# 1NC – Fullertown R2

## Offcase

### T-Strucutral – 1NC

#### Interpretation – “prohibitions” are structural – otherwise, it’s a remedy.

Jo Seldeslachts et al. ‘7. Professor of Industrial Organization at KU Leuven and a Senior Research Fellow at DIW Berlin, with Joseph A. Clougherty and Pedro Pita Barros. “Remedy for now but prohibit for tomorrow: the deterrence effects of merger policy tools.” https://www.ssoar.info/ssoar/bitstream/handle/document/25862/ssoar-2007-seldeslachts\_et\_al-remedy\_for\_now\_but\_prohibit.pdf;jsessionid=A244005110FDB5816E0347D9F1B75436?sequence=1

Let us now think about the differences between the two antitrust actions of prohibitions and remedies.7 In the case of a prohibition, the penalty for proposing a merger with significant anti-competitive problems involves the full prohibition of the merger: both the pro-competitive and the anti-competitive profits for merging firms are negated by the prohibition. The throwing out of the pro-competitive profits along with the anti-competitive profits is important, as this brings about the punitive measure that Posner (1970) acknowledges as being crucial for deterrence. The big difference between remedies and prohibitions is that remedies attempt to identify and eliminate the anti-competitive elements of a merger. In essence, the merging firms are able to hold on to the pro-competitive elements of the merger—so they keep (ΠPC), but the anti-competitive elements of the merger (ΠAC) are negated by the remedial action. If an antitrust authority imposes remedies, then the disincentive for firms to propose anti-competitive mergers is clearly lower. In short, prohibitions seemingly involve more deterrence than do remedies, as prohibitions represent larger punishments.

#### Business practices are ongoing conduct defined by the behaviors of many market participants.

Kerry Lynn Macintosh 97. Associate Professor of Law, Santa Clara University School of Law. B.A. 1978, Pomona College; J.D. 1982, Stanford University, “Liberty, Trade, and the Uniform Commercial Code: When Should Default Rules Be Based On Business Practices?,” 38 Wm. & Mary L. Rev. 1465, Lexis.

These new and revised articles reflect a strong trend toward choosing default rules 4 that codify existing business practices. 5 [FOOTNOTE 5 BEGINS] In this Article, the term "business practices" is used to refer to practices that emerge over time as countless market participants exercise their freedom to engage in profitable transactions. For an account of the evolution of business practices, see infra Part II. As used here, "business practices" is broader and less technical than "trade usage," which the Code narrowly defines as "any practice or method of dealing having such regularity of observance in a place, vocation, or trade as to justify an expectation that it will be observed with respect to the transaction in question." U.C.C. 1-205(2). [FOOTNOTE 5 ENDS] This is particularly true of the recent revisions to Articles 3 (Negotiable Instruments), 4 (Bank Deposits and Collections) and 5 (Letters of Credit).

#### Violation – plan only expands behavioral remedies – topical affs must prohibit practices.

#### Vote NEG:

#### 1 – Limits – there are infinite ways behavioral remedies to anticompetitive business practices – structural prohibitions are key to topic management and neg ground.

#### 2 – Ground – our interpretation ensures the aff has to “break up” industries – key to link uniqueness and core controversy on a topic with no disads.

### CFIUS CP – 1NC

#### counterplan: The United States federal government should:

#### 1---define a comity balancing test that does not incorporate foreign interests as a non-antitrust, regulatory threat to national security;

#### 2---allow a private right of action for discovery of said threats;

#### 3---offer resources that incentivize the government of Brazil to adopt an adjacent standard; and,

#### 4---offer subsidies to the Brazilian economy.

#### cfius solves

Richard M. Steuer 17. Member of the New York Bar. "The Horizons of Antitrust." St. John's Law Review, vol. 91, no. 1, Spring 2017, p. 177-210. HeinOnline.

As described earlier, some countries assign their competition agencies responsibility for assessing and weighing not only consumer welfare, but other goals as well. This can be daunting, but every town council and zoning board routinely faces the challenge of weighing competing goals, usually with far less analytical support.8 ' Nevertheless, the arguments against assigning competition agencies authority for applying other goals are that these agencies are ill equipped to perform non-economic analysis, and that such an approach would concentrate too much discretion within the competition authorities. If, for instance, the Federal Trade Commission were tasked with conducting a "net benefit" analysis, considering all the goals discussed earlier, it would require greater resources. It also would need the political strength to withstand the criticism it would inevitably attract year in and year out from disappointed parties and their supporters. Some countries, such as Canada and Australia, have established authorities separate from competition authorities to oversee foreign investment, applying a wide variety of goals either apart from consumer welfare or, as in Australia, including consumer welfare. 82 A model like that adopted in Australia would contemplate the creation of a foreign investment review board to advise a cabinet member or the president, who in turn would have authority to disapprove foreign investments, applying a "national interest" or "net benefit" test. If such an arm of government were assigned responsibility in the United States for balancing all these goals in the context of foreign investment, who has the breadth of experience, depth of wisdom, and political respect to make such judgments? The National Economic Council, as has been suggested by the Center for American Progress?" Would its determination be subject to judicial review, and under what standard? What about expanding the responsibilities of CFIUS, as proposed under the Foreign Investment and Economic Security bill,' to apply a "net benefit" test to foreign acquisitions of control regardless of whether those acquisitions pose a threat to national security? Under that proposal, the Committee's determination would be subject to review by the President, but otherwise would be nonreviewable. What about creating a new body, modeled on Australia's Foreign Investment Review Board? How would it be composed and who would appoint its members? Would it be modeled on the Federal Trade Commission, with members from more than one political party serving fixed terms or would it be reconstituted by each administration, like the Council of Economic Advisors? Who would have the ultimate responsibility-the Treasury Secretary? The Commerce Secretary? The President? What would be the threshold for review? Would judicial review be possible and, if so, under what standard? The simplest approach might be to expand the mission of CFIUS by defining "national security" to include economic security, or "national interest," and to create a new advisory board, with adequate staffing, to provide the support that CFIUS would need to fulfill a broader mission with respect to acquisitions of foreign control that do not raise issues of national defense or homeland security. Depending upon the scope of this new authority, there might be calls to add provisions to allow judicial review in those instances where neither national defense nor homeland security is involved." It would be easiest to leave well enough alone, of course, but if the American economy truly is being threatened by the current approach, a new assignment of responsibility should be considered. There are several viable alternatives, as just described, each of which has pros and cons. What is clear is that if the present structure in the United States no longer is working satisfactorily, a new structure needs to be considered.

### Prohibit PIC – 1NC

#### Next off is the Prohibit PIC---

#### The United States should only allow the continuation of anticompetitive business practices by the private sector outside of accordance with a comity balancing test when the president determines it is necessary to prevent condition which may pose a direct threat to the national defense or its preparedness programs.

#### The counterplan maintains DPA authority---the plan eliminates it.

Michael H. Cecire and Heidi M. Peters 20. Michael H. Cecire, Analyst in Intergovernmental Relations and Economic Development Policy. Heidi M. Peters, Analyst in U.S. Defense Acquisition Policy. “The Defense Production Act of 1950: History, Authorities, and Considerations for Congress” Updated March 2, 2020. https://www.everycrsreport.com/reports/R43767.html

Authorities Under Title VII of the DPA

Title VII of the DPA contains various provisions that clarify how DPA authorities should and can be used, as well as additional presidential authorities. Some significant provisions of Title VII are summarized below.

Special Preference for Small Businesses

Two provisions in the DPA direct the President to accord special preference to small businesses when issuing contracts under DPA authorities. Section 701 reiterates89 and expands upon a requirement in Section 108 of Title I directing the President to "accord a strong preference for small business concerns which are subcontractors or suppliers, and, to the maximum extent practicable, to such small business concerns located in areas of high unemployment or areas that have demonstrated a continuing pattern of economic decline, as identified by the Secretary of Labor."90

Definitions of Key Terms in the DPA

The DPA statute historically has included a section of definitions.91 Though national defense is perhaps the most important term, there are additional definitions provided both in current law and in E.O. 13603.92 Over time, the list of definitions provided in both the law and implementing executive orders has been added to and edited, most recently in 2009, when Congress added a definition for homeland security93 to place it within the context of national defense.94

Industrial Base Assessments

To appropriately use numerous authorities of the DPA, especially Title III authorities, the President may require a detailed understanding of current domestic industrial capabilities and therefore need to obtain extensive information from private industries. Under Section 705 of the DPA, the President may "by regulation, subpoena, or otherwise obtain such information from ... any person as may be necessary or appropriate, in his discretion, to the enforcement or the administration of this Act [the DPA]."95 This authority is delegated to the Secretary of Commerce in E.O. 13603.96 Though this authority has many potential implications and uses, it is most commonly associated with what the DOC's Bureau of Industry and Security calls "industrial base assessments."97 These assessments are often conducted in coordination with other federal agencies and the private sector to "monitor trends, benchmark industry performance, and raise awareness of diminishing manufacturing capabilities."98 The statute requires the President to issue regulations to insure that the authority is used only after "the scope and purpose of the investigation, inspection, or inquiry to be made have been defined by competent authority, and it is assured that no adequate and authoritative data are available from any Federal or other responsible agency."99 This regulation has been issued by DOC.100

Voluntary Agreements

Normally, voluntary agreements or plans of action between competing private industry interests could be subject to legal sanction under anti-trust statutes or contract law. Title VII of the DPA authorizes the President to "consult with representatives of industry, business, financing, agriculture, labor, and other interests in order to provide for the making by such persons, with the approval of the President, of voluntary agreements and plans of action to help provide for the national defense."101 The President must determine that a "condition exists which may pose a direct threat to the national defense or its preparedness programs"102 prior to engaging in the consultation process. Following the consultation process, the President or presidential delegate may approve and implement the agreement or plan of action.103 Parties entering into such voluntary agreements are afforded a special legal defense if their actions within that agreement would otherwise violate antitrust or contract laws.104 Historically, the National Infrastructure Advisory Council noted that the voluntary agreement authority has been used to "enable companies to cooperate in weapons manufacture, solving production problems and standardizing designs, specifications and processes," among other examples.105 It could also be used, for example, to develop a plan of action with private industry for the repair and reconstruction of major critical infrastructure systems following a domestic disaster.

The authority to establish a voluntary agreement has been delegated to the head of any federal department or agency otherwise delegated authority under any other part of E.O. 13603.106 Thus, the authority could be potentially used by a large group of federal departments and agencies. Use of these voluntary agreements is tracked by the Secretary of Homeland Security,107 who is tasked under E.O. 13603 with issuing regulations that are required by law on the "standards and procedures by which voluntary agreements and plans of action may be developed and carried out."108 The Federal Emergency Management Agency (FEMA), which at the time was an independent agency and tasked with these responsibilities under the DPA, issued regulations in 1981 to fulfill this requirement.109 FEMA is now a part of DHS, and those regulations remain in effect.

The Maritime Administration (MARAD) of the U.S. Department of Transportation manages the only currently established voluntary agreements in the federal government, the Voluntary Intermodal Sealift Agreement (commonly referred to as "VISA") and the Voluntary Tanker Agreement. These programs are maintained in partnership with the U.S. Transportation Command of DOD, and have been established to ensure that the maritime industry can respond to the rapid mobilization, deployment, and transportation requirements of DOD. Voluntary participants from the maritime industry are solicited to join the agreements annually.110

Nucleus Executive Reserve

Title VII of the DPA authorizes the President to establish a volunteer body of industry executives, the "Nucleus Executive Reserve," or more frequently called the National Defense Executive Reserve (NDER).111 The NDER would be a pool of individuals with recognized expertise from various segments of the private sector and from government (except full-time federal employees). These individuals would be brought together for training in executive positions within the federal government in the event of an emergency that requires their employment. The historic concept of the NDER has been used as a means of improving the war mobilization and productivity of industries.112

The head of any governmental department or agency may establish a unit of the NDER and train its members.113 No NDER unit is currently active, though the statute and E.O. 13603 still provide for this possibility. Units may be activated only when the Secretary of Homeland Security declares in writing that "an emergency affecting the national defense exists and that the activation of the unit is necessary to carry out the emergency program functions of the agency."114

Authorization of Appropriations, as amended by P.L. 113-72

Appropriations for the purpose of the DPA are authorized by Section 711 of Title VII.115 Prior to the P.L. 113-172, "such sums as necessary" were authorized to be appropriated. This has been replaced by a specific authorization for an appropriation of $133 million per fiscal year and each fiscal year thereafter, starting in FY2015, to carry out the provisions and purposes of the Defense Production Act.116

Table 1 shows that the annual average appropriation to the DPA Fund between FY2010 and FY2019 was $109.1 million,117 with a high of $223.5 million in FY2013 and a low of $34.3 million in FY2011. Monies in the DPA Fund are available until expended, so annual appropriations may carry over from year to year if not expended. Recently, the only regular annual appropriation for the purposes of the DPA has been made in the DOD appropriations bill, though appropriations could be made in other bills directly to the DPA Fund (or transferred from other appropriations).

Committee on Foreign Investment in the United States118

The Committee on Foreign Investment in the United States (CFIUS) is an interagency committee that serves the President in overseeing the national security implications of foreign investment in the economy. It reviews foreign investment transactions to determine if (1) they threaten to impair U.S. national security; (2) the foreign investor is controlled by a foreign government; or (3) the transaction could affect homeland security or would result in control of any critical infrastructure that could impair the national security. The President has the authority to block proposed or pending foreign investment transactions that threaten to impair the national security.

CFIUS initially was created and operated through a series of Executive Orders.119 In 1988, Congress passed the "Exon-Florio" amendment to the DPA, granting the President authority to review certain corporate mergers, acquisitions, and takeovers, and to investigate the potential impact on national security of such actions.120 This amendment codified the CFIUS review process due in large part to concerns over acquisitions of U.S. defense-related firms by Japanese investors. In 2007, amid growing concerns over the proposed foreign purchase of commercial operations of six U.S. ports, Congress passed the Foreign Investment and National Security Act of 2007 (P.L. 110-49) to create CFIUS in statute.

On August 13, 2018, President Trump signed into law new rules governing national security reviews of foreign investment, known as the Foreign Investment Risk Review Modernization Act (FIRRMA, Title XVII, P.L. 115-235).121 FIRRMA amends several aspects of the CFIUS review process under Section 721 of the DPA.122 Notably, it expands the scope of transactions that fall under CFIUS' jurisdiction. It maintains core components of the current CFIUS process for evaluating proposed or pending investments in U.S. firms, but increases the allowable time for reviews and investigations. Upon receiving written notification of a proposed acquisition, merger, or takeover of a U.S. firm by a foreign investor, the CFIUS process can proceed potentially through three steps: (1) a 45-day national security review; (2) a 45-day maximum national security investigation (with an option for a 15-day extension for "extraordinary circumstances"); and (3) a 15-day maximum Presidential determination. The President can exercise his authority to suspend or prohibit a foreign investment, subject to a CFIUS review, if he finds that (1) "credible evidence" exists that the foreign investor might take action that threatens to impair the national security; and (2) no other laws provide adequate and appropriate authority for the President to protect national security. FIRRMA shifts the filing requirement for foreign investors from voluntary to mandatory in certain cases, and provides a two-track method for reviewing certain investment transactions. Other changes mandated by FIRRMA would provide more resources for CFIUS, add new reporting requirements, and reform export controls.

Termination of the Act

Title VII of the DPA also includes a "sunset" clause for the majority of the DPA authorities. All DPA authorities in Titles I, III, and VII have a termination date, with the exception of four sections.123 As explained in Section 717 of the DPA, the sections that are exempt from termination are

* 50 U.S.C. §4514, Section 104 of the DPA that prohibits both the imposition of wage or price controls without prior congressional authorization and the mandatory compliance of any private person to assist in the production of chemical or biological warfare capabilities;
* 50 U.S.C. §4557, Section 707 of the DPA that grants persons limited immunity from liability for complying with DPA-authorized regulations;
* 50 U.S.C. §4558, Section 708 of the DPA that provides for the establishment of voluntary agreements; and
* 50 U.S.C. §4565, Section 721 of the DPA, the so-called Exon-Florio Amendment, that gives the President and CFIUS review authority over certain corporate acquisition activities.

P.L. 115-232 extended the termination date of Section 717 from September 30, 2019, to September 30, 2025. In addition, Section 717(c) provides that any termination of sections of the DPA "shall not affect the disbursement of funds under, or the carrying out of, any contract, guarantee, commitment or other obligation entered into pursuant to this Act" prior to its termination. This means, for instance, that prioritized contracts or Section 303 projects created with DPA authorities prior to September 30, 2025, would still be executed until completion even if the DPA is not reauthorized. Similarly, the statute specifies that the authority to investigate, subpoena, and otherwise collect information necessary to administer the provisions of the act, as provided by Section 705 of the DPA, will not expire until two years after the termination of the DPA.124 For a chronology of all laws reauthorizing the DPA since inception, see Table A-4.

Defense Production Act Committee

The Defense Production Act Committee (DPAC) is an interagency body originally established by the 2009 reauthorization of the DPA.125 Originally, the DPAC was created to advise the President on the effective use of the full scope of authorities of the DPA. Now, the law requires DPAC to be centrally focused on the priorities and allocations authorities of Title I of the DPA.

The statute assigns membership in the DPAC to the head of each federal agency delegated DPA authorities, as well as the Chairperson of the Council of Economic Advisors. A full list of the members of the DPAC is included in E.O. 13603.126 As stipulated in law, the Chairperson of the DPAC is to be the "head of the agency to which the President has delegated primary responsibility for government-wide coordination of the authorities in this Act."127 As currently established in E.O. 13603 delegations, the Secretary of Homeland Security is the chair-designate, but the language of the law could allow the President to appoint another Secretary with revision to the E.O.128 The Chairperson of the DPAC is also required to appoint one full-time employee of the federal government to coordinate all the activities of the DPAC. Congress has exempted the DPAC from the requirements of the Federal Advisory Committee Act.129

The DPAC has annual reporting requirements relating to the Title I priority and allocation authority, and is also required to include updated copies of Title I-related rules in its report. The annual report also contains, among other items, a "description of the contingency planning ... for events that might require the use of the priorities and allocations authorities" and "recommendations for legislative actions, as appropriate, to support the effective use" of the Title I authorities.130 The DPAC report is provided to the Senate Committee on Banking, Housing, and Urban Affairs and the House Committee on Financial Services.

Impact of Offsets Report

Offsets are industrial compensation practices that foreign governments or companies require of U.S. firms as a condition of purchase in either government-to-government or commercial sales of defense articles and/or defense services as defined by the Arms Export Control Act (22 U.S.C. §2751, et seq.) and the International Traffic in Arms Regulations (22 C.F.R. §§120-130). In the defense trade, such industrial compensation can include mandatory co-production, licensed production, subcontractor production, technology transfer, and foreign investment.

The Secretary of Commerce is required by law to prepare and to transmit to the appropriate congressional committees an annual report on the impact of offsets on defense preparedness, industrial competitiveness, employment, and trade. Specifically, the report discusses "offsets" in the government or commercial sales of defense materials.131

Considerations for Congress

Enhance Oversight

Expand Reporting or Notification Requirements

Congress may consider whether to add more extensive notification and reporting requirements on the use of all or specific authorities in the DPA. These reporting or notification requirements could be added to the existing law, or could be included in conference or committee reports accompanying germane legislation, such as appropriations bills or the National Defense Authorization Act. Additional reporting or notification requirements could involve formal notification of Congress prior to or after the use of certain authorities under specific circumstances. For example, Congress may consider whether to require the President to notify Congress (or the oversight committees) when the priorities and allocations authority is used on a contract valued above a threshold dollar amount.132 Congress might also consider expanding the existing reporting requirements of the DPAC, to include semi-annual updates on the recent use of authorities or explanations about controversial determinations made by the President. Existing requirements could also be expanded from notifying/reporting to the committees of jurisdiction to the Congress as a whole, or to include other interested committees, such as the House and Senate Armed Services Committees.

Enforce and Revise Rulemaking Requirements

Congress may consider reviewing the agencies' compliance with existing rulemaking requirements. A rulemaking requirement exists for the voluntary agreement authority in Title VII that has been completed by DHS, but it has not been updated since 1981 and may be in need of an update given changes to the authority and government reorganizations since that date.133 One of the agencies responsible for issuing a rulemaking on the use of Title I authorities has yet to do so. Congress may also consider potentially expanding regulatory requirements for other authorities included in the DPA. For example, Congress may consider whether the President should promulgate rules establishing standards and procedures for the use of all or certain Title III authorities. In addition to formalizing the executive branch's policies and procedures for using DPA authorities, these regulations could also serve an important function by offering an opportunity for private citizens and industry to comment on and understand the impact of DPA authorities on their personal interests.

Broaden Committee Oversight Jurisdiction

Since its enactment, the House Committee on Financial Services, the Senate Committee on Banking, Housing, and Urban Affairs, and their predecessors have exercised legislative oversight of the Defense Production Act. The statutory authorities granted in the various titles have been vested in the President, who has delegated some of these authorities to various agency officials through E.O. 13603. As an example of the scope of delegations, the membership of the Defense Production Act Committee (DPAC), created in 2009 and amended in 2014, includes the Secretaries of Agriculture, Commerce, Defense, Energy, Labor, Health and Human Services, Homeland Security, the Interior, Transportation, the Treasury, and State; the Attorney General; the Administrators of the National Aeronautics and Space Administration and of General Services, the Chair of the Council of Economic Advisers; and the Directors of the Central Intelligence Agency and National Intelligence.

In order to complement existing oversight, given the number of agencies that currently use or could potentially use the array of DPA authorities to support national defense missions, Congress may consider reestablishing a select committee with a purpose similar to the former Joint Committee on Defense Production.134 As an alternative to the creation of a new committee, Congress may consider formally broadening DPA oversight responsibilities to include all relevant standing committees when developing its committee oversight plan.

Should DPA oversight be broadened, Congress might consider ways to enhance inter-committee communication and coordination of its related activities. This coordination could include periodic meetings to prepare for oversight hearings or ensuring that DPA-related communications from agencies are shared appropriately. Finally, because the DPA was enacted at a time when the organization and rules of both chambers were markedly different to current practice, Congress may consider the joint referral of proposed DPA-related legislation to the appropriate oversight committees.

Amending the Defense Production Act of 1950

While the act in its current form may remain in force until September 30, 2025, the legislature could amend the DPA at any time to extend, expand, restrict, or otherwise clarify the powers it grants to the President. For example, Congress could eliminate certain authorities altogether. Likewise, Congress could expand the DPA to include new authorities to address novel threats to the national defense. For example, Congress may consider creating new authorities to address specific concerns relating to production and security of emerging technologies necessary for the national defense.

#### Key to pandemic response.

J. Mark Gidley et al. 20. J. Mark Gidley chairs the White & Case Global Antitrust/Competition practice. Martin M. Toto and Sean Sigillito. “A Novel Antitrust Defense for COVID-19 Agreements: Section 708 of the Defense Production Act” <https://www.whitecase.com/sites/default/files/2020-04/novel-antitrust-defense-covid-19-agreements-section-708-defense-production-act.pdf>

There is a dire need for the assistance of private industry in developing vaccines and treatments for the SARS-CoV-2 virus, and for the manufacture and distribution of medical and other supplies to aid in the United States’ response to the COVID-19 health emergency. The Government’s recent actions indicate a desire to allow private sector companies to work together to do so quickly.

While many of the needs arising from the ongoing emergency focus specifically on medical supplies, the President’s delegation of Section 708 authority to the DHS as well as HHS potentially opens the door to voluntary agreements within broader sectors of the US economy. Under the right circumstances, and if the business combination could garner the governmental sponsor needed for the voluntary agreement, invoking the Defense Production Act’s antitrust relief provision through the enactment of voluntary agreements could allow for a more robust response to the COVID-19 pandemic.

#### Extinction.

Dennis Pamlin & Stuart Armstrong 15. \*Executive Project Manager Global Risks, Global Challenges Foundation. \*\*James Martin Research Fellow, Future of Humanity Institute, Oxford Martin School, University of Oxford. February 2015, “Global Challenges: 12 Risks that threaten human civilization: The case for a new risk category,” Global Challenges Foundation, p.30-93. https://api.globalchallenges.org/static/wp-content/uploads/12-Risks-with-infinite-impact.pdf

A pandemic (from Greek πᾶν, pan, “all”, and δῆμος demos, “people”) is an epidemic of infectious disease that has spread through human populations across a large region; for instance several continents, or even worldwide. Here only worldwide events are included. A widespread endemic disease that is stable in terms of how many people become sick from it is not a pandemic. 260 84 Global Challenges – Twelve risks that threaten human civilisation – The case for a new category of risks 3.1 Current risks 3.1.4.1 Expected impact disaggregation 3.1.4.2 Probability Influenza subtypes266 Infectious diseases have been one of the greatest causes of mortality in history. Unlike many other global challenges pandemics have happened recently, as we can see where reasonably good data exist. Plotting historic epidemic fatalities on a log scale reveals that these tend to follow a power law with a small exponent: many plagues have been found to follow a power law with exponent 0.26.261 These kinds of power laws are heavy-tailed262 to a significant degree.263 In consequence most of the fatalities are accounted for by the top few events.264 If this law holds for future pandemics as well,265 then the majority of people who will die from epidemics will likely die from the single largest pandemic. Most epidemic fatalities follow a power law, with some extreme events – such as the Black Death and Spanish Flu – being even more deadly.267 There are other grounds for suspecting that such a highimpact epidemic will have a greater probability than usually assumed. All the features of an extremely devastating disease already exist in nature: essentially incurable (Ebola268), nearly always fatal (rabies269), extremely infectious (common cold270), and long incubation periods (HIV271). If a pathogen were to emerge that somehow combined these features (and influenza has demonstrated antigenic shift, the ability to combine features from different viruses272), its death toll would be extreme. Many relevant features of the world have changed considerably, making past comparisons problematic. The modern world has better sanitation and medical research, as well as national and supra-national institutions dedicated to combating diseases. Private insurers are also interested in modelling pandemic risks.273 Set against this is the fact that modern transport and dense human population allow infections to spread much more rapidly274, and there is the potential for urban slums to serve as breeding grounds for disease.275 Unlike events such as nuclear wars, pandemics would not damage the world’s infrastructure, and initial survivors would likely be resistant to the infection. And there would probably be survivors, if only in isolated locations. Hence the risk of a civilisation collapse would come from the ripple effect of the fatalities and the policy responses. These would include political and agricultural disruption as well as economic dislocation and damage to the world’s trade network (including the food trade). Extinction risk is only possible if the aftermath of the epidemic fragments and diminishes human society to the extent that recovery becomes impossible277 before humanity succumbs to other risks (such as climate change or further pandemics). Five important factors in estimating the probabilities and impacts of the challenge: 1. What the true probability distribution for pandemics is, especially at the tail. 2. The capacity of modern international health systems to deal with an extreme pandemic. 3. How fast medical research can proceed in an emergency. 4. How mobility of goods and people, as well as population density, will affect pandemic transmission. 5. Whether humans can develop novel and effective anti-pandemic solutions.

### Capitalism K – 1NC

#### Anti-trust is a capitalist psy op to pacify the working class, buy time to mystify unsustainable accumulation, and map competition onto subjectivity.

David Lebow 19. Lecturer on Social Studies at Harvard University and lawyer, “Trumpism and the Dialectic of Neoliberal Reason,” Perspectives on Politics 18(2):380-398, doi:10.1017/S1537592719000434

I. Neoliberal Reason

As Michel Foucault and others have argued, neoliberalism entails far more than an economic doctrine favoring deregulated markets.4 It is a novel form of governmentality—a rationality linked to technologies of power that govern conduct, not just through direct state action but through liberty itself.5 Not isolated to the traditionally demarcated sphere of economics, neoliberal society entails a whole economic-juridical order.

The central program of neoliberal governmentality is the absolute generalization of competition as a universal behavioral norm. Whereas in liberal thought, the root principle of capitalism was exchange of equivalents, for neoliberal reason it is competition entailing inequality. The key result of market processes goes from specialization to selection. The competitive market is the exclusive site of rationality. It processes information, indicated by price, and is the only mechanism of producing knowledge, defined as what is profitably utilizable. Because consumers are free to refuse inferior goods or services, the price mechanism of the market system ensures optimal solutions and maximal satisfaction of preferences.

Liberal capitalism, as Karl Polanyi argued, required the construction of “fictitious” commodities like land and labor.6 These abstract, exchangeable factors of production had to be disembedded from concrete non-market social relations, norms, and values. Instead of merely disembedding commodities, neoliberalism intervenes to make competitive mechanisms regulate every moment and point in society. It strives to build an empire of market choice that invades every domain of life, and deposes all other social, political and solidaristic institutions and values.

Neoliberalism does not allege that markets are natural; competition must be constructed. Rather than endorsing laissez-faire overseen by a night watchman, it stipulates a strong state engaged in permanent vigilance, activity, and intervention to maintain artificial competition. It must not plan outcomes, which would upset the market’s innate rationality, and must be insulated from political disturbances. Economic interventionism leads down the road to serfdom; fascism and unlimited state power are its necessary results. A “minimum of economic interventionism” on the “mechanisms of the market” must be accompanied by “maximum legal interventionism” on the “conditions of the market.”7 Fixed, formal rules make up an economic constitution that inhibits planning, repulses political disruptions, and impartially safeguards competition. The state is the executor of the market and growth is the basis of public legitimacy. Governance depoliticizes public power, promotes ostensibly post-ideological technical problem-solving by experts, and relies on “best-practices” that dissolve the distinction between public and private organization.8

Unlimited generalization of competition yields an enterprise society in which calculations of supply/demand and cost/benefit become the model of all social relations. Neoliberal reason renders homo economicus, based on this model of the enterprise, the exhaustive figuration of human subjectivity. The center of economic thought shifts from labor and processes of production, exchange, and consumption to human capital and rational decision-making under conditions of scarcity. Capital is everything that can generate future income; wages are reconceived as income from capital. Labor is no longer comprehended as a commodity exchanged for a wage, but as a combination of human capital (the worker’s education and abilities) and the income stream it generates. This neoliberal subject is an aggregate of human capital who invests in his own income-generating abilities.

Neoliberalism replaces the invariant identity of the moral person as a rights-bearing citizen with a formally empty receptacle filled up through enterprising choices. It brushes aside models of freedom as self-rule achieved through moral autonomy or popular sovereignty.9 In the neoliberal “democracy of consumers,” individual consumers together constitute the sovereign that monopolizes the issuance of legitimate commands.10 Sovereign will is expressed not through political channels, but by choices in the “plebiscite of prices.”11 Whereas producers have particular interests like protectionism, consumers have a consensual and common interest; all favor the impartial functioning of market processes. In the neoliberal free society, consumers exercise their right to choose in complete independence.

II. From Keynesian State Capitalism to Neoliberal Deregulation

Situating the 2008 crisis in a historical account of American political and economic development clarifies its broader significance. The early twentieth-century Progressives were disdainful of what they took to be the chaos and waste of fin de siècle laissez-faire society. They strove to build a new American state that would replace the structural and rights-based formalisms of the nineteenth century with direct democracy and expert administration. It took the Great Depression and New Deal to bring into full bloom the Progressive commitment to pragmatic rationality. Thereafter, the “policy state” was authorized to pursue designated social goals and develop the means to accomplish them.12 The slew of New Deal innovations included state oversight of labor negotiations, invigorated antitrust, Keynesian countercyclical deficits to stimulate demand and increase purchasing power, an expansive public sector sheltered from the business cycle, aggressive banking regulation, and social insurance. Regulation and redistribution ensured the conditions necessary for an economic system based on capital accumulation, private property, and corporate profit to endure.

To many, the differences between the New Deal and Nazi political economies appeared less significant than their common response to monopoly capitalism. Both erased boundaries between state and society by politicizing the private sphere and authorizing public bureaucracies to rationalize crisis-prone economies. Frankfurt School member Friedrich Pollock suggested that this common “state capitalism” had solved the contradiction between the forces and relations of production, and thus overcome the economy’s crisis tendencies. It seemed to him that management had become merely technical and “nothing essential” had been “left to the laws of the market.”13 Worries abounded that the private law sphere of property and contract was necessary for individual freedom. Despite salient differences between Nazi and New Deal state capitalism, many feared that intervention into society was a waystation to domination. Unease about the specter of American despotism motivated development of mechanisms to ensure that interventionism did not devolve into arbitrary rule.14 Expertise was one justification and limitation of the policy state. Authority could be safely delegated to a new corps of public-spirited administrators because their scientific knowledge would not only make them effective, but also counsel restraint. Enduring misgivings led later to new laws of administrative process. The procedural state was legitimated by its defenders as being a substantively value-neutral and instrumentally rational machine serving goals set by society. Regulatory decision-making was shunted into the abstruse procedures of courtrooms and bureaucracies. Defenders of the state emphasized that its processes of allocating authority were neutral, impartial, and open to all. The balanced accommodation of all interest groups seeking to exercise influence would yield an equilibrium corresponding to the public interest.15

The intermeshing of state and society through interest groups, agencies, and professionalized parties marginalized the public. The sovereign public opinion that Progressives had hoped would rationalize government gave way to the rationality supposedly inherent in processes of public law, public-private negotiation, and regulated markets. The state was endowed with a diffuse legitimacy in exchange for a growing economy, broad distribution, and ongoing household capacity to consume.16 The Keynesian welfare settlement pacified the working class, protecting the market economy from more radical political pressures. Newly available, mass-produced commodities encouraged leveled-down notions of citizenship as welfare clientelism and privatistic consumption. As the state expanded and routinized, the initial politicization of private property relations through public intervention developed into depoliticized economic management by lawyers and social scientists organized by administrative and judicial processes.

The terms of the social contract preserving the coexistence of capitalism and democracy had been set. In exchange for a pacified citizenry and depoliticized regulatory authority, the policy state promised to deploy instrumental reason to sustain both capital accumulation and widely distributed capacity to consume (supported, always, by the exclusion of African Americans). During the decades of postwar growth, these twin responsibilities seemed attainable and compatible. Capitalism functioned smoothly enough and potentially delegitimating inequality was clipped by inflation, tax-based welfare, and collectively negotiated wages. But in the late 1960s and early 1970s, weakening growth, stagflation, trade deficits, and the collapse of Bretton Woods revealed that state capitalism had not solved the problems of economics. As the Great Depression had enabled construction of the instrumentally rational policy state, economic disturbances in the 1970s opened the breach into which neoliberal reason entered to reconfigure the political economy. Rather than shielding rational policy-making from political pressure and assuring broadly distributed welfare, neoliberalism promised growth driven by depoliticized markets freed from regulation and downwards redistribution. Believing in the optimal rationality of competitive markets, neoliberals sought to reinvigorate capital accumulation through deregulation, lowered taxes, financialization, privatization, and market expansion.

Liberating accumulation from the restrictions and obligations incurred under state capitalism might have imperiled capitalism’s peace treaty with democracy. For deregulation to proceed without impairing the system’s legitimacy, the quid pro quo—depoliticization for consumption—had to continue. Over the ensuing decades, as Wolfgang Streeck explains, the state “bought time” by finding new ways to generate illusions of widely distributed prosperity that prolonged the capacity of the lower and middle classes to consume.17 Each successive attempt exhausted itself, leading to new and escalating disturbances. In the 1970s, inflation safeguarded social peace by compensating workers for inadequate growth until stagflation ended this mode of buying time. A subsequent reliance on public debt enabled the government to pacify conflict with borrowed money. Rising debt and balking creditors delimited this phase, which was brought to a definitive close with the Clinton administration’s social spending cuts and balanced budgets. In a final stage that dawned in the 1980s but grew increasingly paramount over time, debt-based support of purchasing power was privatized. Household spending was financed through mortgages, student loans, and credit cards. This “privatized Keynesianism” buoyed consumption up through 2008, despite cuts to social spending, falling wages, and tightening employment markets.18

Each device for upholding spending maintained the legitimacy of the depoliticized political economy, even as liberalization continued to strip the wage-dependent population of regulatory and redistributive safeguards. The end of the inflation era brought structural unemployment and weakened trade unions. The passing of the public debt regime meant cuts to social rights, privatization of social services, and a trimmed public sector. Growing private debt enabled people to hold on despite lost savings, and rising under- and unemployment. At every step, the neoliberal project was “dressed up” as a consumption project.19 Continuing consumption ensured legitimacy long enough to enact total transformation of the political economy.

The state could not buy time indefinitely. The 1970s had already witnessed the beginning of the transition from a manufacturing, production-oriented economy that exported surpluses to an import-based, finance and services economy focused on consumption. As the United States went from creditor to debtor, a system of “balanced disequilibrium” took hold.20 With impunity granted as the world’s reserve currency, the United States ran mounting budget and trade deficits. To finance them, it absorbed surplus capital from abroad, much of which wended its way to Wall Street. Banks used these profits to extend credit to the working- and middle- classes. Household debt funded consumption of imported goods, returning the surplus capital abroad, and completing the circuit of global trade. This system depended on the unsustainable condition of ever-increasing debt-based consumption. Consumption was notoriously reinforced by secondary markets in what was essentially private money (securitized derivatives and collateralized debt obligation) that was much riskier than assumed. Because increasingly irresponsible lending was integral to continuing the consumption that stabilized the macroeconomic system, it became a sort of vicious collective good that progressively magnified the scale of the inevitable crash.21 When in 2008 the debt finally proved unserviceable and the housing bubble burst, the private money disappeared and the disequilibrated global economic system fell into crisis.

Consumption based on private debt had provided an unstable bridge over the yawning inequality brought about by deregulation, financialization, globalization, and the diminished welfare state. When the 2008 crisis dried up credit, it revealed a divided “dual economy.”22 On one side is the primary sector of elite, highly-educated professionals who are collected in coastal urban centers and tied in to corporate management, technological innovation and oversight of global capital flows. On the other is the secondary sector of low-skilled workers primarily fixed in the heartland, for whom deregulated competition has brought under- or unemployment, job instability, depressed wages, exploding debt, and diminished prospects.

Unable to buy more time, the state’s breach of the postwar social contract has been exposed. The neoliberal system of capital accumulation was entrenched at the expense of broad and sustainable consumption. The results have been the politicization of defrauded citizens and a political economy plunged into legitimation crisis. Time has belied the premature conclusion that contradiction and crisis potential had been overcome by state capitalism. Contradiction was relocated into cross-cutting imperatives for the state to enable capital accumulation and distribute consumption. In hindsight, we find only a window of stabilization of an enduring crisis potential built into capitalist political economy. As Nancy Fraser puts it “on the one hand, legitimate, efficacious public power is a condition of possibility for sustained capital accumulation; on the other hand, capitalism’s drive to endless accumulations tends to destabilize the very public power on which it relies.”23 The political fallout from the 2008 crisis marks the end of the postwar social contract that had established conditions ensuring the continued coexistence of capitalism and democracy.

#### Capitalism drives extinction and structural violence.

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

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

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

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

#### Competitive markets produce monopolization – antitrust replicates the problem.

Richard Wolff 19 Professor Emeritus of Economics at University of Massachusetts, Amherst. Transcript from YouTube video: “Economic Update: Competition and Monopoly in Capitalism.” Democracy @ Work. December 9th, 2019. https://www.democracyatwork.info/eu\_competition\_monopoly\_in\_capitalism.

Today I'm going to devote the program to something many of you have asked me to present, to talk about, to analyze, and that is the question of monopoly. It has to do with the assertions we hear often these days that somehow our capitalist system, here in the United States and beyond, is being negatively affected because monopolies have replaced or displaced competition. The idea here is if only we can get competition back, recreate a competitive capitalism, why then the problems we face will go away. Today's program is a design to show you how and why that is not the case, to think about these things in a different way from this nice story that capitalism is basically fine; it's just the monopoly form we have to get rid of so we get back to the competition which we're all supposed to believe is wonderful and presents us with no problems to solve. So let's go, and let's do it in a systematic way.

First, it is of course easier, faced with a declining capitalism, a capitalism that's all around us with its extreme inequalities, with its instabilities – here we are, trying to cope with the effects of the Great Crash of 2008, even while we anticipate the next downturn coming down the road soon – an economic system that has shown (that is, capitalism) that it is not respectful of the natural environment; it is not, as the words now go, sustainable in a reasonable way. Yeah, we're surrounded by problems of capitalism. So it's comforting in that situation to get the idea from somewhere that this really isn't a problem of capitalism as a system but rather the problem brought in somehow from the outside – monopoly – a situation in which competition among many companies gives way in some way we're not quite sure about to a domination by one or a small handful of companies. And so the argument goes, we don't have to be critical of capitalism; we don't have to think about an alternative system. No, no, we just have to deal with this little detail, the monopoly problem. And if we can deal with that, well, we'll get back to a competition, to a competitive capitalism that is good.

There are three big mistakes involved in this way of thinking, which is nonetheless very widespread and very popular, more so now than in quite some years. First mistake: Capitalism has been wrestling with the problem of monopoly from day one. We have had repeated periods of monopoly. They have eventually led to movements, often of many people, to destroy or remove monopoly. We used to call that in America trust-busting, or antitrust. We even have a department within the Department of Justice in Washington devoted to antitrust activities. Yeah, we've been waging battles against monopoly over and over again, and you know why? Because we keep having monopolies over and over again. Google is a monopoly. Amazon is a monopoly. They're all around us: companies that have effectively no real competition. This is a problem that capitalism has always displayed. And that ought to lead you to wonder whether thinking about it as something we can do away with isn't maybe the best possible example of wishful thinking.

The second big mistake is to imagine that competition is some unmixed blessing. It never was, and it isn't today. A competitive market is a human institution. Like every other human institution, it has strengths, and flaws, and weaknesses. To think of competition as some magical perfection is a silly abnegation of your own rational capability to evaluate something. It's sort of advertising thinking. By that, I mean the advertiser tells you what's good about the product they've been told to advertise; they don't tell you what's bad about it. If you want to evaluate it, you don't talk to an advertiser because they only give you one side. The people who promote competition use advertising logic. We're not going to do that here. Competition is no unmixed blessing.

And finally, I'm going to show you that competition is itself the major cause of monopoly. So that even if we ever got back to a competitive capitalism, all that would mean is we're back in the process that produces monopoly – as it always has.

All right, so let's begin. I'm going to start with explaining how competition has all kinds of consequences that most of you, like me, don't like, don't want. It's a discussion, if you like, of competition's other side: you know, the part that the advertiser doesn't tell you about. The used-car salesman who wants you to buy that junk doesn't tell you about what happened last week in the car crash that that was part of, etc., etc.

All right, let's begin. One of the major reasons that American corporations shut down their operations in the United States and moved them to China, among other places, is because of – you guessed it – competition. They wanted to make more money than they had been before. They were afraid of other companies beating them in the competitive game, so they said wow, let's go to China, because there you can pay workers a lot less. There you don't have the same rules to obey. There they don't care that much about pollution as they do here. So we can save on all kinds of costs, and that will allow us to undercut our competitors. Yeah, one of the consequences of competition was the exodus of American companies to other parts of the world, and the enormous unemployment that resulted from it. Yeah, that was a result, among other things, of competition.

Here's another one: Capitalists, employers, seeking to compete with one another, often engage in what we call automation. They bring in machines that are cheaper to use than human laborers, and that gets them a step ahead of their competitors. Okay, if we replace people with machines, we throw those people out of work. That has an impact on them, their self-esteem, their relationship to their spouse, their relationship to their children, their relationship to alcohol – should I continue? What are the social costs of automation? They're huge. They've been documented over and over again. Competition provokes and produces automation.

Let me give you another example: Companies are competing, say, in the food business – you know, trying to get a customer like you or me to buy this kind of cereal rather than another. So they get their labs to go to work, and they discover we can replace wheat, which we used to put in our little flakes, with – Lord help us – some chemical that is cheaper than wheat. We're not going to worry about what that chemical does to your chemistry in your body because we can now lower the price of our cereal, because we're saving on wheat, and undercut the competitor. The human beings who eat this stuff will suffer, now and in the future, but competition left our producer of cereal no choice.

And in case you think I'm making some up, let me give you some concrete ones. The Boeing Corporation, the major producer of airplanes in this country, is in a crisis as a corporation. You know why? Because the 737 Max crashed a couple of times, killing hundreds of people. And you know why? It turns out they economized on safety measures, and training measures. And you know why they did that? Because they're in a very tight competition with European and other airplane manufacturers, and that leads them – as it usually does – to look to cut corners: that race for, quote, "efficiency." Yeah, it was competition that contributed to those deaths and to that problem. That's competition too. You can't whitewash this story; they're real. One of the ways Amazon beats its competition is it speeds up the work process. It has figured out ways to make people work much more intensely, using up their brains, their muscles, their nerves, in ways that cause real long-term physical damage to working people. That, too, is a result of the competitive effort.

And you know, it wasn't so long ago that children were part of the labor force. That's right, kids as young as five and six years of age. We were told they have little fingers, you see. They can be more productive than people who are adults with big fat fingers, you know – that doesn't work. And by the way, you should be grateful because poor kids are the ones we hire, and that gives their poor families more income than they would otherwise have. We heard those arguments. Competition, the companies said, required them to use the more productive, and the lower-wage, children rather than adults. So child labor was also a result of competition. It was so ugly and so troubling to so many people that finally there were movements in the United States and many other countries simply to outlaw child labor. So it became a crime for any employer to use a worker who was under 16 or 18 years of age. That was a way in which people said we are not going to allow competition among capitalists to destroy our children. They were recognizing that competition has an awful effect in what it does to children.

Well, it has many awful effects. So let's be clear: In the history of capitalism, the monopoly problem (which we're going to get to in the second half of today's program) is no worse, it's just different, from the competition problems. Capitalism goes through phases of competition and monopoly, going from one to the other, as I will explain. But we shouldn't bemoan the one in favor of the other, any more than vice-versa. These are neither of them solutions; they are both phases of the problem. And the problem is capitalism, which does its number on us both in the period when it's competitive and in the period when it's monopoly. People who want us to engage one more time in an anti-monopoly crusade are doing something that in the end evades the problem, which is the system – capitalism – not this or that form of that system, such as competition and monopoly.

We've come to the end of the first half of today's Economic Update. This gives me an opportunity to remind you, please, to sign up if you haven't already, to subscribe to our YouTube channel. It's a way easily for you to support us, doesn't cost any money, and it is a big help to us in terms of our reputation and what we can accomplish. Likewise, please make use of our websites. They are there for your communication with us. They are there for you to be able to, with a click of a mouse, to follow us on Facebook, Twitter, and Instagram. And finally, a special thanks goes, as always, to our Patreon community for their ongoing enthusiastic support. It means the world to us. My final, very final for this first half, is about a new book that we have just produced and released. It's a follow-up to an earlier volume I have spoken to you about that was called Understanding Marxism. For the same reason, we have now produced a brand-new book, just out, called Understanding Socialism. It is a response, as this program is, to issues, questions, comments you have sent to us in large numbers. It's an attempt to give an overview of the different interpretations of what socialism means, of what happened in countries like Russia and China that tried to create this – the strengths, the weaknesses, the lessons to be learned, what to do, and what not to do. Please, if you're interested and want to follow up, check us out, check the book out: lulu.com is how you find both books. And I will be right back; stay with us.

Welcome back, friends, to the second half of today's Economic Update. This program, as I explained, is devoted to the analysis of competition and monopoly as two interactive, sequential phases of capitalism as a system. The first part of the program was devoted mostly to competition, so let's turn now to monopoly. What is the basic definition and criticism of monopoly? Strictly speaking, monopoly is defined simply as a situation in which the producers of a particular commodity – shoes, software programs, haircuts, it doesn't matter – have been reduced to only one. Literally one seller – a monopolist. But in general language, it includes also situations where many producers who once competed with one another have been reduced to only a handful. The strict term for only a handful is "oligopoly," but we don't have to split hairs about this. "Monopoly" will be the word we use for either one or a very small number.

For example, there were once dozens of automobile companies, but very quickly their competition reduced them to basically three for much of the post-World War II period, and you know their names: Ford, General Motors, and Chrysler. And likewise there were once many cigarette producers, there were once many television-set producers, and they became very few, whose names, therefore, we all know.

What's the criticism of a monopoly or oligopoly situation? Again, very simple: The idea is, if there's only one seller of something, that seller can jack up the price way above what he might have otherwise because he doesn't have any competitor. If he had a competitor, if he raised the price, the competitor would get all the business because we'd all go to the competitor who hadn't raised the price rather than buy it at a higher price from the monopolist. So we don't like monopolies, because they can jack up their prices and their profits because they don't have a competitor. And if it's a few, a handful, well then we talk about things like cartels: arrangements when a few get together over dinner, or out on the golf course, and tell us what the price is. If you ever wondered why the prices of different cars, different cigarettes, and so on, are so close to one another – mm-hmm – that's because there are few sellers, and somehow they worked it all out. But the basic criticism is that a monopoly is a situation in which the seller of something jacks the price up way beyond what they could otherwise get because there are no more competitors.

So let's talk about this monopoly problem and where the monopolies come from. Well, the first and most important lesson is this: Competition produces monopoly. It's not something external, imposed on competition. It has nothing to do with human greed or anything else. Are people greedy? You betcha – some more, some less – but that's really a separate matter. It's competition that produces monopoly, and let me show you how that works. In competition, we have, by definition, a whole bunch of producers. They all produce the same thing. They compete with one another, hoping we, the consumer, will buy from one rather than the other. They compete in the quality of what they produce and in the price of what they produce. And we are supposed, as consumers, to go look for the best quality at the lowest price, and to patronize that one who offers that to us better than the others that we could buy from but choose not to.

Okay, that's a fair definition. Now let's follow the logic. Company A produces – however it manages it – a better quality and/or a lower price than Company B. So we all go to Company A. Company B can't find any buyers because it's not competitive. Or to say the same thing in other words, Company A outcompetes Company B. Here's what happens: Company B collapses. Because it can't sell its goods, we're all going to Company A. So Company B sooner or later declares bankruptcy. It can't continue. It lays off its employees, it stops buying inputs, because it can't compete. Good. Now what happens in Company A? Company A says hey, there's a whole bunch of workers that have just lost their job at Company B; they're trained in producing what we produce; let's go hire some of them. And likewise, Company A says, they're not using their computers, or their trucks, or their other inputs. They're going to have to sell them on the secondhand market. We can get some important inputs we need at a lower price than we would have to pay if we bought them new. So what begins to happen is, where before there were two companies, A and B, there's now one larger A, and B has disappeared. Or to say the same thing in simple English, A – the winner in the competitive struggle – eats, absorbs into itself, what's left of Company B.

And this process is repeated over and over, until 30, or 300, companies have become one, or two, or three. That's the result of competition. That's how competition is supposed to work. That's how competition does work. It's important to understand: Monopoly is where competition leads. And as if that weren't enough, let me make sure you understand this from the business point of view: It is the great dream of every entrepreneur to become the last one standing in the competition, to win the competition, not just because it makes you feel good you outmaneuvered your competitors, but because if you're the last one standing, you're the monopolist. The reward for having outcompeted the others is that you're now in a position to jack up the profits, and the prices, way beyond what you could have done before.

So we have a system that produces monopoly, and all the incentives for every entrepreneur in competition to work as hard as possible to become the monopolist. So why is anyone surprised that monopolies keep happening, because they're the whole point and purpose of capitalist competition. If you ever were – and we never have, but if you ever were – able to get rid of all the monopolies and re-establish competition, all you would be doing is setting this same process in motion again for the umpteenth historical time. In other words, fighting against monopoly is pointless as long as you have capitalism, because it is the endless reproducer of this problem – as it always has been.

Now, how do monopolies maintain themselves? If you're the only one standing, you're a monopolist. Or you're an oligopoly, you're a few, and you get together and jack up your prices together. The question becomes look, a monopolist makes very high profits – much higher than a competitor can achieve – and isn't that an enormous incentive for other capitalists to get in on that business? Because look at the profits they're earning, because they're the only one. Apple, Amazon, Google – the profits are staggering. Everybody wants to get in. So the way a monopolist has to think is, I've got to create obstacles that block other people from coming in to get a piece of the enormous profits my monopoly allows me to get. We call that in economics "barriers to entry." Monopolists need to create barriers. Let me give you a couple of examples.

The major soft drink makers in the United States – basically Coca-Cola and Pepsi Cola – they produce a drink that has sugar and coloring in it, and lots and lots of water. Let me assure you, there is nothing difficult or complicated about producing a mixture of sugar, color, and water. It doesn't take a genius; it never did. Pepsi and Coca-Cola make a fortune off of their product, as we know, and they have for decades. They have a virtual monopoly. Now, lots of other people could produce water, sugar, and color close to, if not identical with, whatever they produce, but they can't break through. They can't really get to that status. And you know why? Because Coca-Cola and Pepsi erected a barrier to entry. And the way they did that was with advertising. Every billboard, every magazine cover, every doorway of every institution you've ever been to has a picture of smiling, happy people drinking one or the other. You've learned: that's the drink, that's the drink. Another company might make a perfect substitute, but they can't afford the enormous cost of advertising. The advertising costs more than the water, and the sugar, and the color. What you pay for when you buy Pepsi and Coke is the advertising that got you to buy it. You're paying for being hustled. But it works, because it means other companies know that they can't get in there by cheaply producing an alternative, because you have to produce the advertising that goes with it, or else you can't do it. And so their monopoly is maintained.

Here's another way to maintain a monopoly: Get the government to step in. Here the famous example is the milk producers. Some years ago, there was a crisis with milk. There was contamination; people were getting sick. So the clever milk monopolies came in and said, we're going to support the enormously expensive, special equipment to guarantee pasteurization, and so on, of milk. Why did they support it? Because your small farmer, your small dairy producer, can't afford it, so they go out of business. Only the big, rich few that are left can afford the enormous equipment. They used governmental rules to create a barrier to entry.

Here's another way: corrupt public officials. President Trump denounces Huawei corporation because it compromises our national security. It denounces European car producers because somehow their shipping cars here compromises our security. Who cares? As long as the president blocks other companies from getting into the business that might compete with an American, a barrier to entry exists. Monopolists have been very creative in coming up with ways to preserve their monopolies.

I don't want to lose the basic point. The basic point is: Capitalism oscillates, back and forth between competition and monopoly – first this industry, then that one. For a while, Ford, General Motors, and Chrysler were the monopolies – or the oligopoly, if you like – in automobiles. But eventually, Toyota, and Nissan, and Peugeot, and Fiat broke the monopoly. In that case, it was foreigners who did it. And then we had some competition, and that, then, is now shrinking. The French – the last two producers in France – have just agreed to merge. You get the picture. Industry by industry, first this one, then that one, go through one phase or another.

The important point is: The phases are not our problem. They merge into, and incentivize, each other. Each provokes movement in the other direction. The point to understand is that the problems of a capitalist system are not about this oscillation of phases. We're not going to solve the problem of monopoly by getting rid of them and re-establishing competition. We've been there; we've done that; it reproduces monopoly; and it doesn't change the basic inequality, unsustainability, instability of capitalism. We need to get beyond that stale, old debate – competition versus monopoly – and face the underlying reality: Capitalism is the problem, and getting beyond it is the solution.

#### Vote neg for global syndicalism – bottom-up pressures are building, forces the hand of monopolies.

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

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

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

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

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

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

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

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

### FTC Disad – 1NC

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

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

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

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

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

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

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

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

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

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

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

## Cartels adv---1nc

### 1NC

#### The plan is perceived as a protectionist shockwave that shreds any semblance of global free trade and economic growth.

Allison Murray 19. JD from the Loyola Law School, Los Angeles Law School, BS in Business Administration from the University of Redlands, Judicial Law Clerk at the U.S. Bankruptcy Courts, Winter. “Given Today's New Wave of Protectionism, is Antitrust Law the Last Hope for Preserving a Free Global Economy or Another Nail in Free Trade's Coffin?” Loyola of Los Angeles International and Comparative Law Review, Volume 42, Number 1, 42 Loy. L.A. Int'l & Comp. L. Rev. 117, Lexis.

INTRODUCTION

Trump. Le Pen. Brexit. Protectionist rhetoric has consumed the international political stage. Western countries and their leaders were once the drivers of economic globalization, relying on free-market speeches and the prospect of removing trade barriers to appeal to their constituents. 1They pointed fingers at other countries engaging in or encouraging protectionist behavior and challenged them in the court of public opinion and elsewhere to stop their antics. The "our country first, world trade after" mentality was widely politicized and vilified. Now, it seems that Western national leaders are championing the very protectionism that they once criticized. 2

Although a system of truly free world trade has never been perfected, past world leaders have eliminated most of the protectionist trade mechanisms that once ran rampant in the international economy. They did so by implementing multilateral and bilateral trade agreements. These webs of agreements have bolstered decades of support for free trade, or at least some version of it. By and large, tariff policies and other forms of protectionism were either eliminated or dramatically reduced. Now, as we have seen in the media, when a government imposes a tariff, it becomes a rather extreme political statement which sends a shockwave of significant global consequences.

Protectionism did not end when the age of overbearing tariff policies did, despite then-leaders’ best efforts to vilify it. Rather, the end of the tariff era forced nations to achieve protectionist goals through more subtle trade vehicles, like antitrust law.3 So, the recent resurgence of protectionist rhetoric should mean that these subtle trade vehicles, including antitrust law, will be relied on more heavily. It is a fear of many that antitrust law may become overused and inequitably applied to achieve and combat protectionist aims.

Notwithstanding the recent uptick in tariff threats, it is unlikely that all Western leaders will revamp or terminate the trade agreements set forth by their predecessors and bring back the kinds of tariff policies that once existed in their place. Although in the United States (“U.S.”), President Trump recently imposed tariffs on steel imports, it appears that his intent is to limit this behavior to a specific industry rather than institute a widespread policy favoring the use of tariffs generally.4 To remedy bad behavior in a specialized set of industries is not to instigate a global paradigm shift. This purpose is underscored by his use of the national security exemption, which is largely interpreted as being used for individual situations rather than general policy schemes.5 Many still hope that his course of action will be retracted and is merely a strong negotiation tactic. However, there is no doubt that Trump is far more comfortable than past leaders with subverting the status quo on trade relations.

Trump is not the only high-profile leader flirting with staunch protectionism. Western *leaders* in the E.U. appear to be growing more comfortable than their predecessors with considering similar policies. However, Western *lawmakers* themselves do not seem as persuaded by the statements of their leadership. The general sentiment among international policymakers is that there has been too much political wherewithal spent on loosening international trade barriers to take actions that could counteract that progress.6 Presidential actions taken because of dissatisfaction with current global trade relations aside, a complete overhaul of trade agreements may be too daunting and difficult a task, especially absent ample political support in legislative bodies.

Given the anticipated continuation of cooperative trade agreements and the proliferation of protectionist rhetoric as the new norm of public opinion, leaders will be forced to rely on existing avenues to meet protectionist aims. Again, we find ourselves relying squarely on antitrust law, the more subtle and widely accepted mechanism of restricting trade, to address perceived inequities. In the words of the World Trade Organization (“WTO”), “once formal trade barriers come down, other issues become more important.”7 Among the important issues lies antitrust law. Antitrust and competition laws can form a subtle trade barrier resulting in the imposition of tariff-like measures.

Antitrust law can be enforced to reach protectionist aims and to combat them. It is a tool that allows nations to achieve individual protectionist aims without undermining the future of trade between countries and the cooperative framework underpinning the relatively delicate global free trade enjoyed today. However, the perception of enforcement of antitrust laws as an abusive and solely protectionist mechanism may cause the death of even the smallest semblance of international free trade that remains in the international marketplace today.

### Cartels good

#### cartels are better for innovation---best studies prove they shelter sme’s

Harm G. Schröter 13. Professor of Economic History, University of Bergen, Norway. “Cartels Revisited: An Overview on Fresh Questions, New Methods, and Surprising Results.” *Revue Economique* 64(6): 995-997. November 2013. <https://www.jstor.org/stable/42772281>.

One standard argument against cartels claims they obstruct innovation. Indeed, logic asks: why should a cartelized firm invest into R&D when competition is absent? There are also cases confirming this theory. However, in contrast to such assumptions John A. Cantwell and Pilar Barrera found: "cooperative learning [. . .] does seem to have increased innovative activity."23 Most European cartels included organized transfer of innovation24 while with others no measurable impact could be detected. A third group definitely excluded transfer of knowledge (e.g. dyestuffs). However, a cartel member refraining from innovation would endanger its market share: during the periodic renegotiation of one to three years cartel-members evaluate each other's potential market share at an open market. A less than average innovative firm would run danger of receiving a reduced cartel-share. Furthermore, innovation cycles are often longer than these one to three years of cartel's contracts. Consequently a non-innovative enterprise gambling on its cartel-share would undermine its own future. Because cartels exclude competition only on a defined field, the suggested behaviour of reduced investment into R&D is not found widespread in practical behaviour. There are, of course, within long-term cartels exceptional cases where smaller participants slowed their efforts (e.g. dyestuffs-cartel, which was signed for several decades). But any firm participating in an average cartel was badly advised not to be abreast with technologic development.

Margrit Müller detected another effect. Cartelized sectors used to be established ones with no high rates of growth. Participation in such cartels stimulated Swiss enterprise to invest in new innovative sectors which lay outside the cartelized field. Consequently cartelization could lead not to less but to more innovation!25

The question of misuse of economic power: Large firms represent a potential threat to small ones. Did large international cartels exploited small countries more easily than larger states? A first evaluation suggested: no, there was no difference to be found between the dimension of less and more powerful states.26 The question can be re-addressed to large, international cartels and cartel-members situated in small countries: Did such international cartels exploit their members in small nations more easy than large in large states?27 A more detailed evaluation could find no evidence for this thesis. It seems there was no discrimination according to the size of a member's home-land.28

Cartels shelter from competition on the defined fields of the contract. This can make life easier for small enterprise. Evidence shows that cartels did not only safeguard small and medium enterprise (sme), but often SME received a larger share than in open competition.29 Large cartel-players valued order in the market higher than a small share allocated additionally to SME. Knowing this, many SME asked aggressively for a larger share and often received it. According to George Symeonidis, cartels allowed an increased share and/or expansion of small members. These findings show cartels rather foster SME (and consequently potential competition). However, in the case of Swiss watch ma- king the cartel prevented the industry from concentration and expansion abroad, which, according to Pierre-Yves Donzé, undermined the industry's competitiveness.30 Indeed, cartels "freeze" the structure of their industry fore their defined time. From the general point of competition it is appreciated to have as many part-takers in the market as possible. However, from a perspective of a nations's competitiveness more concentration and less national competition may be asked for. In order to strike a balance, several countries allow in certain cases SME forming a cartel, if their combined market-share does not exceed a certain mar-in.31 It is acknowledged that a cartel of SME is different from a cartel made of giant firms. But more important than firm-size is the share in the respective market.

A recent evaluation of cartels versus small states showed surprisingly no negative results concerning the latter.32 Cartels did not exploit customers in small countries more than in large ones. As small members the respective firms enjoyed preferential treatment not only as small firms, but often played the role of supervisor or arbitrator of the cartel. Cartel-partners from small countries were more trusted than from large states. In case large cartel-firms came from small states they did not behave differently from those based in large countries. Finally small states considered in many cases cartels as an indispensable tool for their economy. This is shown by Niklas Jensen-Eriksen in this volume, but applied also to many commodity-cartels (coffee, rubber, tin and so on) of developing countries.33 It seems that being small was not detrimental, neither for firms nor for countries, as long as they were included as independent cartel-members.

#### But cartel removal causes instability which retains pre-competitive conditions

Izabela Luiza Pop 15. Assistant Professor, Technical University of Cluj-Napoca, Romania. “Cartels: a Good or a Bad Strategy?” *MPRA* 6(9) : 36-37. June 2015. <https://mpra.ub.uni-muenchen.de/67314/1/MPRA_paper_67314.pdf>.

Despite the authorities’ efforts to eliminate them, cartels have existed for tens of years and will continue to exist as long as the contraventions applied for breaking the competition principles are lower than the benefits deriving from the deals between competitors. Based on the case studies presented above, we can assert that the formation of cartels is a strategy applied frequently by the economic entities. Even if the agreements between competitors regarding the prices and their market shares are in the blacklist of competition strategies through which an organization’s prosperity can be raised, this is still a strategy that is used maybe even to a larger extent than the differentiation strategy based on prices.

Besides their wish to maximize their profits, firms also apply this strategy for the simple reason that they are trying to survive in environments where high offers can sometimes determine selling prices below the minimum price which would cover the production costs.

From the case studies analysed we could notice that in the absence of cartels the market mechanism generates a significant cut in the product prices which reflects implicitly in the companies’ profitability. Without the application of this strategy, the dramatic price fall spell bankruptcy for the small firms in a certain industry. Subsequently, by reducing the offer due to the fact that the number of competitors decreases, prices will rise again. Thus the consumers will be obliged to pay the same price as if in the respective industry a cartel had operated. The difference is that due to bankruptcy, the number of economic entities and implicitly the number of jobs is smaller (during certain periods of time). Of course, when prices go up again, other new companies will wish to enter in the market, which will make the cycle „high offer –> low price -> bankruptcy –> low offer –> low price‟ resume. Therefore, cartelization is a strategy which, besides helping maintain a firm’s profitability, also contributes to the stability of the economic environment. Thus this strategy generates income for both the involved economic entities and the state (due to the application of fines and the preservation of jobs). Therefore, cartelization can be considered “a rational business strategy” (Connor & Lande, 2012).

### Private enforcement fails

#### no private enforcement---too uncertain

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iii. Risk Aversion: Private v. DOJ. Another interesting conclusion is suggested by private plaintiffs pursuing litigation independently of public litigation and prosecuting claims under [\*32] the rule of reason rather than just under a per se standard. Private plaintiffs may not be as averse to risk as government litigators. 130 Again, a comparison to the DOJ is illustrative.

In our original comparison of private enforcement and DOJ enforcement, we noted that the DOJ appears to succeed in a very high proportion of its cases. 131 From 2000 to 2009, it won anywhere from thirty-one to sixty-seven antitrust cases and lost four in one year and from zero to two cases in all other years. 132 In its worst year, it prevailed over 90% of the time. 133

We do not know the rate at which private plaintiffs are successful. 134 But almost certainly they prevail at a much lower rate. This conclusion is suggested by the willingness of private plaintiffs to pursue cases other than following a government filing. It is even more powerfully suggested by their pursuit of rule of reason cases. The rule of reason entails a high degree of uncertainty that can readily result in a successful defense. 135 This proposition is confirmed by Michael Carrier's work, which identifies 221 rule of reason cases between 1999 and 2009 in which a court entered final judgments against plaintiffs (and only one in which a court entered final judgment in favor of a plaintiff). 136 Moreover, any plausible model based on expected value would indicate that plaintiffs would pursue claims with a lower chance of success than the DOJ appears to require. This evidence and analysis suggests that private plaintiffs bring riskier claims than government actors, helping to ensure some deterrence effects when behavior is anticompetitive but will not necessarily result in successful prosecution of a claim.

[\*33] 6. Overall Deterrence Effects: A Study. The evidence discussed above is suggestive, but it does not provide a systematic analysis of the deterrence effects of private enforcement. We know of only one such systematic effort, co-authored by one of us. It analyzes seventy-five cartels, assessing the total sanctions that were imposed on the wrongdoers and the total profits they appeared to reap from their illegal conduct. 137 The article also gathers evidence and theory on the rate at which illegal antitrust conspiracies are discovered and successfully prosecuted. 138 The ultimate conclusion of this analysis is that the total sanctions-- public and private--from antitrust enforcement are insufficient for optimal deterrence. 139 In terms of expected value, illegal antitrust conspiracies remain a profitable endeavor--which explains their persistence. 140 Indeed, based on the seventy-five cases, the overall level of sanctions would have to increase at least threefold--and perhaps by as much as ten times--to achieve optimal deterrence. 141 Of course, this analysis applies only to cartel cases and not to other forms of anticompetitive conduct. 142 But as the only effort of its kind, it provides valuable evidence that private enforcement does not result in excessive deterrence effects.

### AT: Economic Leverage---1NC

#### Global trade is growing rapidly.

Paul Hannon 10/4/21. Reporter, The Wall Street Journal. “Global Trade Boom to Continue After Covid-19 Reopening Bounce.” https://www.wsj.com/amp/articles/global-trade-boom-to-continue-after-covid-19-reopening-bounce-11633360758

Global trade flows will continue their rapid rebound from the pandemic this year and next, with Asia seeing the strongest gains in exports, and Africa losing out, the World Trade Organization said.

The Geneva-based body’s new forecasts Monday underline the unequal nature of Covid-19’s economic impact, with poorer countries set to suffer the weakest trade recovery, partly because they lack access to vaccines.

The WTO expects that Asia’s exports of goods will be 18.8% higher by the end of 2022 than two years earlier, while Africa’s exports are set to rise by just 1.9%. The trade dispute body expects North American exports to be up 8%, and European exports to be 7.8% higher.

“The trade recovery is strong but unequal,” said Ngozi Okonjo-Iweala, the WTO’s director general. “Poorer regions with mostly unvaccinated populations are lagging behind.”

Exports and imports of goods collapsed in the early months of the pandemic as lockdowns closed factories and transport networks across the globe. Trade flows started to rebound from the middle of 2020 and returned to their pre-pandemic level by the end of that year.

Asia supplied many of the goods that households and businesses needed to navigate the pandemic, including personal-protection equipment, laptops and bicycles. As a result, the continent that includes factory powerhouses such as China and South Korea has led the trade rebound. By the end of this year, the WTO estimates that Asian exports will already be 14.7% higher than at the end of 2019, while exports from North America—which is dominated by the U.S.—will still be slightly down on pre-pandemic levels.

Other economists also expect the trade surge to continue in parts of Asia beyond next year, driven by an ample supply of low-wage workers. HSBC, a U.K. bank historically focused on Asian trade, expects Vietnam to record annual average exports growth of 13% between this year and 2026, not accounting for price rises. It sees Bangladesh close behind at 12.9% and Sri Lanka at 10.1%. The bank expects China’s trade growth to be much lower, at 5.6% annually, putting it roughly in line with the U.S. and Europe.

Despite the suddenness of the collapse in world trade in early 2020, and the strength of its subsequent rebound, the WTO doesn’t see the pandemic having long-term implications for the role that exports and imports play in the global economy.

At the 1990s’ high point of the globalization process, when businesses around the world split production between an increasing number of countries, trade volumes grew at twice the rate of world economic output. The WTO expects that ratio between trade volumes and global gross domestic output to be matched this year, but that trade will grow at roughly the same rate as the global economy from 2022, returning to the pace common since the global financial crisis.

While the pandemic may not see a step up in globalization, neither do economists think it marks a setback. Some economists and policy makers had expected the disruptions caused by the pandemic to push some companies to shorten supply chains or bring production back home.

“This pandemic has highlighted just how interconnected and interdependent we really are,” said Shanella Rajanayagam, an economist at HSBC. “Supply chains are just so complex and there are some components that only certain countries or certain producers make.”

#### Countries will exercise restraint.

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Conclusion Political economy theory would lead us to expect rising trade protection during hard times. Yet empirical evidence on this count has been mixed. Some studies find a correlation between poor macroeconomic conditions and protection, but the worst recession since the Great Depression has generated surprisingly moderate levels of protection. We explain this apparent contradiction. Our statistical findings show that under conditions of pervasive economic crisis at the international level, states exercise more restraint than they would when facing crisis alone. These results throw light on behavior not only during the crisis, but throughout the WTO period, from 1995 to the present. One concern may be that the restraint we observe during widespread crises is actually the result of a decrease in aggregate demand and that domestic pressure for import relief is lessened by the decline of world trade. By controlling for product-level imports, we show that the restraint on remedy use is not a byproduct of declining imports. We also take into account the ability of some countries to manipulate their currency and demonstrate that the relationship between crisis and trade protection holds independent of exchange rate policies. Government decisions to impose costs on their trade partners by taking advantage of their legal right to use flexibility measures are driven not only by the domestic situation but also by circumstances abroad. This can give rise to an individual incentive for strategic self-restraint toward trade partners in similar economic trouble. Under conditions of widespread crisis, government leaders fear the repercussions that their own use of trade protection may have on the behavior of trade partners at a time when they cannot afford the economic cost of a trade war. Institutions provide monitoring and a venue for leader interaction that facilitates coordination among states. Here the key function is to reinforce expectations that any move to protect industries will trigger similar moves in other countries. Such coordination often draws on shared historical analogies, such as the Smoot–Hawley lesson, which form a focal point to shape beliefs about appropriate state behavior. Much of the literature has focused on the more visible action of legal enforcement through dispute settlement, but this only captures part of the story. Our research suggests that tools of informal governance such as leader pledges, guidance from the Director General, trade policy reviews, and plenary meetings play a real role within the trade regime. In the absence of sufficiently stringent rules over flexibility measures, compliance alone is insufficient during a global economic crisis. These circumstances trigger informal mechanisms that complement legal rules to support cooperation. During widespread crisis, legal enforcement would be inadequate, and informal governance helps to bolster the system. Informal coordination is by nature difficult to observe, and we are unable to directly measure this process. Instead, we examine the variation in responses across crises of varying severity, within the context of the same formal setting of the WTO. Yet by focusing on discretionary tools of protection—trade remedies and tariff hikes within the bound rate—we can offer conclusions about how systemic crises shape country restraint independent of formal institutional constraints. Insofar as institutions are generating such restraint, we offer that it is by facilitating informal coordination, since all these instruments of trade protection fall within the letter of the law. Future research should explore trade policy at the micro level to identify which pathway is the most important for coordination. Research at a more macro-historical scope could compare how countries respond to crises under fundamentally different institutional contexts. In sum, the determinants of protection include economic downturns not only at home but also abroad. Rather than reinforcing pressure for protection, pervasive crisis in the global economy is shown to generate countervailing pressure for restraint in response to domestic crisis. In some cases, hard times bring more, not less, international cooperation.

### AT: Emerging Tech---1NC

#### American military dominance isn’t necessary for global stability.

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These assessments of conflict are by necessity relative, because there has not been a “high” level of conflict in any region outside the Middle East during the period of the New Peace. Putting aside for the moment that important caveat, some points become clear. The great powers of the world are clustered in the upper right quadrant, where US intervention has been high, but conflict levels low. US intervention is imperfectly correlated with stability, however. Indeed, it is conceivable that the relatively high level of US interest and activity has made the security situation in the Persian Gulf and broader Middle East worse. In recent years, substantial hard power investments (Somalia, Afghanistan, Iraq), moderate intervention (Libya), and reliance on diplomacy (Syria) have been equally ineffective in stabilizing states torn by conflict. While it is possible that the region is essentially unpacifiable and no amount of police work would bring peace to its people, it remains hard to make the case that the US presence has improved matters. In this “strong point,” at least, US hegemony has failed to bring peace.

In much of the rest of the world, the United States has not been especially eager to enforce any particular rules. Even rather incontrovertible evidence of genocide has not been enough to inspire action. Washington’s intervention choices have at best been erratic; Libya and Kosovo brought about action, but much more blood flowed uninterrupted in Rwanda, Darfur, Congo, Sri Lanka, and Syria. The US record of peacemaking is not exactly a long uninterrupted string of successes. During the turn-of-the-century conventional war between Ethiopia and Eritrea, a highlevel US delegation containing former and future National Security Advisors (Anthony Lake and Susan Rice) made a half-dozen trips to the region, but was unable to prevent either the outbreak or recurrence of the conflict. Lake and his team shuttled back and forth between the capitals with some frequency, and President Clinton made repeated phone calls to the leaders of the respective countries, offering to hold peace talks in the United States, all to no avail.67 The war ended in late 2000 when Ethiopia essentially won, and it controls the disputed territory to this day.

The Horn of Africa is hardly the only region where states are free to fight one another today without fear of serious US involvement. Since they are choosing not to do so with increasing frequency, something else is probably affecting their calculations. Stability exists even in those places where the potential for intervention by the sheriff is minimal. Hegemonic stability can only take credit for influencing those decisions that would have ended in war without the presence, whether physical or psychological, of the United States. It seems hard to make the case that the relative peace that has descended on so many regions is primarily due to the kind of heavy hand of the neoconservative leviathan, or its lighter, more liberal cousin. Something else appears to be at work.

Conflict and US Military Spending

How does one measure polarity? Power is traditionally considered to be some combination of military and economic strength, but despite scores of efforts, no widely accepted formula exists. Perhaps overall military spending might be thought of as a proxy for hard power capabilities; perhaps too the amount of money the United States devotes to hard power is a reflection of the strength of the unipole. When compared to conflict levels, however, there is no obvious correlation, and certainly not the kind of negative relationship between US spending and conflict that many hegemonic stability theorists would expect to see.

During the 1990s, the United States cut back on defense by about 25 percent, spending $100 billion less in real terms in 1998 that it did in 1990.68 To those believers in the neoconservative version of hegemonic stability, this irresponsible “peace dividend” endangered both national and global security. “No serious analyst of American military capabilities doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace,” argued Kristol and Kagan at the time.69 The world grew dramatically more peaceful while the United States cut its forces, however, and stayed just as peaceful while spending rebounded after the 9/11 terrorist attacks. The incidence and magnitude of global conflict declined while the military budget was cut under President Clinton, in other words, and kept declining (though more slowly, since levels were already low) as the Bush administration ramped it back up. Overall US military spending has varied during the period of the New Peace from a low in constant dollars of less than $400 billion to a high of more than $700 billion, but war does not seem to have noticed. The same nonrelationship exists between other potential proxy measurements for hegemony and conflict: there does not seem to be much connection between warfare and fluctuations in US GDP, alliance commitments, and forward military presence. There was very little fighting in Europe when there were 300,000 US troops stationed there, for example, and that has not changed as the number of Americans dwindled by 90 percent. Overall, there does not seem to be much correlation between US actions and systemic stability. Nothing the United States actually does seems to matter to the New Peace.

It is possible that absolute military spending might not be as important to explain the phenomenon as relative. Although Washington cut back on spending during the 1990s, its relative advantage never wavered. The United States has accounted for between 35 and 41 percent of global military spending every year since the collapse of the Soviet Union.70 The perception of relative US power might be the decisive factor in decisions made in other capitals. One cannot rule out the possibility that it is the perception of US power—and its willingness to use it—that keeps the peace. In other words, perhaps it is the grand strategy of the United States, rather than its absolute capability, that is decisive in maintaining stability. It is that to which we now turn.

Conflict and US Grand Strategy

The perception of US power, and the strength of its hegemony, is to some degree a function of grand strategy. If indeed US strategic choices are responsible for the New Peace, then variation in those choices ought to have consequences for the level of international conflict. A restrained United States is much less likely to play the role of sheriff than one following a more activist approach. Were the unipole to follow such a path, hegemonic-stability theorists warn, disaster would follow. Former National Security Advisor Zbigniew Brzezinski spoke for many when he warned that “outright chaos” could be expected to follow a loss of hegemony, including a string of quite specific issues, including new or renewed attempts to build regional empires (by China, Turkey, Russia, and Brazil) and the collapse of the US relationship with Mexico, as emboldened nationalists south of the border reassert 150-year-old territorial claims. Overall, without US dominance, today’s relatively peaceful world would turn “violent and bloodthirsty.” 71 Niall Ferguson foresees a post-hegemonic “Dark Age” in which “plunderers and pirates” target the big coastal cities like New York and Rotterdam, terrorists attack cruise liners and aircraft carriers alike, and the “wretchedly poor citizens” of Latin America are unable to resist the Protestantism brought to them by US evangelicals. Following the multiple (regional, fortunately) nuclear wars and plagues, the few remaining airlines would be forced to suspend service to all but the very richest cities.72 These are somewhat extreme versions of a central assumption of all hegemonic-stability theorists: a restrained United States would be accompanied by utter disaster. The “present danger” of which Kristol, Kagan, and their fellow travelers warn is that the United States “will shrink its responsibilities and—in a fit of absentmindedness, or parsimony, or indifference— allow the international order that it created and sustains to collapse.” 73

Liberals fear restraint as well, and also warn that a militarized version of primacy would be counterproductive in the long run. Although they believe that the rule-based order established by United States is more durable than the relatively fragile order discussed by the neoconservatives, liberals argue that Washington can undermine its creation over time through thoughtless unilateral actions that violate those rules. Many predicted that the invasion of Iraq and its general contempt for international institutions and law would call the legitimacy of the order into question. G. John Ikenberry worried that Bush’s “geostrategic wrecking ball” would lead to a more hostile, divided, and dangerous world.74 Thus while all hegemonicstability theorists expect a rise of chaos during a restrained presidency, liberals also have grave concerns regarding primacy.

Overall, if either version is correct and global stability is provided by US hegemony, then maintaining that stability through a grand strategy based on either primacy (to neoconservatives) or “deep engagement” (to liberals) is clearly a wise choice.75 If, however, US actions are only tangentially related to the outbreak of the New Peace, or if any of the other proposed explanations are decisive, then the United States can retrench without fear of negative consequences. The grand strategy of the United States is therefore crucial to beliefs in hegemonic stability.

Although few observers would agree on the details, most would probably acknowledge that post-Cold War grand strategies of American presidents have differed in some important ways. The four administrations are reasonable representations of the four ideal types outlined by Barry R. Posen and Andrew L. Ross in 1996.76 Under George H. W. Bush, the United States followed the path of “selective engagement,” which is sometimes referred to as “balance-of-power realism”; Bill Clinton’s grand strategy looks a great deal like what Posen and Ross call “cooperative security,” and others call “liberal internationalism”; George W. Bush, especially in his first term, forged a strategy that was as close to “primacy” as any president is likely to get; and Barack Obama, despite some early flirtation with liberalism, has followed a restrained realist path, which Posen and Ross label “neo-isolationism” but its proponents refer to as “strategic restraint.” 77 In no case did the various anticipated disorders materialize. As Table 2 demonstrates, armed conflict levels fell steadily, irrespective of the grand strategic path Washington chose.

Neither the primacy of George W. Bush nor the restraint of Barack Obama had much effect on the level of global violence. Despite continued warnings (and the high-profile mess in Syria), the world has not experienced an increase in violence while the United States chose uninvolvement. If the grand strategy of the United States is responsible for the New Peace, it is leaving no trace in the evidence.

Perhaps we should not expect a correlation to show up in this kind of analysis. While US behavior might have varied in the margins during this period, nether its relative advantage over its nearest rivals nor its commitments waivered in any important way. However, it is surely worth noting that if trends opposite to those discussed in the previous two sections had unfolded, if other states had reacted differently to fluctuations in either US military spending or grand strategy, then surely hegemonic stability theorists would argue that their expectations had been fulfilled. Many liberals were on the lookout for chaos while George W. Bush was in the White House, just as neoconservatives have been quick to identify apparent worldwide catastrophe under President Obama.78 If increases in violence would have been evidence for the wisdom of hegemonic strategies, then logical consistency demands that the lack thereof should at least pose a problem

As it stands, the only evidence we have regarding the relationship between US power and international stability suggests that the two are unrelated. The rest of the world appears quite capable and willing to operate effectively without the presence of a global policeman. Those who think otherwise have precious little empirical support upon which to build their case. Hegemonic stability is a belief, in other words, rather than an established fact, and as such deserves a different kind of examination.

The Political Psychology of Unipolarity

Evidence supporting the notion that US power is primarily responsible for the New Peace is slim, but belief in the connection is quite strong, especially in policy circles. The best arena to examine the proposition is therefore not the world of measurable rationality, but rather that of the human mind. Political psychology can shed more light on unipolarity than can any collection of data or evidence. Just because an outcome is primarily psychological does not mean that it is less real; perception quickly becomes reality for both the unipolar state and those in the periphery. If all actors believe that the United States provides security and stability for the system, then behavior can be affected. Beliefs have deep explanatory power in international politics whether they have a firm foundation in empirical reality or not.

Like all beliefs, faith in the stability provided by hegemony is rarely subjected to much analysis. In their simplest form, beliefs are ideas that have become internalized and accepted as true, often without much further analysis Although they almost always have some basis in reality, beliefs need not pass rigorous tests to prove that they match it. No amount of evidence has been able to convince some people that vaccines do not cause autism, for example, or that the world is more peaceful than at any time before, or that the climate is changing due to human activity. Ultimately, as Robert Jervis explains, “we often believe as much in the face of evidence as because of it.”

When leaders are motivated to act based on unjustified, inaccurate beliefs, folly often follows. The person who decides to take a big risk because of astrological advice in the morning's horoscope can benefit from baseless superstition if the risk pays off. Probability and luck suggest that successful policy choices can sometimes flow from incorrect beliefs. Far more often, however, poor intellectual foundations lead to suboptimal or even disastrous outcomes. It is worthwhile to analyze the foundations of even our most deeply held beliefs to determine which ones are good candidates to inspire poor policy choices in those who hold them.

People are wonderful rationalizers. There is much to be said for being the strongest country in the world; their status provides Americans both security and psychological rewards, as well as strong incentives to construct a rationale for preserving the unipolar moment that goes beyond mere selfishness. Since people enjoy being “number one,” they are susceptible to perceiving reality in ways that brings the data in line with their desires. It is no coincidence that most hegemonic stability theorists are American. Of the few hegemonic-stability theorists from elsewhere, most hail from the United Kingdom and counsel the United States to follow the lead of the British Empire. Perhaps the satisfaction that comes with being the unipolar power has inspired Americans to misperceive the positive role that their status plays in the world.

Three findings from political psychology can shed light on perceptions of hegemonic stability. They are mutually supportive, and, when taken together, suggest that it is likely that US policymakers overestimate the extent to which their actions are responsible for the choices of others. The belief in the major US contribution to world peace is probably unjustified.

The Illusion of Control

Could 5 percent of the world’s population hope to enforce rules upon the rest? Would even an internationally hegemonic United States be capable of producing the New Peace? Perhaps, but it also may be true that believers in hegemonic stability may be affected by the very common tendency of people to overestimate their ability to control events. A variety of evidence has accumulated over the past forty years to support Ellen J. Langer’s original observations about the “illusion of control” that routinely distorts perception.82 Even in situations where outcomes are clearly generated by pure chance, people tend to believe that they can exert control over events.83 There is little reason to believe that leaders are somehow less susceptible to such illusions than subjects in controlled experiments.

The extensive research on the illusion of control has revealed two further findings that suggest US illusions might be even stronger than average. First, misperceptions of control appear to be correlated with power: individuals with higher socioeconomic status, as well as those who are members of dominant groups, are more likely to overestimate their ability to control events.84 Powerful people tend to be far more confident than others, often overly so, and that confidence leads them to inflate their own importance.85 Leaders of superpowers are thus particularly vulnerable to distorted perceptions regarding their ability to affect the course of events. US observers had a greater structural predisposition than others, for example, to believe that they would have been able to control events in the Persian Gulf following an injection of creative instability in 2003. The skepticism of less powerful allies was easily discounted.

Second, there is reason to believe that culture matters as well as power. People from societies that value individualism are more likely to harbor illusions of control than those from collectivist societies, where assumptions of group agency are more common. When compared to people from other parts of the world, Westerners tend to view the world as “highly subject to personal control,” in the words of Richard Nisbett.86 North Americans appear particularly vulnerable in this regard.87 Those who come from relatively powerful countries with individualistic societies are therefore at high risk for misperceiving their ability to influence events.

For the United States, the illusion of control extends beyond the water’s edge. An oft-discussed public good supposedly conferred by US hegemony is order in those parts of the world uncontrolled by sovereign states, or the “global commons.” 88 One such common area is the sea, where the United States maintains the only true blue-water navy in the world. That the United States has brought this peace to the high seas is a central belief of hegemonic-stability theorists, one rarely examined in any serious way. Indeed the maritime environment has been unusually peaceful for decades; the biggest naval battles since Okinawa took place during the Falklands conflict in 1982, and they were fairly minor.89 If hegemony is the key variable explaining stability at sea, maritime security would have to be far more chaotic without the US Navy.

It is equally if not more plausible to suggest, however, that the reason other states are not building blue-water navies is not because the United States dissuades them from doing so but rather because none feels that trade is imperiled.90 In earlier times, and certainly during the age of mercantilism, zero-sum economics inspired efforts to cut off the trade of opponents on occasion, making control the sea extremely important. Today the free flow of goods is vital to all economies, and it would be in the interest of no state to interrupt it.91 Free trade at sea may no longer need protection, in other words, because it essentially has no enemies; the sheriff may be patrolling a crime-free neighborhood. The threat from the few remaining pirates hardly requires a robust naval presence, and is certainly not what hegemonic-stability advocates mean when they compare the role played by the US Navy in 2016 to that of the Royal Navy in 1816. It is at least possible that shared interest in open, free commons keeps the peace at sea rather than the United States. Oceans unpatrolled by the US Navy may be about as stable as they are with the presence of its carriers. The degree to which 273 active-duty ships exert control over vast common parts is not at all clear.

People overestimate the degree to which they control events in their lives. Furthermore, if these observations from political psychology are right about the factors that influence the growth of illusions of power, then US leaders and analysts are particularly susceptible to misperception. They may well be overestimating the degree to which the United States can affect the behavior of others. The rest of the world may be able to get along just fine, on land and at sea, without US attempts to control it.

#### Tech fear mongering is always wrong

Brad Allenby, December 2015. Lincoln Professor of Engineering and Ethics; President’s Professor of Civil, Environmental, and Sustainable Engineering, and of Law; and founding chair of the Consortium for Emerging Technologies, Military Operations and National Security at Arizona State University. “Emerging technologies and the future of humanity.” Bulletin of the Atomic Scientists 71(6): 29-38. Emory Libraries.

Although it was not clear at the time, Bill Joy’s article warning of the dangers of emerging technologies was to spawn a veritable “dystopia industry.” More recent contributions have tended to focus on artificial intelligence, or AI; electric car and space technology entrepreneur Elon Musk has warned that AI is “summoning the demon” (Mack, 2015), while physicist Stephen Hawking has argued that “the development of full artificial intelligence could spell the end of the human race” (Cellan-Jones, 2014). The Future of Life Institute (2015) recently released an open letter signed by many scientific and research notables urging a ban on “offensive autonomous weapons beyond meaningful human control.” Meanwhile, the UN holds conferences and European activists mount campaigns against what they characterize as “killer robots” (see, e.g., Human Rights Watch, 2012). Headlines reinforce a sense of existential crisis; in the military and security domain, cyber conflict runs rampant, with hackers accessing millions of US personnel records, including sensitive security clearance documents. Technologies such as uncrewed aerial vehicles, commonly referred to as “drones,” are highly contentious in both civil and conflict environments, for many different reasons. A recent US Army Research Laboratory report foresees genetically and technologically enhanced soldiers networked with their battlespace robotic partners and remarks that “the presence of super humans on the battlefield in the 2050 timeframe is highly likely because the various components needed to enable this development already exist and are undergoing rapid evolution” (Kott et al., 2015: 19). How is one to think about this outpouring of analysis, hypothesis, events, and existential angst? A useful first step is to realize that there are three levels to such discussions of technology.2 Level I is the instrumental level: a gun shoots a bullet and kills someone; a watch is used to tell time; a vaccine is used to prime an individual’s immune system to protect against a disease. Level II is the systems level: an uncrewed aerial vehicle conducting surveillance is part of a battlefield intelligence system; watches function in a globally standardized time system that was only institutionalized in the United States by an act of Congress in 1918; vaccinations are part of a public health system. Level III, the effect of a technology on individual psychology, society and culture, economic patterns, geopolitical status, and other Earth systems, is unpredictable and uncertain. One of the major drivers for standardized time, for example, was railroad technology, which was certainly not foreseen by those who first began developing steam locomotives. It is important to remember, however, that even if the specifics of Level III impacts cannot be predicted a priori, they will occur. Level I effects are usually not difficult to figure out: They are the reasons that a technology is commercialized. For example, the Level I effect of a bomb-dismantling robot is clear: It helps save the lives of soldiers who would otherwise have to be doing that job. Level II effects can be more complex and may point in different directions than first-order effects. A robotic hummingbird surveillance device may have entirely beneficial effects if used in counterinsurgency, because it can improve targeting and thus reduce collateral damage (Level I effect). But if the same technology becomes widely available to political parties and divorce lawyers, it could have very negative effects on privacy and public discourse (a Level II effect). And, hypothetically, robotic bugs and hummingbirds, combined with data-mining software and massive databases, could become important tools of techno-totalitarian elites, a possible, but hypothetical, Level III effect. This distinction among Level I, Level II, and Level III is useful because much of the confusion regarding emerging technologies comes from conflating relatively predictable Level I aspects of an emerging technology with highly unpredictable Level III hypotheticals, and treating them as equally valid insights into future technological trajectories. Not so. A concern about the use of drones to attack human targets in countries that are not participants in a conflict is qualitatively different than polemics against “killer robots,” and while conflating the two for purposes of argumentation may be effective, it is profoundly misleading. We have historical and operational data that enable us to evaluate the former; we don’t even know what a “killer robot” really is, except as an evocative term, and virtually no idea what would happen if such technologies became widespread in the real world. An analogous analytical mistake occurs when a particular use of a technology is treated as if it were separable from the technology itself. A medical advance in computer-brain interfaces in prosthetics, for example, is the same technology that might be used in the near future to directly connect a soldier to a remote weapons system. Any effort to ban “military AI” will fail because “military AI” is not a relevant technology category; rather, it is the advance of the underlying technology as a whole that ensures at some point that AI will be integrated into military devices. (Notably and presumably unintentionally, the proselytizing against “military AI” fails to admit that such a policy implicitly favors powers, such as Russia and ISIS, that are operating under doctrines of asymmetric warfare that privilege non-traditional tactics, technologies, and conflict.) It is precisely this confusion that one notes in the language used in many of the comments on and critiques of emerging technologies, including some of the examples given above. It is not so much a question of whether these popular dystopian visions are accurate predictions: They almost certainly are not, because the ability to predict the future paths and implications of complex and powerful technology systems is simply nonexistent. Level I assertions of knowledge are being extended to inherently unpredictable Level III systems without understanding that an important conceptual shark has been jumped. But it is useful to explore the assumptions underneath the current rage for dystopian visions of emerging technologies, which are not as implausible as some have suggested. To reduce such confusion, let me be clear from the beginning. Because much recent commentary regarding emerging technologies is generic and apocalyptic, that is what this essay will focus on. In other words, I will not concern myself with whether a particular weapon system, or smart phone app, or cyber worm, or AI tool is good or bad or competitively successful, a Level I question. Nor will I address the foreseeable Level II effects, an analysis which, as in the case of Level I, would focus on particular technological artifacts or applications and their systemic effects. Rather, since apocalyptic tends to be Level III stuff, that’s where we’ll go. Emerging technologies as an Earth system The first question to ask about emerging technologies is deceptively simple: Is today really that different? Is there something about today’s emerging technologies—which for purposes of this analysis include nanotechnology, biotechnology, information and communication technology (ICT), robotics, applied cognitive science, humtech (design and engineering of the human as a foundational emerging technology), and their various combinations and permutations—that is qualitatively different from those that characterized other eras of technological change? If there isn’t, much of today’s dramatic language can be understood as simply a reflection of the emphasis that all humans give to the particular era and landscape and culture within which they exist. Each generation tends to overemphasize the degree of change that it experiences, partly because of the immediacy of the stresses to which it is exposed, and partly because it is easy to underestimate how difficult and unpredictable life was in the past**,** since when one looks back at history it seems to flow logically and necessarily. Indeed, apocalyptic fears have been common when many major technology systems first emerged because of this immediacy, even as subsequent generations grew to view the technology as banal, even boring. In the early days of railroads, for example, there was a widespread belief that traveling at the heretofore unimaginable speed of 25 miles per hour would kill the passengers, in part because such technology was against the obvious will of God. As an Ohio school board put it, If God had designed that His intelligent creatures should travel at the frightful speed of 15 miles an hour by steam, He would have foretold it through His holy prophets. It is a device of Satan to lead immortal souls down to Hell. (Nye, 1994: 57)3 In this case, however, a strong argument can be made that emerging technologies today are different not just in degree, but in kind, from those of the past. To begin with, the scope, scale, and speed of technological change are unprecedented. Where previous waves of technological change have involved a few core technologies, such as railroads or electrification, today technological evolution is occurring across the entire technological frontier. Partially as a result of such technologies rippling across a population of seven billion people, we now live on a terraformed planet, the first world we know of anywhere that has been shaped by the deliberate activities of a single species. That is not a discontinuous process, but it is qualitatively new. Moreover, as the discussion of the engineered warrior of 2050 suggests, the human itself has become a design space. It is certainly true that people have always changed themselves in many ways, from consuming intoxicants of all kinds, to medicine, to education, but there is little question that the direct interventions that are now possible, combined with accelerating advances in fields such as neuroscience, genetics and molecular biology, and prosthetics, make virtually all aspects of the human, including cognitive and psychological domains, potentially subject to design. That the designer is not just engineering external systems, but him- or herself, adds a degree of reflexivity, nonlinearity, and complexity that makes simple predictions about particular technologies tangential and irrelevant at best. It is worth emphasizing in passing that the argument that humans are at risk from emerging technologies is in an important sense circular. Humans are increasingly both designer and designed; they are, in other words, increasingly an emerging technology in their own right. People are many things, but they are now, and certainly will be in the future, a design project. Thus, in a meaningful way the argument that people are at risk from emerging technologies becomes the argument that emerging technologies are at risk from emerging technologies, which makes little sense, and isn’t very helpful analytically, or in guiding policy or practice. Additionally, technological evolution is accelerating, which has significant implications. Past rates of technological change were slow enough that psychological, social, and institutional adjustments were possible, but today technology changes so rapidly that technology systems decouple from governance mechanisms of all kinds. All these factors, operating together, synergistically increase the impact, speed, and depth of change. Any technology potent enough to be interesting will inevitably destabilize existing institutions, power relationships, social structures, reigning economic and technological systems, and cultural assumptions. Previous waves of technological change—from steam and coal, to electricity, to rail and automotive technologies—have destabilized and restructured human and natural systems at all scales, interacting unpredictably with contemporary natural, human, and built systems. Railroads, for example, opened up continental interiors, creating the underlying transportation infrastructure necessary to support industrialized agriculture, which, coupled to advances in production of artificial fertilizers and innovation in farm machinery, created the potential for dramatic increases in global human population. It also dramatically changed ecologies and landscapes; the American Midwest is an agricultural breadbasket, not a large swamp, because railroads provided the link between that farming region and the demand of the East Coast and, via steamship, Europe. The Earth’s atmosphere has been in part restructured by development of internal combustion engine technology coupled to a psychologically potent automotive technology, which is in turn based on a massive fossil fuel infrastructure. Proposals to address climate change through so-called “geoengineering technologies,” from designing the atmosphere to reflect incoming sunlight to deploying devices that capture carbon dioxide in the atmosphere, are explicitly intended to engineer major natural systems and cycles. In short, major new technologies are not just about artifacts; rather, they represent an unpredictable, sometimes apparently discontinuous, shift in the structure of integrated Earth systems. Moreover, these shifts are not predictable a priori; railroads, for example, required new systems of time, of communication, and, more subtly, of finance and of corporate management. Development of a mass consumption economy, with washing machines from new merchandising giants and cars from Detroit, required innovation in the development of consumer credit, and massive coupled innovation in everything from road systems to supply-chain management. Widespread consumer credit, in turn, generated an ability to consume, and a concomitant quality of life, that was beyond imagining for those generations of humans that lived prior to the 20th century. It is thus highly likely that the first implicit assumption of the dystopian perspective is correct: Things are indeed different today, and the difference is fundamental and qualitative, not simply one of degree. Emerging technologies are making everything from individual molecules, to the human, to the planet itself, design spaces. Moreover, it is also likely that technological evolution, and all the concomitant changes in coupled institutional, social, economic, and cultural systems, will be more challenging and complex than anything humans have yet experienced. The remaining two issues, then, are: First, what can we do about it; and second, is this the end of humanity? What can we do about it? Precisely because new technologies are disruptive, they inevitably call forth opposition, both by conservative social forces and by threatened economic interests. Historical examples abound. With railroad technology, for example, conservative states such as the Austro-Hungarian Empire and Russia resisted rapid deployment, in part because it was feared that railroads might create social unrest in the still somewhat feudal and highly stratified cultures that characterized such countries; the French held back because of concerns it would destroy rural culture. The predictable result was that modernizing states that realized the commercial and military potential of railroad technology, such as Prussia, rapidly overtook the laggards in building rail infrastructure, with an eventual shift in geopolitical stature. In the United States, railroads were bitterly opposed by river transportation interests; in fact, Abraham Lincoln, when still a practicing lawyer, argued and won the seminal case for the Rock Island Railroad.4 (River shippers at the time were arguing that any railroad bridge over a river was an unlawful obstruction of commerce; had they been successful, railroads would have been limited to operating between rivers and streams, but not crossing them.) A more recent example is provided by the thousands of people sued by the Recording Industry Association of America in its vain effort to defend a technologically obsolete business model for the distribution of music. There are plenty of reasons, in other words, why emerging technologies might be regarded as dangerous and disruptive, and thus worth stifling. History, however, indicates that while local opposition can be successful, it will not halt the evolution of technology. Consider, for example, the Japanese attempt to limit gunpowder technology to preserve traditional Samurai culture; successful in the short term, it left Japan open to subjugation by Western naval forces with gunpowder technology. Similarly, environmentalists and governments in Europe have aggressively opposed genetic engineering (GMOs, or “genetically modified organisms”) in agriculture. Outside Europe, however, GMO technology has been one of the most rapidly adopted agricultural technologies in history. Efforts to regulate the proliferation of nuclear weapon technology have been somewhat successful, but it appears unrealistic to assume that the technology can be uninvented. Especially given today’s globalized culture, and the strategic and military advantages that emerging technologies can provide, it is highly unlikely that meaningful constraints on technological evolution, whether derived from cultural, competitive, or religious foundations, will be successful. That is particularly true as all players in the global Great Game understand that leadership in science and technology domains is a necessary, if not sufficient, prerequisite for dominance. Moreover, given the complexity of many emerging technology systems, especially as they co-evolve with other natural, built, and human systems, it is unfortunately also likely that projecting their effects and evolutionary paths before they are actually adopted and become embedded in their social and cultural context is not just hard, but for all practical purposes impossible. One can, and should, generate scenarios. But exhortations that purport to elevate hypotheticals to predictions and implications of certainty about future states are misplaced. In short, there is no certainty, and the genie is well and truly out of the bottle. However, that doesn’t necessarily imply that we can’t modulate future technological evolution, but that the way we think about it today may be too simple, and our institutions too slow and maladaptive, to be up to the task. Beyond simplistic dystopianism This analysis suggests that, as dystopians might argue, emerging technologies are indeed potent, and that, especially as the human is becoming an active design space, if AI doesn’t destroy humanity, something will. But this is a grossly incomplete perspective. Humanity, as it appears at any particular time, is always doomed. Foragers and hunter-gatherers were doomed, as were the serfs of medieval Europe with their small plots and lives lived within a radius of a few miles of where they were born. And so, in our turn, are we. Doom is, in other words, evolution, and it is unlikely that we will stop it—or, really, that we should want to. In fact, the images that we cling to, personally and institutionally and culturally, are already obsolete. The ethics and values that we insist we will impose on the future are not only historically and culturally contingent, but already obsolete as well. We want the physical and cultural landscape we live in now to propagate into tomorrow, because we all unconsciously privilege the present, but that is not how complex systems work. They evolve, and indeed our world is evolving at a remarkable and accelerating clip. The fallacy of the dystopians, then, is not in their analysis of the power of technology, or the accelerating and destabilizing rates of change. The fallacy is in equating evolution with dystopia, and, without admitting it, privileging the present over the promise and inevitability of the future. What is at risk is the limited mental model of “human” that all of us carry with us, not “humans” as an ongoing process. This is actually a common category mistake in modern discourse: Sustainability advocates and environmental activists often claim that “the planet is at risk,” but of course it is not. The planet is a large mass of rock and a film of various carbon compounds, and that is not at risk at all. What is at risk is a particular mental model of what the world should look like, a constructed snapshot. That does not mean that there aren’t many environmental issues that require attention; of course there are. But, as in the case of the emerging technology discourse, it does mean that existential catastrophe language is not only invalid, but can actually prevent seeking constructive adaptations to accelerating change. Our only recourse is neither technological fatalism nor ethical relativism. It is true that we have not yet appreciated, much less begun to respond to, the challenge of a future that will indeed be more complex and difficult than anything we have experienced as a species. Nonetheless, we can already identify several important principles. For example, we need to stop thinking of “problems” with “solutions,” and think more in terms of “conditions” that will require long-term, adaptive management. Challenges such as ISIS and climate change will not be solved, but they can and must be managed in light of other relevant goals. In this, the experience with nuclear weapons is instructive: They are not a problem that can be unmade, but they are a condition that can be, and has so far been, relatively successfully managed. We also need to focus on creating option spaces—portfolios of social, institutional, and technological choices that can be adaptively and flexibly deployed in complex environments. Similarly, we need to play with scenarios: If dystopian pronouncements are instead taken as scenarios—“What would you do if…?”—they are far more useful and informative than suggestions of doom. Socially and institutionally, we need to become more agile and adaptive. This is uncomfortable for many, because it implies a degree of contingency and uncertainty, but that is precisely why such skills are necessary. The rate of technological change is unforgiving and has already decoupled to a large extent from traditional governance mechanisms. So we need to develop new ones. Individually, we need to become far more humble about our ability to visualize and prognosticate on a complex and dynamic future. Cautionary scenarios and hypotheticals are welcome exercises in practicing to adjust to the unknowable that lies in front of us, but they are not appropriate foundations for policy or legal action in the present. Nightmares are seldom reality, and when bad things do happen they are seldom the ones we thought about. Fear and anger in the face of change are popular responses—witness the rise of far right and far left factions, and fundamentalisms of all stripes, around the world—but they are maladaptive, and those in responsible positions at least cannot afford such luxuries.

### US-China War---1NC/2AC

#### Multilat fails and is unsustainable.

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[Modified for ableist language]

The Doha round of trade negotiations is deadlocked, despite eight successful multilateral trade rounds before it. Climate negotiators have met for two decades without finding a way to stem global emissions. The UN is [destroyed] paralyzed in the face of growing insecurities across the world, the latest dramatic example being Syria. Each of these phenomena could be treated as if it was independent, and an explanation sought for the peculiarities of its causes. Yet, such a perspective would fail to show what they, along with numerous other instances of breakdown in international negotiations, have in common. Global cooperation is gridlocked across a range of issue areas. The reasons for this are not the result of any single underlying causal structure, but rather of several underlying dynamics that work together. Global cooperation today is failing not simply because it is very difficult to solve many global problems – indeed it is – but because previous phases of global cooperation have been incredibly successful, producing unintended consequences that have overwhelmed the problem-solving capacities of the very institutions that created them. It is hard to see how this situation can be unravelled, given failures of contemporary global leadership, the weaknesses of NGOs in converting popular campaigns into institutional change and reform, and the domestic political landscapes of the most powerful countries. A golden era of governed globalization In order to understand why gridlock has come about it is important to understand how it was that the post-Second World War era facilitated, in many respects, a successful form of ‘governed globalization’ that contributed to relative peace and prosperity across the world over several decades. This period was marked by peace between the great powers, although there were many proxy wars fought out in the global South. This relative stability created the conditions for what now can be regarded as an unprecedented period of prosperity that characterized the 1950s onward. Although it is by no means the sole cause, the UN is central to this story, helping to create conditions under which decolonization and successive waves of democratization could take root, profoundly altering world politics. While the economic record of the postwar years varies by country, many experienced significant economic growth and living standards rose rapidly across significant parts of the world. By the late 1980s a variety of East Asian countries were beginning to grow at an unprecedented speed, and by the late 1990s countries such as China, India and Brazil had gained significant economic momentum, a process that continues to this day. Meanwhile, the institutionalization of international cooperation proceeded at an equally impressive pace. In 1909, 37 intergovernmental organizations existed; in 2011, the number of institutions and their various off-shoots had grown to 7608 (Union of International Associations 2011). There was substantial growth in the number of international treaties in force, as well as the number of international regimes, formal and informal. At the same time, new kinds of institutional arrangements have emerged alongside formal intergovernmental bodies, including a variety of types of transnational governance arrangements such as networks of government officials, public-private partnerships, as well as exclusively private/corporate bodies. Postwar institutions created the conditions under which a multitude of actors could benefit from forming multinational companies, investing abroad, developing global production chains, and engaging with a plethora of other social and economic processes associated with globalization. These conditions, combined with the expansionary logic of capitalism and basic technological innovation, changed the nature of the world economy, radically increasing dependence on people and countries from every corner of the world. This interdependence, in turn, created demand for further institutionalization, which states seeking the benefits of cooperation provided, beginning the cycle anew. This is not to say that international institutions were the only cause of the dynamic form of globalization experienced over the last few decades. Changes in the nature of global capitalism, including breakthroughs in transportation and information technology, are obviously critical drivers of interdependence. However, all of these changes were allowed to thrive and develop because they took place in a relatively open, peaceful, liberal, institutionalized world order. By preventing World War Three and another Great Depression, the multilateral order arguably did just as much for interdependence as microprocessors or email (see Mueller 1990; O’Neal and Russett 1997). Beyond the special privileges of the great powers Self-reinforcing interdependence has now progressed to the point where it has altered our ability to engage in further global cooperation. That is, economic and political shifts in large part attributable to the successes of the post-war multilateral order are now amongst the factors grinding that system into gridlock. Because of the remarkable success of global cooperation in the postwar order, human interconnectedness weighs much more heavily on politics than it did in 1945. The need for international cooperation has never been higher. Yet the “supply” side of the equation, institutionalized multilateral cooperation, has stalled. In areas such as nuclear proliferation, the explosion of small arms sales, terrorism, failed states, global economic imbalances, financial market instability, global poverty and inequality, biodiversity losses, water deficits and climate change, multilateral and transnational cooperation is now increasingly ineffective or threadbare. Gridlock is not unique to one issue domain, but appears to be becoming a general feature of global governance: cooperation seems to be increasingly difficult and deficient at precisely the time when it is needed most. It is possible to identify four reasons for this blockage, four pathways to gridlock: rising multipolarity, institutional inertia, harder problems, and institutional fragmentation. Each pathway can be thought of as a growing trend that embodies a specific mix of causal mechanisms. Each of these are explained briefly below.

Growing multipolarity.

The absolute number of states has increased by 300 percent in the last 70 years, meaning that the most basic transaction costs of global governance have grown. More importantly, the number of states that “matter” on a given issue—that is, the states without whose cooperation a global problem cannot be adequately addressed—has expanded by similar proportions. At Bretton Woods in 1945, the rules of the world economy could essentially be written by the United States with some consultation with the UK and other European allies. In the aftermath of the 2008-2009 crisis, the G-20 has become the principal forum for global economic management, not because the established powers desired to be more inclusive, but because they could not solve the problem on their own. However, a consequence of this progress is now that many more countries, representing a diverse range of interests, must agree in order for global cooperation to occur.

Institutional inertia.

The postwar order succeeded, in part, because it incentivized great power involvement in key institutions. From the UN Security Council, to the Bretton Woods institutions, to the Non-Proliferation Treaty, key pillars of the global order explicitly grant special privileges to the countries that were wealthy and powerful at the time of their creation. This hierarchy was necessary to secure the participation of the most important countries in global governance. Today, the gain from this trade-off has shrunk while the costs have grown. As power shifts from West to East, North to South, a broader range of participation is needed on nearly all global issues if they are to be dealt with effectively. At the same time, following decolonization, the end of the Cold War and economic development, the idea that some countries should hold more rights and privileges than others is increasingly (and rightly) regarded as morally bankrupt. And yet, the architects of the postwar order did not, in most cases, design institutions that would organically adjust to fluctuations in national power.

Harder problems.

As independence has deepened, the types and scope of problems around which countries must cooperate has evolved. Problems are both now more extensive, implicating a broader range of countries and individuals within countries, and intensive, penetrating deep into the domestic policy space and daily life. Consider the example of trade. For much of the postwar era, trade negotiations focused on reducing tariff levels on manufactured products traded between industrialized countries. Now, however, negotiating a trade agreement requires also discussing a host of social, environmental, and cultural subjects - GMOs, intellectual property, health and environmental standards, biodiversity, labour standards—about which countries often disagree sharply. In the area of environmental change a similar set of considerations applies. To clean up industrial smog or address ozone depletion required fairly discrete actions from a small number of top polluters. By contrast, the threat of climate change and the efforts to mitigate it involve nearly all countries of the globe. Yet, the divergence of voice and interest within both the developed and developing worlds, along with the sheer complexity of the incentives needed to achieve a low carbon economy, have made a global deal, thus far, impossible (Falkner et al. 2011; Victor 2011).

Fragmentation.

The institution-builders of the 1940s began with, essentially, a blank slate. But efforts to cooperate internationally today occur in a dense institutional ecosystem shaped by path dependency. The exponential rise in both multilateral and transnational organizations has created a more complex multilevel and multi-actor system of global governance. Within this dense web of institutions mandates can conflict, interventions are frequently uncoordinated, and all too typically scarce resources are subject to intense competition. In this context, the proliferation of institutions tends to lead to dysfunctional fragmentation, reducing the ability of multilateral institutions to provide public goods. When funding and political will are scarce, countries need focal points to guide policy (Keohane and Martin 1995), which can help define the nature and form of cooperation. Yet, when international regimes overlap, these positive effects are weakened. Fragmented institutions, in turn, disaggregate resources and political will, while increasing transaction costs. In stressing four pathways to gridlock we emphasize the manner in which contemporary global governance problems build up on each other, although different pathways can carry more significance in some domains than in others. The challenges now faced by the multilateral order are substantially different from those faced by the 1945 victors in the postwar settlement. They are second-order cooperation problems arising from previous phases of success in global coordination. Together, they now block and inhibit problem solving and reform at the global level.

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

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

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

### No Nuke War---2NC

#### Russia can’t escalate crisis --- low military spending

Stratfor 19 - American geopolitical intelligence platform and publisher founded in 1996 in Austin, Texas, by George Friedman, who was the company's chairman. Chip Harmon was appointed president in February 2018. Fred Burton is Stratfor's chief security officer (“Russia's Defense Industry Finds Itself in a Tailspin,” *Strafor Worldview*, <https://worldview.stratfor.com/article/russias-defense-industry-finds-itself-tailspin)//BB>

Russia's defense industry is face to face with a major foe, but it's not a foreign military power. The Kremlin has been striving to modernize all branches of the Russian military, but the country's defense industry is struggling thanks to decreasing volumes of orders, difficulties in attracting high-skilled talent and limits to its technological capabilities. According to recent figures, the performance of Russia's aerospace sector is declining precipitously. In 2018, for instance, Russian aircraft and spacecraft makers produced 13.5 percent less than in 2017. And there's been no letup in 2019 either: In the first two months of the year, aerospace output plummeted 48 percent year on year. The decline in Russia's defense output raises concerns about the competitive strength of Russia's defense industry in general, whose health is critical if the country is to project itself as a military power in the longer term. Russian Deputy Prime Minister Yuri Borisov attributed the reduction in output to a slowdown of orders for military systems, but projections suggest the slowdown is not just a short-term fluctuation; in fact, it's expected to become even worse in the future. The downturn in oil prices has taken a bite out of Russia's bottom line, squeezing spending for the military — all at a time when the country's arms manufacturers have lost their competitive edge in the global arms market. Together, these factors ensure that Russia's defense industry will struggle to get out of its funk. Suffering From a Dearth of Funds This dire picture stands in stark contrast to Russia's frequent presentation of sensational new platforms. In reality, however, just a few of the big-ticket weapon systems — such as the T-14 main battle tank or the Su-57 fighter aircraft — find buyers, as the rest remain mere prototypes. Russia has prioritized some hardware, such as the Sarmat intercontinental ballistic missile, due to their strategic relevance to the country's overall military posture, but Moscow has failed to fully develop other programs or only introduced them on a limited scale. Under pressure from a limited government budget, the Kremlin even started reducing its military spending in 2017 — a strong indicator that, despite the modernization push, Russia's financial challenges are taking a toll on the country ambitions. Economically, the plunge in oil prices at the end of 2014 hurt Russia's bottom line, depriving the country of essential revenue and forcing it to dip into its reserves to bridge the gap. Today, more than four years on, Russian oil revenues are rising, yet the country is continuing to deal with the consequences of the lean years. Beyond that, low revenues from taxes, which have forced Russia to raise taxes and the retirement age, and Western sanctions over Moscow's activities in Ukraine and elsewhere, have shrunk the financial pool available to military planners. Low oil prices, declining revenues from taxes and Western sanctions have taken a chunk out of the financial pool available to Russia's military and the broader defense industry. But the Kremlin's problems don't end there. In the past, Russia has benefited from its position as a major global arms exporter to fuel further military development. During the 1990s, for example, such sales were critical to the country as it faced severe economic hardship. While Russia remains the world's second-largest arms exporter (only the United States sells more), the actual value of those exports has been decreasing significantly. Between 2014 and 2018, their total value dropped by as much as 17 percent. Again, budgetary limits are somewhat to blame: In the past, Russia frequently used arms exports as a political tool, offering weapons at a heavy discount, if not entirely free. But with Russia no longer able to offer customers a good deal on its fighter jets and other defense products, the country is losing business.

### AT: Supply Chain---1NC

#### Suppliers are diversifying- any supply threat causes diversification

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But do these strengths give China the ability to bring the western technology companies that depend upon supplies of rare earth materials to their knees? When China exercised its market muscle in 2010, curbing shipments to Japan, Europe and the United States with export quotas, export tariffs and an informal embargo, it sent global prices for key rare earth compounds skyrocketing.

US, Japanese and European authorities were shocked and embarked on strategic reviews of their vulnerabilities. Over the past nine years, China’s share of mine output has been diluted as Australian and United States production has been brought on stream, alongside smaller increases in output elsewhere in Asia, Africa and Latin America.

Many more projects are in various stages of development. But the continuing high dependence on China for rare earth processing and derivative manufactured goods has Western governments worried once again. They are reviewing their strategic options.

This report argues that any attempt by China to impose an export embargo on rare earths or downstream products would be the catalyst for the development of non-Chinese production and substitution that would ultimately weaken China’s strong position in the market.

The 1973 oil embargo by OPEC provides a lesson. On the eve of the crisis the OPEC nations were producing 1,500 million tonnes of oil a year while the rest of the world’s output was 1,400 million tonnes. Within a decade, OPEC annual production had dropped to 850 million tonnes while the rest of the world’s output had soared to 2,000 million tonnes.2

## Indigenous Regimes

### No antitrust enforcement

#### Extraterritorial application fails

DOJ. "Chapter 5 Where Trade and Competition Intersect." Department of Justice Advisory Committee. https://library.unt.edu/gpo/icpac/chapter5.htm

A significant hurdle in extraterritorial enforcement lies in the considerable difficulty encountered during the discovery process. Attempts to obtain access to necessary documents, evidence, and potential witnesses, all of which may be located outside the borders of the investigating jurisdiction, can prove to be an insurmountable obstacle or, at the very least, a barrier to effective and timely enforcement.(133) By requesting that the territorial party pursue the investigation, chances of successful prosecution of the case improve because the territorial party maintains significant advantage in securing necessary documents and witnesses to aid in the investigation of the alleged conduct. Furthermore, the extraterritorial application of domestic laws can result in the inability to secure the necessary remedies to resolve the anticompetitive practices. When the territorial party assumes responsibility for the investigation and potential enforcement actions, such requisite remedies are within the jurisdictional scope and reach of the territorial party.

#### Delay

DOJ. "Chapter 5 Where Trade and Competition Intersect." Department of Justice Advisory Committee. https://library.unt.edu/gpo/icpac/chapter5.htm

Delay following a referral to another jurisdiction to investigate alleged violations also remains a significant obstacle to effective and timely resolution of cases. As illustrated by the one formal referral to date, more than two years elapsed between the time the territorial party was asked to initiate an investigation and the time the territorial party issued an official statement on its progress. As one member of Congress said during congressional hearings, the current situation where a referral is "started reluctantly, staffed inadequately, and dragged out interminably . . . is clearly unacceptable" as a means to resolve potentially damaging private restraints of trade.(136)

Any delay in the investigatory process by the territorial party is magnified when a lack of transparency exists in the process. Uncertainty about whether an adequate or appropriate investigation is occurring engenders doubt on the part of the affected party and strengthens any tendency toward pursuing extraterritorial enforcement. Confidence and trust remain preeminent components of effective cooperation through positive comity channels. Transparency in the entire investigatory and procedural process promotes increased assurance that the affected party's concerns are being addressed in a manner consistent with the premise of the bilateral accord.

### at: inequality---1nc

#### Alt causes

1ac Cheng 12 [Thomas, assistant professor at the Faculty of Law of the University of Hong Kong. "Convergence and Its Discontents: A Reconsideration of the Merits of Convergence of Global Competition Law." <https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1362&context=cjil>]

Serious poverty and income inequality are prevalent in many developing economies. These phenomena present two main challenges to developing countries as far as competition law enforcement is concerned. One is the need to encourage entrepreneurship to promote inclusive growth; the other is the need to protect impoverished consumers from exploitative practices. A number of commentators, including Fox, have argued that developing countries must pursue inclusive growth that will alleviate poverty and reduce income inequality.162 Inclusive growth requires opportunities for upward economic mobility, an important avenue for which is entrepreneurship.'63 For those who are at the bottom of the economic ladder in a developing country, often the only way to break out of poverty is to start their own businesses, which are going to be, at least initially, SMEs. Therefore, encouragement of entrepreneurship and assistance to SMEs must be a central pillar in every inclusive growth strategy. If competition law is to complement an inclusive growth strategy, it must afford SMEs stronger protection than is customary in established jurisdictions and be particularly vigilant against abuse of dominance. This is especially so because dominant firms in developing countries are often former state monopolies that still benefit from official patronage or informal connections to the state. Their privileged positions make it even harder for new private firm rivals to compete with them.

The poorest in many developing countries live below the poverty line and often scrape by with no more than a dollar or two a day.'64 They are often malnourished, sick, and illiterate, which severely curtails their productivity and ability to improve their economic well-being. Therefore, an inclusive growth strategy must include policies to combat malnourishment, poor health, and illiteracy. While the bulk of the responsibility will fall on government programs that directly confront these problems, competition law has a role to play. Competition law enforcement may focus on goods that have the most direct impact on the nutritional, health, and educational needs of the poorest in developing countries. Anticompetitive conduct in these sectors should be dealt with harshly.

Beyond that, developing country competition authorities may consider taking a tougher stance on exploitative practices by dominant firms. This is despite the fact that most established jurisdictions, especially the US, have largely left exploitative practices out of the purview of competition law."' The usual justification for this stance is two-fold. First, there is a serious implementation problem of distinguishing between very high prices and excessive prices.'6 6 Such distinctions are notoriously difficult to draw. The inability to do so undermines effective enforcement and legal certainty for firms seeking to comply with the law. Second, there is the theoretical objection that the opportunity to reap temporary monopoly profit spurs firms to compete and innovate.'6 1 In the industrialized nations, the general view is that consumers are able to bear momentary high prices, which will be eroded once a new competitor enters the market. Short-run monopolistic prices are the price that consumers pay for the benefit of keener long-run competition and innovation. While consumers in developed nations may be in a position to withstand such high prices, the poorest consumers in developing countries are not. Any extra cost for a basic necessity will have a direct and severe impact on their overall standard of living. For example, 10 percent more spent on foodstuffs may require consumers to remove their children from school."' The plight of these consumers therefore may justify a more assertive stance on exploitative practices in markets for basic necessities.

### no deforestation !---1nc

#### Alt causes to warming---china and india are the biggets emitters

#### Amazon doesn’t change oxygen levels.

Lomborg ‘1 (Bjørn, Associate Prof. Statistics in Dept. Pol. Sci. – U. Aarhus, “The Skeptical Environmentalist: Measuring the Real State of the World”, p. 115)

There are two primary reasons for viewing the tropical forests as a vital resource. In the 1970s we were told that rainforests were the lungs of the Earth. Even in July 2000, WWF argued for saving the Brazilian Amazon since “the Amazon region has been called the lungs of the world.” But this is a myth. True enough, plants produce oxygen by means of photosynthesis, but when they die and decompose precisely the same amount of oxygen is consumed. Therefore, forests in equilibrium (where trees grow but old trees fall over, keeping the total biomass constant) neither produce nor consume oxygen in net terms. Even if all plants, on land as well as at sea, were killed off and then decomposed, the process would consume less than 1 percent of the atmosphere’s oxygen.

#### Even completely unchecked deforestation takes 200 years and won’t cause extinction.

Hannah Voak 16, Assistant Ecologist, Nurture Ecology Ltd., 4/22/16, “A world without trees,” <http://www.scienceinschool.org/content/world-without-trees>

There are approximately 3.04 trillion trees on planet Earth (Crowther et al 15), covering 31% of the world’s land surfacew1. Today, for Earth day, we’re taking a look at trees. Around 15 billion trees are cut down each year. So, hypothetically speaking, it would take just over 200 years for the world’s forests to completely disappear. While this scenario is unlikely, what would be the consequences of a tree-free planet? Let’s start with perhaps the most obvious difference – oxygen concentration. A lack of oxygen? Oxygen makes up roughly 21% of the Earth’s atmosphere, but you probably know that already. What you might be surprised to find out, however, is that only half of this oxygen is produced through photosynthesis in trees and other plants on land. The other half is produced in oceans, by microscopic marine organisms called phytoplankton. The environment would not be devoid of oxygen if all trees were lost but the oxygen level would be lower. Would it be sufficient for humans to survive? In one year, a mature leafy tree produces as much oxygen as ten people breathe. If phytoplankton provides us with half our required oxygen, at current population levels we could survive on Earth for at least 4000 years before the oxygen store ran empty. However, that’s not considering a number of other factors: increasing population size, for example, would reduce the amount of oxygen available, whilst phytoplankton blooms due to an abundance of carbon dioxide could increase oxygen levels. Suffocating smog Whilst there may be enough oxygen for humans to survive on Earth, at least to begin with, the air we breathe could still be responsible for our demise. Like giant filters, trees help to cut down on pollution levels. Leaves intercept airborne particles and ozone, carbon monoxide, sulfur dioxide and other greenhouse gases are absorbed through the leaves stomata. In 2012, outdoor air pollution was estimated to cause 3.7 million premature deaths worldwidew2. Imagine the impact removing these environmental sieves would have on humankind. Air-pollution masks would become a necessity and bottled ‘clean air’ could come at a premium. Full of hot air? Armed with pollution masks, would the climate and temperature still be suitable for us? One important consideration is carbon dioxide. In one year, an acre of mature trees soaks up the same amount of carbon dioxide that we produce by driving the average car 26 000 miles. Since human activities like this increase the normal level of carbon dioxide in the atmosphere, cutting down trees would tip the balance even further, not to mention the enormous amount of stored carbon that would be released from doing so. Deforestation is already responsible for up to 15% of global greenhouse gas emissions and you might think that an overwhelming increase in carbon dioxide would result in a much warmer planet. However, the relationship between trees and global temperature is much more complicated. Energy and water fluxes between trees and the atmosphere also play a role and a tree’s colour, for example, can affect the amount of the Sun’s energy that is absorbed or reflected. Studies have shown that Europe’s trees have actually caused a slight increase in regional temperatures since 1750w3, while transpiration from plants in tropical forests cools the surface temperature. Therefore, whether the temperature becomes too hot to handle could depend on many factors, although a recent study concluded that reducing forest size increases average air surface temperatures in all climate zones (Alkama & Cescatti 16).

#### Reforestation increases warming.

Crusius 16—Emeritus Professor of Chemistry and Oceanography at the University of Washington [John, “Carbon storage in WA state forests is too small and too risky to play a serious role as a climate change mitigation tool,” *Real Climate* 16, <http://www.realclimate.org/index.php/archives/2016/11/carbon-storage-in-wa-state-forests-is-too-small-and-too-risky-to-play-a-serious-role-as-a-climate-change-mitigation-tool/>, accessed 24 Jan 2017]

It is easy to understand why many wish carbon storage in WA state forests to be a viable tool to fight climate change, as forestry is an important industry in WA state. Such a solution, at first glance, seems like it could support the local forestry industry and create local jobs. However, mitigating climate change requires responses that make scientific sense. Devoting resources to forest carbon sequestration is largely a distraction from the real work needed to mitigate climate change, which is to reduce emissions of greenhouse gases, most importantly of CO2 from fossil fuel combustion. But before we explain the counterintuitive science, we wish to acknowledge at the start that there are many excellent reasons to support planting trees in WA state and to support the local forestry industry. However, mitigating the threat of climate change is not among those reasons, based on the available science.

In temperate parts of the world (mid to high latitudes), such as the Pacific northwest, the impacts of forests on climate are complex. Forest growth does take up CO2 from the atmosphere, which is the impact on climate many think of. However, forests have other, lesser known impacts on climate as well, including trapping moisture below the forest canopy and altering the way sunlight is reflected off the landscape (termed albedo). In temperate regions such as WA state, forests can actually warm the climate via these impacts on trapping moisture and reflectivity (albedo) more than they cool the climate by taking up CO2. This has been pointed out in a recent article on reforestation and forest management in Europe over the last 250 years that caused a net warming, not a net cooling (Naudts et al 16).

It is in the tropical and subtropical latitudes, far south of WA state, where science indicates carbon storage in forests could have the most beneficial effect on the world’s climate and could possibly help to buy time until society reduces fossil fuel emissions substantially (Houghton et al 15). Even in the tropics, relying on forest carbon storage is risky. Carbon stores could be re-released back into the atmosphere at any point in response to fire or disease, each of which can be made worse by climate change. Indeed, one recent study of forests in the Amazon region concluded that forests there went from taking up CO2 to releasing it during one dry year (Gatti et al 14). Furthermore, there have been suggestions that tropical forest may become a source of CO2, even in the tropics, in response to greater extremes of rainfall (Gatti et al 14). In order for carbon storage even in tropical forests to be beneficial, it must remain stored essentially permanently (for many hundreds to thousands of years). No one can guarantee that future climate change, disease, and/or land use change won’t cause release of this forest carbon back into the atmosphere, which would bring us back to the starting point, before any forest carbon storage efforts were even attempted.

It is urgent that society act quickly to minimize the risks posed by both climate change and ocean acidification. However, any solution must stand up to the rigorous test of the best available science. We quote from some journals cited below. “Considering carbon storage on land as a means to ‘offset’ CO2 emissions from burning fossil fuels (an idea with wide currency) is scientifically flawed” (Mackey et al 13). “Today’s forest management is more of a gamble than a scientific debate” (Bellassen and Luyssaert 14). “Above-ground carbon in forests represents a vulnerable pool of carbon, subject to droughts, fires, insects and other disturbances. Thus, the management of forests to accumulate carbon must not delay or dilute the phasing-out fossil fuel use. On the contrary, the deliberate accumulation of carbon on land may be of little long-term benefit” (Houghton et al 15). “Relying on biospheric sequestration is not without risk, because such sequestration is reversible from either climate changes, direct human actions, or a combination of both” (Pan et al 11). The best science tells us that relying on storage of carbon in WA state forests is risky at best, and quite possibly counterproductive. It is also in many ways a distraction from the essential efforts to reduce emissions of CO2 from fossil fuels.

#### Reforestation destroys biodiversity and increases warming.

Bond 16—Emeritus Professor of Biological Sciences at the University of Cape Town and the Chief Scientist at the South African Environmental Observation Network [William, “Ancient grasslands at risk,” *Science*, Vol. 351, Iss. 6269, p. 121-123, Emory Libraries]

Concerns over deforestation have led to attempts to identify suitable areas for reforestation around the world (1). The most ambitious effort to date is the World Resources Institute (WRI) Atlas of Forest and Landscape Restoration Opportunities (1). This map is linked to a global plan to reforest degraded lands to offset anthropogenic CO2 emissions. The immediate target is the reforestation of 1.5 million km2 by 2020 (2, 3). Vast areas of open grassy vegetation have been identified as suitable for reforestation. But are all these grasslands secondary products of deforestations? Recent research shows that grasslands are often ancient and highly biodiverse, but it remains difficult to distinguish between primary and secondary grasslands on a large scale. Reforestation efforts thus risk converting ancient tropical grasslands to plantations. Research on tropical grassy biomes has been remarkably neglected relative to forests (4, 5). This neglect has been attributed to the widespread perception that they are human artifacts created and maintained by human-lit fires. Yet, there is evidence for a much more ancient origin of fire-maintained grassy vegetation in regions where the climate and soils can support closed forests (see the figure). Tropical grassy biomes (grasslands and savannas) include ecosystems with a rich plant and animal life entirely restricted to open habitats (4, 6). They provide important ecosystem goods and services to the ~500 million people who live in them (5). Furthermore, the full consequences for the Earth-atmosphere system of converting grassy ecosystems to forests have not been evaluated (7). For example, changes in albedo can offset any gains in stored carbon as the reflective surface of grasslands, especially in the dry season, are converted to the dark absorptive surfaces of forests. A key clue to the antiquity of grasslands is the presence of species unique (endemic) to open grassy habitats. The cerrado (savannas) of Brazil are ranked 12th on a list of global biodiversity hot spots with about 6000 plant species. Once considered poor in vertebrate species, cerrado is now proving to have a rich, endemic fauna of reptiles (8). The grassland biomes of southern Brazil and South Africa are also rich in plant species, with an estimated 3000 to 4000 in an area of 137,000 km2 in southern Brazil and 3800 in 112,000 km2 in South Africa (4, 9). The Atlantic coastal plain of North America is also species-rich, with some 6000 plant species (nearly a third of the North American flora), of which 29% are endemic (10, 11). Most of the endemic species occur in pine savannas and communities embedded within them. All these systems depend on frequent fires to maintain them and are replaced by closed forests where fires are suppressed. The Atlantic coastal plain grasslands of North America have only recently been recognized as a significant biodiversity hot spot (11). Noss attributes this oversight to misconceptions and myths, such as the myth that fires can only be ignited by humans. Similar misconceptions are widespread throughout the tropics. In Madagascar, for example, unique for its remarkable endemic forest fauna and flora, the grasslands that cover most of the island were long thought to be produced by deforestation in the aftershock of human settlement a few thousand years ago (12). This narrative of deforestation as the source of grasslands was powerful enough to put off researchers from exploring the diversity of grasslands. Recent grass collections have revealed a remarkably rich grass flora, with some 40% of the 580 grass species endemic to the island. These levels of endemism are among the highest in the world for a grass flora (12). Despite clear evidence for the antiquity of Madagascar’s grassland biota, it remains highly uncertain how much of the island’s grasslands is a result of deforestation. Tropical grassy ecosystems are highly flammable. They are most extensive in seasonal wet/dry climates, where high rainfall supports high productivity in the rainy season, whereas the long dry season produces highly flammable grass fuels. Humid tropical grasslands burn several times in a decade; some regularly burn twice in a year. The grassy biomes of Africa alone accounted for more than 70% of the world’s burnt area from 1997 to 2009. Plants living in these highly flammable environments survive by retreating underground, developing large underground storage organs (USOs) that resprout rapidly after a burn (6). Nongrassy herbs (forbs) with USOs commonly flower in the first growing season after a burn before they are smothered by grass growth. Among woody plants, thick bark, insulated buds, clonal spread, and juvenile forms with USOs are adaptations to frequent grass-fueled fires (13). “Underground trees” are a peculiar growth form characteristic of frequently burnt savannas in South America and Africa (14). These plants have massive underground branches protected from surface fires (see the figure). The leaves are borne on short stems that resprout from the buried branches after fires. Underground trees have evolved multiple times from different lineages in South America and Africa in open grassy habitats with frequent fires and, often, poor soils (13, 15). Underground trees (geoxylic suffrutices) have close relatives that are true trees. Using a dated phylogeny, Maurin et al. (15) have shown that most underground trees in fire-maintained savannas in Africa originated between 6 and 2.5 million years ago, with peak divergence in the past 2 million years (15). These times of origin are remarkably similar to those obtained from phylogenetic studies of fire-adapted woody legumes in South American savannas (13). They are also consistent with fossil evidence for the spread of tropical grassy systems from the late Miocene and with charcoal records from marine cores that show a sharp increase in fire activity over the same period (16). Thus, fire-dependent tropical grassy systems predate human deforestation by millions of years. Nevertheless, this is an intriguingly late origin from an Earth history perspective. The causes of this late spread of savannas are currently an area of intense research interest. A distinctive feature of the flora of tropical grasslands is a marked intolerance of shade. Fire-suppression experiments have led to the elimination of long-lived forbs as a result of shading by an accumulation of dense undecomposed grass litter. Old-growth grassland plants, especially long-lived forbs with USOs, are eliminated by forest expansion or afforestation with pines and eucalypts. Secondary grasslands, formed after deforestation or removal of plantations, have completely different species compositions from primary grasslands (4, 6). Forbs with USOs and underground trees are particularly vulnerable, with no recovery to old-growth conditions after decades of natural succession. These studies are revealing striking differences in old-growth versus secondary grasslands. However, the scale of analysis does not yet permit large-scale identification of old-growth grasslands. It is not yet possible to map old-growth grasslands at the scale of the WRI Atlas of Forest and Landscape Restoration Opportunities (1–3). The Food and Agriculture Organization (FAO) uses tree cover and height to classify forest and ignores the herbaceous layer (5). Yet there are profound functional differences between open woodlands with a highly flammable grassy understorey and closed forests that lack fuel to burn. Ultimately, old-growth versus secondary grasslands will have to be classified by identifying characteristics of the herbaceous layer, such as grass composition, that are visible from satellites and that are also proxies for primary grasslands. There are many fundamental unanswered questions about grassy biomes, their function, origins, and antiquity. The recent spate of papers on these fascinating systems suggests that this neglect is coming to an end. There has been considerable progress in identifying old-growth grasslands and their ecological requirements, and this bodes well for restoring forests and the services they provide while also maintaining ancient tropical grassy ecosystems. It would be a travesty if ancient grasslands are replaced by ill-conceived forest plantation projects because of misconceptions about the origins of tropical grassy systems.

# 2NC – Fullertown R2

## Cap K

#### 4 – Now key---transition stops short term war.

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

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

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

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

#### 4 – The aff is utopian. Criticism is a prerequisite to formulating new solutions.

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

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

#### 5 – Invert your standard for solvency. That’s enough to vote neg, even if the alt solves nothing.

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

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

#### 3 – Boom & Bust: Market competition inevitably creates economic busts and proves capitalism’s contradiction.

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

When Things Fall Apart

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 3 – semiconductor shortages---filter aff offense

David Atkins 6-19. President of the Pollux Group, a Qualitative Research Firm. The Semiconductor Crisis Is a Failure of Modern Capitalism. Washington Monthly. 6-19-2021. https://washingtonmonthly.com/2021/06/19/the-semiconductor-crisis-is-a-failure-of-modern-capitalism-it-may-require-new-answerTop of Form

Bottom of Form

But there’s increasingly an argument to be made that a just-in-time lowest-cost supply system may not just be bad for the climate or for domestic employment. It may also in many cases be bad for business. The semiconductor crisis tells an exemplary tale. As information technology becomes essential to daily life in developed countries, semiconductors are essential for making the world go round. Phones, computers, gaming consoles and automobiles all require increasingly sophisticated semiconductors. And most of them are made by a single company: Taiwan Semiconductor. Indeed, Taiwan Semiconductor is so dominant in the field that few competitors can match them, and they’re falling farther behind.

Analysts say it will be difficult for other manufacturers to catch up in an industry that requires hefty capital investments. And TSMC can’t make enough chips to satisfy everyone—a fact that has become even clearer amid a global shortage, adding to the chaos of supply bottlenecks, higher prices for consumers and furloughed workers, especially in the auto industry.

The situation is similar in some ways to the world’s past reliance on Middle Eastern oil, with any instability on the island threatening to echo across industries. Companies in Taiwan, including smaller makers, generated about 65% of global revenues for outsourced chip manufacturing during the first quarter of this year, according to Taiwan-based semiconductor research firm TrendForce. TSMC generated 56% of the global revenues.

Being dependent on Taiwanese chips “poses a threat to the global economy,” research firm Capital Economics recently wrote.

The semiconductor shortage is harming vehicle production lines. It’s why the next generation gaming consoles that were supposed to be available last Christmas are still in vanishingly short supply. It is starting to impact smartphones and personal computers as well.

There are many correlated aspects to this problem. It’s partly a matter of national security: what does the global economy do when it relies so heavily on a single actor in a location of geopolitical instability? It’s partly a problem of monopoly: is the market truly free or stable if so many essential products depend on the fate of a single company? How can there be genuine competition if the cost of entry makes establishing new competition prohibitive? It’s partly a matter of the pandemic: Taiwan Semiconductor and other manufacturers have been struggling to meet production targets due to reduced capacity from COVID restrictions.

We have seen global supply chain failures hurt consumers frequently, especially when domestic production of essential goods are eliminated in favor of easily disrupted or costly global trade. Haiti, for instance, has been particularly victimized by the destruction of its domestic food production as the U.S. subsidized its own rice exports. The blocking of the Suez Canal by the Ever Green earlier this year was in part the result of larger and larger ships being forced through waterways that were not built to sustain them.

But the scale of the semiconductor issue raises the question of whether unregulated global capitalism is really the best way to run essential services in a world economy. Consider these staggering numbers from the same Wall Street Journal story:

Semiconductors have become so complex and capital-intensive that once a producer falls behind, it’s hard to catch up. Companies can spend billions of dollars and years trying, only to see the technological horizon recede further.

A single semiconductor factory can cost as much as $20 billion. One key manufacturing tool for advanced chip-making that imprints intricate circuit patterns on silicon costs upward of $100 million, requiring multiple planes to deliver.

TSMC’s own expansion plans call for spending $100 billion over the next three years. That’s nearly a quarter of the entire industry’s capital spending, according to semiconductor research firm VLSI Research.

#### 4 – speculation---market overload

Nick Beams 21. Member of the International Editorial Board of the World Socialist Web Site and former longtime national secretary of the Socialist Equality Party in Australia. "Rampant Wall Street speculation: The fever chart of a terminally diseased system." World Socialist Web Site. 5-6-2021. https://www.wsws.org/en/articles/2021/05/07/pers-m07.html

Over the past year, the global financial system, above all Wall Street, has been in the grip of a speculative mania, the like of which has never been seen before in economic history. Two questions therefore immediately arise: how has this situation come about and what are its implications?

In March 2020, as the COVID-19 pandemic began to make its effects felt and workers undertook wildcat strikes and walkouts to demand health measures to protect their lives and those of their families, the financial markets plunged.

Wall Street was concerned that any effective health measures to contain the spread of the pandemic would result in a collapse in the bloated price of financial assets, above all stocks, that had been boosted by the trillions of dollars poured into the financial system by the US Federal Reserve and other central banks following the crash of 2008.

The US government and the Fed rode once again to the rescue of Wall Street. The Trump administration organised a multi-billion-dollar bailout of the corporations under the CARES Act while the Fed stepped in to provide trillions of dollars of support for all areas of the financial system, including for the first time the purchase of stocks.

Since then, on the back of this $4 trillion intervention and rising, as the Fed continues to purchase financial assets at the rate of more than $1.4 trillion a year, the world has seen an unprecedented orgy of financial speculation.

Wall Street’s main stock index, the S&P 500, has risen by some 88 percent since its March 2020 lows, reaching record highs on multiple occasions throughout the past year. Margin debt, used to finance the speculation in shares, has reached record levels, and the yield on the lowest-rated corporate junk bonds—barely one step away from default—has fallen to historic lows.

But the most egregious expression of the speculation has been the rise of the cryptocurrency market. Over the past year the most prominent cryptocurrency, Bitcoin, has risen by 600 percent, rising from about $7,000 per bitcoin to $54,000, reaching a high of $65,000 in the middle of last month.

Last month Coinbase, a trading exchange for cryptocurrencies, launched itself on Wall Street with a floatation that put its market value at $85 billion, compared to its valuation of $8 billion in 2018, exceeding that of some of the world’s major banks and the valuation of the NASDAQ exchange on which it was launched.

However, in recent days, even the level of bitcoin speculation has been put in the shade by another cryptocurrency, Dogecoin.

It was created in 2013 as a joke. Whereas the promoters of Bitcoin insist that it has some intrinsic value because it may be used to organise financial transactions without the intervention of a bank or some other third party via a blockchain ledger system, no such claims are made for Dogecoin.

Despite being worthless, Dogecoin has risen in price 11,000 percent this year alone. This week its market value reached $87 billion compared to $315 million a year ago. And as one cryptocurrency enjoys a rapid rise, speculators start a search for the next “big thing.”

The Dogecoin phenomenon is not an isolated event. It seems to be an expression of what could be described as a new operating principle in the world of speculation—the more worthless the so-called asset, the higher its price.

A little sandwich shop in Paulsboro, New Jersey, with sales of just $13,976, has made financial news after it was revealed that its parent company, Hometown International, achieved a market valuation of $100 million last month. Two of its biggest shareholders are Duke and Vanderbilt universities.

The rise of Dogecoin also reveals the high-level intervention of hedge funds and other financial institutions seeking to take advantage of its price momentum.

Then there is the case of non-fungible tokens (NFTs). These are images of pieces of art, a sports photo, or even a tweet—the first ever tweet issued by Twitter founder Jack Dorsey was sold as an NFT for $2.9 million—that are stored on a blockchain ledger. They are like a collector’s item but are not stored physically but digitally.

The class dynamics of this speculative orgy, fuelled by the endless supply of virtually free money by the Fed, are revealed in the escalation of the wealth of the world’s billionaires.

In the last year, as COVID-19 brought untold pain, suffering and economic distress for billions of the world’s people, the combined wealth of the global billionaires rose by 60 percent, from $8 trillion to $13.1 trillion. The number of billionaires rose by 660 to 2,775—the highest rate of increase and the largest number ever.

In the US, Amazon CEO Jeff Bezos and Tesla CEO Elon Musk have wealth of $177 billion and $151 billion respectively.

The speculative frenzy has extended into the broader economy. The prices of major industrial commodities, such as steel, lumber, copper, and soybeans, which feed into inflation for workers and consumers, are rapidly rising.

But the financial authorities, having created this frenzy by the endless outflow of cheap money since the crash of 2008 and the near collapse of March 2020, are caught in a trap of their own making. They fear that any move to try to bring it under control, with even a slight tightening of the financial spigots, will set off a financial crisis.

The extreme nervousness over such an outcome was revealed earlier this week when US Treasury Secretary Janet Yellen, a former Fed chief, raised the prospect that the central bank may have to tighten interest rates at some point. Almost immediately, fearing market reaction, she walked back the comment saying she was neither advocating nor predicting a rise in rates.

The incident has cast a revealing light on one of the most significant developments in the US—the open advocacy of unionisation of the workforce by the Biden administration.

Last month in an executive order, Biden created a “White House Task Force on Worker Organizing and Empowerment” which includes as members Yellen, Defense Secretary Lloyd Austin and Homeland Security Secretary Alejandro Mayorkas. The “empowerment” of government-sponsored unions takes place under the direction of cabinet officials responsible for military operations, economic policy and domestic repression.

The administration is fearful that the pent-up anger in the working class over the pandemic and the enrichment of the financial oligarchy at the expense of hundreds of thousands of lives, will be further fuelled by the escalation of inflation, leading to an uncontrolled eruption of the class struggle that will come into headlong conflict with the institutions of the capitalist state.

In times past, the Fed would have moved to contain such an upsurge by lifting interest rates and inducing a recession. But that road is now fraught with danger because even a relatively small increase threatens to bring down the speculative financial house of cards.

Hence the Biden administration has moved to set up a state-sponsored industrial police force, based on the trade unions, to carry out an organised suppression of the working class in the interests of finance capital.

The rampant speculation of the past year and the accelerated

siphoning of wealth to the upper levels of society amid death and economic devastation must be the occasion for the drawing up by the working class of a balance sheet of the experiences through which it has passed.

There is no prospect for reform of the present capitalist socio-economic order towards meeting social need—the illusion peddled by the Democrats and their ardent supporters in the pseudo-left organisations. The past year has demonstrated that everything in society—including the very right to life itself—is subordinated to the insatiable demands of finance capital.

The present speculative bubble, like all others before it, is destined to burst. The financial oligarchs have already prepared their exit plans and golden parachutes as they have done in the past. The working class, however, has no escape. The collapse will bring an even greater economic disaster on top of what has already taken place.

The only viable, realistic solution to the terminal disease that has gripped the capitalist socio-economic order is the fight for a socialist program to wrest the commanding heights of the economy and its financial system out of the hands of the present-day ruling class and begin the economic reconstruction of society to meet social needs.

#### 5 – soil erosion---independently causes extinction

Ken Boettcher 21. M.A. in History, California State University, Stanislaus. “Seeing Red Over the Climate Crisis: Ecosocialism as Emergency Brake.” *California State University Library*. 40-44. https://scholarworks.calstate.edu/downloads/gh93h4190.

Take the accelerating crisis of soil depletion and erosion, for example, and its threat to food production, especially given other factors which multiply that threat, including climate-crisis driven water and drought problems and massive damage to arable land due to the increasing frequency and severity of floods. According to David R. Montgomery in his history titled, Dirt: The Erosion of Civilizations, “[w]e are degrading and eroding the world’s soils far faster than they form.” He writes, “[w]e are running down our stock of fertile topsoil, the one thing we absolutely need to support civilization in the long run.” Montgomery documents the role of soil erosion and depletion in the collapse of several ancient civilizations in human history, noting that his historical studies showed that “the state of the land—the state of the soil—directly affects the health and resilience of societies.” He observes that, while “individual droughts, wars, and economic disruptions or dislocations” can serve as triggers for the collapse of a society, “the state of the land loads the gun.” Erosion and soil degradation “help explain why particular events or circumstances take down societies,” says Montgomery.1

The state of the soil today under world capitalism is thus at a critical stage. In Dirt, Montgomery notes research reported in the 1990s which showed that worldwide, “since the Second World War, soil erosion caused farmers to abandon an area equivalent to about one-third of all present cropland.” That is an area larger than the subcontinent of India. At that rate the world will be out of topsoil from soil loss alone, not counting nutrient depletion, in barely a hundred years.

The whole history of capitalist agriculture is characterized by its perennial treatment of soil and many other natural resources as free gifts from nature to be exploited and abused for private profit. In the United States, for example, plantation agriculture—whether for rice, sugar, tobacco or cotton—was typified by monocrops (with little to no crop rotation or manuring) for sale and profit that depleted the land within just a few years, at which time slaves were forced to move most plantation operations to new lands. Repeatedly, the most profitable, and increasingly ruthless, path was to throw more Native Americans off their lands a bit farther west, through bloody violence or trickery. The land was simply expropriated by the plantation owners, who forced slaves to clear more forests. The whole ugly process would then start all over again.1

The costs for rebuilding nutrient-depleted soil, where possible, are externalized by individual capitalists and left to be absorbed by the next owner or by society as a whole. As environmental historian Jason W. Moore writes in “The Rise of Cheap Nature,” ecological economist “William Kapp...famously characterized the modern economy as a system of ‘unpaid costs.’” Continuing, Moore asserts that today, “we know this all too well—heavy metals in children’s bloodstreams and Arctic ice, massive garbage patches in the oceans, agro-toxic overload in our soil and water, never mind that small matter of climate change.”2

In fact, as Immanuel Wallerstein observed in World-Systems Analysis: An Introduction, most capitalists do not pay all the costs that are really involved in production. Wallerstein wrote that “[t]he least expensive way for a producer to deal with waste is to cast it aside, outside its property.” Moreover, he writes, “the least expensive way to deal with transformation of the ecology is to pretend it is not happening.” Both methods work well to lower production costs. However, he added, “these costs are then externalized ...either immediately or, more usually, much later.” Many times the negative consequences are never adequately dealt with by those who cause the damage.3

In Dirt, Montgomery argues that there are new (or renewed ancient) agroecological methods that can make modern agriculture sustainable. “The philosophical basis of the new agriculture lies in treating soil as a locally adapted biological system rather than a chemical system,” he writes. Agroecology does not just mean small rather than large, or simply organic, or simply manual rather than mechanized. The main point is that soil must be protected: “agricultural land should be viewed —and treated—as a trust held by farmers today for farmers tomorrow.”1 Generally, agroecological approaches accent no- till methods to minimize soil erosion with little use of heavy equipment, more use of local composting to halt nutrient depletion, biological pest management, and minimal use of chemical fertilizers. They are more labor-intensive but are being successfully used in many places in the world—notably in Cuba, which embraced them after the collapse of the Soviet Union and the loss of its support for the Cuban economy. They mark a break from the still dominant cookie-cutter agribusiness approach to industrial agriculture.

With less than a century of soil left, to leave the needed worldwide transformation to the private interests of agricapitalists whose focus on short-term profits brought us to this critical point in the first place is drastically irresponsible.2 For his part, Montgomery does not believe that food production should be left to the profit-motivated markets of capitalism. “Sustaining our collective well-being requires prioritizing society’s long- term interest in soil stewardship,” he writes. “We simply cannot afford to view agriculture as just another business,” Montgomery maintains, “because the economic benefits of soil conservation can be harvested only after decades of stewardship, and the cost of soil abuse is borne by all.”1

#### 2 – Profit stifles innovation – patents, licensing agreements, and non-compete agreements.

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

The profit motive and exclusive proprietary rights are central to capitalist innovation. By law, private firms must prioritize the interest of their shareholders, which tends to be interchangeable with making as much money as possible. Accordingly, investments in any stage of the innovative process must eventually produce profits. To maximize profit, private firms jealously guard the value of their invention through regulations and restrictive contracts. Statutes and regulations help protect their trade secrets. The U.S. Patent and Trademarks Office routinely grants them utility and design patents that “exclude others from making, using, offering for sale, or selling … or importing the invention” for 20 years after the patent is issued. They enforce licensing agreements that can limit the uses and dissemination of all or part of their inventions. To further frustrate efforts to innovate on the back of their inventions, private firms subject their former employees to non-compete agreements that can severely limit them from using their knowledge and skills on competing projects for a period following their departure. Breaches carry dire consequences like expensive lawsuits, big money judgments, and other enormous hassles.

#### 3 – causes pay-to-pollute

Schmidlehner ‘21 [Michael F. Schmidlehner. Research Nucleus on Work, Territory and Politics in Amazonia, Brazil. Analysing the Discourse of ‘Green’ Capitalism: The Meaning of Nature in ‘Nature-Based.’ World Rainforest Movement, Bulletin 255. 5-18-21. <https://wrm.org.uy/articles-from-the-wrm-bulletin/section1/analysing-the-discourse-of-green-capitalism-the-meaning-of-nature-in-nature-based/> //shree]

The discourse of ‘green’ capitalism

More recently new and somehow different discursive constructions have emerged. Twenty or thirty years ago terms such as sustainability, biodiversity or emission reduction were used to suggest a scientific foundation of projects. During the last ten years, however, more technically vague and audience-pleasing, business-friendly expressions have increasingly come to the fore.

‘Green economy’ was propagated ten years ago as a new economic model, including a huge range of technologies – from solar energy to carbon trade – conveying the general idea, that capitalist economy is not a problem, but the solution. (3) Likewise, the idea of ‘circular bioeconomy’ (4) evokes associations with the harmonic circle of life and promises to save the planet through valuation of ‘natural capital’ and a transition to the ‘butterfly economy.’ (5) Also recently, the idea of ‘nature-based solutions’ is intensively being promoted as a supposedly new model for combating climate change and providing “human well-being and biodiversity benefits.” (6) The massive introduction of such ecological-economical all-purpose terms indicates, that the ‘sustainable development’ discourse, as described by authors like Arturo Escobar in the 1990s, is now in a different new phase and that it would more aptly be described as the discourse of ‘green’ capitalism.

So what is the reason for this change? What are the new economic and power interests that demand the adaptation of the truth regime?

The typical sustainable development projects of the 1990s, following the motto “use it or lose it”, sought to make economic use of nature by physically extracting products from protected areas, like non-timber forest products (e.g. latex, brazil nuts) or ‘sustainably harvested’ timber. Projects in the last decade, by contrast, are increasingly driven by interests in environmental and climate compensation. By this logic, in protected areas, in order for them to serve as a pawn for destruction or pollution in other areas, any human interference with so-called ‘ecosystem services’ (e.g. carbon stockage, biodiversity preservation) that are to ‘compensate’ for destruction of the same ‘service’ elsewhere, must be minimised or interdicted. What distinguishes current projects from previous ones are new mechanisms of appropriation. Environmental and climate compensation extract commercial value from nature by ‘virtualizing’ it. The so-called ‘ecosystem services,’ once quantified, are considered interchangeable. By this means, without anything being physically extracted or produced, ‘financial assets’ are created from the land in the form of certificates.

The foundational logic of such projects is not only flawed (since pay-to-pollute is not a solution), (7) but also deeply inhumane, once it ultimately aims at the criminalization and eviction of traditional peoples from their land.

In order to conceal this hardly defensible underlying rationale and its flaws, the discursive production has to be split: On the one hand, there is the highly technical jargon in technical papers, largely incomprehensible to lay people, about assessing ‘anthropic impact’ (i.e. human-induced disturbances) in ecosystems, along with calculations of emissions or biodiversity losses supposedly reduced or avoided by a project. This discursive strand is understandable only for a small group of consultants and technicians tasked with making this new form of extraction happen.

On the other hand, for the broad public the superficial euphemistic discourse of ‘nature-based solutions’ is produced. Here, the romanticisation of untouched nature goes along with a happy talk about new solutions and ‘win-win’ situations. The win-win fantasy can easily be sustained for the general public, as long as the factual loss, the destruction of livelihoods that takes place, where the impacted subaltern communities are not in a position to make themselves heard, remains hidden.

An extensive study from Brazilian researchers (8) evidenced this kind of split in the context of a prominent REDD+ project in an Amazonian indigenous territory. (9) The technical descriptions of the project, in order to ‘prove’ that the project measures will avoid deforestation that otherwise would have taken place, depict the indigenous community as notorious forest-destroyers. This information is held on the back stage, or, as the authors put it, concealed in the ‘black box’ of expert language.

On the front stage – in popular YouTube videos, glossy brochures etc. – the narrative of the indigenous people as nature-loving forest guardians is exploited. While the forest-destroyer narrative is the technical requisite for selling ‘avoided emissions’ as carbon credits, the forest-guardian narrative is necessary in order to effectively greenwash the image of the buyer, in this case a large cosmetics industry.

The mechanisms of appropriation of nature for the purpose of environmental and climate compensation are so obscene and violent, and so far from contributing to the resolution of the crises, that the general public, if they were transparent, would not accept them.

Another effective strategy to hide something is to put it in a haystack. Terms like ‘green economy’ or ‘nature-based solutions’ cover a very wide range of initiatives, programmes and projects, blurring the distinctions between them. They function as an all-encompassing label that lumps predatory offset programmes together with initiatives such as urban building greening and small-scale agroecological projects. The use of a common label suggests that all these initiatives – despite some of them seem more ‘technically complex’ than others – strive in the same direction and must ultimately have the same goal, namely preservation of the environment and climate. The purely commercial interests that are driving the compensation projects and their exclusionary nature thus remain unrecognized by much of society.

The broadness of the new terms and the ‘positivity’ of the discourse serve to further neutralise critical voices. Those who reject these terms automatically fall into the disrepute of being against any constructive contribution and can therefore easily be excluded from the discussion as notorious ‘naysayers’.

The expression ‘nature-based’ conveys the idea that the supposedly new ‘solutions’ arise from a new relationship with nature, that humans are now coming to peace with nature and learning from it. Of course, the exclusionary and predatory character of the projects behind this term makes a mockery of this notion. But the expression ‘nature-based’ in the context of such projects reveals something more fundamental.

#### 4 – no adoption---profit and coal

McDonnell 20 [Tim, reporter covering global climate change and energy issues, 8-13-2020, “The business model for carbon capture is broken,” <https://qz.com/1891765/the-uss-only-clean-coal-system-got-shuttered-by-covid-19/>]

In the months since the pandemic cratered the price of oil, the financial fallout has spread from drilling companies to refineries and oilfield maintenance companies. Now the crash has claimed another, more unlikely victim: The only system built to capture carbon emissions from a coal plant in the US, one of only two worldwide.

The $1 billion system, known as Petra Nova, was built in 2017 to catch CO2 from one unit of a coal plant near Houston. That plant is one of the dirtiest in Texas, both in terms of climate and air quality impacts, according to a Rice University study. Petra Nova was meant to cut the unit’s carbon footprint by about a third—roughly the equivalent of taking 300,000 cars off the road each year.

But on July 28, E&E News broke the story that the facility has been shuttered since May. And while the plant’s owners have said they plan to get it running again once the economy improves, Petra Nova’s shutdown exposes the weird market dynamics that could threaten the sustainability of carbon capture facilities in progress around the world.

The case for carbon capture

Capturing the carbon emissions from power plants and other industrial facilities is widely considered a key part of any successful climate strategy. The trouble is, there’s not a whole lot you can do with the CO2 after you capture it. That makes the economic case for installing a big, expensive piece of equipment a bit shaky. Some companies are helping create a market for CO2 by using it to make mattresses, cement, and other manufactured products. But the use with the greatest market potential today is, ironically for a climate project, oil drilling. That’s what Petra Nova went after.

So-called “enhanced oil recovery” (EOR) projects inject CO2 into oil wells to shake loose the dregs stuck in subterranean rocky pores. The technology is decades old, but has traditionally relied on CO2 pulled from natural sources underground. If the CO2 comes from a power plant’s emissions, though, it can reduce the climate impact of drilling. A barrel of oil produced with EOR using captured CO2 is, on net, about 37% less carbon-intensive than a normal barrel, according to the International Energy Agency. “EOR is a stepping stone,” said John Thompson, technology and markets director at the Clean Air Task Force, a research group. “If you have to choose between oil produced the conventional way or one that’s reduced, you’d like all your oil to come from that.”

The coal plant conundrum

Large-scale carbon capture and storage (CCS) systems, many of which rely on EOR, have been rolled out at nearly two dozen facilities worldwide, from chemical and fertilizer factories to natural gas processing plants. But they’ve remained elusive for power plants. In large part, that’s because the CO2 in power plant emissions is relatively diffuse. And that means it’s more expensive to capture.

One groundbreaking coal plant CCS project in Mississippi turned into an infamous $8 billion boondoggle before it was scrapped in 2018. The world’s only other power plant CCS project, in Canada, has fared better: It claims to have captured 3 million tons of CO2 since 2014, and has managed to stay open despite the low oil price because the country’s strict limits on coal pollution make the economics more favorable. The $1 billion Petra Nova project was supposed to top them all. But according to a report the plant’s owners filed to the Department of Energy in March, the results have been mixed. The technology itself appears to be working: It managed to capture 92.4% of the CO2 that passed through it since 2017. It experienced outages on 367 days, but a majority were either planned for routine maintenance or the result of something outside the system—for example, the entire coal plant being switched off for weeks following Hurricane Harvey.

But in part because of those outages, the system fell 17% short of its capture goal. Ultimately, it only captured about 7% of the plant’s total carbon emissions, according to the Energy and Policy Institute. Then the pandemic tossed the project’s whole business model on its head. In order to operate, the system requires oil prices of at least $75 per barrel. Otherwise, it’s not worth the oil company’s money to bother purchasing CO2 for EOR. Even before the pandemic, the oil price was around $60; after briefly dipping below zero in April, it’s now around $40. Few experts expect the price to return to pre-pandemic levels anytime soon, if ever.

“Petra Nova was a success in terms of technology,” said Daniel Cohan, a civil engineering professor at Rice who co-authored the power plant study. “But the premise behind it no longer makes sense environmentally or financially.” Petra Nova’s portent Arij van Berkel, director of research for the consulting firm Lux Research, agrees: The chances of an economical EOR model of carbon capture get smaller every year, he said. It’s not just coal plants feeling the pinch: A solar power farm in Oman that produced concentrated steam for oil drilling was liquidated in May because of the low oil price. Some of the oil price issues could be smoothed out with a new carbon capture tax credit, known as 45Q, that Petra Nova was just filing paperwork to tap before the pandemic struck. That credit is even higher if a company chooses to inject the CO2 directly into underground reservoirs, rather than sell it for EOR.

But oil prices aren’t the only vulnerability for other coal CCS projects coming down the pike, including one in New Mexico and another in North Dakota. The pandemic also crushed demand for electricity—and coal plants, which are expensive to run, are often the first to get switched off. Decreased demand means fewer emissions, and therefore fewer tax credits to keep an operation afloat.

It’s a Catch-22: A promising technology for reducing emissions from coal requires both high oil prices (aka, more oil being produced) and a lot of coal consumption. “Proponents of these projects are selling an unproven dream that in all likelihood will become a nightmare for unsuspecting investors,” Dennis Wamsted, an analyst at the Institute for Energy Economics and Financial Analysis, said in a recent report on Petra Nova. “Investors would do well to conduct their due diligence before investing in any coal-fired carbon capture project anywhere.”

#### 5 – politics and public will---that’s allinson and

Ehrenreich ‘21 [Ben Ehrenreich. Journalist, author of Desert Notebooks: A Roadmap for the End of Time. “We’re Hurtling Toward Global Suicide.” The New Republic. 3-18-21. <https://newrepublic.com/article/161575/climate-change-effects-hurtling-toward-global-suicide> //shree]

A strange sort of faith lies at the core of mainstream climate advocacy—a largely unexamined belief that the very system that got us into this mess is the one that will get us out of it. For a community putatively committed to scientific empiricism, this is an extraordinary conviction. Despite reams of increasingly apocalyptic research, and despite 25 years of largely fruitless international climate negotiations, carbon emissions have continued to rise, and temperatures along with them. We are at nearly 1.2 degrees Celsius of warming already—more than 2 degrees Fahrenheit over preindustrial averages—and three-tenths of a degree away from blowing the Paris accord’s aspiration to limit warming to a still-calamitous 1.5 degrees Celsius. Scientists now expect us to hit that threshold in about 10 years, and large swaths of the Arctic have been in actual flames for two summers running, but most governments with the option to do so are still feeding the beast that got us here.

Even with the grim opportunity presented by the Covid-19 pandemic, which slowed the economy so much that growth in fossil fuel production dropped an almost unprecedented 7 percent last year, governments—ours very much included—have so far dumped much more stimulus spending into high-carbon industries than into renewable energy. It’s as if our economic system, and the politics it breeds, will not allow us to diverge from the straight path to self-obliteration.

The faith nonetheless persists: The market will provide. It has not done so yet, but renewables are perhaps finally cheap enough—cheaper at last than conventional energy sources—that the transition is now inevitable. So the credo goes. The change that is coming will be largely technological: a bold new era of “green growth.” Modern societies erected on dirty coal and oil can be jacked up and shifted to cleaner forms of energy like an old house in need of a new foundation. Government may have a larger role in this transition than neoliberal dogma has recently allowed, but its primary task will still be to encourage innovation and feed the markets by shepherding the resulting growth.

It is no coincidence that some version of this faith, so all-pervasive now that it does not register as a piety, has been reshaping the planet for almost precisely as long as fossil energy—first coal, then oil—has been altering the atmosphere. Capitalism is guided by a carbon creed, an ecstatic vision of a market that chugs along eternally, needing only new inputs—the earth itself, commodified as minerals, or water, housing, health care, or almost any living thing—to spew out wealth that can be shoveled back into the machine, converting more and more of the biosphere into zeros in a digital account: more fleshless, magical money that can be invested once again. If appetites are bottomless, and apparently they are, shouldn’t growth be endless too?

The market’s grip on the political imagination so effectively blinds us to alternatives that we are unable fully to grasp that this is the basic script that the new administration is following. Even the Green New Deal does not substantively diverge from it. The climate crisis, an existential threat to planetary life, must be sold to Wall Street and the public at large as a growth opportunity. On January 31, John Kerry, acting as Biden’s new climate envoy, enthused to CNN’s Fareed Zakaria about “literally millions of jobs” that would soon be created, about all the “new products coming online,” and about oil companies’ newfound passion for “carbon capture and storage and so forth.” The private sector, he said, “has already made the decision that there is money to be made here, that’s capitalism, and they are investing in that future.” If that makes you nervous, it shouldn’t, Kerry insisted. The changes ahead would be like the analog-to-digital shift of the 1990s, only better: “the important point, Fareed, for people to really focus on is it’s a very exciting economic transition.”

If Kerry struck a cheerier tone than that of the doomsaying consensus in the scientific community, it wasn’t just a question of polishing a turd. “Green growth” is mainstream climate discourse. A “green transition” that does not significantly alter existing economic structures—or their vast inequities—is still, for most climate advocates, the only imaginable way forward. Kerry was speaking a made-for-TV version of the sole language available to him—one that in its most basic assumptions excludes the possibility of fundamental social transformation, and of any heresy that casts doubt on the Great God Growth. The one thing all those thousands of scientists agree on is our only hope—that the economic structures that mediate our relation to the planet must be profoundly altered—is the one thing that Kerry and Biden are quite careful not to consider at all.

In climate policy jargon, the crucial concept is “decoupling.” The notion lies deep in the hidden heart of the “sustainable development goals” held dear by international bodies such as the United Nations and the World Bank: Economic growth can be safely divorced from the ecological damage that it has heretofore almost universally wreaked. If the train of capital appears to be hurtling us toward the abyss, we can cut the engine loose and cruise someplace more comfortable: same train, same speed, different destination. Like millions of clean-tech jobs and a crisis-induced transition magically unlocking unimaginable wealth, it is an attractive and reassuring idea. The only problem is that there is next to no evidence that anything analogous has ever occurred, or that it is likely to occur in the future.

Examples of successful decoupling tend to involve shifts in the location rather than the nature of industrial production: Rich countries green their economies by offshoring the manufacture of the goods they consume to China and countries in the global south, which they can then chastise for their lax emissions standards. But Earth’s atmosphere is not divided by national boundaries. Greenhouse gases cause the same degree of global warming no matter where they are produced, and to the extent that this kind of decoupling is a meaningful measure of anything, it is only of the colonial relations that still set the terms for the shell game of global capital.

What policy wonks call “absolute decoupling”—the only kind that would do the climate any good—turns out to be a fantasy akin to a perpetual motion machine, a chimera of growth unhindered by material constraints. One recent analysis of 835 peer-reviewed articles on the subject found that the kind of massive and speedy reductions in emissions that would be necessary to halt global warming “cannot be achieved through observed decoupling rates.” The mechanism on which mainstream climate policy is betting the future of the species, and on which the possibility of green growth rests, appears to be a fiction.

This fiction is nonetheless fundamental to the very math used by international climate institutions. In 2018, the Intergovernmental Panel on Climate Change’s benchmark Special Report on Global Warming of 1.5oC—which announced in no uncertain terms that global emissions must be decreased by nearly half by 2030 and reach net z

ero by 2050 to avoid cataclysm at an almost unthinkable scale—set out a number of possible scenarios for policymakers to consider. It relied on algorithmic models linking greenhouse gas emissions and their climate impacts to various socioeconomic “pathways.” Whatever other variables they accounted for, though, all of the scenarios envisioned by the IPCC assumed the continuation of economic growth comparable to the past half-century’s. Even as they acknowledged levels of atmospheric carbon unseen in the last three million years, they were unable to conceive of an economy that does not perpetually expand. Fredric Jameson’s oft-cited dictum that it is easier to imagine the end of the world than the end of capitalism was baked into the actual modeling.

At the same time, all but one of the ­IPCC’s scenarios that envision us successfully limiting warming to 1.5 degrees Celsius rely on the use of technology to remove carbon from the atmosphere after the fact. (The one exception involves converting an area more than half the size of the United States to forest. None of the scenarios imagines that we can reach the 1.5 degrees Celsius target by cutting emissions alone.) But the technology in question is at this point largely speculative. “No proposed technology is close to deployment at scale,” the report’s authors concede, and “there is substantial uncertainty” about possible “adverse effects” on the environment. The international body, in other words, is more willing to gamble on potentially destructive technologies that do not currently exist than to even run the math on a more substantive economic transformation.

A version of this same wager animates the Biden climate plan, which, as Canada, the European Union, the U.K., and South Korea all have, commits to “net-zero emissions no later than 2050.” (China plans to reach the same goal by 2060.) This sounds like great news, and is without doubt worlds better than the status quo ante of no ambitions at all. But “net zero” is a slippery notion. It does not mean zero at all. To avoid exceeding 1.5 degrees Celsius of warming, emissions need to fall 7.6 percent every year for the next 10 years. Even with the pandemic-induced slowdown, global emissions shrank only 6.4 percent in 2020. Since, as Biden reassured a nervous oil industry during the campaign, “We’re not getting rid of fossil fuels for a long time,” net-zero calculations assume some degree of “overshoot”—i.e., they stipulate that we’re not going to be able to cut emissions fast enough, and that we’ll therefore have to rely on those same untested carbon removal technologies to eventually bring us to zero.

But a planet is not a balance sheet. The climate has tipping points—the collapse of the Antarctic and Greenland ice sheets and the Himalayan glaciers, the deterioration of Atlantic Ocean currents, the melting of the permafrost, the transition of the Amazon from rain forest to savannah. We are perilously close to hitting some of them already: In February, 31 people were killed and 165 went missing when a chunk of a Himalayan glacier broke off, releasing an explosive burst of meltwater and debris. In the most nightmarish scenario, which could be tripped with less than 2 degrees Celsius (3.6 degrees Fahrenheit) of warming, those tipping points could begin to trigger one another and cascade, locking us in, as one widely cited study put it, to “conditions that would be inhospitable to current human societies and to many other contemporary species.” Without major emissions cuts, we may reach 2 degrees Celsius of warming before 2050.

That’s a heavy risk to bet against, but there it is, pulsing away inside the net-zero promises that not only politicians but corporate boards have been proudly rolling out. Over the last two years, more and more corporations in fossil fuel–intensive industries—BP, Shell, Maersk, GM, Ford, Volkswagen, at least a dozen major airlines—have made similar pledges. Shell’s plan alone would require tree planting over an area nearly the size of Brazil. By the estimate of the NGO ActionAid, “there is simply not enough available land on the planet to accommodate all of the combined corporate and government ‘net zero’ plans” for offsets and carbon-sinking tree plantations. To save this planet, it appears we’ll need another one. This is what currently counts as pragmatism.

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

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Neoliberalism alternative.

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

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

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

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

A mere revival of the social democratic agenda of the postwar era, however, would not be sufficient. For one thin

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

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

#### 5 – Solves advantage 2.

Bill McGuire 21. Academic and political correspondent for *Prospect*. “There’s a simple answer to climate change. But will capitalism allow it?” *Prospect*. May 24th, 2021. https://www.prospectmagazine.co.uk/science-and-technology/climate-change-degrowth-global-warming-bill-gates-geoengineering

Without the prospect of ever more growth and ever more profit, today’s unfettered capitalism would wither on the branch, which is why the whole idea of a sustainable global economic system is despised by all dyed-in the-wool free marketeers. It is also the reason why technology billionaire Bill Gates, and others of his ilk, are fans of the geo-engineering route, which keeps capitalism in the fast lane by kicking that pesky global heating into the long grass.

It is perhaps not surprising, then, that even the IPCC’s (Intergovernmental Panel on Climate Change) representative concentration pathways (RCPs)—which map a range of scenarios for the amount of greenhouse gases accumulating in the atmosphere going forward—do not include any that assume degrowth.

To address this omission, researchers Lorenz Keysser and Manfred Lenzen, of ETH, Zurich’s technical university, recently published an array of degrowth pathways in the journal Nature Communications. These show that an intentional reduction in economic output is actually less risky than a combination of continued GDP growth and geo-engineering. In advanced economies, degrowth would involve a slowdown in manufacturing, accompanied by a significant switch to green technologies and far greater focus on environmental and ecological protection and repair.

If managed effectively, there would be no need for productivity to fall, nor for people to become worse off. Embracing both a universal basic income and a four-day working week would make the transition relatively painless. Of course, a new smartphone model every year would be out of the question, but would we really miss it?

Not unexpectedly, the authors of the paper observe that the biggest obstacle to initiating a programme of global degrowth is political will. As they rightly point out, the whole idea of degrowth challenges deeply entrenched mindsets, cultures, values and power structures that would be difficult, if not impossible, to change. Probably the only way this could be done, the authors suggest, is by increasing pressure for change from the bottom up, via high-profile social movements such as Extinction Rebellion.

And then there is, of course, the need to ensure the most vulnerable are cushioned from the economic effects. Even in the unlikely case that politicians become convinced of the need to reduce GDP, the manner in which it is accomplished is crucial. To keep everyone on board and to be truly fair, it must be—and must be seen to be—just and equitable. Socio-economic changes would need to be negotiated and enacted at the global level, with reduced consumption by richer states being compensated for by increases in the poorest nations.

Numerous studies have shown that a high quality of life and improved well-being can be sustained at lower levels of energy use and GDP. Nonetheless, getting the global community to transition rapidly from hell-for-leather growth to a sustainable steady state remains a colossal ask.

As it emerges slowly from the depths of the pandemic, during which emissions fell by around seven percent, the global community finds itself at a crossroads. It can tread the road that allows growth to surge ahead, or realign society and the economy so that growth is managed to follow a downward path. At the moment, all the money appears to be on the former, despite the fact that this means turning our backs on what is almost certainly the last, best chance to tackle the climate emergency.

Plumping for continued, unrestrained growth will leave the door wide open to those convinced that only techie tinkering will bring global heating under control. And if this all goes pear-shaped, we will have committed our children and their children to life in an increasingly plundered and malignant world of blistering temperatures, drowned cities and a society that no longer functions.

#### 1 – Paradigm shift now towards the alt.

CJ Atkins 21. Managing Editor at People’s World with a Ph.D. in political science from York University in Toronto. Neoliberalism’s in trouble: A Marxist look at the American Rescue Act. People's World. 3-11-2021. https://www.peoplesworld.org/article/neoliberalisms-in-trouble-a-marxist-look-at-the-american-rescue-act/

Change from below Many analysts are taking notice of this paradigm change. Paul McCulley, a business professor at Georgetown, told the New York Times earlier this week, “Having the tools of economic stabilization work a whole lot more through the fiscal channel and a whole lot less through the monetary channel is a profound, pro-democracy policy mix.” In plainer language: It’s better to have elected representatives rather than unelected bankers making the call on how public money is spent. Some media commentators are seeing the shift, but they’re missing the real reasons for why it’s happening. Times opinion writer Neil Irwin, for instance, characterizes it as a battle between “pointy-headed technocrats” and lawmakers, or as the headline of his article earlier this week put it, “Move over, nerds. It’s the politicians’ economy now.” Without the insights that come from a class analysis of the situation, Irwin and other commentators in the bourgeois press continue to look only at the differences among those at the top of society to explain social change. The truth, however, is that the pressure now being applied to neoliberal ideology is the result of class struggle from below. Since the last recession, working-class action has been steadily building and gaining strength. The first sparks came in the Occupy Wall Street movement that emerged in the wake of the financial crisis. There were the two Bernie Sanders campaigns for president as well as that of Elizabeth Warren, which inserted explicitly social democratic demands like Medicare for All into public conversation. The trade union movement has begun to reverse its decades-long decline, with new organizing efforts like the campaign by Alabama Amazon workers showing that more and more workers are looking to collective action as the way to improve their lives. The Black Lives Matter national uprising, with its demand to defund policing and militarization and redirect funds toward human needs, has melded together the fights to end racism and economic inequality. Opinion polls have shown interest in the ideas of socialism gaining steam for several years already, showing up also in the fact that left-wing organizations like Democratic Socialists of America and the Communist Party USA have seen explosive growth. The 2018 and 2020 elections were further proof, as the caucus of progressive legislators swelled. Bold women of color leaders like Reps. Alexandria Ocasio-Cortez, Ayanna Pressley, Ilhan Omar, and Pramila Jayapal now lead the charge in Washington on everything from the Green New Deal to the Fight for $15 and more. The mass death and destruction experienced in the past year because of coronavirus have only accelerated the trend of people questioning the status quo and looking for alternatives. The pandemic has accelerated class struggle trends that were already becoming apparent. Increasingly, millions are questioning capitalism, as shown by this message spray-painted onto a wall in Toronto. | C.J. Atkins / People’s World All this simmering of organized working-class activity and political growth—driven by the material conditions workers and oppressed people find themselves living in—is having an impact at the national level of policy and debate. In Marxist terms, changes in the economic foundation of society are affecting mass consciousness and therefore prodding change in the superstructure—the legal, political, and philosophical ideas of our times. Old ideologies like neoliberal capitalism are under pressure from new ones arising out of class struggle. Those new ideas are not yet fully formed, though, and the forces pushing them are not yet strong enough to assert their power at all times. The new is still in conflict with the old, and the outcomes are uneven. Allies (like politicians) will at times waver. Victories will be real, but incomplete (like the dropping of the $15 minimum wage from the ARA). Defeats are not unavoidable. As Frederick Engels wrote, “History makes itself in such a way that the final result always arises from conflicts…there are innumerable intersecting forces.” So the American Rescue Plan, despite whatever we didn’t get out of it, is a big win for the working class. The people have been demanding a change in how our economy operates and whom it benefits. Organization and unity are making it happen—the 2020 election was proof of that as well.

#### – Appeals to feasibility are propaganda.

Tavan 21 [Luca. Writer for the RedFlag Australia. Worldwide revolution is possible and necessary. No Publication. 3-7-2021. https://redflag.org.au/article/worldwide-revolution-possible-and-necessary]

From the moment Marx and Engels urged workers of the world to unite at the climax of the Communist Manifesto, the goal of international revolution has been at the core of Marxist politics.

International revolution isn’t just a romantic dream, but an urgent necessity. It’s the only means by which capitalism can be permanently uprooted and replaced with socialism. This is because capitalism, unlike previous class societies, is a globally integrated system. “For the first time in history”, wrote British Marxist Colin Barker of this phenomenon, “capitalism has created a genuinely world society, where all our lives are entwined together in a common history and a common fate”.

Capitalism has linked every nation in a global chain of production. Take your mobile phone for example. It was likely assembled in China, using computer chips manufactured in Taiwan, powered by coal exported from Australia and produced with minerals mined in the Democratic Republic of Congo according to specifications developed in Europe or the United States. No single country produces all the things necessary to satisfy its population’s needs, unlike the various forms of society that came before capitalism, which were mostly self-sufficient and organised around small local economies.

Capitalism was established as a world system through immense robbery and violence—from the international slave trade, which fuelled the Industrial Revolution, to the murderous colonisation of what is now Australia. That same violence is today used by states to defend their imperialist interests, and discipline any movements that get in their way. Movements that aspire to national independence or that back left-wing reformist governments have been demolished with the aid of the great capitalist powers countless times in the past century, from the overthrow of the Allende government in Chile in 1973 to the 2019 Bolivian coup.

Revolutionary movements that attempt to overturn the entire capitalist system face a much more severe response. This was confirmed by the defeat of the Russian Revolution. In 1917 workers, radicalised by years of war and economic crisis, overthrew the tsarist regime and eventually took power into their own hands. In response, the capitalist powers of the world united to crush the workers’ state, in alliance with reactionaries who wanted to restore the tsarist regime. Unless revolutions can spread internationally and challenge the imperialist powers that have an interest in destroying them, they will be crushed.

A heroic effort by Russian workers and peasants fought off 16 foreign invading armies, but at a great cost. The working class was decimated, the factories were depopulated, and the radical working-class democracy that had been built withered. The isolation and poverty imposed on Russia made building socialism an impossibility, and a new Stalinist regime emerged that reversed most of the gains of the revolution.

Because Russian revolutionary socialists who pinned their hopes on spreading revolution across the globe were ultimately defeated, their example is used by defenders of capitalism as a cautionary tale today: that a worldwide revolution against the system is an impossible dream.

But capitalism’s global nature means that revolts tend to spread across national borders. Workers today share increasingly similar experiences: conditions of work, forms of consumption, lifestyles and political cultures. And the global integration of production serves to transmit struggle from one country to another. In 1974, for instance, resistance to the brutal military dictatorship in Chile spread to East Kilbride, Scotland, of all places. Workers at the Rolls Royce factory there learned that the engines they were repairing were being used by the Chilean air force to drop bombs on workers resisting the coup. They downed tools and refused to work on the engines, keeping them out of the hands of the military junta for four years.

While nationalism still has a powerful hold on the consciousness of many, it’s increasingly clear that the real line of polarisation across the globe is between the minority ruling class and the majority working class. And when revolts break out in one part of the world, people can identify with the causes and motivations of their struggles, and draw comparisons with their own situation. “Languages remain different,” observed UK Marxist Chris Harman in 1992, “but what they say is increasingly the same”. Harman’s words ring true in every wave of political radicalisation.

1968 is remembered as a year of global revolt, when millions of workers, students and oppressed people drew inspiration from each other’s movements. Activists in the US were radicalised by the heroic resistance of the Vietnamese people to American imperialism. Irish civil rights activists emulated the militant politics of the Black Panthers. When students and workers united to launch a massive general strike in France in May, it taught student radicals in Australia that they needed to link up with the power of the organised working class in order to win.

The movements of 1968 united people across superficially very different societies. For decades, Cold War common sense had dictated that the greatest divide on the planet was between Western liberal capitalism and Stalinist “Communism”. But in 1968, both sides of the iron curtain exploded in revolt. The triggers for the struggles may have been different, but they were all responses to similar issues: inequality, exploitation and war, imposed by monstrous bureaucratic states.

In 2011, a poor Tunisian street vendor set himself alight to protest against police harassment. Within days, his act had inspired anti-government protests across the country. Within weeks, the protests escalated into a regional revolt that challenged regimes across the Arab world. One small act tapped into resentment against inequality, unemployment and state violence that engulfed an entire region. The radical wave spread even further: at a massive demonstration against an anti-union bill in the US city of Madison, Wisconsin, a man held up a poster with a picture of Egyptian dictator Hosni Mubarak beside Republican Governor Scott Walker. The caption read: “One dictator down. One to go”. The Arab revolutions went on to inspire the Occupy movement, which spread to more than 80 countries.

Today, more than ever, insurgent social movements and working-class uprisings are spurring action in other parts of the world—from Hong Kong to Chile, from Lebanon to France. One placard at a memorial for protesters murdered while resisting the military coup in Myanmar took up Marx’s incitement: “Workers of the world unite, you have nothing to lose but your chains”.

While the Russian Revolution is cynically held up by capitalist ideologists as the ultimate argument against international revolution, it actually proves the opposite. It shows that the goal is not only necessary, but also that it’s possible. The news of workers seizing power in Russia, overthrowing their capitalist government and declaring their withdrawal from WWI, created shock waves across the planet. Workers in Germany rose in revolt a year later, ending the war for good and building soviets, a form of radical working-class democracy inspired by the Russian example. This was followed by uprisings in France, Italy and Hungary.

The revolutionary wave spread further. A classified British government report from 1919 noted a “very widespread feeling among workers that thrones have become anachronisms, and that the Soviet may be the best form of Government for a democracy”.

The rising tide of radicalism had an impact in Australia too. Meatworkers in the Queensland city of Townsville donned red jumpers, stormed the local police station to free jailed unionists, and placed the city under workers’ control. The editor of the conservative Townsville Daily Bulletin lamented: “Townsville for the last year or so has been developing Bolshevism ... the mob management of affairs in this city, differs very little, from the Petrograd and Moscow brand”.

The Russian Bolsheviks, the revolutionary working-class party that led the revolution to victory in 1917, didn’t just passively wait for revolutions elsewhere. They actively organised to spread the revolt. In 1919, they established the Communist International, an organisation for debate, discussion and coordination between different revolutionary workers’ parties. Revolutionaries in Russia, Italy, France, Germany, the US, Australia and elsewhere attempted to clarify and develop a strategy for overthrowing capitalism everywhere. In none of these countries was there a party like the Bolsheviks, steeled in years of organising working-class struggle to overthrow the state, and capable of leading a revolution. But for a number of years, workers came close to overthrowing capitalism in several countries.

In periods of stability, when social conservatism dominates, international revolution can seem like a pipe dream. Defenders of the status quo actively work to reinforce this illusion. But history proves that the crises that the system generates are international, and that they will inevitably provoke international resistance.

Capitalism is a global system. It requires a global movement to tear it up, root and branch. But it also makes global revolution more possible, and more likely. The most important thing that socialists can do, whether you live in Hong Kong or France, Myanmar or Australia, is to get stuck into organising for it today.

#### 2 – Only benefits 1%, ensures genocide and war.

Caroline Haskins 18 Technology reporter with a degree form NYU. “The Racist Language of Space Exploration”. 8/14/2018. The Outline, https://theoutline.com/post/5809/the-racist-language-of-space-exploration?zd=1&zi=wyjhxu6o

On Thursday, Vice President Mike Pence, head of the National Space Council, outlined plans for creating the “Space Force” that President Donald Trump envisions as a space-dedicated military branch, complete with space warfighters and weapons, by the year 2020. Back in June, Trump explained the Space Force by using the language of Plessy v. Ferguson, the 1896 Supreme Court decision which ruled that racial segregation was constitutional, giving states and municipalities the authority to enact Jim Crow laws. "We are going to have the Air Force and we are going to have the Space Force, separate but equal, it is going to be something so important,” Trump said. He just as easily could have said, “The Space Force will be a branch of the military, like the Air Force,” but he did not. Trump is far from the first or only person to use the language of colonization to make a pro-space venture argument. Elon Musk famously describes his plans for a Martian settlement as a “colony,” and a long lineage of space pundits, politicians, and thinkers invoke the history of colonizers and colonization in order to frame the future of humanity in space. During a July 25 hearing of the Subcommittee on Space, Science, and Competitiveness titled “Destination Mars – Putting American Boots on the Surface of the Red Planet,” subcommittee head, Texas Sen. Ted Cruz said that he believes that the first trillionaire on earth will make their money from space exploration. Is it possible to ethically explore space? Listen to Caroline Haskins discuss the possibilities on The Outline World Dispatch. “I don’t know who it will be, and I don’t know what they will discover, or what they will accomplish,” Cruz said. “But I think it is every bit as vast and promising a frontier as the New World was some centuries ago.” “You could argue that the effort to colonize space is likely to involve new forms of inequality: shifts in tax revenues and administrative priorities devoted to that,” said Michael Ralph, a professor of anthropology at NYU. “As opposed to [supporting] other social institutions that benefit people like health care, education, infrastructure.” Earning money in space is an exciting prospect for a far-right, pro-business, anti-regulation politician like Cruz, and he explicitly associated it with European countries having colonized the Americas. Starting in the late 1400s, Great Britain, Spain, and Portugal funded missions to the Americas in order to gather natural resources that would power up their economies. By stealing the land that made this resource extraction possible, colonizers used genocide, enslavement, biological weaponry, and warfare and that resulted in the deaths of tens of millions of indigenous people living in the “New World.” The concept of race, and therefore racism, was invented as a way of justifying their violence and legitimizing a hierarchy of race-divided labor. Based off of what we know right now, the Moon and Mars are devoid of life, so this colonizing language is not actually putting other beings at risk. But, there is the risk that the same racist mythology used to justify violence and inequality on earth — such as the use of frontier, “cowboy” mythology to condone and promote the murder and displacement of indigenous people in the American West — will be used to justify missions to space. In a future where humans potentially do live on non-earth planets, that same racist mythology would carry through to who is allowed to exist on, and benefit from, extraterrestrial spaces. On Earth, and in the United States specifically, the ideal of a merit-based society has been used to justify race-blind hiring policies that fail to account for, say, the implicit bias against black or Asian-sounding names, or the legacy of segregation, which continues to make children of color more vulnerable to attending underfunded schools. Narratives of “law and order” have also been used to justify racial profiling and harsher prison sentences for people of color than for white people who commit the same crimes. Not nearly enough work has been done here on Earth to ensure that these structural inequalities wouldn’t carry through. “Those narratives do carry specific implications about how

people living on other worlds might be structured,” Lucianne Walkowicz, the current Chair of Astrobiology at the Library of Congress, told The Outline. Walkowicz organized the Decolonizing Mars Conference that took place on June 27 as well as a public follow-up event planned for September, to discuss how colonial language is shaping our potential future in space. “Space is not just built for nothing, it’s built for people.” When we think about humanity’s potential to exist on other planets, it’s important to consider who won’t have access to space, in part due to a total lack of concern over these issues by people who are able to access it. Amazon CEO Jeff Bezos intends to make space a place for the rich to use for adventure leisure, and SpaceX/Tesla founder Elon Musk has proposed that a Martian “colony” can save a selection of humanity from the collapse of civilization in some World War III scenario. Granted, right now, these are just words from billionaires who want to excite the public about their business ventures. But they suggest that if the economically and socially vulnerable are priced out of a life-saving journey from Earth, it is a justifiable loss. “All of these things that are said off the cuff [by billionaires] have some implications that are concrete and count some people in, and some people out,” Walkowicz said. Part of that concern is fueled by the fact that Cruz and Pence have presented the path to settling space as one that will be privately funded, but lead by the U.S. government. In the Destination Mars subcommittee meeting, Cruz said, “At the end of the day, the commercial sector is going to be able to invest billions more in dollars in getting this job [of getting to Mars] done.” In his Thursday remarks regarding the Space Force, Pence also implied that celestial territories would be treated as private property (even though owning private property in space is explicitly illegal per the Outer Space Treaty, which the U.S. and dozens of other nations signed in 1967). “While other nations increasingly possess the capability to operate in space, not all of them share our commitment to freedom, to private property, and the rule of law,” Pence said. “So as we continue to carry American leadership in space, so also will we carry America’s commitment to freedom into this new frontier.” This approach to public-private partnerships directly mirrors colonist practices. For instance, the British East India Company violently colonized parts of India on behalf of the company, but over time, ownership of the stolen land shifted to Great Britain. While these risks feel a part of a far away future, in the present, idealizing colonization as a positive, replicable aspect of American history speaks to an unsettling indifference from leaders about the violent history of colonization. And by referencing historical events that victimized people of color, leaders paint a vision of the future in which people of color continue to be excluded, Walkowicz said that the social and economic legacy of colonization is ignored. By using narratives of adventurism and heroics, white Americans were able to convince other white Americans that they were not only entitled to steal and conquest land and persons, but that it was their destiny. Ralph said to The Outline that this mythology remains central to the way Americans conceptualize their history and culture. “Colonization is portrayed as a heroic conquest,” Ralph said. “These practices are framed as central to American identity, essential to governance, politics, and all major social institution. But not depicted as a colonizing that is one caused by violence, displacement, dispossession.” Even when people aren’t explicitly referring to settlements in space as “colonies,” they still use the rhetoric of colonizing the New World and the American frontier, which erases the stories of and violence against the people of color who lived and ranched in the region. But how did this language start being used in the first place? Presidents have also used frontierism and colonialism to get white citizens behind their agenda. When President John F. Kennedy announced his intention to bring Americans to the Moon in 1962, he paraphrased one of the earliest colonists on the North American continent. “William Bradford, speaking in 1630 of the founding of the Plymouth Bay Colony, said that all great and honorable actions are accompanied with great difficulties, and both must be enterprised and overcome with answerable courage,” Kennedy said. Bradford was the governor of the Plymouth Bay Colony at the time of the Pequot War. In an overnight attack, British colonizers massacred four hundred soldiers, non-soldiers, and children. Bradford later described the act of genocide as a Christian victory. “...victory seemed a sweet sacrifice, and they gave the prays therof to God,” Bradford wrote, “who had wrought so wonderfully for them, thus to inclose their enemies in their hands, and give them so speedy a victory over so proud and insulting an enemy.” Although Kennedy did not characterize his vision for the Moon as creating a “colony” specifically, the association he wanted to create is clear: The Moon is the next version of the New World, the next frontier for American conquest. In his speech, Kennedy continues that men like Bradford teach us that “man, in his quest for knowledge and progress, is determined and cannot be deterred.” However, if “man” is a stand-in for “white colonizers,” “knowledge and progress” unabashedly brushes over the lives of indigenous persons and people of color that were lost in their quest to “explore.” It’s a profusely sanitized version of reality. “It’s fascinating that a term like ‘colonizing’ can be seen in neutral terms when it can’t exist without violence and dispossession,” Ralph said. It can’t exist without violence to establish a political hierarchy. Every colonial project is about managing populations, subjugating people, extracting resources.” But Kennedy was not the first person to use of colonizing language in the context of space. John Wilkins, one of the first people who ever theorized about humanity’s future in space, wrote “A Discourse Concerning a New World and Another Planet” back in 1638, where he argued that the Moon will be a place for human habitation in the future. Although it was a piece of science fiction theorization at the time, Wilkins justified his argument by saying that God created the Earth and stars for people to use in his honor. Colonizers are adventurers, Wilkins argues, whose ideals are worth replicating on other planets. “The invention of some other means for our convenience to the Moon cannot seem more incredible to us, than this did at first to them, to be discouraged in our hopes of the like success,” Wilkins wrote, admitting that any mission to the moon would be far in the future. “We have not now any [Sir Francis] Drake, or Columbus, to undertake this voyage, or any Daedalus to invent a convenience through the air.” Sir Francis Drake was a slave-trader, and of course, Christopher Columbus is responsible for the genocide of almost 3 million people on the island of Hispaniola (now the Dominican Republic and Haiti). As space travel has become more technologically feasible, science-fiction writers have speculated about how a space society would actually function. Arthur C. Clarke envisioned that “colonial” would be a dirty word in space in his 1954 book Earthflight: “And to do [enter Solar politics], one had to go to Earth; as in the days of the Caesars, there was no alternative. Those who believed otherwise or pretended to — risked being tagged with the dreaded word ‘colonial.’” For Clarke, colonialism was equated with privilege in a space society, not because of racism and violence on Earth. Later in the novel, Clarke doesn’t hesitate to compare travelling between planets, and the nobility of doing so, with British colonizers travelling between continents in earlier centuries. Adilifu Nama, a professor of African American Studies at Loyola Marymount University who has written about the representation of race in science fiction, said that science fiction movies and books during the 1950s and 1960s often included narratives of invasion from alien lifeforms directly alongside conceptualizations of existing in other worlds. These anxious science fiction narratives became popular during the Civil Rights Movement. “We had [an] invasion emerging [during the Civil Rights Movement] of black folks invading these once pristine white spaces: with public transportation, public schools, and eventually particular neighbourhoods and black folks having access to better, more upscale neighbourhoods,” Nama said. “So there is also this invasion society around racial purity, and the tensions of science fiction can be read not only as Cold War anxieties, but racial anxieties about the other.” Ralph said to The Outline that the Space Race of the 1950s and 60s shouldn’t be seen as purely a nationalist competition between the U.S. and Soviet Union: it was also a distraction from the Civil Rights Movement. “A lot of what we think of as the Space Race was the US and Russia competing as rivals for supremacy in space back in the 1950s, but also that movement was about civil rights and the struggle for justice for Americans,” Ralph said. “In a way, you could argue that space exploration has historically been used to shift public attention away from the struggle of social justice.” According to Walkowicz, that people dip into the violent, racist history of colonialism and gloss over their language using a sense of adventure provided by the American frontier is no coincidence. “The people for whom the American frontier myth were constructed, who were primarily white men, also now have the narrative of space,“ Walkowicz said. “And because tech is so incredibly non-diverse, and has been so slow to change even in those small ways in which it has, I think a lot of those narratives go unquestioned.” The people with the power to make a future in space possible, such as Trump, Pence, and Cruz, or the money to actually get us there, like Elon Musk and Jeff Bezos, are the same people who have and will always benefit from systemic racism and the potential economic glory from new economic ventures. Ralph noted that prioritizing space travel undermines funding for sustainable forms of energy like wind and solar, and efficient ways to construct affordable houses and schools. It also has direct economic implications for the people who rely on any number of federally-funded social programs in the U.S. “In Trump’s America, we have a lot of conservatives and even libertarians insisting there’s too much government spending on social programs, and yet Trump wants to use our federal funds to reinvigorate our space programs,” Ralph said. “Just like in the 1950s and 60s, [Trump] is using space exploration to cultivate nationalist sentiment and arguably shift questions away from questions of social justice and questions of inequality.”

#### 3 – Laundry list of reasons---they can’t overcome any of them.

Sukant Khurana 18. Khurana runs an academic research lab and several tech companies. 6-2-2018. "The prospect of escaping earth due to depletion of resources." Medium. https://medium.com/@sukantkhurana/the-prospect-of-escaping-earth-due-to-depletion-of-resources-e5bc92d477f0

Atmosphere Creating a breathable atmosphere is one of the first conditions of building a space settlement. Most of the planets such as Mars (95.2% CO2 and only 0.13% O2 ) [3] possesses a hostile atmosphere for human habitation. Also, the atmospheric pressure is way lower than Earth (At mean radius, Mars has an average atmospheric pressure of 0.058 psi-0.126 psi [3] where on Earth, the mean pressure at sea level is 14.6959 psi ) in most of them. The other concern related to the atmosphere is the freezing cold temperatures in our prospective colonies. Most of them do not have a proper atmosphere to contain the solar energy and some are simply far from the sun. The Martian temperature can reach anything between -60 to -65 degree Celsius [4] and this figure simply go down as we move further from the Sun. Health concerns Another big issue for us can be the difference in gravity in our prospective home. Mars for an example has a surface gravity of 3.69 m/s2 [3], only 37.9 % of Earth’s surface gravity. Such low gravity can have serious effects on the colonists. It may cause osteoporosis and cardiovascular diseases and can even lead to significant decrease of grey matter volume in our brain [5]. Radiation is another threat for a budding colony outside Earth. Planets or moons which do not have a magnetic shield like Earth, can expose the colonists to harmful radiations. Such exposers can lead to serious cognitive disabilities and may affect the fertility of the colonists. Other serious consequences include cardiovascular damages and cancer. For a Mars Mission, the standard risk of exposure induced death in astronauts can jump from 3% to 10% while the chance of morbidity becomes as high as 20% [6]. Severe psychological issues may also develop among the colonist thanks to the isolation they may experience in the early days of the colony. An interesting read in this regard is the article on the mental preparation for mars by Sadie E. Dingfelder. Economical Feasibility To set up a space colony we require a huge initial investment to cover the expenses to set up such a facility millions of miles away. Given the costs of a traditional launch and the amount of payload we need to transfer, it is almost impossible for a government to fund such an attempt without breaking the bank. A hope in this regard can be the recent developments of low-cost crafts such as the SpaceX Falcon 9 but they are still far from what is required to sustain such an ambitious effort. Conclusion From what we have discussed so far, it is clear that even if space colonization can be a solution for the survival of humankind, we are still far away from making it possible due to several factors. Hopefully, with the brilliant minds working in this sector, the day is not far when we will be harness to harness such technologies that will make our voyage towards our new home safer and cheaper. Till then, all we can do it is to try our best to protect and manage our resources so that the future generations can have a better place to live in.

## Cartels

#### 1 – Spending asymmetries outweigh.

Erik Hovenkamp 20. Professor of Law, USC School of Law. “Asymmetric Stakes in Antitrust Litigation.” *Georgetown Law Review*: 3-4. <https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=3268&context=facpub>.

Consideration of endogenous effort in litigation is particularly apropos in the antitrust context, where discovery is often very broad-sweeping and complex and the parties spend large amounts on economic consultants and expert witnesses for both liability and damages. Economic evidence plays a significant role in the outcome, and the parties can spend an enormous amount on econometric studies and simulation models, and on rigorous critiques of each other’s analyses. The judge, meanwhile, is unlikely to be well-versed in the relevant economic issues and methodologies. This means that a firm’s spending on economic experts can be very fruitful, for the court is likely to rely heavily on the parties’ experts to understand the complexities of the case.

We also analyze the interplay between asymmetric stakes and settlement. We show that, in most other areas of private litigation, asymmetric stakes do not lead to any inefficient distortion in the equilibrium probability that the plaintiff will prevail; this result is very general and occurs because of the way that the prospect of ex post (post-judgment) settlement influences incentives at the litigation stage. But antitrust law generally prohibits otherwise-profitable settlements in which a losing defendant pays the plaintiff for the right to continue a practice that has just been declared anticompetitive. As a result, the prospect of ex post settlement does not prevent the firms’ asymmetric stakes from distorting litigation outcomes in equilibrium. We further consider ex ante (pre-judgment) settlements, and show that the distortion created by asymmetric stakes translates into settlement outcomes that are less competitive than they ideally would be.

As we show, one way to countervail the distortion created by asymmetric stakes is to modify the plaintiff’s evidentiary burden. We do this by considering judicial reliance on presumptions, which act to predispose the court toward one outcome or the other. We compute the optimal presumption, which may be influenced in part based on the court’s priors about the nature of the defendant’s conduct—namely, its propensity to cause anticompetitive effects. Finally, we consider whether the problem of asymmetric stakes can be avoided when the plaintiff is a class of injured consumers. However, based on certain externality and principal-agent problems, we conclude that the asymmetry is likely to persist in these cases. The remainder of the article is organized as follows: following a review of related literature, Section 2 formulates the model, explores its properties and shows why damages are unlikely to correct the bias in trial outcomes. Section 3 analyzes settlements. Section 4 shows how the bias can be corrected by adjusting the evidentiary standard with a corrective presumption. Finally, Section 5 considers extensions involving class action litigation and fee shifting.

1.1 Related Literature

Our analysis contributes to the literature on the economics of private litigation. Cooter and Rubinfeld (1989) and Spier (2007) discuss some of the major issues in this literature. While some papers give special attention to inter-party asymmetries, the most common one by far is an asymmetry between the parties’ beliefs about who is more likely to win, which is an important factor in determining whether the parties will settle (e.g. Priest and Klein, 1984; Waldfogel, 1998; Lee and Klerman, 2016). Some papers make litigation effort endogenous, in which case the parties’ investments can be modeled as a game (e.g. Choi and Sanchirico, 2004). However, such papers typically do not focus on any particular field of law, whereas our analysis incorporates various phenomena that are specific to antitrust.

The asymmetric stakes in inter-competitor antitrust litigation arise because it is more profitable to preserve monopoly power than to invigorate competition. In their seminal paper, Gilbert and Newbery (1982) considered the same profit disparity in the context of R&D competition. By contrast, we explore its impact on antitrust enforcement via litigation with endogenous effort, which similarly involves a kind of investment game between rivals.

#### 2 – Court limits.

Spencer Weber Waller 19. John Paul Stevens Chair in Competition Law, Director, Institute for Consumer Antitrust Studies, Professor, Loyola University Chicago School of Law. “In Praise of Private Antitrust Litigation.” *Antitrust Chronicles, Competition Policy International*. 2019. <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3343798>.

The Supreme Court has created numerous hurdles to private enforcement in antitrust. The Court has created or enhanced barriers to private antitrust litigation involving standing, antitrust injury (Brunswick), and the direct purchaser doctrine (Illinois Brick). It has created judicial exemptions for damage actions in regulated industries (filed rate doctrine), lobbying all branches of the government for anticompetitive conduct (Noerr-Pennington), and anticompetitive conduct by state and local governments (state action immunity).

The Court has reinterpreted and arguably amended general civil procedure and class action rules involving pleading (Twombly) and summary judgment (Matsushita) in the context of antitrust litigation, and then explicitly expanded their application to all civil litigation (Iqbal, Liberty Lobby). The court has enhanced the general requirements for demonstrating commonality for liability and damages in the certification of antitrust class actions (Behrend), as well as class actions in general (Dukes). There remain open issues regarding standing, mootness, ascertainability, and the availability of cy pres awards where the Court may limit future antitrust and general class actions.

In addition, the general trend of moving entire categories of conduct from per se to rule of reason destroys much of the incentive and practical ability to bring and certify class actions for such conduct. In one instance, the Court was forthright enough to acknowledge that it had created new virtually unscalable burdens for proving actionable predatory pricing because of a fear that plaintiffs would otherwise prevail at trial (Brooke Group). All of these actions were done by the Court on its own initiative without resort to either the statutory process for the amendment of the Federal Rules of Civil Procedure or the passage of a statute through normal Congressional processes.

#### 1 – Independently, the threat of retrenchment is irrelevant – chaos is inevitable.

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

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

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

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

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

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

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

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

#### 2 – Competition structures animosity to foreign actors like China – makes war inevitable

Cecilia Rikap 21. Professor of Economics and Coordinator of YSI States and Markets Working Group, Institute for New Economic Thinking. “The Interplays of the United States, China and their Intellectual Monopolies.” *Capitalism, Power and Innovation Intellectual Monopoly Capitalism Uncovered*. Routledge. 2021. 77-80.

As Strange (1996) anticipated, the decline of the state’s power vis-à-vis corporations can be partly explained by the acceleration of technological change, which tilts the scale in favour of corporations. As identified by Feenberg (2010, p. 5) “political democracy is largely overshadowed by the enormous power wielded by the masters of technical systems”. Indeed, we should consider that powerful intellectual monopolies pass over their home states in specific contexts or respects.11 With this in mind we reconceived core states as one of capitalism’s multiple powerful actors.

Beyond explicit confrontations, since intellectual monopolies organize and plan production and innovation networks taking place in different countries, they generate an overlap of political realms with sometimes contradictory rules and norms. Who oversees production and innovation inside the networks organized by intellectual monopolies? The latter or the different states where intellectual monopolies’ production or innovation networks are based? To whom subordinate firms and other organizations are accountable for their actions? Their state or the intellectual monopoly coordinating the network? The simple answer is both. The complicated part is to identify what happens when they are in contradiction, and what are the consequences of this complex set of power structures for workers and subordinated organizations.

Intellectual monopolies have replaced state functions as policymakers. An extreme example recently disclosed is Eric Schmidt, Alphabet’s former executive chairman, advising the US federal government while still managing Alphabet. He was the chair of the US Defense Innovation Board, which recommended the use of artificial intelligence to the US Department of Defense. He also chaired the National Security Commission on Artificial Intelligence which advises the US Congress on analogous topics (Klein, 2020).

The government’s threat over China is – at least to some extent – driven by US data-driven intellectual monopolies’ concern over Chinese rivals like Alibaba, Tencent and Huawei. The CEOs of Google, Amazon, Facebook and Apple made this clear in their testimonies in the 2020 US Congress Hearing. As a remedy, Schmidt had been pushing for more public investment in research related to artificial intelligence and tech-enabling infrastructure (such as 5G) (Klein, 2020). Furthermore, these data-driven intellectual monopolies make their own rules and norms for their digital republics and, to some degree, replace the role of states. Facebook’s founder and chief executive, Mark Zuckerberg, states it clearly

Every day, platforms like Facebook have to make trade-offs on important social values – between free expression and safety, privacy and law enforcement, and between creating open systems and locking down data.12

(Mark Zuckerberg, Feb 16, 2020)

And immediately afterwards, he advocates for more public regulations and informs that Facebook is working together with different governments to that end. A similar claim was raised by Sundar Pichai, arguing that artificial intelligence needs to be regulated.13

The division of power is not clear, given that corporate power and planning capacities go beyond national frontiers and beyond the capital they own. Overall, there is a legal vacuum in the reach of each state’s power and where the power of the intellectual monopoly controlling a portion of global production and innovation begins. This vacuum allows intellectual monopolies to expand their power and profits.

Another source of conflict between intellectual monopolies and core states concerns the relative absence of the usual benefits of being home to big corporations: employment generation and tax payments. Considering their earnings, global leading corporations do not generate in their home countries expected employment due to outsourcing and offshoring (of production and innovation), which is particularly the case of US and also European intellectual monopolies. This has contributed to the rise in inequalities in these regions. The consequent social distress put pressure on stringent regulations. In the US, we referred in Section 2.1 to the 2017 Tax and Jobs Act (Public Law 115-97), but changes have not been significant.

US intellectual monopolies are masters of tax avoidance. As we mentioned before, operations leading to lower tax bills and financialized profits are easier for companies with higher shares of intangible over tangible assets. Offshoring IPRs to countries where corporations are not required to pay taxes for their intellectual property is a mechanism frequently used to divert profits to tax havens (Bryan et al., 2017) (see Chapter 7 on Apple’s case). By the end of 2016, the top ten companies in terms of offshored savings were: Apple, Microsoft, Cisco, Oracle, Alphabet, Johnson & Johnson, Pfizer, Qualcomm, Amgen and Merck (Pozsar, 2018).

In China, whose global intellectual monopolies sprang from the sustained stimulus and protection of its state, the latter’s central planning capacity is starting to find limits vis-à-vis new intellectual monopolies. These corporations were not born as the chosen ones by the state, but still enjoyed the benefits of China’s protectionism. The recent case of Bytedance provides a good example. The company was spending its Chinese profits to expand its unprofitable business in the US when the US government banned its blockbuster TikTok app. Bytedance was not among Beijing’s favoured companies, among others, because of the difficulties in controlling the videos uploaded to TikTok (Yang, 2020). Regardless of the end of the story between TikTok, the US and Chinese governments and US intellectual monopolies as potential buyers for part of TikTok’s business, what the case put forward was a possible surge of clashes between emerging Chinese (data-driven) intellectual monopolies and their state. Indeed, in late 2020 the Chinese state delayed Ant Group’s IPO, followed by the introduction of antitrust regulation for digital companies.

Meanwhile, Europe remained focused on increasing regulations on foreign data-driven intellectual monopolies, including different accusations of excessive market power and unfair competition. Unlike previous stages in capitalism, Europe risks playing in the subordinate side, where the peripheries have historically been and generally remain. Germany’s fear of falling behind the US and China’s tech giants should also be read as a broader European concern to lag (far) behind those core economies.14 Overall, Europe and Japan are latecomers of the digital economy, and this space is being filled primarily by China, emerging as a digital technological power (UNCTAD, 2019). Moreover, with a drop of eight companies between March 2009 and December 2019, Europe’s share of global top 100 corporations in market capitalization fell from 27% to 15%. This drop was taken over by the US (PWC, 2020). Regulating the digital economy could thus be seen as Europe’s geopolitical rebalancing move.15

5 Final remarks

In this chapter, we argued that core states and certain corporations built a mutually beneficial relationship. We identified US and Chinese policies that contributed to the emergence and spread of global intellectual monopolies. Likewise, we elaborated on how these corporate leaders sustain and expand their respective countries’ geopolitical power. Nevertheless, we also addressed states’ concerns and the overall tensions of the juxtaposition of power between core states and intellectual monopolies.

The US state cannot afford to lose its intellectual monopolies since its global hegemon power significantly depends on those companies. Likewise, it cannot afford to let its intellectual monopolies be given their consequences for income and wealth concentration resulting in increasing social unrest. From the US state perspective, the technological war with China is necessary to remain the only superpower. Nevertheless, this conflict is also a powerful device to redirect public attention and blame – as it has always been the case of the United States – an “other” of the internal consequences of home (and global) capitalism.

Neither can the Chinese state afford to lose its alliance with its intellectual monopolies. Its national innovation system and geopolitical power are based on a strong partnership – although not without tensions – between China’s state and intellectual monopolies, the only ones challenging the US and its intellectual monopolies.

All in all, the US and Chinese states have benefited from their respective intellectual monopolies to build and reinforce their geopolitical power. Meanwhile, in the rest of the world, knowledge and data extractivisms are further expanding inequalities, diminishing social well-being and curtailing development opportunities (see Chapters 11–13). The resulting world scenario is a ticking bomb.

A missing piece in this puzzle that will be addressed in future research concerns integrating international organizations to our analysis, seeking to understand how intellectual monopolies influence them and their role as arenas of core states’ contest for global hegemony. Let us just point out that each time the US withdraws from international coordination, China moves forward. Remarkably, during Trump’s administration, the US withdrew from international treaties and organizations, putting into question its historical openness. A possible interpretation could be that the hegemon fosters an open world economy but as far as it benefits from it.

To conclude, beyond the focus on the US and China, this chapter has also made self-evident that unfolding the interplay between state and corporate power is always context-dependent. While in some contexts the state rules over global leader corporations, the latter overcome even core states’ power in other contexts. As capitalism develops through the interplay of its powerful actors, it is not possible to anticipate concrete outcomes of such a multifaceted relationship. Neither can we anticipate the counter-hegemonic tendencies that, as Cox (1981) emphasized, generally emerge to oppose the state and world order structures of capitalism. The institutions that will lead the counter-offensive to intellectual monopoly capitalism remains to be seen.

#### 1 – Cartels are a resilience strategy even if they’re toxic---assumes their offense.

Jeffrey Fear 06. Professor of International Business History, University of Glasgow, U.K.. “Cartels and Competition: Neither Markets nor Hierarchies.” <https://www.hbs.edu/ris/Publication%20Files/07-011.pdf>. 2006. 26-27.

We need better comparative studies about cartels’ relationship to politics, political culture, and law for “clearly cartels, directly or indirectly, served different national objectives” (Great Britain’s Board of Trade 1944). They provided a form of social policy (employment, sunset industries, regional industrial policy), risk management (an attempt to manage macroeconomic fluctuations during downturns, limit volatility), and development policy (export promotion, technology transfers, knowledge dissemination, infant industry protection). Today, governments or hedge funds have usurped many of these functions, but historically—or in poorer countries with limited state capacity—cartels provided one (biased) means of addressing these issues.

We should place the cartel question into a wider framework of regulation rather than conspiracy, which had major effects on the strategy and structure of firms. As networks, they may help scholars understand more legitimate, softer, more positive forms of cooperation (Mariti and Smiley 1983). Depending on the cartel objectives, they often provided joint services rather than just rate hikes; the more non-price objectives, the more durable they appear to be. The rise and fall of cartels reminds us that a fluid, international division of labor based on comparative advantage and competition is entirely dependent upon peace and cooperation among nations. This is not a trivial consideration given the history of the 20th century as rising nationalism disfigured world markets, often forcing firms to cooperate to survive. Given the world of intense rivalry that limited the extent of the market, cartels formed a disappointing but perhaps appropriate second-best strategy. International cooperation helped dispel economic cooperation among firms after 1945—slowly.

Finally, studying cartels opens the intriguing question when is competition essential to efficiency and innovation? The cartel question highlights the tradeoffs between costs of stop-go, boom-and-bust volatility under capitalism and the benefits of moderate stability and risk management, between price and quality, between consumer and producers—tradeoffs not easily answered. Graham and Richardson (1997: 6) noted, “while competition is familiar to most, few reflect deeply on cooperation. Almost all market competitors are firms—business organizations (social groupings) that are, for the most part, internally cooperative, not competitive.” Cartels provide one forum for reflecting on how and when cooperation can be efficient and innovative.

## Indigenous Regimes

#### 1 – The AFF’s neoclassical model is what causes Brazilian deforestation – it ensures a drive towards consumption that makes growth of independent systems impossible.

Pigott 18 [Anna, Postdoctoral Research Fellow in Environmental Humanities, Swansea University. Capitalism is killing the world's wildlife populations, not 'humanity'. Conversation. 11-1-2018. https://theconversation.com/capitalism-is-killing-the-worlds-wildlife-populations-not-humanity-106125

The latest Living Planet report from the WWF makes for grim reading: a 60% decline in wild animal populations since 1970, collapsing ecosystems, and a distinct possibility that the human species will not be far behind. The report repeatedly stresses that humanity’s consumption is to blame for this mass extinction, and journalists have been quick to amplify the message. The Guardian headline reads “Humanity has wiped out 60% of animal populations”, while the BBC runs with “Mass wildlife loss caused by human consumption”. No wonder: in the 148-page report, the word “humanity” appears 14 times, and “consumption” an impressive 54 times.

There is one word, however, that fails to make a single appearance: capitalism. It might seem, when 83% of the world’s freshwater ecosystems are collapsing (another horrifying statistic from the report), that this is no time to quibble over semantics. And yet, as the ecologist Robin Wall Kimmerer has written, “finding the words is another step in learning to see”.

Although the WWF report comes close to finding the words by identifying culture, economics, and unsustainable production models as the key problems, it fails to name capitalism as the crucial (and often causal) link between these things. It therefore prevents us from seeing the true nature of the problem. If we don’t name it, we can’t tackle it: it’s like aiming at an invisible target.

Why capitalism?

The WWF report is right to highlight “exploding human consumption”, not population growth, as the main cause of mass extinction, and it goes to great lengths to illustrate the link between levels of consumption and biodiversity loss. But it stops short of pointing out that capitalism is what compels such reckless consumption. Capitalism – particularly in its neoliberal form – is an ideology founded on a principle of endless economic growth driven by consumption, a proposition that is simply impossible.

Industrial agriculture, an activity that the report identifies as the biggest single contributor to species loss, is profoundly shaped by capitalism, not least because only a handful of “commodity” species are deemed to have any value, and because, in the sole pursuit of profit and growth, “externalities” such as pollution and biodiversity loss are ignored. And yet instead of calling the irrationality of capitalism out for the ways in which it renders most of life worthless, the WWF report actually extends a capitalist logic by using terms such as “natural assets” and “ecosystem services” to refer to the living world.

By obscuring capitalism with a term that is merely one of its symptoms – “consumption” – there is also a risk that blame and responsibility for species loss is disproportionately shifted onto individual lifestyle choices, while the larger and more powerful systems and institutions that are compelling individuals to consume are, worryingly, let off the hook.

# 1NR

## Cartels

#### Unilateral antitrust will be manipulated AND perceived as protectionist---that shatters co-op and is the nail in trade’s coffin.

Allison Murray 19. JD from the Loyola Law School, Los Angeles Law School, BS in Business Administration from the University of Redlands, Judicial Law Clerk at the U.S. Bankruptcy Courts, Winter. “Given Today's New Wave of Protectionism, is Antitrust Law the Last Hope for Preserving a Free Global Economy or Another Nail in Free Trade's Coffin?” Loyola of Los Angeles International and Comparative Law Review, Volume 42, Number 1, 42 Loy. L.A. Int'l & Comp. L. Rev. 117, Lexis.

VI. CONCLUSION

There is a clear "conflict between the evolving economic and technical interdependence of the globe and the continuing compartmentalization of the world political system composed of sovereign states . . . ." 196 This conflict can breed protectionist political views. Unless and until there is a complete paradigm shift away from protectionism, which is impossible, the global economy will not meet the "rational" assumptions necessary to preserve free market efficiency.

Some amount of protectionism is inevitable. Although "inefficient" in economic and academic circles, protectionism preserves the sovereign powers enjoyed by certain countries. In this way, it is a necessity of free [\*146] trade. This paper is not intended to be a commentary on whether protectionism is right or wrong, but rather a demonstration and prediction that antitrust law, a tool of political and economic power, can and will be wielded by individual countries to promote protectionist policies that will affect the international trade landscape in the near term.

While attempting to act on this protectionism is difficult because of the web of international trade agreements currently in existence, individual countries may still use domestic antitrust law to meet protectionist aims, especially given that an international authoritative body governing the use of antitrust does not exist. Countries serious about preserving free trade may cooperate with one another to adopt realistic economic policies that serve to dull the blade of antitrust law through regional agreements, but ought not to attempt to eliminate it altogether.

Antitrust law, like medicine, must be used appropriately to be effective. While antitrust laws generally should encourage free trade, as promoting competition is the aim of their enforcement, they are also at risk of being used to thwart free trade. That risk is further exacerbated by perceptions of unfair enforcement and the divisive rhetoric of world leaders. In this way, antitrust law has the potential to weaken the already delicate international cooperative framework that exists to foster free trade. Absent a change in perceptions and the protectionist rhetoric fueling the current political landscape, antitrust law is likely to be manipulated to serve protectionist viewpoints, making it increasingly likely to become a nail in free trade's coffin, instead of the key to its preservation. It may be a nail that nations are able to ignore for the sake of its benefit, or it may be the one that finally puts an end to the pursuit of truly international free trade. Only time will tell, but one thing is clear: anti-trust law is a field that will impact the international economic community significantly for years to come.

It’s uniquely likely now---fears of protectionism are high because of COVID, Brexit, and China disputes

Dr. Brian Ikejiaku 21. Senior Lecturer in Law at Coventry University, PhD from the Research Institute of Law, Politics, & Justice (RILPJ) at Keele University, with Cornelia Dayao, LL.M in International Business Law, “Competition Law as an Instrument of Protectionist Policy: Comparative Analysis of the EU and the US.” Utrecht Journal of International and European Law, Volume 36, Issue 1, Gale Academic Complete.

Today, there is a growing fear of resurfacing protectionism, from United States’ trade-war with China, to UK’s Brexit, to the less known trade-restricting measures adopted by countries globally. The General Agreement on Trade & Tariff (GATT), superseded by the World Trade Organisation (WTO) since 1995, rendered the classic forms of protectionism such as tariffs obsolete. However, it did not defeat protectionism; instead, protectionism has evolved through its protean capacity to adapt into new and often undetectable forms, now labelled as ‘murky’ protectionism (e.g. competition law enforcement and the recent bailout packages). It is argued that there are two ways in which States can utilise competition law to impair free-trade and restrict foreign firms’ access to domestic markets: the exemption of certain anticompetitive conduct under national competition law and the strategic application of domestic competition law. This article considers competition law as an instrument of protectionist policy with comparative analysis of the US and the European Union. Using an international political economy (IPE) perspective underpinned by overlapping theories of (legal/political) realism, this article establishes that, while no direct robust empirical evidence of protectionist motivations on competition law enforcement exists, particularly on ‘merger regulation and export cartel exemptions’, the presence of political elements on the decision-making, the wide discretion granted to competition authorities and the ‘sponge’ nature of competition law present an opportunity for the use of competition law for protectionist tendencies.

#### Business will lobby and receive protection to balance out increased antitrust enforcement.

Ismael Beltrán Prado 20. J.D. from the Javeriana University, LL.M from Columbia University, Master’s in Applied Economics Candidate at the Andes University, Commercial and Antitrust Lawyer and Coordinator of the Public Procurement Collusion Task Force, at the Colombian Competition Authority, 4/26/20. “Competition Policy After COVID-19.” https://www.competitionpolicyinternational.com/competition-policy-after-covid-19/

The Day After COVID-19

Some countries are beginning to ease their lockdowns. The fear of a deeper recession put pressure on governments to reduce shutdowns in order to revive the economy. Unemployment is particularly worrisome in many countries, even in the United States, where unemployment claims have reached 22 million.4 Latin American countries with already relatively high unemployment rates – on average 8.1 percent in 20195 – are particularly vulnerable in this respect.

Such a disturbing outlook brings me to some competition concerns for three reasons.

Firstly, competition authorities have begun to relax the enforcement of some competition rules. For example, on March 19, the UK Competition and Markets Authority (“CMA”) stated that it had no intention of taking competition enforcement action against cooperation between businesses to the extent necessary to protect consumers or ensure supplies.6 The Mexican Competition Authority (“COFECE”) recently took a similar approach.7 Nevertheless, the urgency of acting now might pave the way for setting aside future competition policies necessary for healthy markets. Therefore, in my view, it should be clear that the current approach of dealing with the emergency must be temporary.

Secondly, after the spread of COVID-19 slows, governments will prioritize the recovery of local markets even if that implies embracing extreme protectionism, which in turn will reduce foreign competition. This is important because this trend would be a force in the same direction as relaxing the enforcement of some competition rules. Competition authorities must bear this in mind for post-COVID-19 times.

Thirdly, and closely related to the two previous concerns, domestic corporations will have strong incentives to lobby for softer enforcement of competition law and might request additional protectionist measures as compensation for corporate generosity and flexibility during the pandemic. If some protectionist measures are arguably acceptable for some time, they should not be at the expense of strict enforcement of competition law in domestic markets.

In such a context, my concern is that competition policy might become excessively lenient. This would be a questionable policy choice. If protectionism was winning supporters before the pandemic, a post-COVID-19 world will tolerate more protectionism in order to back domestic industries and businesses.

## DPA

#### The plan amends the statute to supersede presidential authority.

Michael H. Cecire and Heidi M. Peters 20. Michael H. Cecire, Analyst in Intergovernmental Relations and Economic Development Policy. Heidi M. Peters, Analyst in U.S. Defense Acquisition Policy. “The Defense Production Act of 1950: History, Authorities, and Considerations for Congress” Updated March 2, 2020. https://www.everycrsreport.com/reports/R43767.html

Congress may consider enhancing its oversight of executive branch activities related to the DPA in a number of ways. To enhance oversight, Congress could expand executive branch reporting requirements, track and enforce rulemaking requirements, review the activities of the Defense Production Act Committee, and broaden the committee oversight jurisdiction of the DPA in Congress. Congress may also consider amending the DPA, either by creating new authorities or repealing existing ones. In addition, Congress may consider amending the definitions of the DPA to expand or restrict the DPA’s scope, amending the statute to supersede the President’s delegation of DPA authorities made in E.O. 13603, or consider adjusting future appropriations to the DPA Fund in order to manage the scope of Title III projects initiated by the President.

#### That’s implicitly repeals the DPA.

Jesse W. Markham Jr. 09. Marshall P. Madison Professor of Law, University of San Francisco School of Law. “The Supreme Court's New Implied Repeal Doctrine: Expanding Judicial Power to Rewrite Legislation under the Ballooning Conception of Plain.” Repugnancy, 45 GONZ. L. REV. 437 (2009).

In Credit Suisse, the Court lurched past the traditional narrow confines of the doctrine and recast it in terms that will most likely give rise to more frequent displacements of legislative enactments.14 Credit Suisse acknowledges no departure from precedent.' 5 However, the Court has, in fact, greatly expanded the implied repeal doctrine. As it is currently employed by the Court, the new doctrine bears little resemblance to precedent, obscures a previously simple rule, and exhibits a profound disregard for the sound policy underpinnings of this particular canon of legislative interpretation. By expanding, and even rewording, the "plain repugnancy" standard and introducing a vague factor-based approach, the Court invites the judiciary to find legislative inconsistencies in new and creative ways, placing the courts in an enlarged role of refashioning legislative enactments to resolve these "inconsistencies."' 6 Moreover, the Court has dismantled the traditional implied repeal rule without explaining why it believes the traditional doctrine should be abandoned. Indeed, one of the Court's vaguely expressed rationales for displacing antitrust rules in Credit Suisse-an assertion that antitrust courts are particularly error-prone-is offered without empirical or theoretical support.'7 Viewed more broadly beyond the antitrust law context in Credit Suisse, the restated implied repeal doctrine lacks an analytical justification for its departure from precedent.

The Court's reformulation of the implied repeal doctrine is bad law, bad policy, and should be undone. In Credit Suisse, the Court divested private plaintiffs of antitrust remedies for conduct that securities regulators had already concluded were both anticompetitive and subversive of public confidence in capital markets. 8 Unequivocally, the antitrust case challenged conduct that was illegal under securities regulatory law.19 Although securities regulation and antitrust rules prohibited the conduct in question for overlapping reasons, the revised implied repeal doctrine employed by the Court allowed it to find these congruent laws to be "plainly inconsistent" with one another.20 Taking direction from the Supreme Court's new implied repeal doctrine, courts are encouraged-or at least no longer discouraged--to find inconsistencies between laws they do not like and laws they prefer and, then, narrow or repeal the disfavored statutes accordingly. Indeed, Justice Stevens's concurrence suggests that this is essentially what the Court did in Credit Suisse when it disparaged the private antitrust enforcement process as error prone and found it 21 displaced by securities regulation the Court applied with undisguised reverence.

#### 2---Signal---companies are watching the DPA’s immunity---the plan says it won’t apply in the next pandemic.

Kathleen Murphy 9/20/21. Senior Reporter, FTC Watch. "As pandemic persists, companies can still collaborate, new memo says". No Publication. 9-20-2021. https://www.mlexwatch.com/articles/13511/print?section=ftcwatch

For companies authorized to work together in response to the Covid-19 pandemic under the Defense Production Act, immunity from antitrust prosecution is a perk.

In combating a virus that has killed more than 660,380 US citizens, the government-sponsored voluntary agreements allow companies to collaborate in ways that otherwise would expose them to antitrust liability.

The Federal Trade Commission said the country’s defense against the coronavirus couldn’t be achieved with less anticompetitive effects in a recent memo to the Department of Justice, while recognizing defense plans could allow anticompetitive concerted action. In other words, the 1950 DPA law that lets the president direct “materials, services and facilities” can be leveraged in the vaccination and test kit supply chain.

Competitors who might usually be at each other’s throats can find a way to share information, facilities, or intellectual property they may not normally share. The DPA enables the president to award contracts that supersede any other contract to “promote the national defense.”

But the pandemic has unveiled questions about how closely competitors should work together when they’re united for the common good, with the DPA empowering the government to prioritize company production to further national security goals, said Kathryn Mims, an antitrust partner at White & Case LLP.

Section 708 of the DPA offers antitrust immunity. “It's certainly not a carte blanche to do any kind of collaboration that you want. You have to stay within the borders of the authorized, voluntary agreement,” Mims said.

The law establishes a limited antitrust exemption, which allows companies to get to the front of the line on orders for ingredients and supplies. In March 2021, the Biden administration brokered a deal between pharmaceutical rivals Merck & Co. and Johnson & Johnson to increase the vaccine supply.

President Joe Biden also invoked the DPA to equip Merck facilities for manufacturing the J&J vaccine. Test kit manufacturers are next. On Sept. 9, Biden said he’ll “use the Defense Production Act to increase production of rapid tests, including those that you can use at home.”

FTC signed off

US defense against the Covid-19 pandemic, including making test kits and vaccines, meant the DOJ had to consult with the FTC on whether the defense purposes of the plans could be achieved through less anticompetitive effects. The Federal Emergency Management Agency initiated the inquiry to DOJ under the law, requiring the FTC to make the determination regarding preparedness.

Companies ineligible for the DPA’s Section 708 antitrust immunity may still gain protection from antitrust prosecution through an expedited business review letter from DOJ or the FTC. The DOJ’s antitrust division committed to responding to these pandemic-related letter requests in seven days.

The caveat is that specific requirements of the DPA must be met, and the letter doesn’t provide statutory antitrust immunity, just negates any criminal intent to commit an antitrust violation. The DOJ has never prosecuted a case after approving a business review letter, offering a sort of de facto antitrust immunity.

‘Anticompetitive concerted action’

At the FTC, implementation of the DPA has entailed verifying it’s a real emergency. Then-acting Chair Rebecca Kelly Slaughter told DOJ in May 2021 that while the plans are “still potentially allowing anticompetitive concerted action, the plans of action limit that behavior to circumstances with legitimate exigencies.”

Slaughter’s memo to Richard Powers, acting assistant attorney general for antitrust, released via a Freedom of Information Act request, helps clear the way for companies to team up to resolve the pandemic.

Meanwhile, the law’s implementation has potential long-term effects on companies’ relationships with customers and suppliers, and the law can have wide-ranging applications.

Is it something that manufacturers worry about?

Anne Pritchett of the Pharmaceutical Research and Manufacturers of America said there is concern over how broadly or narrowly the various authorities under the DPA could be extended, including for future pandemic preparedness.

#### It’s most predictable---we have the common and precise definition.

Dictionary.com “Inhibit vs. Prohibit”. https://www.dictionary.com/e/inhibit-vs-prohibit/

Prohibit is a transitive verb that means to forbid or prevent. Unlike inhibit, the word prohibit means that an action is being completely prevented. For example: “Angie’s coat was so tight, it prohibited any arm movement.” In this case, Angie isn’t able to move her arms at all. Prohibit is often used to describe the actions of authority figures. It can explain a rule or law. For example, “School rules prohibit cellphone use during class.” A street sign may say “Parking prohibited,” while a sign in a building lobby might say “Smoking prohibited by law.” All of these cases mean that cell phone use, parking in a certain area, or smoking are completely forbidden by their given authority figures, and can’t be done at all.

#### Prohibitions are absolute bans without exemption.

PEDIAA 15. “Difference Between Prohibited and Restricted”. https://pediaa.com/difference-between-prohibited-and-restricted/

Main Difference – Prohibited vs. Restricted

Prohibited and Restricted are used in reference to limitations and prevention. However, they cannot be used interchangeably as there is a distinct difference between them. Prohibited is used when we are talking about an impossibility. Restricted is used when we are talking about something that has specific conditions. The main difference between prohibited and restricted is that prohibited means something is formally forbidden by law or authority whereas restricted means something is put under control or limits.

What Does Prohibited Mean

Prohibited is a variant of the verb prohibit. Prohibited can be taken as the past tense and past participle of prohibiting as well as an adjective. Prohibited means that something is formally forbidden by law or authority. When we say ‘smoking is prohibited’, it means that smoking is not allowed at all, there are no exceptions. Prohibit indicates an impossibility. This gives out the idea that it is not at all possible under any condition or circumstance. The term Prohibited goods is used to refer to items that are not allowed to enter or exit certain countries. For example, the government of South America lists Narcotic and habit-forming drugs in any form, Poison and other toxic substances, Fully automatic, military and unnumbered weapons, explosives and fireworks as prohibited goods. The following sentences will further explain the use of prohibited.

Inter-racial marriages were not prohibited by the government.

He was proved guilty of using prohibited substances.

No one was allowed to enter the grounds; entry was prohibited.

Prohibited imports are the items that are not allowed to enter a country.Difference Between Prohibited and Restricted

What Does Restricted Mean

Restrict means to put under limits or control. Restricted can be either used as the past tense of restrict or as an adjective meaning limited. When we say something is restricted, it means that limits or conditions have been added to it. It does not mean that it is completely impossible. For example, Restricted goods are allowed to enter or exit a country under certain circumstances. A written permission can help you to import or export that item. Likewise, a restricted area does not mean that people are not allowed to enter; it means that a special permission is required to enter the place. Restricted information refers to information that are not disclosed to the general public for security purposes.

The new regulations restricted the free movement of people.

The club was restricted to its members and their family members.

Only the highest military personnel had access to the restricted area.

American scientists had only restricted access to the area.Main difference - Prohibited vs Restricted

Difference Between Prohibited and Restricted

Meaning

Prohibited means banned or forbidden.

Restricted means limited in extent, number, scope, or action

Possibility

Prohibited means that there is no possibility of doing something.

Restricted means that something can be done under certain conditions.

Adjective

Prohibited functions as an adjective derived from prohibit.

Restricted functions as an adjective derived from restrict.

Past tense

Prohibited is the past tense and past participle of prohibit.

Restricted is the past tense and past participle of restrict.

#### That means the counterplan is plan minus.

Antitrust Modernization Commission 07 Deborah A. Garza, Chair. Jonathan R. Yarowsky, Vice-Chair. Bobby R. Burchfield. W. Stephen Cannon. Dennis W. Carlton. Makan Delrahim. Jonathan M. Jacobson. Donald G. Kempf, Jr. Sanford M. Litvack. John H. Shenefield. Debra A. Valentine. John L. Warden. “Report and Recommendations”. https://govinfo.library.unt.edu/amc/report\_recommendation/amc\_final\_report.pdf

Other exemptions apply to narrow areas but provide a broader immunity—often complete immunity from the antitrust laws. Examples include antitrust immunity for marketing alliances between domestic and foreign airlines that are approved by the Department of Transportation;79 the Charitable Donation Antitrust Immunity Act, which gives antitrust immunity to charitable institutions that set the annuity rate for gift annuities or charitable remainder trust agreements;80 the Defense Production Act, which provides antitrust immunity for conduct undertaken in developing or carrying out a voluntary agreement or plan of action for the President that is necessary for the defense of the United States;81 the NeedBased Educational Aid Act, which provides an antitrust exemption to certain joint actions taken by institutions of higher education regarding awards of financial aid to students;82 and the Soft Drink Interbrand Competition Act, which provides an antitrust exemption for the grant of exclusive territories to soft-drink bottlers by soft-drink trademark holders in trademark licensing agreements.83

#### The exemption ends outside of and after emergency

FEMA 21. Posted by the Federal Emergency Management Agency on May 28, 2021. “Pandemic Response Voluntary Agreement Under Section 708 of the Defense Production Act; Plans of Action To Respond to COVID-19”. https://www.regulations.gov/document/FEMA-2020-0016-0053

IV. Antitrust Defense

Under the provisions of DPA subsection 708(j), each Sub-Committee Participant in this Plan shall have available as a defense to any civil or criminal action brought for violation of the antitrust laws (or any similar law of any State) with respect to any action to develop or carry out this Plan, that such action was taken by the Sub-Committee Participant in the course of developing or carrying out this Plan, that the Sub-Committee Participant complied with the provisions of DPA section 708 and the rules promulgated thereunder, and that the Sub-Committee Participant acted in accordance with the terms of the Voluntary Agreement and this Plan. Except in the case of actions taken to develop this Plan, this defense shall be available only to the extent the Sub-Committee Participant asserting the defense demonstrates that the action was specified in, or was within the scope of, this Plan and within the scope of the appropriate Sub-Committee(s), including being taken at the direction and under the active supervision of FEMA.

This defense shall not apply to any actions taken after the termination of this Plan. Immediately upon modification of this Plan, no defense to antitrust claims under Section 708 shall be available to any subsequent action that is beyond the scope of the modified Plan. The Sub-Committee Participant asserting the defense bears the burden of proof to establish the elements of the defense. The defense shall not be available if the person against whom the defense is asserted shows that the action was taken for the purpose of violating the antitrust laws.

#### AND the agencies can police activities within it.

FEMA 21. Posted by the Federal Emergency Management Agency on May 28, 2021. “Pandemic Response Voluntary Agreement Under Section 708 of the Defense Production Act; Plans of Action To Respond to COVID-19”. https://www.regulations.gov/document/FEMA-2020-0016-0053

Each Sub-Committee Chairperson is responsible for ensuring that the Attorney General, or suitable delegate(s) from the DOJ, and the FTC Chair, or suitable delegate(s) from the FTC, have awareness of activities under this Plan, including activation, deactivation, and scheduling of meetings. The Attorney General, the FTC Chair, or their delegates may attend Sub-Committee meetings and request to be apprised of any activities taken in accordance with activities under this Plan. DOJ or FTC Representatives may request and review any proposed action by the Sub-Committee or Sub-Committee Participants undertaken pursuant to this Plan, including the provision of data. If any DOJ or FTC Representative believes any actions proposed or taken are not consistent with relevant antitrust protections provided by the DPA, he or she shall provide warning and guidance to the Sub-Committee as soon as the potential issue is identified. If questions arise about the antitrust protections applicable to any particular action, FEMA may request DOJ, in consultation with the FTC, provide an opinion on the legality of the action under relevant DPA antitrust protections.

#### 1---708 immunity is key to respond to emerging tech.

The Honorable James E. Baker 21. CSET Distinguished Fellow, is a professor at Syracuse University College of Law with a courtesy appointment in the Maxwell School. Judge Baker also serves as Director of the Institute for Security Policy and Law. “A DPA for the 21st Century”. <https://cset.georgetown.edu/wp-content/uploads/CSET-A-DPA-for-the-21st-Century-1.pdf>

In the absence of more transparent practice, it is not clear how Section 708 or this Voluntary COVID Agreement will align with contemporary understandings and practices regarding antitrust rules and fair-trade practices. At the same time, the COVID-19 pandemic (and corresponding supply chain challenges for PPE and medical supplies) illustrate the need to have mechanisms to coordinate all of government, indeed all of country, responses to national security challenges. A breakout moment in AI, or perhaps another emerging technology like quantum computing, might necessitate a similar effort. National security specialists and legislators would be wise to study the design—and now implementation—of Section 708 to ensure that it reflects present legal values and will effectively function as an AI mobilization tool in practice, if needed.

#### The next pandemic will be worse.

Andy Plump 21. President for research and development at Takeda Pharmaceuticals and a cofounder of the Covid R&D Alliance. “Luck is not a strategy: The world needs to start preparing now for the next pandemic” 05-18-21. https://www.statnews.com/2021/05/18/luck-is-not-a-strategy-the-world-needs-to-start-preparing-now-for-the-next-pandemic/

As countries grapple with the worst global pandemic in a century, it’s hard to think about preparing for the next one. But if we don’t, it could be worse than Covid-19. Over the last 30 years, infectious disease outbreaks have emerged with alarming regularity. The World Health Organization lists an influenza pandemic and other high-threat viral diseases such as Ebola and dengue among the top 10 biggest threats to public health. The rate of animal-to-human transmission of viruses has been increasing, with the U.S. Centers for Disease Control and Prevention estimating that 75% of new infectious diseases in humans come from animals. These zoonotic infections can have profound effects on human life. The overall infection fatality rate is around 10% for severe acute respiratory syndrome (SARS), between 40% and 75% for Nipah virus, and as high as 88% for Ebola. While the infection fatality rate for Covid-19 is lower — likely less than 1% — the overall burden of death has been significantly higher since it has affected so many people, more than 160 million people as I write this. Luck is not a pandemic strategy Although the Covid-19 pandemic has been a human and health care disaster, by scientific measures the world was lucky this time. Covid-19 was far less lethal than its predecessors, less contagious than previous pandemic viruses, and we were able to quickly develop a cadre of effective vaccines. But luck is not a strategy. The same way the U.S. invests in and prepares for national defense, it must also prepare for another pandemic. Though the next viral outbreak cannot be prevented, the next pandemic can — but only with better preparation.

#### High risk of a pandemic.

Garrett M. Graff 20. Journalist, director of cyber initiatives at The Aspen Institute. "Experts Knew a Pandemic Was Coming. Here’s What They’re Worried About Next." Politico. 5-7-2020. https://www.politico.com/news/magazine/2020/05/07/experts-knew-pandemic-was-coming-what-they-fear-next-238686

Biosecurity—the emergency planner’s term of art—is really just a broad term for our response to biological events, which could include at least four types of troubling incidents: Natural events (like the Covid-19 pandemic), lab accidents, bioterrorism and biological warfare. Advancing technology and the expanding human population has made the risk from all four threats grow.

Increased human encroachment on wild habitats, growing urban densities and agricultural practices continue to make naturally occurring infections—like the novel coronavirus—more apt to leap from animals to humans and spread more rapidly. Despite repeated temporary crackdowns, so-called wet markets, offering fresh meat and fish, persist in China and elsewhere.

And while, contrary to Secretary of State Mike Pompeo’s hints, the Covid-19 virus is likely to have emerged from a Wuhan wet market rather than a lab accident, lab accidents actually have a longer and more worrisome history than many people realize. “There's a surprisingly long list of accidental releases from labs,” says Jason Matheny, who heads the Center for Security and Emerging Technology at Georgetown University and formerly led IARPA, the intelligence community’s Defense Advanced Research Projects Agency, tasked with anticipating and countering emerging threats. He says, “An increasing amount of my anxiety budget is spent worrying about lab accidents.”

In 1979, anthrax leaked from a Soviet research facility in Sverdlovsk, killing perhaps a hundred people, after an air filter was incorrectly installed. More recently, a series of mistakes and accidents at biolabs for the Centers for Disease Control and Prevention, from 2009 to 2014, involved Ebola, anthrax and avian flu. “The incident summary reads like a screenplay for a disaster movie,” one biosafety expert said at the time. The National Institutes of Health has historically carried out experiments aimed at making the H5N1 influenza strain more transmissible—in an effort to understand how to combat it better—but the research was considered so high-risk that the government put a moratorium on it in 2014. That moratorium, though, has since been lifted. “A single accident there could lead to a pandemic,” Matheny says.

Advancing technology has also made it easier for rogue actors to manufacture bioweapons. A Japanese cult in 1995 released sarin gas into the Tokyo subway, killing 12 and injuring a thousand; minor errors kept them from being far deadlier. In 2001, there was the spate of anthrax letters in the weeks after 9/11, eventually traced to a disgruntled government scientist. But such events, with today’s technology, might be child’s play. New superviruses or extinct diseases could emerge from a lab whether on purpose or by accident. In 2016, two virologists synthesized an extinct strain of horsepox—99 percent similar to smallpox—with $100,000. “That’s the destructive power of a hydrogen bomb for $100,000,” Matheny says.

The Covid pandemic has made clear the potential economic or societal cost of even small-scale biological incidents; even if they don’t kill that many people, the possibility of getting sick—or worse—undermines the public’s confidence in participating in everyday life. Speaking from her home, where she’s sheltering in place from Covid, Gordon explains, “Where bioterrorism comes in, like pandemics, is the fear—can I go out anymore? Much as any threat you can’t see, it can create the kind of paralyzing, nondescript fear that makes you unwilling to do things.”

#### Evolution overcomes their warrants.

Benjamin Elisha Sawe 20. Bachelor of Arts in Economics and Statistics; MBA in Strategic Management. Frequent World Atlas contributor. “10 Ways All Life On Earth Could Come To A Sudden End.” 2-21-2020. https://www.worldatlas.com/articles/10-ways-all-life-on-earth-could-come-to-a-sudden-end.html

Global Pandemic

Humans have, on more than one occasion, come face to face with diseases that threaten their existence. Smallpox once killed 300 million people at the height of its infection in the 20th century. As the years go by, bacteria are evolving and becoming resistant to antibiotics. In the not so distant future, it is predicted that antibiotics will stop working altogether, and this will open a window for the return of deadly diseases like the bubonic plague, the Spanish flu, and others that could potentially eradicate humans.

#### No checks---current responses fail.

Nicholas G. Studzinski 20. MA, MPH, Visiting International Research Fellow at the Policy Institute, King’s College London. "Managing existential risks of pandemics: a systems approach". 2-14-2020. https://www.kcl.ac.uk/news/managing-existential-risks-of-pandemics-a-systems-approach

The world is generally not prepared for a severe pandemic, whether natural or bio-engineered to evade known variants of vaccines and medical countermeasures. According to the Global Challenges Foundation, pandemics are among the key likely causes of the collapse of human civilisation, defined as a “drastic decrease in human population size and political, economic/social complexity, globally and for an extended time.”

A recent estimate by the Bill and Melinda Gates Foundation suggests that an outbreak of a magnitude similar to the Great Influenza of 1918, could result in 360 million deaths, despite modern vaccines, antivirals and antibiotics. According to a report by the RAND Corporation, “the spread of infectious disease can be worse than world wars.”

The complete costs of a severe pandemic are difficult to estimate, given the potential array of social, political, agricultural, and economic impacts. A World Bank analysis put the minimum cost of the recent Ebola crisis in Liberia, Guinea and Sierra Leone at $2.8 billion in GDP. But a subsequent analysis of the total economic and social costs of the same outbreak was estimated at $53.19 billion.

In a new paper, I explore the nature of pandemic risk as a threat to human and civilisational security and discuss the shortcomings of the currently accepted international strategy for pandemic preparedness. In its place, I propose a comprehensive pandemic risk management system (CPRMS), including a practical roadmap for its institutional implementation.

The current system

Academic and public assessments confirm a lack of global preparedness. In May 2018, the Johns Hopkins Centre for Health Security conducted a pandemic simulation called “Clade X”, in which a bioengineered microbe ended up killing 150 million people within 20 months and producing devastating impacts across the US. The exercise found that many vulnerabilities, including leadership challenges, were “hardwired into the American system.”

Established in the wake of the early 21st century crises with avian influenza, SARS and Ebola, the current international pandemic strategy aims to improve preparedness by strengthening the capacity of national public health systems. This is pursued via appeals to compliance with the standards of the International Health Regulations, as part of an emergency framework designed to prevent outbreaks with infectious disease from becoming international health crises.

While such efforts are appropriate and necessary, they are centred primarily on the health sector, with less focus on the global multisectoral, multidimensional risks and impacts of pandemics. The current strategy also remains primarily country-focused and reactive, and as such is not cost-effective, allocatively efficient, or sustainable for preventing and managing the large-scale impacts of severe pandemics.

#### Key to private sector response to pandemics.

Peter Gaynor 20. Administrator Federal Emergency Management Agency U.S. Department of Homeland Security Before the Committee on Homeland Security United States House of Representatives Washington, D.C. “Examining the National Response to the Worsening Coronavirus Pandemic”. https://www.fema.gov/fact-sheet/examining-national-response-worsening-coronavirus-pandemic

DPA Title VII – Voluntary Agreements with Private Sector Partners:

Based on a finding that COVID-19 presents a direct threat to the national defense and its preparedness programs, FEMA has also initiated efforts under Title VII of the DPA to establish a Section 708 voluntary agreement for the response to COVID-19 and future pandemics. Under Title VII, FEMA plans to enter into a voluntary agreement with private sector manufacturers and distributors of critical healthcare resources necessary in a pandemic. Participants in a voluntary agreement are granted relief from antitrust laws for actions taken pursuant to a voluntary agreement at the direction of the federal government.

As part of the effort to develop a voluntary agreement, FEMA held an open meeting on May 21st to present the draft agreement and solicit stakeholder feedback. Consistent with positive feedback and interest expressed by industry partners, FEMA is in the process of finalizing the agreement. If this agreement is approved by the Attorney General and the Federal Trade Commission, this agreement would formalize the unity of effort between the private sector and the federal government for integrated coordination, planning, and information sharing for the manufacture and distribution of PPE, pharmaceuticals, and critical healthcare resources identified as necessary to respond to COVID-19 and future pandemics.

#### Antitrust immunity is key to solve hoarding

Tyson Herrold and Brady Cummins 20. Tyson Herrold, Associate @ Baker & Hostetler LLP. "Combating COVID-19 Through Competitor Collaboration". Antitrust Advocate. 4-7-2020. https://www.antitrustadvocate.com/2020/04/07/combating-covid-19-through-competitor-collaboration/

Assuming these and some other prerequisites are met, the DPA provides a defense to civil or criminal antitrust liability under both federal and state antitrust laws so long as (a) the conduct in question “was specified in, or was within the scope of, an approved voluntary agreement initiated by the President and approved in accordance with this section or a plan of action adopted under any such agreement and approved in accordance with this section” and (b) the president or a designee “authorized and actively supervised the voluntary agreement or plan of action.”

Used appropriately, the DPA’s antitrust defense could complement the federal government’s COVID-19 response. For example, the Trump administration may consider bestowing antitrust immunity on companies that prioritize sales of personal protection equipment to healthcare providers in the hardest-hit geographic areas, individuals confirmed to have COVID-19 and susceptible populations, thereby curbing the recent phenomenon of healthy individuals hoarding them.