—in NYC political leaders expressed grief and concern over police brutality and moved quickly to make policy changes in policing, whereas the leaders and police in Ferguson responded with high-tech military vehicles and riot gear. In the first case, multiple groups came together with a common goal—to increase the safety of everyone in the community; in the latter case, the actions of the police likely reinforced the “us” and “them” distinctions. Tragically, these types of conflicts continue to roil the country. Understanding the psychology and neuroscience of social identity and intergroup relations cannot undo the effects of systemic racism and discriminatory practices; however, it can offer insights into the psychological processes responsible for escalating the tension between, for example, civilians and police officers. **Even in cases where it isn’t possible to create a common identity among groups in conflict, it may be possible to blur the boundaries between groups**. In one recent experiment, we sorted participants into groups—red versus blue team—competing for a cash prize. Half of the participants were randomly assigned to see a picture of a segregated social network of all the players, in which red dots clustered together, blue dots clustered together, and the two clusters were separated by white space. The other half of the participants saw an integrated social network in which the red and blue dots were mixed together in one large cluster. Participants who thought the two teams were interconnected with one another reported greater empathy for the out-group players compared to those who had seen the segregated network. Thus, reminding people that individuals could be connected to one another despite being from different groups may be another way to build trust and understanding among them. A mere month before Freddie Gray died in police custody, President Obama addressed the nation on the 50th anniversary of Bloody Sunday in Selma: “We do a disservice to the cause of justice by intimating that bias and discrimination are immutable, or that racial division is inherent to America. To deny…progress – our progress – would be to rob us of our own agency; our responsibility to do what we can to make America better." The president was saying that **we**, as a society, **have a responsibility to reduce prejudice and discrimination**. These recent findings from psychology and neuroscience indicate that we, as individuals, possess this capacity. Of course this capacity is not sufficient to usher in racial equality or peace. Even when the level of prejudice against particular out-groups decreases, it does not imply that the level of institutional discrimination against these or other groups will necessarily improve. **Ultimately, only** collective action **and** institutional evolution **can address systemic racism**. **The science is clear on one thing, though:** individual bias and discrimination are changeable**.** **Race-based prejudice and discrimination, in particular, are** created and reinforced by **many** social factors, **but they are** not inevitable consequences of **our** biology**.** Perhaps understanding how coalitional thinking impacts intergroup relations will make it easier for us to affect real social change going forward.

### at: homo economicus---1nc

#### their theory of homo economicus is bad:

#### 1---reductionist---misplaces possibility for people to hijack the state to procure material benefits

#### 2---it’s not “natural”

Jane Hardy 21. Professor of Political Economy, University of Hertfordshire, U.K.. “The myth of the ‘neoliberal self.’” *International Socialism* (171). <http://isj.org.uk/neoliberal-self/>.

The ruling classes and bosses try to make certain features of human behaviour and motivation – namely the primacy of individualism and self-interest – appear natural and taken for granted. Since some on the left have absorbed ideas about the atomisation and fragmentation of the working class, it is important to reassert Marx’s argument that there is no such thing as an individual outside of society. In the Grundrisse Marx writes:

The human being, in the most literal sense, is a political animal: not merely a gregarious animal, but an animal that individuates itself only in the midst of society. Production by an isolated individual outside societyexcept in the rare case of a civilised person in whom social forces are already dynamically present being cast by accident into the wilderness is as much of an absurdity as is the development of language without individuals living together and talking to one another.62

Feral children, born and growing up outside society, will probably develop the ability to make noises and engage in rudimentary communication, but they will not develop language. Language is deeply embedded in human culture. It enables us to refer to abstract concepts and imagined and hypothetical events; it allows us to tell stories about the past and speculate about the future. In Capital, Marx reminds us of what sets humans apart from animals:

A spider conducts operations that resemble those of a weaver, and a bee puts to shame many an architect in the construction of her cells. But what distinguishes the worst architect from the best of bees is that the architect raises his structure in imagination before he raises it in reality.63

Marx emphasised the collective nature of production. Work is a collective endeavour, whether it takes the form of prehistoric people hunting together or the vast structures of collaboration that support modern scientific inquiry and technological innovation. The large sums of money that bosses invest in teambuilding exercises show that they understand the cooperative nature of work and the creativity that it produces.

Competitiveness and self-interest are not the self-evident and natural human traits that the neoliberals would have us believe. In his 1944 book The Great Transformation, the Hungarian political economist Karl Polanyi drew on the vast body of anthropology that had emerged in the 1920s in order to debunk Smith’s idea of homo economicus. He noted that, far from having an innate propensity to truck, barter and exchange, some communities had an aversion to both exchange and acquisition, leading him to claim that the legend of the individualistic psychology of primitive man had been exploded.64 The cold rationality of the market lacks the grip on the psychology of ordinary people that ruling-class ideology suggests. In fact, even the biggest corporations recognise basic human traits such as friendliness and warmth, if only to hijack and distort them in order to sell us commodities. For example, the language of gratitude has been incorporated into a number of high-profile advertising campaigns as corporations attempt to project feelings associated with friendship; Airbnb and Uber have been repackaged as the sharing economy, masking the precarious forms of work and huge profits that they produce. Davies looks at how such rebranding often involves attempts to airbrush money out of the picture: Payment is one of the unfortunate pain points…that requires anaesthetising with some form of social experience. Thus shopping must be represented as something else entirely.65 For instance, Tesco™s Food Love Stories adverts tell emotive stories of generous people such as Birdie, a Caribbean woman who has fostered 800 children and loves making jerk chicken for her family. Never letting a good crisis go to waste, another advert encouraged Tesco shoppers to cook Jon™s aromatic isolation lamb during the Covid-19 pandemic.

The trumpeting of individual freedom has much more to do with rhetoric than the real operation of neoliberalism. Polanyi referred to the double movement: the forces of unbridled capitalism were so devastating and unsustainable that legislation had to be introduced to curb its worst excesses in the 19th century.66 The logic of unfettered capitalism would be child labour and the sale of uranium on the open market.67 Georg Lukács, another Hungarian theorist, pointed out that when capitalism was still expanding it rejected every sort of social organisation as an incursion into property rights and the freedom of the individual capitalist.68 The HBO series Deadwood illustrates how capitalism was forced to develop regulatory institutions and structures. In 1876, the discovery of gold in the Black Hills of the Dakota Territory attracted thousands of people to the area to prospect. The camp of Deadwood was established and rapidly expanded into a large town. Initially, this lawless town was the epitome of the Wild West™s every man for himself ethos. However, an outbreak of cholera meant that even the most corrupt and venal proto-capitalists had to cooperate to develop institutions, founding a hospital and establishing norms for the disposal of bodies in order to preserve their embryonic capitalist economy.

### parameters---1nc

#### Parameters- The aff should have:

#### 1) a clear way for the judge to delineate from one method and another and

#### 2) a metric for evaluating which method is better.

#### they have neither---that’s bad---collapses back in arbitrary distinctions on the behalf of the judge which re-creates violence---parameters key to explaining role of ballot, so vote neg on presumption

### state good---1nc

**legal avenues are key**

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 note**alternative 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 note**Thus, our approach rejects the idea that formal structures facilitated by law are necessarily deradicalizing and inimical to social change**. 48Link to the text of the note

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

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

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

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

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

# 2nc---kentucky r5

## cap

#### 6---Root Cause link – the aff’s advocacy is that teleology is sufficient to create resistance is bad, because it mitigates the ability to cite an endgoal around capitalism is bad----they’ve dropped the historical materialist analysis that undergirds anti-Blackness now---appropriation of chattel slavery for profit margins and Bacon’s rebellion are more proximate explanations---that’s Reed and…

Taylor 11—on the editorial board of the International Socialist Review and a doctoral student in African American Studies at Northwestern University

(Keeanga-Yamahtta, *“Race, class and Marxism,”* Published in the SocialistWorker.org, January 4, 2011, http://socialistworker.org/2011/01/04/race-class-and-marxism)

Marxists believe that the potential for that kind of unity is dependant on battles and struggles against racism today. Without a commitment by revolutionary organizations in the here and now to the fight against racism, working-class unity will never be achieved and the revolutionary potential of the working class will never be realized. Yet despite all the evidence of this commitment to fighting racism over many decades, Marxism has been maligned as**, at best,** "~~blind~~" [ignorant\*] to combating racism and, at worst, "incapable" of it. For example, in an article published last summer, popular commentator and self-described "**anti-racist"** Tim Wise summarized the critique of "left activists" that he later defines as Marxists. He writes: [L]eft activists often marginalize people of color by operating from a framework of extreme class reductionism, which holds that the "real" issue is class, not race, that "the only color that matters is green," and that issues like racism are mere "identity politics," which should take a backseat to promoting class-based universalism and programs to help working people. This reductionism, by ignoring the way that even middle class and affluent people of color face racism and color-based discrimination (and by presuming that low-income folks of color and low-income whites are equally oppressed, despite a wealth of evidence to the contrary) reinforces white denial, privileges white perspectivism and dismisses the lived reality of people of color. Even more, as we'll see, it ignores perhaps the most important political lesson regarding the interplay of race and class: namely, that the biggest reason why there is so little working-class consciousness and unity in the Untied States (and thus, why class-based programs to uplift all in need are so much weaker here than in the rest of the industrialized world), is precisely because of racism and the way that white racism has been deliberately inculcated among white working folks. Only by confronting that directly (rather than sidestepping it as class reductionists seek to do) can we ever hope to build cross-racial, class based coalitions. In other words, for the policies favored by the class reductionist to work--be they social democrats or Marxists--or even to come into being, racism and white supremacy must be challenged directly. Here, **Wise accuses Marxism of: "extreme class reductionism," meaning that Marxists allegedly think that class is more important than race**; reducing struggles against racism to "mere identity politics"; and requiring that struggles against racism should "take a back seat" to struggles over economic issues. Wise also accuses so-called "left activists" of reinforcing "white denial" and "dismiss[ing] the lived reality of people of color"--which, of course, presumes Left activists and Marxists to all be white. - - - - - - - - - - - - - - - What do Marxists actually say? Marxists argue that capitalism is a system that is based on the exploitation of the many by the few. **Because it is a system based on gross inequality, it** **requires various** **tools to divide the majority--racism and** **all oppressions** **under capitalism serve this purpose**. Moreover, oppression is used to justify and "explain" unequal relationships in society that enrich the minority that live off the majority's labor. Thus, racism developed initially to explain and justify the enslavement **of Africans**--because they were less than human and undeserving of liberty and freedom. Everyone accepts the idea that **the oppression of slaves was rooted in the class relations of exploitation under that system**. Fewer recognize that **under capitalism, wage slavery is the pivot around which all other inequalities and oppressions turn**. Capitalism used racism to justify plunder, conquest and slavery, but as Karl Marx pointed out, it also used racism to divide and rule--to pit one section of the working class against another and thereby blunt class consciousness. **To claim**, as Marxists do, **that racism is a product of capitalism is not to deny** or diminish **its importance** or impact in American society. **It is simply to explain its** origins and the **reasons for its perpetuation**. Many on the left today talk about class as if it is one of many oppressions, often describing it as "classism." What people are really referring to as "classism" is elitism or snobbery, and not the fundamental organization of society under capitalism. Moreover, it is popular today to talk about various oppressions, including class, as intersecting. While it is true that oppressions can reinforce **and compound each other,** they are born out of the material relations shaped by capitalism and the economic exploitation that is at the heart **of capitalist society**. In other words, it is the material and economic structure of society that gave rise to a range of ideas and ideologies to justify, explain and help perpetuate that order. In the United States, racism is the most important of those ideologies. Despite the widespread beliefs to the contrary of his critics, Karl Marx himself **was well aware of the centrality of race under capitalism**. While Marx did not write extensively on the question of slavery and its racial impact in societies specifically, he did write about the way in which European capitalism emerged because of its pilfering, rape and destruction, famously writing: The discovery of gold and silver in America, the extirpation, enslavement and entombment in mines of the aboriginal population, the beginning of the conquest and looting of the East Indies, the turning of Africa into a warren for the commercial hunting of Black skins, signalized the rosy dawn of the era of capitalist production. He also recognized the extent to which slavery was central to the world economy. He wrote: Direct slavery is just as much the pivot of bourgeois industry as machinery, credits, etc. Without slavery you have no cotton; without cotton you have no modern industry. It is slavery that has given the colonies their value; it is the colonies that have created world trade, and it is world trade that is the pre-condition of large-scale industry. Thus slavery is an economic category of the greatest importance. Without slavery North America, the most progressive of countries, would be transformed into a patriarchal country. Wipe out North America from the map of the world, and you will have anarchy--the complete decay of modern commerce and civilization. Cause slavery to disappear and you will have wiped America off the map of nations. Thus slavery, because it is an economic category, has always existed among the institutions of the peoples. Modern nations have been able only to disguise slavery in their own countries, but they have imposed it without disguise upon the New World. Thus, there is a fundamental understanding of the centrality of slave labor in the national and international economy. But what about race? Despite the dearth of Marx's own writing on race in particular, one might look at Marx's correspondence and deliberations on the American Civil War to draw conclusions as to whether Marx was as dogmatically focused on purely economic issues as his critics make him out be. One must raise the question: If Marx was reductionist, how is his unabashed support and involvement in abolitionist struggles in England explained? **If Marx was truly an economic reductionist, he might have surmised that slavery and capitalism were incompatible, and simply waited for slavery to whither away**. W.E.B. Du Bois in his Marxist tome Black Reconstruction, quotes at length a letter penned by Marx as the head of the International Workingmen's Association, written to Abraham Lincoln in 1864 in the midst of the Civil War: The contest for the territories which opened the epoch, was it not to decide whether the virgin soil of immense tracts should be wedded to the labor of the immigrant or be prostituted by the tramp of the slaver driver? When an oligarchy of 300,000 slave holders dared to inscribe for the first time in the annals of the world "Slavery" on the banner of armed revolt, when on the very spots where hardly a century ago the idea of one great Democratic Republic had first sprung up, whence the first declaration of the rights of man was issued...when on the very spots counter-revolution...maintained "slavery to be a beneficial institution"...and cynically proclaimed property in man 'the cornerstone of the new edifice'...then the working classes of Europe understood at once...that the slaveholders' rebellion was to sound the tocsin for a general holy war of property against labor... They consider it an earnest sign of the epoch to come that it fell to the lot of Abraham Lincoln, the single-minded son of the working class, to lead his country through the matchless struggles for the rescue of the enchained race and the Reconstruction of a social order. **Not only was Marx personally opposed to slavery and actively organized against it, but he theorized that slavery and the resultant race discrimination** that flowed from it **were** **not just problems for the slaves** themselves, but for white workers who were constantly under the threat of losing work to slave labor. This did not mean white workers were necessarily sympathetic to the cause of the slaves--most of them were not. But Marx was not addressing the issue of consciousness, but objective factors when he wrote in Capital, "In the United States of America, every independent movement of the workers was paralyzed as long as slavery disfigured a part of the Republic. Labor cannot emancipate itself in the white skin where in the Black it is branded." Moreover, Marx understood the dynamics of racism in a modern sense as well--as a means by which workers who had common, objective interests with each other could also become mortal enemies because of subjective, but nevertheless real, racist and nationalist ideas. Looking at the tensions between Irish and English workers, with a nod toward the American situation between Black and white workers, Marx wrote: Every industrial and commercial center in England possesses a working class divided into two hostile camps, English proletarians and Irish proletarians. The ordinary English worker hates the Irish worker as a competitor who lowers his standard of life. In relation to the Irish worker he feels himself a member of the ruling nation and so turns himself into a tool of the aristocrats and capitalists of his country against Ireland, thus strengthening their domination over himself. He cherishes religious, social and national prejudices against the Irish worker. His attitude is much the same as that of the "poor whites" to the "niggers" in the former slave states of the USA. The Irishman pays him back with interest in his own money. He sees in the English worker at once the accomplice and stupid tool of the English rule in Ireland. This antagonism is artificially kept alive and intensified by the press, the pulpit, the comic papers, in short by all the means at the disposal of the ruling classes. This antagonism is the secret of the impotence of the English working class, despite its organization. It is the secret by which the capitalist maintains its power. And that class is fully aware of it. Out of this quote, one can see a Marxist theory of how racism operated in contemporary society, after slavery was ended. Marx was highlighting three things: first, that **capitalism promotes economic competition between workers**; second, that the **ruling class uses racist ideology to divide workers against each other**; and finally, that when one group of workers suffer oppression, it negatively impacts the entire class.

#### 2---history – leninism is black-inclusive – they occlude the history of sharecropper unions and Haymarket Square where blacks seized political power, or Fannie Lou Hamer who pushed for minimum wage for black women

Ferguson 15 (Stephen C., Assoc. Prof. in Liberal Studies @ North Carolina A & T State U., *Philosophy of African American Studies: Nothing Left of Blackness*, p. 7-14)

Marxism in Ebony Materialist Philosophical Inquiry and Black Studies In any academic discipline, there exist varying, oftentimes even conflicting, conceptual frameworks, theoretical approaches, and methods. Black Studies is no different. In light of the theoretical works prominent today, however, a number of students in AAS might easily conclude that philosophical idealism is the only school of thought. To the contrary, Black Leftist activists were significant players during the early period of Black Studies. The first introductory textbooks in African American Studies were written by Marxist/socialist scholars and activists; for instance, Peoples College's Introduction to Afro-American Studies and Clarence Munford's Production Relations, Class and Black Liberation: A Marxist Perspective in Afro-American Studies. Communist like Jack O'Dell and Robert Rhodes taught African American Studies courses at the Antioch College branch campus in Washington, D. C. And pioneering Black historian and "antibourgeois gadfly" Earl Thorpe - chair of the history department at North Carolina College - was recruited to teach courses on "Marxism and Black Liberation" for the Black Studies program at Duke University.23 However, today, Leftist thought is marginal to the politics and philosophy of Black Studies. Socialism and Marxism-Leninism are integral parts of African American history and culture. Of course, Marxist scholar/activists contributed to African American intellectual history and culture long before what is, in more formal terms, considered the advent of Black Studies during the late 1960s. In the tradition of Hubert Harrison, Susie Revels Cayton, Maude White Katz, Richard B. Moore, Paul Robeson, Oliver Cox, Eugene Holmes, Abram Harris, Claudia Jones, Walter Rodney, Angela Davis, and John McClendon, there is a need to bring the Black working-class-men and women-back into AAS. A materialist philosophy inquiry into Black Studies is grounded on three presuppositions. A materialist conception of epistemology and ontology presumes that there is a reality independent of our consciousness. A materialist ontology asserts the primacy of material reality over consciousness. And a materialist epistemology posits that this reality is knowable and knowledge or what is cognitive (social consciousness) corresponds to and thus ideally approximates this material reality. Lastly, a materialist philosophy presupposes that the social world is a stratified ontology of which class relations (i.e., social relations of production) form the ground for understanding social processes. The call for a materialist conception of science and epistemology should not be seen as a call for an essentialist ascription of AAS, wherein it is viewed only as a social scientific enterprise devoid of cultural studies. The current popularity of cultural studies, often in collaboration with various species of historicism and postmodernist trends, fosters a separation between cultural studies and social relations of production. As a school of thought, it gives less attention to the material conditions that give rise to African American culture and relativizes the objective character of the Black experience. In my estimation, the Black working-class has become lost in the whirlwind of cultural idealism. Contemporary Black cultural theory – under the spell of poststructuralism and Afrocentricity – has declared: class is dead! All that exists is intersectionality and a "matrix of domination," in which everyone is oppressed – women, men, capitalist, workers, children, ad infinitum. And there is a tendency in Black Studies to transform the Black workingclass into some obscure gray matter known as the consumer, the multitude, or – my favorite from the "friends of the poor" – the Black underclass.24 The relevance and importance of the Black working-class must be brought to the forefront of Black Studies.25 This would entail discarding analytical notions such as "cultural deprivation," "human capital," "culture of poverty," "nihilism," "feminization of poverty," "intersectionality," "underclass," "cultural pathology," and "menticide" that have served to explain the contemporary and historical crisis that confronts the Black working-class. We must discard the cultural idealism of Maulana Karenga, Corne! West, Jawanza Kunjufu, Marimba Ani, Patricia Hill Collins, Molefi Asante, and William Julius Wilson who perceive the "Negro Question'' as an ideological or axiological crisis, for example, as alienation from ancient African values, the loss of a "love ethic," or the lack of human capital. When we view the “Negro Question” as preeminently ideological, moral, or cultural, we ultimately discount the determinate role of material contradictions rooted in class contradictions. As Robert Allen astutely noted, " ... the question is not politics or no politics; rather it is which politics? Whom will Black Studies serve? Will it be truly democratic in its intellectual and political vision, or will it become 'apolitical' and acquiesce to a narrow, elitist and bourgeois view of education?"26 Black Studies and the Question of Western Civilization Revisited C. L. R. James wrote what could be considered a Marxist manifesto for Black Studies in 1969. Speaking at Federal City College, James argues, at the level of theory, that Black Studies should be anti-racist and anti-imperialist in character, but not anti-white. From James's perspective, there is no intellectual space in Black Studies for philosophies of Blackness in which ancient African civilizations, values, and cultural perspectives constitute a "presuppositionless beginning" for Black Studies.27 He parts company with Black nationalists and their contemporary progeny (e.g., Afrocentrists) who argue that every culture rests on a metaphysical, permanent substratum that gives rise to a particular system of thought. He cogently proclaims: We need a careful systematic building up of historical, economic, political, literary ideas, knowledge and information, on the Negro question ... Because it is only where we have Bolshevik ideas, Marxist ideas, Marxist knowledge, Marxist history, Marxist perspectives, that you are certain to drive out bourgeois ideas, bourgeois history, bourgeois perspectives which are so powerful on the question of the races in the United States.28 [Italics Added] For James, the antithesis between bourgeois ideology and proletarian ideology is essential to the development, direction, and aim of Black Studies. James is often viewed as someone who was head-over-heels in love with Western culture and/or civilization. Yet, it is important to note that dialectical and historical materialism (or Marxism-Leninism) constitutes the conceptual and theoretical framework for his assessment of "The Fate of Humanity." In a 1939 article, "Revolution and the Negro" James boldly avows, "What we as Marxists have to see is the tremendous role played by Negroes in the transformation of Western civilization from feudalism to capitalism. It is only from this vantage-point that we shall be able to appreciate (and prepare for) the still greater role they must of necessity play in the transition from capitalism to socialism."29 James's classic works such as The Black ]acobins and A History of Pan-African Revolt are ardently attentive to the fact that slavery, colonialism, and imperialism are part and parcel of capitalism. Moreover, the revolutionary resistance of people of African descent ostensibly indicates the critical role of Black people as actors or subjects of history and the dialectical development of Western civilization. In unswerving disapproval of Hegel's views about Africans and their place outside of world history, James meticulously documents and effectively demonstrates that-far from being removed from world historical event-African people and their descendants in the diaspora transformed the landscape of world history in a monumental fashion.3° Yet, James's historiography is not some form of racial vindicationism, which claims that ancient African civilization is the real source of Black historic magnitude and ultimately collective identity. Rather James offers insights into the Black struggles against slavery and colonialism as manifestations of the antagonistic contradictions within the modern (bourgeois) stage of world history. Cultural idealism has no place within James's worldview and consequently his philosophy of history. James's philosophy of history is not anti-European, anti-Western, or anti-white; his philosophy of history is stridently anti-slavery, anti-imperialist, anti-racist, and anticapitalist.31 James introduces a conceptual distinction between what is European and what is Eurocentrism. Moreover, he did not accept the abstract concept of the West as monolithic, devoid of internal class relations and contradictory class interests. Black sociologist Alex Dupuy points out that James's dialectical analysis takes into consideration the tremendous value of European culture and its influence on the African diaspora, and vice versa.32 Dupuy argues, "James was redefining the meaning of Western culture away from its Eurocentric understanding. For [James], West Indians were a modern and Western people, though they were not European, a point [James] made in many of his writings, e.g., his semiautobiography, Beyond a Boundary (1963)." 33 James resolutely rejected any outlook that requires Black Studies to be grounded on a uniquely formulated Black perspective (e.g., Senghor's Negritude or Karenga's Kawaida or Asante's Afrocentricity). Dupuy points out that James does not "reject African culture in favor of Western culture." 34 Rather, James's analysis is based on "a historical materialist understanding of culture" and the recognition that "the predominant influences in the Caribbean were those of Western Europe."35 As Dupuy insightfully notes, "The Black ]acobins remains ... one of the most succinct critiques of the barbarism of Western European imperialism but also of the promise of bourgeois civilization."36 Any philosophy of AAS worth its salt should follow in the "Giant Steps" of C. L. R. James. Embracing an ethnophilosophy that is anti-European is as fruitful as masturbation. It may be pleasurable, perhaps even therapeutic, but it won't give birth to a scientific approach to Black Studies. "And that Black Fist becomes a Red Spark" Black Studies and Black Working-Class Studies37 In a post-Cold War world, the "spectre of communism" has apparently been exorcised and laid to rest. There is the widespread belief that we have witnessed the death-knell of Marxism. So, why argue for the legitimacy of and necessity for Marxism in Black Studies? No doubt this has been a hotly debated question both in the Black Liberation movement and in Black Studies for a considerable time. I tend to agree with Brian Lloyd: "I presume that we are witnessing, not the death of Marxism, but the end of the first period during which Marxists managed to seize and, for a time, wield state power. That it has fewer adherents at the end than during other phases of this period, and that as many of them can be found in universities as in factories or fields, is neither disheartening as is imaged by some of its proponents nor as amusing as is supposed by all of its detractors."38 It has become the custom to summarily dismiss Marxism as a viable methodological approach and philosophical perspective for Black Studies. Most of the adversarial postures toward Marxism-Leninism in Black Studies have discounted the value of a materialist dialectical philosophy of liberation, class analysis, class struggle, proletarian internationalism, and the scientific socialist principle of the dictatorship of the proletariat. Despite the sharp divergence of their political views, Harold Cruse, Cedric Robinson, Cornel West, Marimba Ani, Patricia Hill Collins, and Charles Mills have condemned Marx and Marxism for everything from economic determinism to class reductionism to historical teleology and any number of other "conceits." We even find Asante making such puerile statements such as the following: "In fact, we have no history of a communist movement in the United States where communist

s put their bodies and l.ives on the line as African Americans did."39 Contrary to Asante's claim, scholars such as Mark Naison, Ted Vincent, Erik S. McDuffie, Gerald Horne, Carole Boyce Davies, Robin Kelley, Minkah Makalani, and Mark Solomon in addition to autobiographies by Harry Haywood, Hosea Hudson, and Michael Hamlin offer a much more nuanced picture of communism, socialism, and Marxism-Leninism in Black life and culture. Over the years, scholarship in labor studies and Black Studies has revealed the historical legacy of Black worker militancy. As we travel through the annals of Black history, we unearth Peter Clark's crucial involvement in the Great Railway Strike of 1877, Lucy Parsons's unflinching engagement in the Haymarket Square struggle, the heroic efforts of Ralph Gray, Tommy Gray, Eula Gray, Al Murphy, and scores of Black sharecroppers, tenant farmers, and agricultural laborers to organize the predominantly Black underground organization the Share Croppers Union, A. Philip Randolph's tireless efforts with the Brotherhood of Sleeping Car Porters, Ferdinand Smith's vanguard role in the National Maritime Union and Paul Robeson's monumental efforts to use folk music to entertain Spanish Civil War loyalists and striking workers as he gave support to international socialist solidarity. We could mention the steadfast leadership of Velma Hopkins and Moranda Smith in the 1947 strike at the Reynolds Tobacco Company in Winston Salem, North Carolina. There were Black postal workers like Cleveland Morgan, a member of New York Branch 36 of the National Association of Letter Carriers, who played a seminal role in the nationwide 1970 postal wildcat strike. We could also mention the historic efforts of the League of Revolutionary Black Workers to organize wildcat strikes in Detroit, Michigan. And, in more recent times, we could mention working-class Black women who have fought against the attack on public services, such as public housing and welfare. We should not ignore the fact that many of these activists were socialists, and quite a few were Marxist-Leninist in their ideological outlook. The scholarship of Clarence Lang, John Arena, Adolph Reed, Barbara Ransby, Rhonda Y. Williams, and Joe Trotter has demonstrated the historic importance of the Black working-class to African American history and culture. They bring to light the centrality of class struggle and conflict as determinate features of what makes up the Black working-class. World capitalism gave birth to the Black working-class. The initial accumulation of large sums of capital, which in turn, was invested in the exploitation of European workers, derived from the slave trade and the plantation system in the so-called New World. In volume one of Capital, Marx so famously wrote "capital comes dripping from head to foot, from every pore, with blood and dirt."40 The ruthless exploitation of Black bodies, in a manner of speaking, became the proverbial goose that lays golden eggs, possessing the magical ability to increase the magnitude of capital. Incidentally, the profitability of the "proverbial goose" prompted slaveholder Thomas Jefferson to remark, "it would never do to destroy the goose."41 Leaving the decks of the slave ship, "In the Name of Jesus," large numbers of Wolof, Mande, Fulani, and Mandingo were bound together by chains, from neck to neck and wrist to wrist.42 Out of the diversity of African ethnic groups a new synthesis was formed under the brutal system of capitalist slavery, giving birth to African Americans. The incessant "demand for Black labor" by Northern industrial capital and the plantation bourgeoisie fueled world capitalist development. Black slaves toiled in textile mills, shipyards, sawmills, and coalmines from Virginia to Mississippi. Black women labored on tobacco fields in the Carolina piedmont and picked cotton on plantations along the coast of Georgia. Black men like Tom Molineaux and Black women like Sylvia DuBois were given release time from slave labor in order to engage in athletic labor (as boxers) to bring entertainment and profits to slaveholders and the larger white Southern community. 43 From the seventeenth century to the twenty-first century, from slave plantations to auto factories, Black women, men, and children labored under the hard times of capitalist exploitation. The brutal forces unleashed by the capitalist drive for surplus value laid the foundation for the development of African American life and culture, from religion to music.44 Presently, we are witnessing, from New York to North Carolina to Missouri to Wisconsin to California, concerted attacks on public sector workers in order to resolve the economic crisis ravaging US capitalism. We cannot ignore the fact that Black people are prominent in the leadership as well as in the rank and file in a great number of these mass demonstrations. In cities throughout the country, working-class men and women, Black, white, and Latino, are being blown away by police officers who are ultimately protected by the rule of law. In the aftermath of the murders of Trayvon Martin, Michael Brown, Aiyanna Jones, Yvette Smith, Rekia Boyd, and Eric Garner, Black working people are not silently standing by while the "Lords of Capital" via their "special bodies of armed men'' – with military weapons and tanks – confront them in the streets. This seminal point is lost on Black critics of Marxism during the past 90 years. As numerous studies in AAS have demonstrated, the working-class is not one-dimensional, exclusively composed of white people. The working-class is composed of women, men, and children, in addition to being multinational in character. Marxist studies of Black working-class life and culture are needed now more than ever because in the souls of the Black working-class the grapes of wrarh are filling and growing heavy. As Karl Marx so famously put it, "The weapon of criticism cannot, of course, replace criticism of the weapon, material force must be overthrown by material force; but theory also becomes a material force as soon as it has gripped the masses."45 Philosophy of African American Studies, I hope, wilt serve a prolegomena to the Herculean task of developing a philosophy of AAS from the standpoint of materialism. How well I have backed up this reaffirmation of philosophical materialism and revolutionary socialism with good arguments I leave it to my readers to judge. But the attempt to do so provides an answer-satisfactory to me at least-to justify writing this book.

## case

**4---Habeas viscus is not a useful analytic – means the alt results in failed solutions.**

Annie **Menzel**, **2016**. Assistant Professor of Political Science, Vassar College. “And the Flesh Shall Set You Free: Weheliye’s Habeas Viscus.” *Theory & Event* 19(1). Emory Libraries.

These exhilarating evocations of other humanities are occasionally **undercut** by moments of **critical carelessness**. While the general thrust of the critique of Foucault’s Eurocentricity is on target, it can be frustratingly **fast and loose in the details**, culminating in the mystifying claim that “Foucault positions hybridity as a panacea for racial difference.”27 Given that the Society Must Be Defended lecture series—the target of Weheliye’s critique here—ends with the assertion that racism appears inevitable for biopolitical states, this is an odd misconstrual. More troubling is the assimilation of Ann Laura Stoler’s 1995 Race and the Education of Desire28 to the most problematic aspects of Foucault’s conceptualization of biopolitics, representing her as amplifying its more baldly racist accents,29 when many of her own criticisms of Foucault’s colonial blindnesses—as well as her attention to the instabilities, contradictions, and failures of whiteness/Europeanness projects—in fact prefigure some of Weheliye’s own revisions. The initial three-part schema of racializing assemblages’ classificatory function as producing “human, not-quite-humans, and non-humans” has by the end **collapsed without explanation** into Man versus everyone else.30 Moreover, in its initial formulation, it bears more than a passing resemblance to Frank Wilderson’s “structure of US antagonisms” that partitions the population into White (“master”/“settler”/“human”), the Red (“savage”/“half-human”), and the Black (“slave”/“non-human”),31 yet Wilderson is not cited. This omission is striking given that Wilderson, though he emphasizes less the fecund subversions of the flesh than its violent ongoing production as humanity’s constitutive other, is one of Spillers’ most alacritous interlocutors. Likewise, Ewa Ziarek’s recent deployment of Spillers and Moten to radically rework Agamben’s notion of bare life as a ground for politics,32 a project with clear parallels to Habeas Viscus, gets a single commentless citation.33 What seems to be a substantial implicit engagement with Afrofuturist theorizations in contemporary Black Studies, moreover, is never explicitly developed. And while the book is nominally built around the titular notion of habeas viscus, it doesn’t entirely hang together as a concept album. Unlike, within related literature, Wilderson’s and Jared Sexton’s explanatorily forceful concept of the political ontology of race or Hartman’s notion of fungibility as the crux of Black expulsion from the Human, the precise meaning of the term (variously characterized as a racializing assemblage, a mode of conceptualizing racializing assemblages, and identical with the hieroglyphics of the flesh) remains **elusive**—as does, in consequence, its potential for fruitful redeployment.

# 1nr---kentucky r5

## t-usfg

#### 3---michigan mm’s dedev aff---breaks down cap---I’ll insert a solvency advocate

Inserted Foster ’13 [John Bellamy Foster, “Marx, Kalecki, and Socialist Strategy,” April 1, 2013, Monthly Review]

The principal strategic aim of the new Labour government would need to be directed at “changing the power relations in society, by capturing the key centres of the economic, social, and political power of the strongest capitalist groups.” Kalecki argued for “full central public control of banking, and finance, investment and foreign trade, and possibly the allocation of basic raw materials and commodities.” This required “direct social control” of key industrial sectors, either through “full nationalization” or the establishment of “some kind of public corporation.” The most important requirements here were “that those who direct and manage the [public] corporation have no financial interest other than their salaries,” and that if there were any private investors they be allowed “no control over policy or management.”38

All of this, Kalecki recognized, would be strongly resisted by capital, which would use all of its means, including sabotage, to block any changes that threatened its class position. Nevertheless, he argued that if the Labour Party were to exert its full strength at the end of war it would be able to generate a full-employment economy, turning this into a means of further ratcheting up working-class power. “This period, which may be short, will be the one of maximum opportunity for Labour, when full employment has generated a self-confident feeling among workers. Then will be the time to use Labour’s political power to the full; to strike boldly and strike hard. This will be the moment to the lay the basis for that continuing social revolution without which democratic socialist planning will remain a sterile dream.”39

Kalecki’s political-economic strategy for social change was aimed at fatally undermining what Marx had called capital’s main “lever” for the disciplining the working class: the existence of a relative surplus population or industrial reserve army. By removing this lever from capital, it would be possible to alter the rules of the game.40 The maximum response of capital in this class struggle, meanwhile, would be to attempt to generate what Steindl later called “stagnation as policy,” opposing all state policies to check unemployment and even stagnation, and increasing the reserve army of labor in order to preserve the social power of the capitalist class—even at the expense of total profits.41

As it turned out in Britain in the 1940s and thereafter, Labour came to power but did not—even during its maximum influence—exert its full power in a project of class transition in line with the course that Kalecki had proposed.42 With the rise of Thatcherism in Britain and Reaganism in the United States in the 1970s and ‘80s, capital itself, as Steindl observed, sought to break with the political business cycle, putting in its place the regressive “political trend,” now known as neoliberalism. This was an attempt to turn back the clock to a pre-Keynesian-style economic regime aimed at increasing unemployment, in order to squeeze wages and impose greater class discipline on workers. At the same time a financially driven casino economy was opened up for the benefit of capital.43 Full employment and wage inflation were depicted once again as threats to prosperity, in what Steindl referred to as “the return of the Bourbons” in economic theory.44

The economic effects of this restoration of pre-Keynesian economics are evident in the trends in the United State over the last four decades or so. The percentage of production and nonsupervisory workers in total private-sector employment has remained constant at about 83 percent of all workers in both 1965 and 2011. Nevertheless the share of such workers in total private-sector payroll dropped from 76 percent in 1965 to 56 percent in 2011, while their share of GDP fell over the same period from over 30 percent to about 20 percent.45 Under these conditions even a mainstream economist such as Paul Krugman was compelled to declare in 2012, that we are “back to talking about capital versus labor…[an] almost Marxist sort of discussion.”46 Moreover, in trying to discern why full-employment policy is off limits at the top of U.S. society even in the context of deep stagnation and growing inequality, Krugman in his 2012 book End This Depression Now! could find no other rational explanation than the one offered by Kalecki—namely that capital saw full employment as a threat to its total social power.47

In Kalecki’s view, the capitalist class’ entrenched opposition to long-run full employment through government intervention meant that workers had no recourse but to push forward on their own in the struggle for higher wages and full employment and to seek on that basis a full transition to socialism. “Labour,” he warned in 1942,must have no illusions about the great fight that will have to be waged against these [capitalist interest] groups. They will resist fiercely because what is at stake is not so much their profits as their personal and social power, which takes two forms: power in society as a whole, and power over workers’ industry. As long as the first form of power remains, all the efforts of the workers in the factories and through the trade unions to diminish the second form of power can only have limited success. The fight for workers’ rights in industry and for more effective workers’ representation through such things as works’ councils and production committees is, of course, of very great importance and…it has a vital part to play in the total struggle against the capitalists. But it can never be a substitute for the necessary political fight to destroy the power wielded over society as a whole by the great capitalist interest-groups….

Their power is in fact a class power and, as long as this class power remains unbroken, the ability of the leading capitalist groups to run things in their way—and, at worst, to sabotage—is enormous….It can only be broken by destroying not merely their political influence, but what is its real basis, their economic power in the great productive forces over which they exercise practically unchallenged control….

The important thing, however, is that Labour should not be afraid of the consequences of the social revolution within industry, but should make itself master of the situation, not by trying to damp down the mood of the workers, as did the leaders of the Popular Front in France, but by directing it against the opponents of democratic planning.48

Kalecki’s political-economic analysis here was based, as he explained, on an “isolated” capitalist economy.49 As historical events unfolded, not only did the Labour Party fail to act decisively in the working-class interest, but also the increased militarism and imperialism during the Cold War, as he was later to observe, altered the picture considerably. Increased armaments spending produced a higher level of employment than in the pre-war years, while at the same time incorporating a considerable part of the working class within a regressive nationalist-imperialist and chauvinistic project—thereby undermining labor’s capacity to unite to promote its genuine interests in the class struggle.50 In the highly globalized monopoly-finance capitalism of today the contradictions facing the working-class movement are even more complex. Capital in the form of multinational corporations is increasingly mobile globally and able to divide and conquer labor internationally, holding down wages and unit labor costs worldwide as workers of different nationalities are pitted against each other.51

Nevertheless, Kalecki’s arguments on not accepting the economic rationale of the system and insisting on the need to wrest social power from the capitalist class remain crucial today. The danger of the profit-squeeze theory of economic crisis under capitalism has always been that it suggested to workers that the pursuit of their own democratic, egalitarian aspirations led directly to economic slowdown, worsening their situation. As Kalecki put it, “There are certain ‘workers’ friends’ who try to persuade the working class to abandon the fight for wages in its own interest, of course. The usual argument used for this purpose is that the increase of wages causes unemployment, and thus is detrimental to the working class as a whole.”52 This position is visible in the United States today with the debate over whether to introduce a paltry increase in the minimum-wage.53

The arguments that Marx and Kalecki leveled against the profit-squeeze theory of crisis have proven correct not only in their day but ours as well. Decade after decade we have seen a declining share of wages (and total compensation) in U.S. GDP—with the share of the bottom 80 percent of private-sector workers plummeting. At the same time the share of GDP represented by management, supervisory, and other nonproduction employees in the private sector has been rising dramatically.54 Meanwhile, capital’s overall share of income has grown by leaps and bounds. Rather than a stable framework of accumulation, this has led to stagnation, financial instability, and deteriorating conditions for workers.

Kalecki’s political-economic conclusions were in line with those of Marx, who declared, in his opposition to the profit-squeeze argument, that the struggle of workers at every point along the way was a rational one, reflecting the superiority of the political economy of the working class over the political economy of capital. Nevertheless, the ultimate goal of the working-class struggle was not to strive for this or that gain within the system, but rather to replace the capitalist system with a socialist one controlled by the direct producers. As Marx stated in the closing sentence of Value, Price and Profit: “Instead of the conservative motto: ‘A fair day’s wages for a fair day’s work!’ they [the working class] ought to inscribe on their banner the revolutionary watchword: ‘Abolition of the wages system!’”55

#### 4---break up banking

Inserted Stacy Mitchell and Susan R. Holmberg, 20. STACY MITCHELL is a Co-Director of ILSR and directs our Independent Business Initiative. SUSAN R. HOLMBERG is Senior Editor and Researcher on the Independent Business team, as well as an economist. "America’s Monopoly Problem: Why It Matters and What We Can Do About It – Institute for Local Self-Reliance". Institute for Local Self-Reliance. July 2020. https://ilsr.org/fighting-monopoly-power/americas-monopoly-problem-and-why-it-matters/

Monopoly Power Fuels Racial Injustice — Monopoly works hand-in-hand with systemic racism to impose barriers on communities of color while extracting wealth from them. The consolidation of banking has deprived Black and Latinx business owners of capital, while levying higher interest rates on those who do receive credit. Consolidation in the grocery industry — and its byproduct, the proliferation of dollar store chains — means poor communities of color especially have limited access to fresh, healthy food. The grip of incumbent telecom monopolies is driving a digital divide that leaves many Black and Latinx households without fast, affordable Internet.[[2]](https://ilsr.org/fighting-monopoly-power/americas-monopoly-problem-and-why-it-matters/" \l "_ftn2)

5--- reorganize anti-trust law around racial equity concerns---anticompetitive practices disproportionately affect minority communities.

Inserted Nicol Turner Lee 21. Senior Fellow - Governance Studies Director - Center for Technology Innovation, Brookings, with Caitlin Chin – Research Analyst, Center for Technology Innovation - The Brookings Institution, 7/8/21. “The debate on antitrust reform should incorporate racial equity.” https://www.brookings.edu/blog/techtank/2021/07/08/the-debate-on-antitrust-reform-should-incorporate-racial-equity/

On June 24, the House Judiciary Committee voted to advance six landmark antitrust bills, which, if enacted into law, could decrease anticompetitive practices in the tech industry. This would be a necessary—and long overdue—correction to the decades-long Chicago School jurisprudence, under which courts have interpreted antitrust laws to primarily equate consumer harms to higher monetary costs for products or services. It shows that Congress is recognizing how the traditional Chicago School approach does not fully address the many non-monetary consequences that can result from concentration in the technology industry, such as privacy risks and power over speech.

While those issues are important, the recent actions coming from the FTC and Congress should not miss out on the opportunity to address another aspect of antitrust: racial equity. Since the potential harms—both monetary and non-monetary—that accompany concentrated markets do not affect all individuals equally, a facially-neutral approach to competition enforcement is not fair or equitable. Communities of color can suffer grave economic consequences or experience competitive isolation when products and services are not offered or are disproportionately represented in their markets. For example, noncompete contracts can negatively impact Black and other workers of color, especially post-employment restrictions that can increase employer monopsony power in labor markets, and suppress salaries and future earnings. As another example, the rising number of mergers and acquisitions across the overall U.S. economy may contribute to declining startup rates, particularly affecting diverse entrepreneurs who face outsized challenges to raising capital and accessing credit for their ventures.

With the growing interest in antitrust—and the granular focus on Big Tech—within Congress and the new administration, racial equity should be positioned as one of the core pillars of any future actions. Toward this goal, the antitrust community should be sensitized to the role of institutional inequities in concentrated markets, considering them when analyzing anticompetitive actions, their outcomes, and associated enforcement actions.

Why racial equity is a competition concern

Under the letter of the law, antitrust and civil rights are generally treated as separate statutes. Yet in practice, their values intertwine: Market dominance can effectively put companies in a powerful position to exacerbate historical racial inequalities. Take the search engine market, for example, of which Google controls over 90%. In 2012, Harvard professor Latanya Sweeney discovered that Google searches for individuals with Black-sounding names were more likely to generate advertisements for arrest records than searches for individuals with white-sounding names—even if no arrest records actually existed. This flawed system could result in significant emotional, reputational, or financial harm for racially-stereotyped individuals, as well as amplify the profiling associated with algorithmic biases. The lack of competition in the online search industry not only eliminates consumers’ options to choose a different, less-biased search engine, but also reduces market incentives for Google to improve its biased algorithms, as was recently illustrated by the dismissal of the former technical co-lead of Google’s Ethical Artificial Intelligence Team, Timnit Gebru.

Large technology companies also routinely collect massive volumes of data about people, compounded in scale through mergers and acquisitions. Using this data, they can surveil selected populations for online behavioral advertising or micro-interactions based on known or inferred attributes. In this sense, advertisers choose which communities can see or do not see their ads—either through the direct targeting of demographic variables like age, gender, sexual orientation, or race, or through “proxy variables” like zip code, education, interests, and purchase history. These activities can disproportionately impact marginalized communities who may be shown different employment, credit cards, housing, and other advertisements based on the platform or advertising algorithm. More concerning, companies like Google, Amazon, Apple, and Facebook have each engaged in activities that have cemented their respective market power, allowing them to continue to wield control over the advertisements which their hundreds of millions of users see.

Including equity as a goal in antitrust enforcement

Last year, then-acting FTC Chair Rebecca Kelly Slaughter put forward an argument that U.S. enforcement agencies should consider antitrust statutes as “a tool for combatting structural racism” by prioritizing competition enforcement in highly concentrated industries where people of color are marginalized. These enforcement decisions are especially consequential given the resource constraints that federal antitrust agencies face. According to Michael Kades of the Washington Center for Equitable Growth, appropriations for the FTC and Antitrust Division of the Department of Justice (DOJ) decreased 18% from 2010 to 2018 when adjusting for inflation. These constraints force federal enforcement agencies to choose which antitrust actions to pursue or abstain from; each active choice potentially impacts marginalized communities within the related sector.

It is possible that some of the newly introduced House legislation could offer an opportunity to advance racial equity by further expanding the parameters of competition enforcement. For example, the Merger Filing Fee Modernization Act could increase funding for federal antitrust enforcers—potentially allowing for more litigation capacity in situations where anticompetitive behavior, directly or indirectly, harms marginalized groups or contributes to algorithmic biases. The Augmenting Compatibility and Competition by Enabling Service Switching (ACCESS) Act could require applicable platforms to offer data portability and interoperability options, potentially giving users greater flexibility to stop using a platform with biased or discriminatory algorithmic outcomes. The American Innovation and Choice Online Act, Platform Competition and Opportunity Act, and Ending Platform Monopolies Act could each introduce new restrictions on mergers and acquisitions and prohibit certain anticompetitive behaviors by large platforms, including those that may imperil civil rights. But, to ensure leveled pursuits of markets that are both competitive and antiracist, more granular discussions about racial equity and inclusion must take place in parallel with these overarching antitrust reforms.

Such discussions must also include ways to promote diverse representation within the FTC and DOJ. According to recent reports, only 2.85% of attorneys at DOJ’s Antitrust Division and 4.1% at the FTC’s Bureau of Competition identify as Black. Although initiatives like the FTC’s Diversity Council and DOJ Antitrust Division’s Diversity Committee aim to promote inclusive recruitment and retention, there are areas where both agencies can improve. The FTC and DOJ career websites both list unpaid legal internships, for example, which create financial barriers for law students from underrepresented backgrounds to enter the litigation or competition enforcement fields.

Even worse, in late 2020, the DOJ reportedly canceled agency-wide diversity and inclusion programs in response to an executive order from former President Trump. While Khan’s confirmation is historic, as are Kristen Clarke and Vanita Gupta’s DOJ appointments within the Biden administration, both agencies still critically lack representation of Black and Latino nominees to senior-level positions. No current FTC commissioner identifies as Black or Latino and only three Black commissioners have served since the agency’s inception in 1914. Because the FTC and DOJ make enforcement decisions that affect communities of color and other marginalized populations, antitrust law cannot become a tool to dismantle systemic racism without more inclusive representation in both leadership and general workforce positions.

As broad antitrust reform continues within Congress and federal enforcement agencies, we must take seriously that negative effects on consumers extend far beyond monetary prices and ultimately include racial inequities—which, paradoxically, can be a core reason for such economic inequalities in the first place. When the six House bills were introduced, their co-sponsors stated that there was a need to consider how antitrust affects certain values, including quality, privacy, and security, censored speech, control over how we see and understand the world, innovation, and choice. It’s time to add racial justice to that list.