# 1NC vs Minnesota PR

## Off

### T – CWS

#### The scope of competition law defines it goals---attempts to meet current goals by banning practice are implementation questions.

ESE No Date. Erasmus School of Economics (as per their website, “The Erasmus Center for Economic and Financial Governance is an international multidisciplinary network of leading researchers and societal stakeholders initiated by researchers from Erasmus School of Economics and Erasmus School of Law. ECEFG conducts interdisciplinary research (law, economics and political science) and contributes to current debates in public and in academia on issues relating to European and global economic and financial governance.”). "Competition Policy". <https://www.eur.nl/en/ese/affiliated/ecefg/research/competition-policy>

Competition Policy

Research in this field consists of two broad areas. The first area – Theory and Implementation of Competition Law and Policy – refers to fundamental and applied research into topics that are traditionally seen as the core of competition policy. The second area – Scope of Competition Law and Policy – refers to all research on the effect and desirability of including new considerations in competition law and policy in order to address the challenges of our time, such as the increasing power of big tech firms, or global warming.

Theory and Implementation of Competition Policy

This covers for instance collusion, abuse of dominance, mergers, market regulation and state aid. Some examples of research topics are:

* the practices firms can use to engage in collusion and its welfare consequences;
* the practices firms can use to abuse a dominant position and its welfare consequences;
* which practices can be considered proof of such activities;
* how to regulate access to a market;
* how to properly assess the effects of a particular practice or merger;
* the practices, by which the state and public authorities distort competition such as subisidies and tax measures
* the interpretation and application of EU and national competition law by Competition Authorities and Courts and the extent to which they achieve the goals of competition policy

Scope of Competition Policy

The effectiveness of European competition law and policy in combination with rapid technological changes have raised questions about its proper scope. Which policy objectives can and should be pursued by means of competition law and policy, and which should be delegated to other legal fields and policies? Some examples of specific research questions include:

* Can and should competition law be used to protect the privacy of consumers on the internet?
* Information gathered by firms can be used to increase their own profits. How does this affect consumers, and what does this depend on? Can and should competition law deal with market power derived from information gathering? For instance, should the big five tech giants be forced to divest activities?
* Should competition policy also include considerations of economic inequality or environmental effects?
* Can competition law remain effective if it is used for more than safeguarding fair competition?

#### That means the aff must replace the consumer welfare standard.

Trevor Wagener 21. "The Curse of Tradeoffs: Neo-Brandeisians vs. Consumers". Disruptive Competition Project. 5-21-2021. https://www.project-disco.org/competition/052121-the-curse-of-tradeoffs-neo-brandeisian-antitrust-versus-consumers/

Neo-Brandeisians seek to replace the longstanding objective and principles-based framework of the consumer welfare standard in antitrust enforcement with an amorphous, process-based framework guided by an ethos one Neo-Brandeisian described as: “Big is bad. Just don’t let big firms merge. The end.” A movement dedicated to replacing a consumer welfare-maximizing approach with an assortment of competing goals has proven unable to offer a quantified, systematic cost-benefit analysis justifying such a radical change, instead relying upon anecdotal evidence and moving prose. The many goals of the Neo-Brandeisian approach are often rhetorically appealing, but the rhetoric hides a simple truth: When you target every variable, you effectively target none. Addressing a wide range of goals through antitrust policy requires de-emphasizing consumer welfare, creating fundamental tradeoffs expected to harm consumers relative to the status quo.

The willingness to sacrifice consumer welfare in order to achieve other ends is a defining characteristic of Neo-Brandeisian antitrust. This is illustrated by concrete Neo-Brandeisian critiques, which typically emphasize perceived harms to businesses rather than harms to consumers. For example, the Neo-Brandeisian activist group American Economic Liberties Project (AELP) published a pair of policy briefs on May 3 that criticize online service operators for a litany of purported inconveniences to businesses over a combined 22 pages, but struggle to quantify any harms to ordinary consumers and users. Those few purported harms to consumers that AELP raised are distinctly qualitative rather than quantitative, consistent with the broader reluctance of prominent Neo-Brandeisian thinkers to conduct a rigorous quantitative cost-benefit analysis of their antitrust policy prescriptions relative to the consumer welfare standard.

#### Vote negative for limits and ground---only “change goals” creates key economy and legal disads over what antitrust should consider---the affs topic races to tiny exemptions and technical changes with no core ground.

### K

#### The 1AC’s competitive-state model reinforces taken-for-granted nationalism---it makes answering transnational questions impossible.

Pauli Kettunen 21. Professor of Political History in the Social Science Faculty of University of Helsinki. "Welfare state, competition state, security state: Nationalism in nation-state responses to crossborder mobilities." In Remapping Security on Europe’s Northern Borders, pp. 201-220. Routledge, 2021.

Democratic welfare nationalism, competitiveness-seeking nationalism, and security-seeking nationalism appear as rational nation-state policies and are generally not associated with nationalism. It is reasonable to argue that the persistent limits of the conventional use of “nationalism” outside specialist studies of nations and nationalism indicate the power of nationalism as a taken-for-granted mode of thought and action. Taken-for-granted nationalism seems to be reinforced by the intertwining of democratic welfare nationalism with competitiveness-seeking and security-seeking nationalism. There is thus a self-reinforcing circle. The extent to which globalisation is defined as a national challenge reinforces the role of competitiveness and security in political agenda setting, and the extent to which competitiveness and security frame the political agenda assists them to maintain national perspectives to globalisation.

From the welfare-state, competition-state, and security-state perspectives “nationalism” is not a tool for self-description, but for condemning xenophobic and racist far-right nationalism. However, the taken-for-granted nationalism justifying the nation-state limits of these perspectives provides a readymade framework for xenophobic nationalism. The distinctions between us and others and between the internal and external are a shared point of departure, but instead of policies recognising their interdependencies, xenophobic nationalism turns the us-other distinction into an exclusionary us-against-them divide, and the internal-external distinction into a motive for stricter borders.

The emphasis on the national “us” in mainstream modes of combining welfare-state, competition-state, and security-state arguments may facilitate populist protests that accuse the elite of betraying the people. There are similarities with how the nation as an imagined community provided subordinated social groups with the criteria for a collective critique of existing society and created preconditions for the labour movement. However, while the working class was able to motivate its demands by referring to its central role in the production of life’s necessities, the social divides associated with current projects for a national competitive community give little scope for such arguments.

We may find that an insoluble tension appears between what is recognised as the institutional preconditions of competitiveness, and how its content is conceived. At the same time as egalitarian institutions and participatory practices can be defended as preconditions for knowledge-based competitiveness, true membership in a competitive community is a matter of individual competitiveness. This in turn consists of communicative and innovative skills, talent, and a reflexive capacity to monitor oneself from the perspective of competitiveness. Besides winners and losers, some people cannot even participate in this competition.

Individual deficiencies or the unavoidable imperatives of the global economy tend to be offered as explanations for grievances. Welfare-state policies aim to improve individual capacities and compensate for job losses, yet it is far from self-evident that people willingly accept individualised or naturalised explanations. Political implications may be found in constructions demarcating collective threat images and in the support for right-wing populist parties that have managed, not least in the Nordic countries, to merge nostalgic welfare nationalism and xenophobic nationalism.

While the emphasis on “us” in the making of national competitive communities is an integral part of global capitalism, the same transformations may also either erode the solidarity based on common spatial ties or open new crossnational and crossterritorial perspectives for defining “us”. A multicircle non-divisive understanding of “us” would arguably require a transnational democratic dimension in defining problems and solutions. Inspiration may be found in the ideas of policy coordination beyond nation states and European regional integration that Gunnar Myrdal proposed in his 1950s critique of the nationalism of democratic Western welfare states. In any case, even good answers to questions of national competitiveness and security fail to answer questions of democracy, citizenship, social equality, and the ecological preconditions of life. There is a risk that the reinforced emphasis on the competition-state and security-state aspects of the nation state will make it even more difficult to formulate such questions to effectively recognise that they are simultaneously local, national, European, and global.

#### \*\*Epochal transformation makes crisis transnational---methodological nationalism fails.

Ulrich Beck 14. Institute of Sociology, Munich, Germany. “We Do Not Live in an Age of Cosmopolitanism but in an Age of Cosmopolitization: The ‘Global Other’ is in Our Midst.” https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7124081/

The collapse of a world order is often a moment for reflection on the dominant social theory and research of the time, but surprisingly this is not the case today.1 Mainstream social theory still floats loftily above the lowlands of epochal transformations (climate change, financial crisis, nation-states) in a condition of universalistic superiority and instinctive certainty. This universalistic social theory, whether structuralist, interactionist, Marxist, critical or systems-theory, is now both out of date and provincial. Out of date because it excludes a priori what can be observed empirically: a fundamental transformation of society and politics within modernity (from first to second modernity)2; provincial because it mistakenly absolutizes the trajectory, the historical experience and future expectation of Western, i.e. predominantly European or North American, modernization and thereby also fails to see its own particularity.

This is why we need a cosmopolitan turn in social and political theory and research (Beck/Grande 2010a). How can social and political theory be opened up, theoretically, empirically as well as methodologically and normatively, to historically new, entangled modernities which threaten their own foundations? How can it account for the fundamental fragility and mutability of societal dynamics of domination and power shaped, as they are, by the globalization of capital and risks at the beginning of the twenty-first century? What theoretical and methodological problems arise and how can they be addressed in empirical research? Here I want to discuss these questions in five steps.

First, I will call into question one of the most powerful convictions about society and politics, one which binds both social actors and social scientists: methodological nationalism. Methodological nationalism equates modern society with society organized in territorially limited nation-states. Second, I propose to draw an essential distinction between cosmopolitanism in a normative philosophical sense and cosmopolitization as a social scientific research programme. Third, I am going to illustrate this paradigm shift by re-mapping social inequalities; and, fourth, by discussing world risk society and its political dynamics. Fifth and finally, I will pick up the question: what does a ‘cosmopolitan vision’ imply for the social sciences and humanities at the beginning of the twenty-first century?

#### Vote negative to challenge the Westphalian frame. Taken-for-granted nationalism is up for contestation and determines the scope of justice ---the “who” of politics predetermines the “what” of policy. Only shifting the grammar of argument can address the global nature of crisis.

Nancy Fraser 05. Henry A. and Louise Loeb Professor of Political and Social Science and professor of philosophy at The New School. “Reframing Justice in a Globalizing World, NLR 36, November–December 2005.” New Left Review. https://newleftreview-org.proxy.library.emory.edu/issues/ii36/articles/nancy-fraser-reframing-justice-in-a-globalizing-world

Globalization is changing the way we argue about justice.footnote1 Not so long ago, in the heyday of social democracy, disputes about justice presumed what I shall call a ‘Keynesian-Westphalian frame’. Typically played out within modern territorial states, arguments about justice were assumed to concern relations among fellow citizens, to be subject to debate within national publics, and to contemplate redress by national states. This was true for each of two major families of justice claims—claims for socioeconomic redistribution and claims for legal or cultural recognition. At a time when the Bretton Woods system facilitated Keynesian economic steering at the national level, claims for redistribution usually focused on economic inequities within territorial states. Appealing to national public opinion for a fair share of the national pie, claimants sought intervention by national states in national economies. Likewise, in an era still gripped by a Westphalian political imaginary, which sharply distinguished ‘domestic’ from ‘international’ space, claims for recognition generally concerned internal status hierarchies. Appealing to the national conscience for an end to nationally institutionalized disrespect, claimants pressed national governments to outlaw discrimination and accommodate differences among citizens. In both cases, the Keynesian-Westphalian frame was taken for granted. Whether the matter concerned redistribution or recognition, class differentials or status hierarchies, it went without saying that the unit within which justice applied was the modern territorial state.footnote2

To be sure, there were always exceptions. Occasionally, famines and genocides galvanized public opinion across borders. And some cosmopolitans and anti-imperialists sought to promulgate globalist views.footnote3 But these were exceptions that proved the rule. Relegated to the sphere of ‘the international’, they were subsumed within a problematic that was focused primarily on matters of security, as opposed to justice. The effect was to reinforce, rather than to challenge, the Keynesian-Westphalian frame. That framing of disputes about justice generally prevailed by default from the end of the Second World War to the 1970s.

Although it went unnoticed at the time, this framework lent a distinctive shape to arguments about social justice. Taking for granted the modern territorial state as the appropriate unit, and its citizens as the pertinent subjects, such arguments turned on what precisely those citizens owed one another. In the eyes of some, it sufficed that citizens be formally equal before the law; for others, equality of opportunity was also required; for still others, justice demanded that all citizens gain access to the resources and respect they needed in order to be able to participate on a par with others, as full members of the political community. The argument focused, in other words, on exactly what should count as a just ordering of social relations within a society. Engrossed in disputing the ‘what’ of justice, the contestants apparently felt no necessity to dispute the ‘who’. With the Keynesian-Westphalian frame securely in place, it went without saying that the ‘who’ was the national citizenry.

Today, however, this framework is losing its aura of self-evidence. Thanks to heightened awareness of globalization, and to post-Cold War geopolitical instabilities, many observe that the social processes shaping their lives routinely overflow territorial borders. They note, for example, that decisions taken in one territorial state often have an impact on the lives of those outside it, as do the actions of transnational corporations, international currency speculators, and large institutional investors. Many also note the growing salience of supranational and international organizations, both governmental and non-governmental, and of transnational public opinion, which flows with supreme disregard for borders through global mass media and cybertechnology. The result is a new sense of vulnerability to transnational forces. Faced with global warming, the spread of aids, international terrorism and superpower unilateralism, many believe that their chances for living good lives depend at least as much on processes that trespass the borders of territorial states as on those contained within them.

Under these conditions, the Keynesian-Westphalian frame no longer goes without saying. For many, it has ceased to be axiomatic that the modern territorial state is the appropriate unit for thinking about issues of justice, and that the citizens of such states are the pertinent subjects of reference. The effect is to destabilize the previous structure of political claims-making—and therefore to change the way we argue about social justice.

This is true for both major families of justice claims. In today’s world, claims for redistribution increasingly eschew the assumption of national economies. Faced with transnationalized production, the outsourcing of jobs, and the associated pressures of the ‘race to the bottom’, once nationally focused labour unions look increasingly for allies abroad. Inspired by the Zapatistas, meanwhile, impoverished peasants and indigenous peoples link their struggles against despotic local and national authorities to critiques of transnational corporate predation and global neoliberalism. Finally, wto protestors directly target the new governance structures of the global economy, which have vastly strengthened the ability of large corporations and investors to escape the regulatory and taxation powers of territorial states.

In the same way, movements struggling for recognition increasingly look beyond the territorial state. Under the umbrella slogan ‘women’s rights are human rights’, for example, feminists throughout the world are linking struggles against local patriarchal practices to campaigns to reform international law. Meanwhile, religious and ethnic minorities, who face discrimination within territorial states, are reconstituting themselves as diasporas and building transnational publics from which to mobilize international opinion. Finally, transnational coalitions of human-rights activists are seeking to build new cosmopolitan institutions, such as the International Criminal Court, which can punish state violations of human dignity.

In such cases, disputes about justice are exploding the Keynesian-Westphalian frame. No longer addressed exclusively to national states or debated exclusively by national publics, claimants no longer focus solely on relations among fellow citizens. Thus, the grammar of argument has altered. Whether the issue is distribution or recognition, disputes that used to focus exclusively on the question of what is owed as a matter of justice to community members now turn quickly into disputes about who should count as a member and which is the relevant community. Not just the ‘what’ but also the ‘who’ is up for grabs.

Today, in other words, arguments about justice assume a double guise. On the one hand, they concern first-order questions of substance, just as before. How much economic inequality does justice permit, how much redistribution is required, and according to which principle of distributive justice? What constitutes equal respect, which kinds of differences merit public recognition, and by which means? But above and beyond such first-order questions, arguments about justice today also concern second-order, meta-level questions. What is the proper frame within which to consider first-order questions of justice? Who are the relevant subjects entitled to a just distribution or reciprocal recognition in the given case? Thus, it is not only the substance of justice, but also the frame, which is in dispute. The result is a major challenge to our theories of social justice. Preoccupied largely with first-order issues of distribution and/or recognition, these theories have so far failed to develop conceptual resources for reflecting on the meta-issue of the frame. As things stand, therefore, it is by no means clear that they are capable of addressing the double character of problems of justice in a globalizing age.footnote4

In this essay, I shall propose a strategy for thinking about the problem of the frame. I shall argue, first, that theories of justice must become three-dimensional, incorporating the political dimension of representation alongside the economic dimension of distribution and the cultural dimension of recognition. I shall also argue that the political dimension of representation should itself be understood as encompassing three levels. The combined effect of these two arguments will be to make visible a third question, beyond those of the ‘what’ and the ‘who’, which I shall call the question of the ‘how’. That question, in turn, inaugurates a paradigm shift: what the Keynesian-Westphalian frame cast as the theory of social justice must now become a theory of post-Westphalian d

emocratic justice.

Specificity of the political

Let me begin by explaining what I mean by justice in general and by its political dimension in particular. In my view, the most general meaning of justice is parity of participation. According to this radical-democratic interpretation of the principle of equal moral worth, justice requires social arrangements that permit all to participate as peers in social life. Overcoming injustice means dismantling institutionalized obstacles that prevent some people from participating on a par with others, as full partners in social interaction. Previously, I have analysed two distinct kinds of obstacles to participatory parity, which correspond to two distinct species of injustice. On the one hand, people can be impeded from full participation by economic structures that deny them the resources they need in order to interact with others as peers; in that case they suffer from distributive injustice or maldistribution. On the other hand, people can also be prevented from interacting on terms of parity by institutionalized hierarchies of cultural value that deny them the requisite standing; in that case they suffer from status inequality or misrecognition.footnote5 In the first case, the problem is the class structure of society, which corresponds to the economic dimension of justice. In the second case, the problem is the status order, which corresponds to its cultural dimension. In modern capitalist societies, the class structure and the status order do not neatly mirror each other, although they interact causally. Rather, each has some autonomy vis-à-vis the other. As a result, misrecognition cannot be reduced to a secondary effect of maldistribution, as some economistic theories of distributive justice appear to suppose. Nor, conversely, can maldistribution be reduced to an epiphenomenal expression of misrecognition, as some culturalist theories of recognition tend to assume. Thus, neither recognition theory nor distribution theory alone can provide an adequate understanding of justice for capitalist society. Only a two-dimensional theory, encompassing both distribution and recognition, can supply the necessary levels of social-theoretical complexity and moral-philosophical insight.footnote6

That, at least, is the view of justice I have defended in the past. And this two-dimensional understanding of justice still seems right to me as far as it goes. But I now believe that it does not go far enough. Distribution and recognition could appear to constitute the sole dimensions of justice only so long as the Keynesian-Westphalian frame was taken for granted. Once the question of the frame becomes subject to contestation, the effect is to make visible a third dimension of justice, which was neglected in my previous work—as well as in the work of many other philosophers.footnote7

The third dimension of justice is the political. Of course, distribution and recognition are themselves political in the sense of being contested and power-laden; and they have usually been seen as requiring adjudication by the state. But I mean political in a more specific, constitutive sense, which concerns the nature of the state’s jurisdiction and the decision rules by which it structures contestation. The political in this sense furnishes the stage on which struggles over distribution and recognition are played out. Establishing criteria of social belonging, and thus determining who counts as a member, the political dimension of justice specifies the reach of those other dimensions: it tells us who is included in, and who excluded from, the circle of those entitled to a just distribution and reciprocal recognition. Establishing decision rules, the political dimension likewise sets the procedures for staging and resolving contests in both the economic and the cultural dimensions: it tells us not only who can make claims for redistribution and recognition, but also how such claims are to be mooted and adjudicated.

Centred on issues of membership and procedure, the political dimension of justice is concerned chiefly with representation. At one level, which pertains to the boundary-setting aspect of the political, representation is a matter of social belonging. What is at issue here is inclusion in, or exclusion from, the community of those entitled to make justice claims on one another. At another level, which pertains to the decision-rule aspect, representation concerns the procedures that structure public processes of contestation. Here, what is at issue are the terms on which those included in the political community air their claims and adjudicate their disputes.footnote8 At both levels, the question can arise as to whether the relations of representation are just. One can ask: do the boundaries of the political community wrongly exclude some who are actually entitled to representation? Do the community’s decision rules accord equal voice in public deliberations and fair representation in public decision-making to all members? Such issues of representation are specifically political. Conceptually distinct from both economic and cultural questions, they cannot be reduced to the latter, although, as we shall see, they are inextricably interwoven with them.

To say that the political is a conceptually distinct dimension of justice, not reducible to the economic or the cultural, is also to say that it can give rise to a conceptually distinct species of injustice. Given the view of justice as participatory parity, this means that there can be distinctively political obstacles to parity, not reducible to maldistribution or misrecognition, although (again) interwoven with them. Such obstacles arise from the political constitution of society, as opposed to the class structure or status order. Grounded in a specifically political mode of social ordering, they can only be adequately grasped through a theory that conceptualizes representation, along with distribution and recognition, as one of three fundamental dimensions of justice.

Three levels of misrepresentation

If representation is the defining issue of the political, then the characteristic political injustice is misrepresentation. Misrepresentation occurs when political boundaries and/or decision rules function to deny some people, wrongly, the possibility of participating on a par with others in social interaction—including, but not only, in political arenas. Far from being reducible to maldistribution or misrecognition, misrepresentation can occur even in the absence of the latter injustices, although it is usually intertwined with them. At least two different levels of misrepresentation can be distinguished. Insofar as political decision rules wrongly deny some of the included the chance to participate fully, as peers, the injustice is what I call ordinary-political misrepresentation. Here, where the issue is intra-frame representation, we enter the familiar terrain of political science debates over the relative merits of alternative electoral systems. Do single-member-district, winner-take-all, first-past-the-post systems unjustly deny parity to numerical minorities? And if so, is proportional representation or cumulative voting the appropriate remedy? Likewise, do gender-blind rules, in conjunction with gender-based maldistribution and misrecognition, function to deny parity of political participation to women? And if so, are gender quotas an appropriate remedy? Such questions belong to the sphere of ordinary-political justice, which has usually been played out within the Keynesian-Westphalian frame.

Less obvious, perhaps, is a second level of misrepresentation, which concerns the boundary-setting aspect of the political. Here the injustice arises when the community’s boundaries are drawn in such a way as to wrongly exclude some people from the chance to participate at all in its authorized contests over justice. In such cases, misrepresentation takes a deeper form, which I shall call misframing. The deeper character of misframing is a function of the crucial importance of framing to every question of social justice. Far from being of marginal significance, frame-setting is among the most consequential of political decisions. Constituting both members and non-members in a single stroke, this decision effectively excludes the latter from the universe of those entitled to consideration within the community in matters of distribution, recognition, and ordinary-political representation. The result can be a serious injustice. When questions of justice are framed in a way that wrongly excludes some from consideration, the consequence is a special kind of meta-injustice, in which one is denied the chance to press first-order justice claims in a given political community. The injustice remains, moreover, even when those excluded from one political community are included as subjects of justice in another—as long as the effect of the political division is to put some relevant aspects of justice beyond their reach. Still more serious, of course, is the case in which one is excluded from membership in any political community. Akin to the loss of what Hannah Arendt called ‘the right to have rights’, that sort of misframing is a kind of ‘political death’.footnote9 Those who suffer it may become objects of charity or benevolence. But deprived of the possibility of authoring first-order claims, they become non-persons with respect to justice.

It is the misframing form of misrepresentation that globalization has recently begun to make visible. Earlier, in the heyday of the postwar welfare state, with the Keynesian-Westphalian frame securely in place, the principal concern in thinking about justice was distribution. Later, with the rise of the new social movements and multiculturalism, the centre of gravity shifted to recognition. In both cases, the modern territorial state was assumed by default. As a result, the political dimension of justice was relegated to the margins. Where it did emerge, it took the ordinary-political form of contests over the decision rules internal to the polity, whose boundaries were taken for granted. Thus, claims for gender quotas and multicultural rights sought to remove political obstacles to participatory parity for those who were already included in principle in the political community. Taking for granted the Keynesian-Westphalian frame, they did not call into question the assumption that the appropriate unit of justice was the territorial state.

Today, in contrast, globalization has put the question of the frame squarely on the political agenda. Increasingly subject to contestation, the Keynesian-Westphalian frame is now considered by many to be a major vehicle of injustice, as it partitions political space in ways that block many who are poor and despised from challenging the forces that oppress them. Channelling their claims into the domestic political spaces of relatively powerless, if not wholly failed, states, this frame insulates offshore powers from critique and control.footnote10 Among those shielded from the reach of justice are more powerful predator states and transnational private powers, including foreign investors and creditors, international currency speculators, and transnational corporations. Also protected are the governance structures of the global economy, which set exploitative terms of interaction and then exempt them from democratic control. Finally, the Keynesian-Westphalian frame is self-insulating; the architecture of the interstate system protects the very partitioning of political space that it institutionalizes, effectively excluding transnational democratic decision-making on issues of justice.

From this perspective, the Keynesian-Westphalian frame is a powerful instrument of injustice, which gerrymanders political space at the expense of the poor and despised. For those persons who are denied the chance to press transnational first-order claims, struggles against maldistribution and misrecognition cannot proceed, let alone succeed, unless they are joined with struggles against misframing. It is not surprising, therefore, that some consider misframing the defining injustice of a globalizing age. Under these conditions, the political dimension of justice is hard to ignore. Insofar as globalization is politicizing the question of the frame, it is also making visible an aspect of the grammar of justice that was often neglected in the previous period. It is now apparent that no claim for justice can avoid presupposing some notion of representation, implicit or explicit, insofar as none can avoid assuming a frame. Thus, representation is always already inherent in all claims for redistribution and recognition. The political dimension is implicit in, indeed required by, the grammar of the concept of justice. Thus, no redistribution or recognition without representation.footnote11

In general, then, an adequate theory of justice for our time must be three-dimensional. Encompassing not only redistribution and recognition, but also representation, it must allow us to grasp the question of the frame as a question of justice. Incorporating the economic, cultural and political dimensions, it must enable us to identify injustices of misframing and to evaluate possible remedies. Above all, it must permit us to pose, and to answer, the key political question of our age: how can we integrate struggles against maldistribution, misrecognition and misrepresentation within a post-Westphalian frame?

### Reg CP

#### The United States federal government should increase restrictions on anticompetitive business practices protected by the Export Trading Company Act and the Webb–Pomerene Act when those business practices harm the markets of foreign nations without protections for export cartels through non-antitrust regulations.

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

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

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

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

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

### FTC DA

Next off is the FTC DA

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

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

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

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

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

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

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

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

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

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

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

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

### Forecasting CP --- 1NC

Next off is the forecasting counterplan---

#### The United States should only allow the continuation of anticompetitive business practices protected by the Export Trading Company Act and the Webb–Pomerene Act when those business practices harm the markets of foreign nations without protections for export cartels under antitrust law only when a team of the Good Judgment Project’s “super-forecasters” has determined that the activity reduces the numerical probability of protectionism, a lack of fertilizer access, and hypocritical, offensive protections for American cartels from an unacceptably high level.

\* The Good Judgment Project’s “Super-forecasters” are team members of the Good Judgement Project that have ended in the top 2% of forecasters tournaments, selected by Tetlock’s team.

#### It competes---the counterplan is a regulation not prohibition.

James Broaddus 50. February 6; Judge on the Kansas City Court of Appeals, Missouri; Westlaw, “City of Meadville v. Caselman,” 240 Mo. App. 1220. https://casetext.com/case/city-of-meadville-v-caselman-1

"Under power conferred on cities of the fourth class `to regulate and license' dramshops, there is no authority to wholly prohibit or suppress. Where there is mere power in a municipality to regulate in a state, with a general policy of conducting licensed saloons, authority to prohibit is excluded. The difference between regulation and prohibition is clear and well marked. The former contemplates the continuance of the subject-matter in existence or in activity. The latter implies its entire destruction or cessation.'" (Citing text writers and cases.)

#### ONLY the counterplan solves the case---the plan can’t keep up with market changes.

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

To determine whether and when particular forms of business conduct may harm competition requires an understanding of the market circumstances in which they are undertaken. Antitrust agencies and the courts have long looked to economic learning for assistance in understanding market circumstances and the likely competitive effects of particular business conduct.23 Indeed, economics now provides the core foundation for much of antitrust law. Not surprisingly, as economic learning about competition has advanced over the decades, so have the contours of antitrust doctrine.

Antitrust law also must keep pace with developments in the business world. Business practices may change, especially as technological innovation and global economic integration alter the competitive forces at work in particular markets. To protect competition and consumer welfare, antitrust analysis must offer sufficient flexibility to take account of these changes, while maintaining clear and administrable rules of antitrust enforcement.

B. Periodic Assessments of the Antitrust Laws Are Advisable

The antitrust laws in the United States require ongoing evaluation and assessment to ensure they are keeping pace with both economic learning and the ever-changing economy.24 In past decades, various entities have empowered six different commissions to assess how well antitrust law operates to serve consumers. The Antitrust Modernization Commission is the seventh such commission in almost seventy years.25 Prior commissions have made recommendations about both the substance and procedure of antitrust law.

#### Flexibility is key to super forecasting competition policy---the aff locks in policy failure.

Michelle Baddeley 17. Institute for Choice, University of South Australia. Journal of Behavioral Economics for Policy, Vol. 1, No. 1, 27-31, 2017. “Experts in policy land - Insights from behavioral economics on improving experts’ advice for policy-makers”. https://sabeconomics.org/wordpress/wp-content/uploads/JBEP-1-1-4-F.pdf

Whichever side one takes on these political divides, if the modern fashion is to allow subjective, partisan opinions to trump expert advice, what are the likely implications? Is it wise to be so mistrustful of experts? Expert advice is irreplaceable. Scientific experts and academics play a crucial role in developing new findings and insights to help inform policy, with implications across the range of human activity – from health and environmental policy through to competition policy, consumer protection and financial regulation – to name just a few. But to what extent are experts objective and impartial? Is their advice really impartial and unbiased, based around a cool and calculating objective assessment of evidence, after the careful application of robust research methodologies? In practice - uncertainty, insufficient information, unreliable data or flawed analysis can limit the expert’s ability to untangle the truth, and make it difficult for the policy-maker to assess the extent to which expert advice is reliable. Robust statistical methods, careful experimental design and clear hypotheses can guide the expert but impartial advice is also compromised by a range of economic, behavioural and socio-psychological constraints, some of which may be beyond the expert’s conscious control. Heuristics, biases and social influences driving experts can have significant negative consequences for the public, especially if misleading research findings are used to guide public policy.

This paper will explore some of these influences on experts’ judgement. In Section 2, some of problems around information, risk and uncertainty are outlined; in Section 3, key economic and socio-psychological constraints are explored. Policy implications and solutions are suggested in Section 3, focussing on how we can ensure that expert advice is devised and applied in the most robust and objective ways possible.

Information, risk and uncertainty

Risk and uncertainty is an unavoidable problem, especially for the scientific research that backs up expert judgement because it is about investigating novel, poorly understood phenomena. When information is scarce, a situation is profoundly uncertainty, and/or we have had no prior experience of an event or phenomenon, we cannot quantify the risk of one event versus another. Frequency ratios capturing the incidence of similar events in the past are of no use when there have been no similar events in the past. Given uncertainty, it is not possible to tell before the fact whether experts are right or wrong. It is not like we have given them a difficult mathematical problem which we can double check ourselves using a computer or calculator. With scientific research and expert advice – there is no way to know what the truth might be, and that is why we need experts to find it. And we can only judge expert judgements with the benefit of hindsight, if at all. This is a Catch-22: we need expert evidence to judge expert evidence.

An example of how policy-makers confront these problems of uncertainty and poor information affecting expert advice is the work of the Hazardous Substances Advisory Committee (HSAC) – an advisory committee to the UK’s Department for Environment, Food and Rural Affairs. This committee focuses on another complication arising from uncertainty – the difference between a risk and a hazard. Hazards exist, they are there – but if we know where they are, we can avoid them and thereby minimize our risk. The problem comes in knowing what and where the hazards are. Scientific experts on HSAC – including a range of toxicologists, environmental scientists and biochemists, as well as social scientists – assess evidence to help to inform the UK’s regulatory policy with respect to chemicals harmful to the environment and human health. Often a key constraint is that they are asked to provide advice around the likely environmental impacts of hazardous substances such as endocrine disruptors, antiobiotics and nanomaterials – often we do not know too much about these substances and their long-term impacts, especially for innovative technologies such as nanomaterials. HSAC has therefore devised a structure for assessing the quality of evidence when information is scarce and uncertainty is endemic –spanning not only the usual scientific evidence around experiments and field observation, but also including computational modelling and anecdotal evidence (Collins et al. 2016). For experts used to analysing large data sets, the latter would seem like an anathema but when experts are facing fundamental uncertainty the types of evidence they might use must expand accordingly. If we are forced to rely on anecdote, we need to understand what distinguishes good anecdotal evidence from bad anecdotal evidence: anecdotes that are corroborated across a range of sources are more reliable than single anecdotes, for example.

Economic and socio-psychological constraints

The problems of poor information, risk and uncertainty are not about the fallibility of individuals or even differences between individuals – either in terms of their individual differences and characters, and/or their susceptibility to biases and social influences. Once we introduce these additional constraints – which reflect the characters of the experts not the nature of the evidence – the opportunities for mistakes and misleading guidance increase significantly.

Individual differences

Individual differences seem to play a role, including in terms of innate ability to make judgements about uncertain futures. Philip Tetlock conducted a study which showed that, in forecasting uncertain future events, most experts are only just better than an ordinary person guessing at random (Tetlock 2006). In a second study, however – a collaboration with Dan Gardner – he showed that some particular individuals – experts or not – are “super-forecasters” who have a particular aptitude for forecasting (Tetlock and Gardner 2015). What ideal characteristics might enable these super-forecasters to predict

so well? In a complex world, we need experts who are able to understand and analyse a wide range of evidence. Do we need experts who can cover a broad range, or experts who know a narrow field very well? Linking to Isaiah Berlin’s distinction between the fox-types who have a wide but relatively superficial knowledge, and the hedgehog-types who have a deep but relatively narrow knowledge, Tetlock (2006) argues that we may prefer to be advised by foxes – who know many little things, can draw on an eclectic range of evidence and are able to improvise relatively easily when evidence shifts. The hedgehogs, who know one area very well and focus on one tradition may be too inclined to impose formulaic and inflexible solutions.

#### Binding forecasting is key to spillover---solves security.

J. Peter Scoblic and Philip E. Tetlock 20. J. Peter Scoblic is Co-Founder of Event Horizon Strategies, a Senior Fellow in the International Security Program at New America, and a Fellow at Harvard’s Kennedy School. Philip E. Tetlock is Leonore Annenberg University Professor at the University of Pennsylvania, Co-Founder of Good Judgment, and a co-author of Superforecasting: The Art and Science of Prediction. “A Better Crystal Ball The Right Way to Think About the Future”. https://www.foreignaffairs.com/articles/united-states/2020-10-13/better-crystal-ball

The greatest barrier to a clearer vision of the future is not philosophical but organizational: the potential of combining scenario planning with probabilistic forecasting means nothing if it is not implemented. On occasion, the intelligence community has used forecasting tournaments to inform its estimates, but that is only a first step. Policymakers and consumers of intelligence are the ones who must understand the importance of forecasts and incorporate them into their decisions. Too often, operational demands—the daily business of organizations, from weighty decisions to the mundane—fix attention on the current moment.

Overcoming the tyranny of the present requires high-level action and broad, sustained effort. Leaders across the U.S. government must cultivate the cognitive habits of top forecasters throughout their organizations, while also institutionalizing the imaginative processes of scenario planners. The country’s prosperity, its security, and, ultimately, its power all depend on policymakers’ ability to envision long-term futures, anticipate short-term developments, and use both projections to inform everything from the budget to grand strategy. Giving the future short shrift only shortchanges the United States.

## Adv 1

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

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.

#### COVID thumps protectionism

Lee 20 (Yen Nee Lee is a correspondent for CNBC.com based in Singapore, covering a range of business topics from around the region, including trade, finance. Coronavirus pandemic will cause a 'much bigger wave' of protectionism, says trade expert. <https://www.cnbc.com/2020/04/10/coronavirus-expect-a-lot-more-protectionism-says-trade-expert.html> //shree)

Governments around the world will turn increasingly protectionist in the near term as they try to limit the economic damage from the coronavirus pandemic, a trade expert said on Thursday.

COVID-19 has already spread to more than 180 countries and territories and caused some countries to restrict exports of medical supplies — that's a decision that could spill into other areas such as food products, said Deborah Elms, executive director at consultancy Asian Trade Centre.

"There is a much bigger wave of protectionism in the near term that we should expect, that is not just in medical supplies ... but it will also start to affect food," she told CNBC's "Capital Connection."

"As countries get nervous about food stocks and food supply, food security, they're going to stop allowing the export or restrict the import of food products," she added. Global economic activity, including trade, is at risk of grinding to a halt as countries implement social distancing and quarantine measures of varying degrees to fend off the spread of the coronavirus disease, formally referred to as COVID-19.

The World Trade Organization on Wednesday said global trade — which was already slowing in 2019 due to the U.S.-China tariff fight — is projected to plummet by 13% to 32% this year. A recovery is expected in 2021, but that depends on the duration of the outbreak and the effectiveness of policies to combat the virus impact, according to the WTO.

#### No trade war impact.

Joel **Einstein 17**. Australian National University. 01-17-17. “Economic Interdependence and Conflict – The Case of the US and China.” E-International Relations. <http://www.e-ir.info/2017/01/17/economic-interdependence-and-conflict-the-case-of-the-us-and-china/>

In 1913, Norman Angell declared that the use of military force was now economically futile as international finance and trade had become so interconnected that harming the enemy’s property would equate to harming your own.[1] A year later Europe’s economically interconnected states were embroiled in what would later become known as the First World War. Almost a century later Steven Pinker made a similar claim. Pinker argues, “Though the relationship between America and China is far from warm, we are unlikely to declare war on them or vice versa. Morality aside, they make too much of our stuff and we owe them too much money.”[2] His argument rests upon the liberal assumption that high levels of trade and investment between two states, in this case the US and China, will make war unlikely, if not impossible. It is this assumption that this essay seeks to evaluate. This essay is divided into three sections. The first briefly outlines the theory that economic interdependence results in a reduced likelihood of conflict, breaking the theory down into smaller components that can be examined. In the second section, this essay suggests that the premise ‘more trade equals less conflict’ is simplistic. It does not take into account many of the variables that can influence the strength of economic interdependence’s conflict reducing attributes. Within this section, the essay considers: the extent to which conflict cuts off trade, theories arguing that how and what a state trades matters, Copeland’s theory of trade expectations and the differences between status quo and revisionist states. The final section deals with the realist perspective, concentrating on arguments pertaining to the primacy of strategic interests and arguments that economic interdependence will increase the likelihood of conflict owing to a reduction of deterrence credibility. Each section will be related back to the US-China relationship with a view to assessing Pinker’s claim. The essay will conclude that economic interdependence does reduce the likelihood of conflict but is insufficient on its own to completely prevent it. To calculate the likelihood of conflict correctly one would need to factor in the nature of the economic interdependence alongside the strength of the strategic interests at stake. Economic Interdependence and Conflict The theory that increased economic interdependence reduces conflict rests on three observations: trade benefits states in a manner that decision-makers value; conflict will reduce or completely cut-off trade; and that decision-makers will take the previous two observations into account before choosing to go to war. Based on these observations, one should expect that the higher the benefit of trade, the higher the cost of a potential conflict. After a certain point, the value of trade may become so high that the state in question has become economically dependent on another. Proponents of this theory argue that if two states have reached this point of mutual dependence (interdependence), their decision-makers will value the continuation of trade relations higher than any potential gains to be made through war.[3] It is on this argument that Pinker rests his statement that the economic relationship between the US and China precludes war. One can see evidence of this when analysing US views on China as trade rises. A 2014 Chicago Council on Global Affairs survey indicates that only a minority of Americans see China as a critical threat, compared to a majority in the mid-1990s. This number is even higher when analysing Americans who directly benefit from trade with China.[4] As compelling as this argument may be, high levels of economic interdependence have not always resulted in peace. The decades preceding WW1 saw an unprecedented growth in international trade, communication, and interconnectivity but needless to say, war broke out.[5] This instance alone is not enough to disprove Pinker’s logic. War may become very unlikely but began nonetheless.[6] Let us take two hypothetical scenarios, one in which the chances of war is 80% and the other in which trade has reduced the likelihood of war to 10%. Just knowing that war did indeed take place does not tell us which scenario was in play. Similarly, the fact that WW1 took place gives us no information about whether economic interdependence made war unlikely or not. In fact, evidence even exists to suggest that economic linkages prevented a war from breaking out during the sequence of crises that led up to WW1.[7] However, the fact that a war as detrimental as WW1 could break out despite a supposed reduction of the likelihood of conflict gives us an impetus to examine whether this reduction does take place. Additionally, if this is the case, what variables can weaken this pacifying effect? Does Conflict Cut off Trade? Economic interdependence theory makes the assumption that conflict will reduce or cut-off trade. This assumption appears to be logical, as one would expect that the moment two states are officially adversaries, fear of relative gains would ensure that policy makers want to completely cut-off trade. However, there are many historical examples of trade between warring states carrying on

during wartime, including strategic goods that directly affect the ability of the enemy to carry out the war.[8] For example, in the Anglo-Dutch Wars, British insurance companies continued to insure enemy ships and paid to replace ships that were being destroyed by their own army.[9] Even during WW2, there are numerous examples of American firms continuing to trade strategic goods with Nazi Germany.[10] Barbieri and Levy argue that these examples and their own statistical analysis suggest that the outbreak of war does not radically reduce trade between enemies, and when it does, it often quickly returns to pre-war levels after the war has concluded.[11] In response to this result, Anderton and Carter conducted an interrupted time-series study on the effect war has on trade in which they analysed 14 major power wars and 13 non-major power wars. Seven of the non-major power wars negatively impacted trade (although only four of these reductions were significant), but in the major war category, all results bar one showed a reduction of trade during wartime and a quick return to pre-war levels at its conclusion.[12] Accompanying this contradictory finding one must take into account that even if war does not radically reduce trade, if a state believes that it does then potential opportunity cost would still figure in their calculations. Variables that Impact the Pacifying Effect of Economic Interdependence The purpose of this section is to demonstrate that the pacifying effect of economic interdependence is not constant. It achieves this via a discussion of the effect of changes in a number of variables pertaining to how and what a state trades. Once it is established that changes in such variables may alter the effect of economic interdependence on the likelihood of conflict, Pinker’s statement (that the level of trade between the US and China makes conflict unlikely) can be considered to be an over-simplification. One variable is the relative levels of economic dependence. Some argue that asymmetry of trade can increase the chances of conflict if the trade is more important to one state than it is to the other; their resolve would not be reduced by the same degree. The less dependent state would be far more willing than its adversary to initiate a conflict.[13] An example is the possibility of the prevalent idea in China that ‘Japan needs China more than China needs Japan’ leading to China becoming more assertive in Senkaku/Diaoyu islands dispute.[14] It is important to recognize that all trade is asymmetric in one fashion or another. It is radical asymmetry that one has to fear, which at the moment does not appear to be the case in the China-Japan or US-China case. Another variable is the specifics of what is being traded. A study by Dorussen suggests that the pacifying effect of trade is less evident if the trade consists of raw materials and agriculture but stronger if the trade consists of manufactured goods. Even within the category of manufactured goods there are differences in effect. Mass consumer goods yield the strongest pacifying results whilst high-technology sectors such as electronics and highly capital-intensive sectors such as transport and metal industries tend to have a relatively weak effect.[15] If it is a sector with alternative trade avenues then embargos and boycotts as a result of conflict will have far less effect.[16] The rule is that the more inelastic the import demand, the higher the opportunity cost and the smaller the probability of conflict.[17] According to these studies, trade still generally reduces the likelihood of conflict however it is by no means homogeneous in its effects. Additionally, the opportunity costs are not the same for importers and exporters. Dorussen’s study suggests that increased trade in oil tends to make the exporters more hostile and the importers friendlier in relations to their foreign policy.[18] Taking this framework into account, in 2014 China’s top five exports to the US (computers, broadcasting equipment, telephones and office machine parts) all fell under the category of electronics,[19] whilst the US’s top five exports to China (air and/or spacecraft, soybeans, cars, integrated circuits and scrap copper) were all either high-capital intensive sectors or raw materials and agriculture.[20] According to Dorussen’s study, these exports should not yield the strongest possible conflict reducing results, which could impact the validity of Pinker’s statement. Copeland presents another variable, namely expectations of trade. Copeland argues that if a highly dependent state expects future trade to be high, decision makers will behave as many liberals predict and treat war as a less appealing option. However if there are low expectations of future trade, then a highly dependent state will attach a low or even negative value to continued peaceful relations and war would become more likely.[21] As an example, he points out that despite high levels of trade in 1914 German leaders believed that rival great powers would attempt to undermine this trade in the future, so a war to secure control over raw materials was in the interests of German long-term security.[22] Via this framework, if the US began to believe that in future years they would be less dependent on China’s economy, or if it became apparent that a US-China trade war was about to take place, there would be a sharp rise in the probability of conflict. The final variable this essay will discuss relates to the differences between status quo and revisionist states. Most empirical analyses of economic interdependence tend to group together states as different as the United States, Pakistan, Australia, Germany and China and assume that variations in their behaviour would be the same.[23] Papayoanou on the other hand, argues that when analysing the effects of economic interdependence it is useful to differentiate the effects on great power states and states with revisionist aspirations.[24] If a status quo power has strong economic ties with revisionist state there will be interest groups who advocate engagement and who believe that confrontational stances will threaten the political foundation of economic links. This will constrain the response of the status quo state.[25] One can see evidence of such an interest group in the US, a group Friedberg describes as the Shanghai coalition, who he argues advocate engagement with China at the expense of balancing.[26] A study by Fordham and Kleinberg backs up this argument as they find that US business elites who benefit from trade with China tend to see little benefit in limiting the growth of Chinese power.[27] A 21st Century revisionist power is far less likely to be a democracy, and therefore, interest groups will influence the leadership far less. This means an authoritarian revisionist power will be working under fewer constraints and will be able to take a more aggressive stance.[28] This appears to be the case in China where rather than having domestic constraints on taking an aggressive stance against Japan, one of their biggest trading partners, grassroots nationalism has made explicit cooperation a domestically risky option.[29] There are many indicators to suggest that China is a revisionist power willing to wage war. Lemke and Werner argue that an extraordinary growth of military expenditures’ reveals when a state is dissatisfied with the status quo.[30] Data provided by the Stockholm International Peace Research Institute certainly indicates that China qualifies as its military expenditure has nominally increased by 1270% between 1995 and 2015.[31] Additionally, the military modernization appears to be aimed at capabilities to contest US primacy in East Asia.[32] Much like German strategists recognized that Britain was operating under significant domestic constraints, China could realize the same of the US.[33] This is not to say that Chinese decision-makers would be cavalier about making a decision that would be to the detriment its economy. A crash in the Chinese economy due to the loss of exports to the US could potentially undermine the legitimacy of the Chinese Communist party and endanger the regime. However, the view that China is a revisionist power indicates that good trade relations alone will not result in a low probability of conflict. Realist Arguments Pertaining to Dominance of Strategic Interests Having established that if the pacifying effect of trade does exist, it can rise or fall depending on changes in a series of variables this essay proceeds to deal with realist theories arguing that trade has a negligible or even negative effect on the likelihood of conflict. Buzan argues that noneconomic factors contribute far more to major phenomena than liberal theorists usually cite to support their theory.[34] There is evidence of the primacy of strategic interests in Masterson’s 2012 study on the relationship between China’s economic interdependence and political relations with its neighbours. The study concluded that as economic interdependence with neighbouring states increased the likelihood of conflict did indeed decrease, but that the impact was minimal when compared to the impact of relative power capabilities. In other words, political and military issues dominated interstate relations. Growth in power disparities were associated with decreases in dyadic political relations that were greater than the increase caused by economic interdependence.[35] If the pacifying effect of trade can rise and fall so can the provocative effect of strategic interests. It is important to distinguish between the existence of a strategic interest and a situation of unbearable strategic vulnerability. China and the US have many opposing strategic interests, but neither is in a strategically vulnerable position. For example, China shares many borders, but none present the same threat of invasion that Tsarist Russia did to Imperial Germany as none of the current maritime tensions between China, Japan, and the US equate to a matter of national survival.[36] This is crucial as some believe that for a crisis to escalate to a major war an actor who is isolated and believes that history is conspiring against them is needed. Only this actor would take an existential risk to try and offset their strategic vulnerability.[37] Imperial Germany fit this description, but neither China nor the US does. This is largely due to the geography of the region. The tension between the US, China and Japan are over maritime regions. Maritime issues still relate to national interests but, as Krause points out, “Land armies are still the only forces that can conquer and hold territory.”[38] Taking this into account one can argue that the benefits of US-China trade are, for each state, currently greater than the benefits of pursing strategic benefits via force, but this situation will only remain as long as the situation does not become one of unbearable strategic vulnerability. Realist Arguments Pertaining to the Undermining of Deterrence Having established that scenarios exist where strategic interests and vulnerabilities have a greater effect on the likelihood of war than economic interdependence, this essay will now evaluate arguments that economic interdependence can increase the likelihood of conflict through the undermining of deterrence. The argument proceeds as follows: if economic interdependence constrains the ability or willingness of a state to use its military, security is lowered as the state now has a weakened ability to engage in deterrence and defensive alliances. Deterrence relies on the ability of a state to make credible threats and defensive alliances rely on credible promises to protect one’s allies.[39] Credibility is defined as the product of the operational capability to follow through with a threat and the communication of resolve to use force.[40] What is at risk here is that if economic interconnectivity interferes with the communication of resolve to use force then states may end up with a way that neither side expected or wanted. Some argue that it was such a failure to communicate resolve that resulted in the beginning of WW1. Indeed, Jolly claims that: “The Austrians had believed that vigorous actions against Serbia and a promise of German support would deter Russia: the Russians had believed that a show of strength against Austria would both check the Austrians and deter Germany. In both cases, the bluff had been called and the three countries were faced with the military consequences of their actions.”[41] The risk in the US-China case would be that the interest groups described earlier would prevent the US from effectively communicating its resolve to use force if China were to cross a redline. The flaw in this argument lies in the fact that whilst interest groups might push back against public statements outlining redlines; the US has many less overt options available to it to communicate resolve. Modern technology and the forms of interconnectivity have resulted in many more lines of communication between China and the US than adversaries had access to in 1914. Private meetings, electronic communication and numerous other methods of communication have the capability to be candid without being visible to interest groups. It is for this reason that this essay discounts the theory that Sino-American economic interdependence results in a reduction of deterrence and therefore increases the likelihood of conflict. Conclusion This essay has shown that the strength of the pacifying effect of economic interdependence is subject to change depending on a series of dynamic variables. It has also demonstrated that the strength of the conflict provoking effects of strategic interests can change depending on whether the strategic interest amounts to a situation of unbearable strategic vulnerability. It has discounted the theory that interdependence leads to a higher chance of conflict through an erosion of credibility. To sum up, trade does seem to reduce the likelihood of conflict but should not be seen as a deterministic factor as strategic interests, and vulnerabilities also have a large effect. There is no hard rule as to what will be the driving factor as the nature of economic interdependence and of strategic factors impact their relative values. Accordingly, Pinker’s statement that the trade between the US and China makes war exceptionally unlikely is simplistic and misleading because it fails to account for a wide array of variables that can radically change the likelihood of a Sino-American war. An intellectually honest thesis would insist upon a comprehensive approach in which the level of economic activity is simply one of many variables that is required.

#### Trade doesn’t solve war---commerce just re-routes.

Joanne Gowa & Raymond Hicks 17. \*\*William P. Boswell Professor of World Politics of Peace and War, Princeton. \*\*Statistical Programmer, Niehaus Center for Globalization and Governance; PhD in political science, Emory. “Commerce and Conflict: New Data about the Great War.” *British Journal of Political Science* 47(3): 653-74. Emory Libraries.

The findings we report show that the Great War led to a **rerouting**, rather than a wholesale breakdown, of trade. This did not come as a surprise to states: the historical record shows that states anticipated wartime shifts in their trade channels. Most belligerents nonetheless incurred efficiency losses as a consequence of the shifts, but the losses pale in light of the aggregate costs the war imposed on them. These findings suggest that neglecting wartime trade channels can **overstate** the deterrent power of ex ante trade. It is reasonable to question the extent to which wartime trade can, in general, substitute for its ex ante counterpart. This depends, as we noted above, on the composition of trade. The dominance of homogenous products in trade at the time of World War I made substitution a feasible option. For the same reason, other wars that occurred during the first half of the twentieth century seem likely to have precipitated the same trade dynamics as did the Great War. Preliminary empirical analyses are consistent with this argument. 95 After World War II, however, intra-industry trade – that is, trade in differentiated products between countries with similar factor endowments – came to account for a much larger share of commerce. Krugman notes, for example, that intra-industry rose from about 22 per cent of trade between the industrialized countries in 1962 to about 50 per cent in 2006. 96 This trade tends to involve ‘highly specialized imported varieties for which domestic imports are hard to find’, 97 raising the estimated gains from trade that accrue to countries shifting from autarky to free trade. Trade in these products can magnify wartime trade costs to the extent that trade across enemy lines engages imports that cannot easily be obtained from other trading partners. Production networks also spread more widely across countries over time. This implies that conflicts in the more recent past might indeed have wreaked havoc on trade, raising the deterrent power of ex ante trade. But the composition of conflicts also shifted over time. After 1945, no war would ever again split the major trading states. As we noted above, the advent of the Cold War transformed them into each other’s sturdiest allies. Because the advanced industrialized countries account for a large share of **intra-industry trade**, post-World War II conflicts **did not endanger** the exchange of differentiated products. The same is true of foreign direct investment: for most of the twentieth century, it was largely the major developed country trading partners that were both its home and host countries. 98 The **changing composition of warring dyads** after World War II may help explain the findings in the empirical literature on this period that conflict and ex ante trade are inversely related. The effects of conflicts on wartime commerce in this period have yet to be examined, however. Conclusion That the First World War unleashed tremendous destruction is indisputable. It marked the inception of what has been described as the long European civil war. It resulted in sixteen million deaths and twenty million wounded and destroyed large amounts of physical capital. 99 In its wake, the great powers never established anything remotely similar to the Concert of Europe that succeeded the Napoleonic Wars. Their best efforts produced a League of Nations that was unable to resolve the conflicts of interest that stymied co-operation among them. They could agree neither on the enforcement of the Versailles Treaty nor on a collective response to the Great Depression, which set the stage for the outbreak of the Second World War. The Great War also reputedly destroyed the large trade flows that existed during the first golden age of globalization. For this reason, it has become central to debates about the liberal peace. Its outbreak seemed to destroy any hope that leaders had internalized the idea that war had become a ‘great illusion’, more likely to impose costs than benefits because of the concomitant destruction of the trade that had become integral to the growth of national power. 100 Because its belligerents had been each other’s major trading partners ex ante, the Great War seemed to destroy hopes that economic linkages would secure peace. Yet, the evidence we present here suggests that one of the largest wars in history did not induce a breakdown of trade. Instead, large shifts occurred in interstate commerce, privileging trade between allies, penalizing commerce between adversaries and increasing trade with neutrals. The composition of early twentieth-century trade helped to mitigate the welfare losses these shifts imposed, as it enabled states to switch trading partners and transit routes more easily than might seem possible later in the twentieth century. Because ex ante commerce between belligerents is not necessarily a good indicator of their ex post trade, estimates of the deterrent power of trade need to take both into account.

#### Be skeptical of 1ac ev on protectionism – author admits they cherry-picked data

1ac Allison Murray 19. Loyola Law School Juris Doctor, May 2019. “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, vol. 42, no. 1. 2019. HeinOnline. Accessed 9/4/21.

E. General Protectionist Sentiment on the Rise

Although **the above represent a few admittedly cherry-picked examples of growing protectionism**, the WTO has reported that there has been a “surge in antitrade rhetoric around the world . . . being accompanied by a rise in the introduction of protectionist measures by the world’s leading economies.” 193 Between October of 2015 and May of 2016, the major world economies “introduced new protectionist trade measures at the fastest pace seen since the 2008 financial crisis, rolling out the equivalent of five each week.”194 The WTO’s warning was intended to raise awareness that the creeping protectionism of the 1930s may be rearing its ugly head yet again, with the intention of preparing world leaders to avoid the pitfalls of such an approach.195 With so many agreements in place that are designed to prevent countries from raising tariff levels and engaging in the policies which plagued the world economy during the Great Depression, it makes sense that individual countries may fall back to antitrust law as a lever to promote protectionist policies.

#### Status quo solves cooperation on cartels

Pieter JF Huizing, 18. Senior associate in the competition law department of Allen & Overy LLP in Amsterdam. "InnoLux v AU Optronics: comparing territorial limits to EU and US public enforcement of the LCD cartel." *Journal of Antitrust Enforcement* 6, no. 2 (2018): 231-260.

The need for international coordination of extraterritorial cartel enforcement is a hot topic in the global antitrust community. It is a recurring theme on antitrust conferences and a key focus of the advocacy efforts of international organizations such as the ICN, the OECD, and the International Bar Association (IBA). The focus of such efforts has often been on cooperation in respect of the investigation stages and less on coordination in respect of the scope and level of punishment.134 But there are more and more calls for authorities to also coordinate their cartel penalties. For example, during the OECD Roundtable on Cartels Involving Intermediate Goods in October 2015, several delegates highlighted ‘the importance of taking into account fines or sanctioning decisions already imposed by other competition agencies to minimise concerns about the fairness and proportionality of fines levied in multi-jurisdictional cases’.135 In June 2016, the Japanese Ministry of Economy, Trade and Industry (METI) published a report on its research into the enforcement of international cartels, in view of the ‘growing concern about overlapping application of competition laws or imposition of multiple surcharges by several countries’.136 Based on its research, the Ministry proposed increased coordination between authorities to take into account concurrent penalties. In December 2016, both the IBA and the American Bar Association (ABA) in their comments on the proposed new DOJ and FTC Antitrust Guidelines for International Enforcement and Cooperation called upon the US authorities to stress the need for cooperation regarding sanctioning of international cartel cases to avoid over-deterrence or double-jeopardy.137 Furthermore, also in December 2016, in one of the key submissions for the OECD’s 15th Global Forum on Competition, Hwang Lee specifically pressed for increased efforts by competition authorities to coordinate fining decisions in parallel proceedings.138 These examples indicate that—while moving slowly—progress is made in recognizing the need for commonly accepted principles for coordination between authorities in the sanctioning of international cartels.

## Adv 2

#### 1ac Kwok evidence says the reason cartels threaten food supply is because there are no alternatives to potash. That’s not true, innovation and new alternatives in trials now.

Denis Paiste, 15. Works at the Materials Processing Center at MIT. “Seeking potash alternatives.” November 2, 2015. https://news.mit.edu/2015/seeking-potash-alternatives-1102

Participants from the U.S., Canada, Brazil, European Union, the United Kingdom, China, and Africa will gather on the MIT campus for three days, Nov. 10-12, for the first International Workshop on Alternative Potash. Cost-effective solutions to providing potassium fertilizer (potash) to the Southern Hemisphere are needed as the world's population continues to grow, says Antoine Allanore, the Thomas B. King Assistant Professor of Metallurgy at MIT. Across the globe, regions in the Southern Hemisphere lack potassium resources, and their soils differ from soils in the Northern Hemisphere. "As of today, they are importing potash from the northern hemisphere," Allanore says. The problem is not so much one of supply as of distribution and cost. Just as lower world oil prices have curtailed growth in fracking and other alternative fuel sources, a robust market for potash in the Northern Hemisphere has made it cost prohibitive for new potash salt mines to open in the Southern Hemisphere. "This is where a new technology could change that relationship. This is what all the participants are trying to think about. Maybe we are not looking for the good resource and maybe we are not making the best product and maybe changing that will actually allow the Southern Hemisphere countries access to fertilizer," Allanore explains. Positive results Allanore's lab at MIT has been working on a potash alternative from feldspar from Brazil and China, a potassium-bearing rock that can be ground to a fine powder to enhance soil interaction to release potassium. A recent paper by Allanore group postdoc Davide Ciceri demonstrated through microfluidic experiments that feldspar interacting with a strong acid can release sufficient quantities of potassium for agriculture. Separately, a potash alternative developed in Allanore's lab has shown good results in greenhouse tests on maize by the Brazilian Agricultural Research Corp. (Embrapa) in Brazil, where field trials are underway. "They were extremely happy," Allanore says.

#### No brink to the advantage – their ev is from 2015. potash cartels have been “routinely threatening to collapse” China’s food supply for 6 years.

#### Plan doesn’t solve – imposing competition law means cartels raise export prices. And it doesn’t deter them from other anticompetitive behaviors. Emory reads blue

1ac Tiffany Kwok 15. PhD Candidate @ University of Birmingham; published 2015, Edinburgh Student Law Review 2, no. 4, “Export Cartels: Analysing the Gap in International Competition Law and Trade,” doa: 6-9-2021) url: https://heinonline.org/HOL/P?h=hein.journals/edinslr2&i=474&a=dW1uLmVkdQ

It follows therefore that if consumers of potash in developing countries are forced to pay a higher price on potash imports, they may not be able to afford the quantities of potash needed in order to sustain their food supply. In response to the potash export cartel, India temporarily ceased its imports in 2009 and threatened to do so again in 2010.22 However, the country is entirely dependent on potash imports in order to meet the food needs of its population. As a result, its withdrawal from importation had little effect on the potash producers given their awareness that India could not sustain it for long without endangering its own crops. In such a situation, imposing Indian competition law and sanctioning the potash cartel would likely have created more problems than solutions. Export cartel members may have reacted to such a strategy by raising export prices to India in order to recover any monetary fines that may be imposed on them. It is also difficult to guarantee that sanctioning one export cartel will prevent cartelists from employing similar anticompetitive behaviours in India in the future. 23

## Adv 3

#### Perceptions of American exceptionalism are inevitable – their author

Michael 1ac Oppenheimer 20. Clinical Professor at the Center for Global Affairs at New York University, Senior Consulting Fellow for Scenario Planning at the International Institute for Strategic Studies, Former Executive Vice President at The Futures Group, Member of the Council on Foreign Relations, The Foreign Policy Roundtable at the Carnegie Council on Ethics and International Affairs, and The American Council on Germany; 10-2-2020, The Future of Global Affairs: Managing Discontinuity, Disruption and Destruction, "The Turbulent Future of International Relations," doa: 10-23-2021) url: <https://link.springer.com/chapter/10.1007/978-3-030-56470-4_2>

Conclusion

It may be tempting to hope that post-Trump, the US can regain its global leadership and exert its considerable power in a liberal direction, but with enough self-awareness of its relative decline to share responsibility with others. This was, I believe, the broad direction of the Obama strategy, evidenced by the JCPOA and the Trans-Pacific Partnership: liberal, collective solutions to global problems, as US dominance receded. This would constitute an optimistic scenario, and it confronts two major problems: can US internal politics support it (can, for example, the country legislate controls on carbon, essential for the global credibility and durability of such commitments); and is the world ready to reengage with American leadership, given the damage to its reputation and the structural forces discussed in this chapter? My educated guess is no, on both counts. The rot within is extensive, the concrete evidence clear in the economic inequality/immobility numbers, the life expectancy numbers, the deep political polarization, between the two major parties, between regions, between cities and rural areas. We are in fact a long way from fitness for global leadership, and the recognition of this by others will accelerate the decline of American influence. The rest of the world is well on its way toward adjusting to post-American hegemony, some by renationalizing their defense, or by cutting deals with adversaries, by building new alliances or by seizing new opportunities for influence in the vacuum left by American retrenchment. The evidence for this will accumulate. Observe the current and emerging Middle East, where all these post-hegemonic strategies are visible. If we discount the possibility of restored American primacy, we are left with the four structural forces, the problems—of power transition, economic growth, conflict resolution—inherent in their interaction, and the suboptimal way the emerging world will react to new challenges, of climate change most importantly.

#### No middle power impacts ---- domestic and structural constraints mean norm-building fails

Andrew Carr 20, Senior Lecturer in the Strategic and Defence Studies Centre at The Australian National University, May 12, 2020, “The illusion of the middle power moment,” East Asia Forum, https://www.eastasiaforum.org/2020/05/12/the-illusion-of-a-middle-power-moment/

To be a middle power requires a modest disbelief in power. These states take their medium-sized resources and direct them towards big objectives. This may be reactive, searching for self-preservation in the face of a hostile larger power. It might also be proactive, trying to shape institutions and norms to build a more hospitable environment.

Over the past few decades significant scholarly ink and political rhetoric have been expended on middle powers’ potential contribution to the maintenance and expansion of the international order. Speculation was particularly active in the early 2010s, with a ‘renaissance’ of academic theorising and a new organisation for middle-power states — MIKTA (named for the member states Mexico, Indonesia, South Korea, Turkey and Australia). But as the new decade dawns middle-power potential remains wanting.

With structural and domestic trends discouraging activism, middle-power norm entrepreneurs are moving from endangered status towards extinction.

Norm entrepreneurs seek new standards of appropriate behaviour. While anyone can simply call for states to change their behaviour, successful campaigns involve four elements. First, there is a need to frame the new approach desired, establishing for it a persuasive rhetorical jacket. If this description can be tied to existing community notions — expanding liberty or supporting justice, for example — so much the better.

Norm entrepreneurs then need to apply resources, establishing an organisational platform for their actions. This may mean a new bureaucratic organisation or multilateral institution. Third, there needs to be a strategy for socialisation, which targets rhetoric and resources that help convert key actors and spread the norm. Finally, the norm entrepreneur needs to be willing to sustain criticism and endure. Changing standards of behaviour necessarily undermine established positions and norm changes can take many years to achieve.

The prototypical example of this kind of behaviour by a middle power was [Australia](https://www.google.com/url?client=internal-element-cse&cx=007940724813214931458:clnx7fdfz8e&q=https://www.eastasiaforum.org/2019/08/02/australias-middle-power-role-in-the-asia-pacific/&sa=U&ved=2ahUKEwic-ff_scjoAhW5wjgGHXVtCHEQFjAAegQIABAC&usg=AOvVaw2-9KY7GaUG5gAFi0HL6noy) from the late 1980s to the early 2000s. While involved in numerous campaigns, Canberra’s most notable efforts sought to liberalise trade, secure the non-proliferation of weapons of mass destruction and establish cooperation on irregular migration. In the latter case, Australia embodied the sense of originality implied by the entrepreneur label. In the former two cases, it simply brought new energy to help spread and strengthen existing norms.

By the early 2000s the middle-power label was freed of its Western origins and increasingly applied to countries such as South Korea, Indonesia, Turkey, Mexico and South Africa. [South Korea](https://www.google.com/url?client=internal-element-cse&cx=007940724813214931458:clnx7fdfz8e&q=https://www.eastasiaforum.org/2018/05/02/is-south-korea-really-a-middle-power/&sa=U&ved=2ahUKEwjcm9TEscjoAhXLzTgGHUzoDsYQFjABegQIBxAC&usg=AOvVaw0pnKvMF6YvGIlhgQybbPFH) particularly wrapped itself in middle-power icons and language by beginning campaigns on the environment and development. The high point came in 2013 when MIKTA was formed as a G20 offshoot. In a joint op-ed, the five foreign ministers of MIKTA announced their ‘common interest in strengthening multilateralism, supporting global efforts for stability and prosperity, [and] facilitating pragmatic and creative solutions to regional and global challenges’.

On the academic side these years also saw hope for a ‘middle power moment’. The global structural transition was welcomed for opening spaces for these countries to shape international politics. Most of this research came from scholars based in a middle power who wanted their country to adopt a more stereotypically middle-power approach — that is, liberal and cosmopolitan. They also sought to address wider problems, from the US–China relationship to climate change and global poverty.

As we survey the arrival of the 2020s it is clear such hopes were misplaced. The middle-power moment never arrived. Many middle-power states are now shifting to a more reactive search for security. This does not mean they will not occasionally try and promote norms, but the idealistic tone of the 2010s is out of place with the world we are now entering.

There are several reasons for this downturn. Structurally, the global order has become less hospitable to influence from the middle. Australia’s 20th-century norm entrepreneur efforts were indulged by a benign hegemon in the United States which did not see negotiations in stark zero-sum terms. Other great powers, such as China and India, as well as institutions like the United Nations, the European Union or ASEAN, have also proven unwilling or cumbersome sponsors for middle powers to work through. This places most of the resource demands for initiating and driving normative change back on middle powers themselves.

There were also domestic shifts that made norm entrepreneurship harder. Australia is on to its sixth prime minister since 2010, Turkey’s President Erdogan fought off a claimed coup attempt in 2016 and South Korea had to jail a president in 2018. Alongside economic, technological and environmental disruption, these challenges have reduced the appeal of international normative initiatives which offer few, if any, direct rewards to local voters.

Finally, there is an ideational shortfall. At the end of the Cold War, Australia was optimistic that its brand of liberal democratic capitalism represented the way of the future. In the early 2000s, many outside the West hoped new — and exportable — forms of government beyond the ‘Washington consensus’ could be developed. Both dreams have fallen short. Without clear and compelling ideas, it is hard to justify building expensive organisational platforms or risking serious criticism to promote change among your neighbours.

Middle powers will continue to be interested in the norms of their regions and how they can proactively influence them to seek peace and prosperity. Yet the bar for genuine norm entrepreneurship, which was only barely approachable at the end of the 20th-century, seems to be moving steadily out of reach in the 21st. Instead, we are likely to see middle powers being more reactive in their approach, with shorter time horizons and more transactional practices. Power can be doubted, but not forever.

# 2NC vs Minnesota PR

## Cosmo K

### Impact---2NC

#### 5. Inability to conceptualize violence determines impact calculous.

Tamara Trownsell et al. 19. Tamara Trownsell, Associate Professor of IR @ Universidad San Francisco de Quito, Ecuador. AND Amaya Querejazu, Associate Professor of IR and Latin American Studies at Universidad de Antioquia, Colombia. AND Giorgio Shani, Chair of the Department of Politics and IR @ International Christian University. AND Navnita Chadha Behera, Visiting Fulbright Fellow at George Washington University and Professor of IR @ the University of Delhi. AND Jarrad Reddekop, Associate Fellow at the Centre for Studies in Religion and Society @ the University of Victoria. AND Arlene Tickner, professor of IR @ the Universidad del Rosario, Colombia. “Recrafting International Relations through Relationality.” <https://www.e-ir.info/2019/01/08/recrafting-international-relations-through-relationality/>

How we relate to others should be a central concern of the field of International Relations. However, independent political communities—states—and their interrelations have historically been the focus of the discipline of International Relations (IR), thus limiting the forms of interaction that potentially constitute the field.[1] Postpositivist accounts have repeatedly indicated the disjuncture between the conceptual constructs that IR scholars use to make sense of the world historically and the way people practice their lives, which in the end is the substance of global politics. Many critical projects including Global IR have challenged the research produced through atomistic understandings of the world, and attempts have been made to integrate other ways of knowing into the discipline (Acharya 2014, Jackson and Nexon 1999, Tickner and Wæver 2009). While the ‘critical turn’ has made IR a more plural discipline by opening space for examining different types of relations, they have still been founded on modern, western ‘ontological’ assumptions about existence that have undercut their ability to reap the full benefits of other more robustly relational ways of existing (Blaney and Tickner 2017, Shani 2008, Trownsell 2013). Because the kind of plurality practised has not effectively dealt with distinctly relational ways of living and forms of knowing in their own terms, the call that we are making here is not just about adding other perspectives to the IR cauldron. We are aspiring for a deep plurality, in which IR scholars learn to effectively engage with difference at the ontological, methodological and practical levels.

Since the issue at hand is about ontological-cosmological commitments, we proffer our particular understandings of these terms. By ontology, we mean those basic assumptions about the nature of existence that are operative within any given tradition of living and thinking. In this sense ontology is closely linked to the cosmological in that they both reflect how we conceptualize our relationship with the cosmos and our place in it (Shani 2017). They are distinct in that cosmology refers more to origin stories and to cultural, spiritual and religious practices while ontology expresses the assumptions about the primordial condition of existence that provides the underlying logic of cosmological accounts and as such of all the other cultural fruits that emerge from them. Here we focus on ontology, because it helps draw attention to and provincialize many of the fundamental assumptions made in the dominant IR tradition, many of which have become invisible or merely commonsensical by being consonant with prevalent shared meaning systems and through longstanding and conventional use.

The general inability both in the field and discipline of international relations to recognize when and how one and others are engaging existence from very distinct ontological points of departure has had a serious impact in terms of both politics and knowledge production. Promoted through globally replicated institutions including academia, media, churches, etc., conceptualizing and practicing existence based on separation has become so naturalized that other more relational forms of being have been silenced and excluded. Conflict over what counts as real arises since those applying the predominant assumptions cannot even fathom that these other ways of being can be possible, legitimate or valid. As such living in one’s own or a group’s terms becomes a struggle when they are not aligned with the more predominant logic.

Several consequences of being blind to these relational ways of living and being manifest themselves politically. First these life expressions are often “othered” and “minimized” by treating them as myths (Law 2015), legends, superstitions, or stories about how people communicate with other beings. Denigration also becomes evident when examining public policies that do not even articulate, let alone protect, these relational ways of life. Among humans, groups abound that have not been deemed worthy of civil rights protections in the process of statebuilding for not engaging the world in sufficiently “civilized” manners (Sawyer 2004). Others have been the targets of state-led violence through national forced sterilization or “population control” initiatives (Carpio 2004, Pegoraro 2015). Beyond the human, these excluded groups have clamored to protect other beings that do not translate easily into traditional legal frameworks. For example, while indigenous groups were able to get the rights of nature officially acknowledged in Ecuador’s 2008 constitution, an effective implementation of these rights has yet to be seen. Efforts to maintain a healthy relationship with the beings of land, water, air, plants and animals often come into direct conflict with “national interests,” international treaties, foreign direct investment and forms of international cooperation, as can be clearly seen in last year’s indigenous struggles at Standing Rock in the United States. In the end, the ontological nature of these clashes has been clearly echoed in the zapatistas’ claims to a world of many worlds when stating, “We are another resistance, we are another reality.”[2]

In addition to the important political implications in the field of international relations, the discipline itself has yet to consider seriously relational ways of knowing and being. Because the problematics typical of IR and the tools generated to deal with them have been identified and named through the same predominant set of existential assumptions, the conceptual capacity of the discipline to grasp and respond to these ways of knowing is limited. In fact the predominant understanding of ontology within the discipline of IR has been referred to as “scientific ontology” (Patomäki and Wight 2000, Jackson 2011). Here scholars fight over what exists in the world without a prior discussion as to how it is ontologically that we arrive at a place where we insist on the existential autonomy of categories in the first place. This means that we keep studying these cosmologies through ontologically incommensurate filters (not based on similar existential assumptions) thinking that in this way we will still be able to understand them and then use the knowledge generated through reduced filters to find effective strategies for engagement. Yet our ontological parochialism still translates into epistemic violence by not being able to hear, understand, engage their world in their own ontological terms. Simultaneously we continue to generate a skewed picture of the kinds of knowing and being practiced in distinct parts of the world and subsequently of world politics. Consequently the resulting “intelligibility gap” still reinforces certain ways of being and knowing in the world as more legitimate or acceptable than others, thus reinforcing the source of cosmological insecurity for those falling outside these parameters.

### Framework---2NC

#### Framework.

#### 1. Evaluate political imaginaries---judging the aff’s constitutive political community is a reality creating principle.

Gerard Delanty 14. University of Sussex, UK “The prospects of cosmopolitanism and the possibility of global justice.” Journal of Sociology 2014, Vol. 50(2) 213–228 https://www.sciencespo.fr/ceri/plurispace/wp-content/uploads/2020/01/DELANTY\_Prospects-Cosmopolitanism.pdf

The notion that global justice is both a challenge and a possibility is a relatively new idea.1 Notions of justice have traditionally been confined to territorially limited political communities, generally nation-states, and global justice seen as a secondary or derivative matter. It was not very long ago that all questions of justice were thought to pertain to nationally defined political communities. This was certainly the assumption that Rawls made in A Theory of Justice in 1971, and which set the terms of debate for more than four decades. In the past two decades there has been a steady increase in what may be called discourses of global justice – including theoretical conceptualizations – and political practices that reflect notions of global justice. It would appear that global justice has become part of the Zeitgeist or the political imaginary of critical publics in contemporary societies as they address a range of global challenges.

To create new or possible worlds it is first of all necessary to be able to imagine them. The fact that we are unsure of what exactly constitutes global justice, but nonetheless speak of it, suggests that it is a reality of a certain kind. One might say it is a reality creating idea. The reality of global justice can now be declared to be a constitutive feature of political community. It is a way of judging the world and a way of thinking about the world, as well as a way of examining the world that challenges the exclusivity of national borders as determining the boundaries of justice. Global justice has a normative, a cognitive and an epistemological dimension: it offers principles against which injustice can be measured, it offers a language to speak about human interconnectedness, and it is a topic on which knowledge can be acquired through social research. The concern with global justice is central to the idea of cosmopolitanism, though not the only aspect of cosmopolitanism. In this article I am largely concerned with the political dimension of cosmopolitanism, which I see as the context in which to discuss global justice. The aim of the article is to explore the considerations that are at stake in assessing the prospects of cosmopolitanism today as a political project. I argue that there is scope for fruitful dialogue between sociology and political science around this question, which asks how a normative idea becomes an empirical phenomenon. In the first section I discuss the notion of global justice before outlining a theoretical approach to the analysis of cosmopolitanism. The third section of the article moves on to look at the conditions of the possibility of cosmopolitanism, before finally considering the prospects of cosmopolitanism.

#### 3. Debates over cosmopolitanism shape subjectivity---their model re-instantiates meta-norms that teach debaters to recreate the nation-state’s violence through social practices.

Gerard Delanty 14. Professor of Sociology and Social Political Thought (School of Law, Politics and Sociology) @ University of Sussex, UK “The prospects of cosmopolitanism and the possibility of global justice.” Journal of Sociology 2014, Vol. 50(2) 213–228 https://www.sciencespo.fr/ceri/plurispace/wp-content/uploads/2020/01/DELANTY\_Prospects-Cosmopolitanism.pdf

It is in the first instance a condition of openness to the world in the sense of the broadening of the moral and political horizon of societies. It entails a view of societies as connected rather than separated. Cosmopolitanism is made possible by the fact that individuals, groups, publics, societies have a capacity for learning in dealing with problems and, in particular, learning from each other. In this sense, then, cosmopolitanism is not a matter of diversity or mobility, but a process of learning. Dialogue is a key feature of cosmopolitanism since dialogue opens up the possibility of incorporating the perspective of others into one’s own view of the world. It can thus be associated with a communicative view of modernity. Rather than being an affirmative condition, it is transformative and is produced by social struggles rather than being primarily elite driven or entirely institutional. In this sense, cosmopolitanism can be related to popular and vernacular traditions rather than exclusively to the projects of elites (see Holton, 2009). From an epistemological perspective, cosmopolitanism involves the production of essentially critical knowledge, such as the identification of transformative potentials within the present.

Finally, cosmopolitanism is related to subject formation: it is constitutive of the self as much as it is of social and political processes. This is reflected in the von Humboldtian – in this case Wilhelm von Humboldt’s – understanding of cosmopolitanism as a particular kind of consciousness that is best exemplified in education. In the acquisition of knowledge, the self undergoes a transformation, for Bildung is a form of self-formation and occurs through the encounter of the individual with the world. Bildung is a means of encountering the universal, as reflected in the category of the world, and is the aim of education.

These features of cosmopolitanism challenge the received view of normative ideas, such as global justice as transcending political community or as simply utopian. The conception of cosmopolitanism I am putting forward is that it is constitutive of modernity and part of the make-up of political community. This is why cosmopolitanism is not a zero sum condition – either present or absent – as its critics often argue and its defenders mistakenly argue in its support. It is present to varying degrees in contemporary societies.

In order to assess the prospects of cosmopolitanism it is therefore necessary to determine the extent to which cosmopolitan phenomena are present in the cultural model of societies and in their modes of social organization and institutions. By the cultural model, I mean the social imaginary of societies, that is the dominant forms of collective identity or self-understanding. The cultural model of all modern societies involves the amplification and metamorphosis of transcultural ideas such as liberty, justice, freedom, autonomy, rights, which of course are variously interpreted and are not always fully institutionalized. But the existence of such ideas (essentially meta-norms), means that societies have the cognitive means of reaching beyond themselves. For this reason, there is generally a tension in modern societies between the cultural model and institutions. Related to these levels of analysis is the dimension of subject formation, the cosmopolitan self. It is possible that any one time in the history of a society there is a tension between subject formation, the cultural model of society, and social institutions. It is for this reason that cosmopolitanism can be seen as a critical theory of society (see Delanty, 2009): it shares with the critical heritage the concern with possibilities within the present or the immanent transcendence of society.

I am emphasizing, then, the formative dimensions of cosmopolitanism, which in other words is a structure forming itself out of both the self and society. It entails a subject (the cosmopolitan subject), a discourse in which ideas, knowledge, modes of cognition are produced, and social practices. Viewed in such terms, cosmopolitanism is a process as opposed to a fixed condition. It is marked by conflict, contradictions, negotiation. The implications of this view are that evidence of cosmopolitanism must be found not in an end state – a cosmopolitan society or state as opposed to a non-cosmopolitan one – but in the process by which it emerges. It is the task of sociology to determine whether and how this process is occurring.

#### 4. Misrepresentation---predetermining the “who” and “how” of policymaking blocks democratic arenas. Our public sphere of argument over the Westphalian frames is an act of justice through assertion of rights.

Nancy Fraser 05. Henry A. and Louise Loeb Professor of Political and Social Science and professor of philosophy at The New School. “Reframing Justice in a Globalizing World, NLR 36, November–December 2005.” New Left Review. https://newleftreview-org.proxy.library.emory.edu/issues/ii36/articles/nancy-fraser-reframing-justice-in-a-globalizing-world

But the claims of transformative politics go further still. Above and beyond their other demands, these movements are also claiming a say in a post-Westphalian process of frame-setting. Rejecting the standard view, which deems frame-setting the prerogative of states and transnational elites, they are effectively aiming to democratize the process by which the frameworks of justice are drawn and revised. Asserting their right to participate in constituting the ‘who’ of justice, they are simultaneously transforming the ‘how’—by which I mean the accepted procedures for determining the ‘who’. At their most reflective and ambitious, accordingly, transformative movements are demanding the creation of new democratic arenas for entertaining arguments about the frame. In some cases, moreover, they are creating such arenas themselves. In the World Social Forum, for example, some practitioners of transformative politics have fashioned a transnational public sphere where they can participate on a par with others in airing and resolving disputes about the frame. In this way, they are prefiguring the possibility of new institutions of post-Westphalian democratic justice.footnote16

The democratizing dimension of transformative politics points to a third level of political injustice, above and beyond the two already discussed. Previously, I distinguished first-order injustices of ordinary-political misrepresentation from second-order injustices of misframing. Now, however, we can discern a third-order species of political injustice, which corresponds to the question of the ‘how’. Exemplified by undemocratic processes of frame-setting, this injustice consists in the failure to institutionalize parity of participation at the meta-political level, in deliberations and decisions concerning the ‘who’. Because what is at stake here is the process by which first-order political space is constituted, I shall call this injustice meta-political misrepresentation. Meta-political misrepresentation arises when states and transnational elites monopolize the activity of frame-setting, denying voice to those who may be harmed in the process, and blocking creation of democratic arenas where the latter’s claims can be vetted and redressed. The effect is to exclude the overwhelming majority of people from participation in the meta-discourses that determine the authoritative division of political space. Lacking any institutional arenas for such participation, and submitted to an undemocratic approach to the ‘how’, the majority is denied the chance to engage on terms of parity in decision-making about the ‘who’.

### AT: Perm---2NC

#### Permutations combine frames, not plans---

#### 1. Inclusion of the Westphalian grammar in frame-setting is an act of injustice that prevents transformative politics and makes global death inevitable.

Nancy Fraser 05. Henry A. and Louise Loeb Professor of Political and Social Science and professor of philosophy at The New School. “Reframing Justice in a Globalizing World, NLR 36, November–December 2005.” New Left Review. https://newleftreview-org.proxy.library.emory.edu/issues/ii36/articles/nancy-fraser-reframing-justice-in-a-globalizing-world

The politics of framing can take two distinct forms, both of which are now being practised in our globalizing world.footnote12 The first approach, which I shall call the affirmative politics of framing, contests the boundaries of existing frames while accepting the Westphalian grammar of frame-setting. In this politics, those who claim to suffer injustices of misframing seek to redraw the boundaries of existing territorial states or in some cases to create new ones. But they still assume that the territorial state is the appropriate unit within which to pose and resolve disputes about justice. For them, injustices of misframing are not a function of the general principle according to which the Westphalian order partitions political space. They arise, rather, as a result of the faulty way in which that principle has been applied. Thus, those who practise the affirmative politics of framing accept that the principle of state-territoriality is the proper basis for constituting the ‘who’ of justice. They agree, in other words, that what makes a given collection of individuals into fellow subjects of justice is their shared residence on the territory of a modern state and/or their shared membership in the political community that corresponds to such a state. Thus, far from challenging the underlying grammar of the Westphalian order, those who practise the affirmative politics of framing accept its state-territorial principle.

Precisely that principle is contested, however, in a second version of the politics of framing, which I shall call the transformative approach. For its proponents, the state-territorial principle no longer affords an adequate basis for determining the ‘who’ of justice in every case. They concede, of course, that that principle remains relevant for many purposes; thus, supporters of transformation do not propose to eliminate state-territoriality entirely. But they contend that its grammar is out of synch with the structural causes of many injustices in a globalizing world, which are not territorial in character. Examples include the financial markets, ‘offshore factories’, investment regimes and governance structures of the global economy, which determine who works for a wage and who does not; the information networks of global media and cybertechnology, which determine who is included in the circuits of communicative power and who is not; and the bio-politics of climate, disease, drugs, weapons and biotechnology, which determine who will live long and who will die young. In these matters, so fundamental to human well-being, the forces that perpetrate injustice belong not to ‘the space of places’, but to ‘the space of flows’.footnote13 Not locatable within the jurisdiction of any actual or conceivable territorial state, they cannot be made answerable to claims of justice that are framed in terms of the state-territorial principle. In their case, so the argument goes, to invoke the state-territorial principle to determine the frame is itself to commit an injustice. By partitioning political space along territorial lines, this principle insulates extra- and non-territorial powers from the reach of justice. In a globalizing world, therefore, it is less likely to serve as a remedy for misframing than as a means of inflicting or perpetuating it.

#### 2. Anti-competitive” framing pushes aside equality and collective interest---transforming value to “competitive” is an ideological power to revitalize the competition state and hollow out egalitarianism.

Pauli Kettunen 11. Professor of Political History in the Social Science Faculty of University of Helsinki. “Welfare Nationalism and Competitive Community.” In Welfare citizenship and welfare nationalism.

In their discussion on the competition state, Palan and Abbot strongly stress the diversity of the particular modes in which the competition state can be embedded in different nation-states and realised through different “state strategies”.44 Indeed, the change may take place within a remarkable institutional continuity, through an “institutional conversion”45. Old institutions of the welfare state and industrial relations can be and have been modified to serve new functions of the competitive community. Concerning working life, collective interest representation and even high social norms are considered not only as “rigidities”, but rather widely, as competitive advantages, as factors promoting the commitment of workers and the innovativeness of firms and their managements. Much of the ideological power of knowledge, training and innovation in the Nordic countries stems from the promise that competitiveness and its preconditions in the global economy can – or even must – be seen from a wider perspective than that of neo-liberalist deregulation. The concept of “social capital” has gained popularity while it has opened up new possibilities to revitalise ideas of the virtuous circle between social cohesion and economic success in the context of the competition state.

It makes a difference whether or not an individual’s opportunities to make her or himself competitive are shaped by more or less egalitarian systems of education and training, and it also makes a difference whether or not the encouragement of knowledge-based competition in working life is connected with collective institutions of social regulation. Nevertheless, a tension appears in Nordic discussions between what are presented as institutional preconditions of competitiveness and how the contents of competitiveness are conceived. At the same time as egalitarian institutions and participatory practices can be defended as preconditions for knowledge-based competitiveness, true membership in a competitive community is a matter of individual competitiveness. This consists of communicative and innovative skills and talents and reflexive capabilities of monitoring oneself from the point of view of competitiveness. From this sphere, the principles of social equality and collective interests have been pushed aside.

#### 3. Nationalizing Framework---Competition fixes the gaze---it necessitates otherization and comparative reflexivity.

Pauli Kettunen 21. Professor of Political History in the Social Science Faculty of University of Helsinki. "Welfare state, competition state, security state: Nationalism in nation-state responses to crossborder mobilities." In Remapping Security on Europe’s Northern Borders, pp. 201-220. Routledge, 2021.

Reforming the welfare state in the direction of the competition state clearly differs from Myrdal’s vision of expanding it into a welfare world. Critical visions of global policies could be opened from the universalistic principles of the national welfare state, as Myrdal, and later Pekka Kuusi (1985), did. Transforming the welfare state in the direction of the competition state fixes the gaze on national agency in a way that closes the window to such visions. “Welfare” does not itself imply a distinction between us and others; “competitiveness” does.

The importance of comparisons in national politics is no novelty, yet promoting the competitiveness of a nation in global competition implies new requirements of comparative reflexivity. “We” within a given territorial – local, regional, European, yet in the first place national – framework are supposed to make us attractive and competitive in the face of those who compare different environments from a transnational perspective in their decision making regarding flows of money, investment, and the location of production and jobs. This means being able to constantly assess one’s own actions and capacities from the varying and changing positions of those actors who compare us with others. In addition to divisions between us and others, the distinction between the internal and external is reproduced. Globalisation, notably the crossborder mobility of capital, is naturalised as necessities of external environment; national society is commodified as a competitive community.

#### 4. Ontology of War---Competition defines “us” through total war---the virtuous cycle of Darwinist competition eliminates morality.

Pauli Kettunen 97. Professor of Political History in the Social Science Faculty of University of Helsinki. "The society of virtuous circles." Models, modernity and the Myrdals (1997): 158-159. https://www.researchgate.net/profile/Pauli-Kettunen/publication/310465167\_myrdal97/data/582ee82d08aef19cb815235b/myrdal97.doc

There was, thus, a possibility of virtuous circle between national integration and welfare, and international integration and balance. Here, however, Myrdal's "created harmony" was clearly a criterion of an immanent critique of the Welfare State. Applying my account of the Nordic notion of society, I would interpret his position in the following way. On the national level planning made efficiency, solidarity and democracy become values and properties of society and 'us'. These values of national society and national 'us' each had an international dimension. Democracy meant international manifestation of the democratic model of society; solidarity was widened to international solidarity; and efficiency meant international economic competitiveness. But there was a big difficulty: it was very obvious that 'us' defined through international competitiveness and 'us' defined through international solidarity were not identical. The actor of the virtuous circle of national and international integration could not be 'us' defined through international competitiveness but here 'us' had to be based upon "the international idealism of all people, which I believe is a reality", as Myrdal wrote in 1960 (Myrdal 1960, 214).

This past vision of future may be contrasted with the recent description of present by Riccardo Petrella, a leading figure in the adminstration of social reseach in the European Union. The year is 1995. According to Petrella economic competitiveness

has become the prime objective bit just of enterprises but also of the State and of society as a whole. ... The 'gospel of competition', like all ideologies, boils down to a few simple ideas. We are engaged willy nilly - so the industrialists, economists, political leaders and academics tell us - in a ruthless technological, industrial and economic war encompassing the entire planet. The aim is to survive, and survival hinges on being competitive. Otherwise there is no short- and long-term salvation, no growth, no economic and social welfare. The chief role of State, local authorities and trades unions is to provide the most suitable environment for enterprises to be, become or stay competitive in the world economic war. (Petrella 1995, 11-12)

Petrella's sarcastic description of Darwinist competition for survival is a description of a way in which national society is reproduced in the globalized economy after the liberation of finance markets and after the disappearance of the Cold War confrontation and moral competition between different types of society. It is important to note that in his criticism of the enthusiastic construction of national competition strategies, Petrella is not in the first place talking about "bad" strategies of social dumping and the lowering of social costs. Rather, he is talking about "good" value-added strategies which are based on process and product innovation, education and training, increased competence, stronger attention to "human capital" by means of "human resource management", etc.

Petrella warns about breaking up of the social contract. But he is not talking about the same thing as Touraine who writes that we "no longer belong to a society, a social class or a nation to the extent that our lives are in part determined by the world market, and in part confined to a world of personal life, interpersonal relations and cultural traditions" (Touraine 1994, 373). Neither is Petrella talking about the dissolution of society in the sense of Lash and Urry who point to vanishing borders and growing reflexivity of actors in the process of globalization. On the contrary, Petrella identifies a very national and very influential way of reacting and contributing to globalization, in which competition of nations, firms and individuals is the main expression of "reflexive modernization" (cf. Beck, Giddens & Lash 1994).

There are, no doubt, different views about the role of nation-state and national society in globalizing capitalism. In this book The Work of Nations. Preparing ourselves for 21st century capitalism (1991) Robert B. Reich, the Secretary of Labor in the Clinton administration, argues for the thesis that there are no more national economies, there is only a global economy. But according to Reich, this very condition can liberate the national society of the imperatives of international economic competition. The national society could survive and even strengthen as a basis of social solidarity and as a basis of policies which contribute to the progress of global economy (Reich 1991, 301-315).

National society without national economy - without stopping to discuss the probability of this vision we may see that it is different from Myrdal's national and international "created harmony", despite the "international idealism" common to Myrdal and Reich.

However, the vision of another Harvard economist, Michael E. Porter, seems to offer more influential way of giving both role and meaning to national society. His book The Competitive Advantage of the Nations (1990) is an argument for a central role of nation as "home base" for globally operating and globally competitive enterprises. Crucial competitive advantages are created in national contexts, especially those that are based on innovation and competence. This argument attracts policy-makers and -planners. Even the defence of the Nordic institutions of industrial relations may get new legitimation as it is taught that high standards of working life and participation of employees are sources of innovation and thus competitiveness. The way is open to positive value-added competition strategies. In their connection many good things can be included in the argumentation for economic competitiveness. You can argue for moral, ecological, or aesthetic values without being obliged to use moral, ecological, or aesthetic arguments; you just prove that they promote economic competitiveness.

Obviously, this is a kind of virtuous circle. And it is not so very different from the old virtuous circle of the Swedish Model or Myrdal's thought. It is important to note that the vulgarized Keynesian notion of the virtuous circle between increased production and increased consumption does not adequately catch the main economic concern of Myrdal and other Swedish Social Democrats. They had a remarkable supply-side interest already in the 1930s, expressed, for example, in the plan of the Myrdals for the raising of the quality of human material in Sweden (cf. Esping-Andersen 1992, 45). A major concern was to release the creative resources of the people. This was a precondition for social equality and welfare, but still more, promoting social equality was seen as the means by which these human resources would be released.

Now, there is here a crucial difference between the old and new virtuous circles. Social equality and social solidarity have been dropped outside the virtuous circle in the project for competitive innovation. It is not through more equality that people are supposed to become more innovative and more competitive. And in the Nordic countries we carry a historical burden to which the Myrdals for their part contributed: all good things have to form a virtuous circle and only such things are good that can be placed in the virtuous circle of society.

### Link---2NC

#### 3. Means only the alt can solve the case.

Nancy Fraser 12. Henry A. and Louise Loeb Professor of Political and Social Science and professor of philosophy at The New School. Can society be commodities all the way down? Polanyian reflections on capitalist crisis. 2012. ffhalshs-00725060f

Today, moreover, as many on the Left have long warned, and as Greeks have discovered to their dismay, the construction of Europe as an economic and monetary union, without corresponding political and fiscal integration, simply disables the protective capacities of member states without creating broader, European-level protective capacities to take up the slack. But that is not all. Absent global financial regulation, even very wealthy, free-standing countries find their efforts at national social protection stymied by global market forces, including transnational corporations, international currency speculators, financiers, and large institutional investors. The globalization of finance requires a new, post-westphalian way of imagining the arenas and agents of social protection. It requires arenas in which the circle of those entitled to protection matches the circle of those subject to risk; and it requires agents whose protective capacities and regulatory powers are sufficiently robust and broad to effectively rein in transnational private powers and to pacify global finance.

### Links

#### \*\*4 – International law takes the nation-state as the premise for politics---cosmopolitanism rejects the concept of national sovereignty.

Robert Fine 03. University of Warwick, UK. “Taking the ‘Ism’ out of Cosmopolitanism An Essay in Reconstruction.” European Journal of Social Theory 6(4): 451–470. http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.835.2305&rep=rep1&type=pdf

Cosmopolitanism arises in part out of international law but has a logic that transcends its origins and is in some aspects in contradiction with them. International law is a form of law that recognizes states as legal personalities. Its guiding principle is that of national sovereignty. It upholds the internal and external sovereignty of nations and regulates relations between states on this basis. It guarantees the integrity of states based on the right of national selfdetermination and the principle of non-interference in the internal affairs of other states. It demands of states that they recognize the rights of other states and it leaves it to the states themselves to enforce their rights with or without the help of other states (Kelsen, 1966). Cosmopolitan law, on the other hand, reaches both inside and outside states. It recognizes individuals and groups in civil society, as well as states, as legal personalities. It is concerned with the rights and responsibilities of world citizens and the key problem it addresses is that the worst violators of human rights are often states or state-like social formations. While international law develops according to the principle that each state has sovereignty within its own territory, cosmopolitan law seeks to impose limits on how states can behave toward the people who live within their territories. While international law admits of no higher legal authority over that of states, cosmopolitan law offers a normative justification of just such an external power. There is a large grey area between international and cosmopolitan law but the core analytical distinction, even if it is not generally acknowledged within legal theory, is between a form of international law that recognizes only states as legal subjects and one that both descends below the level of states to that of individual right and ascends above the level of states to that of a higher legal body (Charney, 1993).

### AT: Realism---2NC

#### 2. they’ve answered the wrong K and our alt isn’t “world government”---Realism concedes anti-hegemonic blocks want to democratize decision making and that shared, meta-institutions are possible. Any structuralist reading of realism can’t explain democracy.

Daniele Archibugi 04. London School of Economics and Political Science, London, UK and Italian National Research Council, Italy European Journal of International Relations Copyright 2004. “Cosmopolitan Democracy and its Critics: A Review”. https://www.researchgate.net/profile/Daniele-Archibugi-2/publication/240701697\_Cosmopolitan\_Democracy\_and\_Its\_Critics\_A\_Review/links/5cc861b5299bf120978b3022/Cosmopolitan-Democracy-and-Its-Critics-A-Review.pdf

Realist Critics

The disenchanted Realists remind us that the world’s mechanisms are very different from how cosmopolitan democracy’s dreamers imagine them to be. They argue that the principal elements regulating international relations are, ultimately, force and interest. Thus, every effort to tame international politics through institutions and public participation is pure utopia (Zolo, 1997; Hawthorn, 2000; Chandler, 2003). I do not disagree with attributing importance to force and interest, but it is excessive not only to consider them as the sole force moving politics, but also as being immutable. Even from a Realist perspective it would be wrong to think that the interests of all actors involved in international politics are opposed to democratic management of the decision-making process. A more accurate picture is that of opposing interests in tension with each other. Thus at the moment, there is on the one side the influence exerted over the decision-making process by a few centres of power (a few governments, military groups, large enterprises); and on the other side the demands of wider interest groups to increase their role at the decision-making table. Whether peripheral states, global movements or national industries, these latter groups are not necessarily pure at heart. They follow an agenda which is de facto anti-hegemonic because their own interests happen to be opposed to those of centralized power. To support these interests is not a matter of theory, but rather of political choice.

Some Realists, however, reject not just the feasibility of the cosmopolitan project but also its desirability. These critiques are often confused; doubtless because a risk is perceived that the cosmopolitan project could, in the frame of contemporary political reality, be used in other directions. It is certainly relevant that Zolo, in order to construct his critique of cosmopolitan democracy, must continuously force the position taken by his antagonists. In Cosmopolis, he often criticizes the prospect of a global government, but none of the authors he cites — Bobbio, Falk, Habermas, Held — ever argued in its defence (on the other hand, the inevitability of world government is discussed in Wendt, 2003). These scholars limited their support to an increase in the rule of law and integration within global politics; they never argued in favour of the global concentration of coercive power. Cosmopolitan democracy is not to be identified with the project of a global government — which is necessarily reliant upon the concentration of forces in one sole institution — on the contrary, it is a project that invokes voluntary and revocable alliances between governmental and meta-governmental institutions, where the availability of coercive power, in ultima ratio, is shared between players and subjected to juridical control.

It would be useful to carry out an experiment to verify how often a Realist’s critique of cosmopolitan democracy could also apply to state democracy. If the Realist approach were to be applied coherently, democracy could not exist as a political system. Despite all of its imperfections, democracy does exist, and this has been made possible due, in part, to the thinkers and movements — all visionary! — who have supported and fought for its cause far before it could ever become possible.

# 1NR---R2---Texas

### Overview---2NC

#### The impact is linear which means any DA to the perm outweighs---even small forecasting differences prevent war.

J. Peter Scoblic and Philip E. Tetlock 16. Scoblic, Fellow in the international security program at New America. "We didn’t see Donald Trump coming. But we could have.". Washington Post. 2-12-2016. https://www.washingtonpost.com/opinions/we-didnt-see-donald-trump-coming-but-we-could-have/2016/02/12/46ece26a-d0db-11e5-abc9-ea152f0b9561\_story.html

The answer lies in measuring a forecaster’s performance over many predictions. Do the things you say will happen 5 percent of the time actually happen about that often? Do you assign high probabilities to events that happen and low probabilities to those that don’t, as opposed to playing it safe with middle-of-the-road predictions? By answering these questions, we can find out whose forecasts are generally the most accurate — even if we can’t say they were “right” — and use the results to refine our beliefs and plan for the future.

Individuals, businesses and policymakers often face choices involving competing priorities and limited resources. Probabilistic predictions, especially from forecasters who have proved their accuracy over time, can enable better decisions, and even small improvements in predictive ability can mark the difference between danger and security, recession and growth, war and peace. Imagine that the intelligence community had been more circumspect in 2002, saying there was a 75 percent chance that Iraq had weapons of mass destruction (and a 25 percent chance it did not) instead of bluntly stating, “Baghdad has chemical and biological weapons.” Would Congress still have authorized the use of force? No one knows for sure, but lawmakers might have been more cautious. Decreasing the odds of multi-trillion-dollar mistakes is not something to sniff at.

What about supposed black swans, though? It’s true that judging the accuracy of forecasts involving extremely unlikely events is harder, because they could take decades or even millennia to play out. But there are still standards we can use to benchmark those odds, especially compared with other unlikely events. So even if we can’t assign an objective probability to an alien invasion, we can presumably say it’s less likely than, say, war with Russia and prepare accordingly.

A purely black swan is, by definition, a completely unforeseeable event, and there are relatively few of those. The 9/11 attacks are often cited as an example, but there were many data points suggesting that al-Qaeda wanted to attack the United States and that terrorists might use airplanes as weapons. (Tom Clancy had even published a book in which a pilot intentionally crashes a jetliner into the Capitol.) As the 9/11 Commission Report put it, the attacks “were a shock, but they should not have come as a surprise.”

Likewise, the intelligence community considered the possibility of the Soviets placing missiles in Cuba, of Islamists overthrowing the shah of Iran and of the Soviet Union collapsing under the weight of communism. That does not mean that its forecasts were accurate! But if these scenarios were imaginable, then they were predictable in a ballpark probabilistic sense. And the accuracy of those predictions could have been used to refine the intelligence community’s models of the world.

Prediction is not positivism: We need to be humble about what we know and what we don’t know — and always remember that a probability is just that. There are limits to our foresight, but better prediction can reduce the uncertainty that erodes confidence in the future. Trump is wrong: America doesn’t need to be made great again. But prediction just might make it better.

#### Outweighs and turns every impact---forecasting models are key to action on all existential risks.

Jeffrey A. Friedman et al. 18. Assistant Professor of Government at Dartmouth College. Joshua D. Baker is a Ph.D Candidate in Psychology & Marketing at the University of Pennsylvania. Barbara A. Millers is the I. George Heyman University Professor at the University of Pennsylvania. Philip E. Tetlock is the Leonore Annenberg University Professor at the University of Pennsylvania. Richard Zeckhauser is the Frank P. Ramsey Professor of Political Economy at Harvard University. “The Value of Precision in Probability Assessment: Evidence from a Large-Scale Geopolitical Forecasting Tournament”. International Studies Quarterly, Volume 62, Issue 2, June 2018, Pages 410–422, https://doi.org/10.1093/isq/sqx078

Conclusion

Uncertainty surrounds every major foreign policy debate. As of this writing, for example, the US public is sharply divided in assessing the extent to which restricting immigration from Muslim-majority countries could reduce (or potentially exacerbate) the risk of terrorism. One of the foremost controversies facing the United Nations Security Council concerns the extent to which economic sanctions can reduce the probability that North Korea will continue expanding its nuclear arsenal. Debates over policy responses to climate change revolve around different perceptions of the risks that climate change poses and of the extent to which regulations could feasibly reduce those risks. At the broadest level, it is logically impossible to support a high-stakes decision without believing that its probability of success is large enough to make expected benefits outweigh expected costs. For that reason, it makes little sense to ask whether foreign policy analysts should assess probability. The question is rather how they can assess probability in the most meaningful way possible.

We have seen throughout this article how many scholars and practitioners are deeply skeptical of probability assessment. It is easy to understand why this is the case. Many of the events that have shaped world politics over the past two decades—such as the September 11, 2001 terrorist attacks, mistaken judgments of Iraq's presumed weapons of mass destruction programs, the 2008 financial crisis, the Arab Spring, the rise of ISIS, Brexit, and the election of Donald Trump—were outcomes that most political analysts failed to see coming or cases in which experts confidently stated that the opposite would be true. Our ability to predict world politics is clearly less accurate than we would like it to be.

This article nevertheless shows that it is a mistake to believe that probabilistic reasoning is meaningless in world politics or to think there is no cost to leaving these judgments vague. By examining nearly one million geopolitical forecasts, we find that foreign policy analysts could consistently assess probability with numeric precision. We find that rounding off these forecasts into qualitative expressions—including qualitative expressions currently recommended for use by US intelligence analysts—systematically sacrifices predictive accuracy. We see no evidence that these returns to precision hinged on extreme forecasts, short time horizons, particular scoring rules, or question content. We also see little indication that the ability to parse probabilities belonged primarily to respondents who possess special educational backgrounds or strong quantitative skills.

These findings speak to both academic and practical concerns. Great scholars such as Popper, Keynes, and Mill have all expressed doubts about the value of assessing subjective probability. Aristotle himself argued that justifiable precision declines as questions become more complex. Yet, even if that is true, it does not tell us where the frontier of justifiable precision lies in foreign policy analysis or in any other discipline. That is ultimately an empirical question, and to our knowledge, this article represents the first attempt to address that question directly. The results of our analysis are relevant not only for intelligence analysts and military planners, but also for scholars, pundits, and any other participants in the broader marketplace of ideas. In short, our data indicate that it is possible to improve the quality of foreign policy discourse on a widespread and immediate basis, simply by raising standards of clarity and rigor for assessing uncertainty.

### AT: PDB---2NC

#### Adding durability is bad---revision is key to policy accuracy.

Jeffrey A. Friedman et al. 18. Assistant Professor of Government at Dartmouth College. Joshua D. Baker is a Ph.D Candidate in Psychology & Marketing at the University of Pennsylvania. Barbara A. Millers is the I. George Heyman University Professor at the University of Pennsylvania. Philip E. Tetlock is the Leonore Annenberg University Professor at the University of Pennsylvania. Richard Zeckhauser is the Frank P. Ramsey Professor of Political Economy at Harvard University. “The Value of Precision in Probability Assessment: Evidence from a Large-Scale Geopolitical Forecasting Tournament”. International Studies Quarterly, Volume 62, Issue 2, June 2018, Pages 410–422, https://doi.org/10.1093/isq/sqx078

We also find that respondents’ experience making forecasts and their willingness to revise those forecasts consistently predict higher returns to precision (though the latter finding fell short of the p < 0.05 threshold in some models). These findings provide additional grounds for optimism that professional forecasters could replicate and potentially exceed the returns to precision shown in GJP's data. Many national security professionals assess uncertainty on a daily basis over many years. Professional foreign policy analysts also have much more opportunity and incentive to refine and revise their forecasts in light of new information than did GJP respondents, who revised their forecasts less than twice per question, on average.

#### Reversion key to superforecasting.

Brad Keywell 17. Uptake Technologies, Founder & CEO. "What Makes a Good Forecaster? ". 7-12-2017. https://www.linkedin.com/pulse/what-makes-good-forecaster-brad-keywell

They admit when they’re wrong: When accused of being inconsistent, the legendary British economist John Maynard Keynes is said to have once quipped back: “When the facts change, I change my mind. What do you do, Sir?” Many people (who are not superforecasters) do not change their mind when the facts change. Instead, they fall into a downward spiral of defensiveness and stubbornness. This is dangerous! Opinions in any organization or business must be open to discussion, distillment, disagreement, and, dissent and discard. Opinions may be ours, but they are not us, and they do not define us. Facts are meant to be discovered. They are not screaming out at us. Rather, we must be diligent explorers and searchers to find those relevant facts that matter most. And if we find a fact that makes our opinion wrong, embrace it! Be wrong – being disproven by a new fact is excellent. It’s normal, and it’s valued in a fact-driven drama-free environment. Doing this serves us well as forecasters.

I believe that intellectual curiosity is at the core of a purpose-driven life. The authors of Superforecasting illustrate intellectual curiosity with a simple example: Do you take the question “Who will win the presidential election in Ghana?” as pointless, or as an opportunity to learn something about Ghana?

This may sound corny, but I constantly try to remind the people who work at Uptake, the company I run—as well as, myself—to “be super”: super in our efforts to tenaciously learn and discover the unarguable facts; super in our refusal to rush to judgement about the quality of our opinions or the quality of the opinions of others; super in seeing both the outside and the inside; super in our refusal to allow the easy big ideas to define our actions in how we pursue the complicated small steps; and super in seeing when we’re right, or super in admitting when we’re wrong, and then gracefully transitioning to the more probable path of success.

### AT: PDCP---2NC

#### 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---it could find the activity procompetitive.

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

Economic learning has provided the foundation for updated antitrust analysis in part by revealing the potential procompetitive benefits of some business conduct previously assumed to be anticompetitive. The accommodation of such advances in economic learning has increased the flexibility of antitrust law, with courts and the antitrust agencies now considering a wide variety of economic factors in their analyses. Improved economic understanding and greater analytical flexibility have increased the potential for a sound competitive assessment of business conduct in all industries, including those characterized by innovation, intellectual property, and technological change.

### Solvency/AT: Rollback---2NC

#### GJP Super-forecasters will get it right---40% better than other teams.

Philip E. Tetlock et al. 14. Barbara A. Mellers, Nick Rohrbaugh and Eva Chen “Forecasting Tournaments: Tools for Increasing Transparency and Improving the Quality of Debate”. Current Directions in Psychological Science. August 2014, Vol. 23, No. 4 (August 2014), pp. 290-295. https://www.jstor.org/stable/pdf/44318787.pdf?casa\_token=wfbfNUGCPzIAAAAA:q6nZlMF41JAuqZ8MAmDMeGSDCcyVWSW0oY3Qlxa6ETEzu6sFTPU3WiMF9Kw-wU6KeTxhUbUuQvm8Sq6pV1TJPZ4nH6227\_OLmBvkQRfAqEKICJL3H4xP

The Good Judgment Project (GJP)1 won the IARPA tournament: Its best wisdom-of-the-crowd algorithms were on the right side of 50/50 on 86.2% of all daily forecasts, outperforming the simple average of the control group (forecasters randomly assigned to a working-alone, no- training condition) by 60% and other teams by 40%. The tournament was not, however, just a horse race. GJP randomly assigned its forecasters to cells in factorial designs that tested hypotheses about the psychological drivers of accuracy. We discovered four such drivers: (a) recruitment and retention of better forecasters (accounting for roughly 10% of the advantage of GJP forecasters over those in other research programs); (b) cognitive-debiasing training (accounting for about a 10% advantage of the training con- dition over the no-training condition); (c) more engaging work environments, in the form of collaborative teamwork and prediction markets (accounting for a roughly 10% boost relative to forecasters working alone); and (d) better statistical methods of distilling the wisdom of the crowd - and winnowing out the madness (the log-odds-extremiz- ing algorithm of Satopää, Baron, et al., 2014, Satopää, Jensen, Meilers, Tetlock, & Ungar, in press, and Baron, Ungar, Meilers, and Tetlock, 2014, which contributed an additional 35% boost above unweighted averaging of forecasts).

GJP also added a controversial twist to its winning strategy. It created "super-forecaster" teams by skimming off the top 2% of forecasters each year of the tournament and assigning them to elite teams. We say "controversial" because GJP informally surveyed experts and found flatly contradictory opinions on the wisdom of this strategy, from the bearish "Expect nothing. Your lucky 'supers' will soon regress toward the mean" (e.g., in the spirit of Hartzmark, 1991) and "The 'super' label will swell their heads" (e.g., Levitt & March, 1988) to the bullish "Expect good things. The best predictors of future performance are past performance and IQ - and your supers have both factors going for them" (e.g., in the spirit of Hunter & Hunter, 1984) and "Supers will also get a self-fulfilling- prophecy boost - and derive the benefits that tracking confers on high-ability students" (i.e., stimulation from peers; e.g., Betts & Shkolnik, 2000).

The experts were divided, but the data were unequivocal: Super forecasters performed superbly. Averaged forecasts of GJP's super forecasters (five teams of 12 fore- casters each) in Year 2 handily beat the Brier-score goals that the IARPA set for Year 4, and all other research pro- grams. They showed no regression toward the mean from one year to the next, and they improved on all the standard psychometric indices of judgmental accuracy, including calibration, discrimination, and area under the curve (Meilers, Ungar, et al., 2014).

#### Super-forecasters with updated evidence are comparatively more accurate and less partisan.

Philip E. Tetlock, Barbara A. Mellers, and J. Peter Scoblic 17. Tetlock & Mellers, Department of Psychology, University of Pennsylvania. Scoblic, Harvard Business School, Harvard University. "Bringing probability judgments into policy debates via forecasting tournaments". Science. 2-3-2017. https://science.sciencemag.org/content/355/6324/481.full

Leveraging these findings allowed GJP to generate forecasts that outperformed—by roughly 30%—a prediction market run by the U.S. intelligence community in which the players were professional analysts with access to classified information (3–5, 9–11). By producing a superior forecasting methodology, the ACE tournament yielded an important public policy tool: If policy-makers have access to more accurate forecasts, they can better anticipate the consequences of their actions and therefore make better decisions.

“Forecasting tournaments—contests among individuals or teams—[incentivize] competitors to make accurate predictions about specific events.”

More generally, the IARPA contest demonstrated the utility of tournaments as a tool for knowledge production. GJP’s tournaments within the ACE competition allowed randomized-control trials of how best to boost accuracy. These experiments demonstrated the surprising effectiveness of short training or debiasing exercises that taught forecasters how to ground probability estimates in base rates and to update their beliefs in a roughly Bayesian fashion in response to new evidence. Other experiments demonstrated the power of well-choreographed forms of teamwork. Training team members how to precisely but diplomatically question each other’s assumptions—how to disagree without being disagreeable—helped groups outperform the same number of individuals working alone. Tournaments thus proved themselves a useful method for conducting experiments outside the laboratory.

We suspect that tournaments can do even more by providing a framework for resolving public policy debates. A key feature of tournaments is accountability—participants in the GJP tournaments were publicly ranked according to the accuracy of their forecasts—and research has shown that predecisional accountability prompts individuals to engage in preemptive self-criticism (12, 13). Faced with the prospect of having to justify a position or decision, they consider the ways in which their audience might react. This effort increases cognitive complexity, by which individuals contemplate a greater number of germane factors—or, in the case of a political problem, arguments for or against a particular position. Having considered a wider range of views and anticipating a critical audience, individuals may moderate their beliefs. Were political opponents to participate in a forecasting tournament, they might well temper their predictions and, by implication, the extremeness of their policy positions.

#### It’s more likely that all aff experts and pundits are wrong---vote neg on presumption---random chance is better.

Louis Menand 05. Staﬀ writer at The New Yorker. Teacher at Harvard University. “Everybody’s an Expert: Putting predictions to the test.” https://www.newyorker.com/magazine/2005/12/05/everybodys-an-expert

It is the somewhat gratifying lesson of Philip Tetlock’s new book, “Expert Political Judgment: How Good Is It? How Can We Know?” (Princeton; $35), that people who make prediction their business—people who appear as experts on television, get quoted in newspaper articles, advise governments and businesses, and participate in punditry roundtables—are no better than the rest of us. When they’re wrong, they’re rarely held accountable, and they rarely admit it, either. They insist that they were just off on timing, or blindsided by an improbable event, or almost right, or wrong for the right reasons. They have the same repertoire of self-justifications that everyone has, and are no more inclined than anyone else to revise their beliefs about the way the world works, or ought to work, just because they made a mistake. No one is paying you for your gratuitous opinions about other people, but the experts are being paid, and Tetlock claims that the better known and more frequently quoted they are, the less reliable their guesses about the future are likely to be. The accuracy of an expert’s predictions actually has an inverse relationship to his or her self-confidence, renown, and, beyond a certain point, depth of knowledge. People who follow current events by reading the papers and newsmagazines regularly can guess what is likely to happen about as accurately as the specialists whom the papers quote. Our system of expertise is completely inside out: it rewards bad judgments over good ones.

“Expert Political Judgment” is not a work of media criticism. Tetlock is a psychologist—he teaches at Berkeley—and his conclusions are based on a long-term study that he began twenty years ago. He picked two hundred and eighty-four people who made their living “commenting or offering advice on political and economic trends,” and he started asking them to assess the probability that various things would or would not come to pass, both in the areas of the world in which they specialized and in areas about which they were not expert. Would there be a nonviolent end to apartheid in South Africa? Would Gorbachev be ousted in a coup? Would the United States go to war in the Persian Gulf? Would Canada disintegrate? (Many experts believed that it would, on the ground that Quebec would succeed in seceding.) And so on. By the end of the study, in 2003, the experts had made 82,361 forecasts. Tetlock also asked questions designed to determine how they reached their judgments, how they reacted when their predictions proved to be wrong, how they evaluated new information that did not support their views, and how they assessed the probability that rival theories and predictions were accurate.

Tetlock got a statistical handle on his task by putting most of the forecasting questions into a “three possible futures” form. The respondents were asked to rate the probability of three alternative outcomes: the persistence of the status quo, more of something (political freedom, economic growth), or less of something (repression, recession). And he measured his experts on two dimensions: how good they were at guessing probabilities (did all the things they said had an x per cent chance of happening happen x per cent of the time?), and how accurate they were at predicting specific outcomes. The results were unimpressive. On the first scale, the experts performed worse than they would have if they had simply assigned an equal probability to all three outcomes—if they had given each possible future a thirty-three-per-cent chance of occurring. Human beings who spend their lives studying the state of the world, in other words, are poorer forecasters than dart-throwing monkeys, who would have distributed their picks evenly over the three choices.

Tetlock also found that specialists are not significantly more reliable than non-specialists in guessing what is going to happen in the region they study. Knowing a little might make someone a more reliable forecaster, but Tetlock found that knowing a lot can actually make a person less reliable. “We reach the point of diminishing marginal predictive returns for knowledge disconcertingly quickly,” he reports. “In this age of academic hyperspecialization, there is no reason for supposing that contributors to top journals—distinguished political scientists, area study specialists, economists, and so on—are any better than journalists or attentive readers of the New York Times in ‘reading’ emerging situations.” And the more famous the forecaster the more overblown the forecasts. “Experts in demand,” Tetlock says, “were more overconfident than their colleagues who eked out existences far from the limelight.”

#### [OPTIONAL] That takes out aff solvency but not ours.

Walter Frick 15. Harvard Business Review. “What Research Tells Us About Making Accurate Predictions”. https://hbr.org/2015/02/what-research-tells-us-about-making-accurate-predictions

The most famous research on prediction was done by Philip Tetlock of the University of Pennsylvania, and his seminal 2006 book Expert Political Judgment provides crucial background. Tetlock asked a group of pundits and foreign affairs experts to predict geopolitical events, like whether the Soviet Union would disintegrate by 1993. Overall, the “experts” struggled to perform better than “dart-throwing chimps”, and were consistently less accurate than even relatively simple statistical algorithms. This was true of liberals and conservatives, and regardless of professional credentials.

But Tetlock did uncover one style of thinking that seemed to aid prediction. Those who preferred to consider multiple explanations and balance them together before making a prediction performed better than those who relied on a single big idea. Tetlock called the first group foxes and the second group hedgehogs, after an essay by Isaiah Berlin. As Tetlock writes:

The intellectually aggressive hedgehogs knew one big thing and sought, under the banner of parsimony, to expand the explanatory power of that big thing to “cover” new cases; the more eclectic foxes knew many little things and were content to improvise ad hoc solutions to keep pace with a rapidly changing world.

Since the book, Tetlock and several colleagues have been running a series of geopolitical forecasting tournaments (which I’ve dabbled in) to discover what helps people make better predictions. Over the last six months, Tetlock, Barbara Mellers, and several of their Penn colleagues have released three new papers analyzing 150,000 forecasts by 743 participants (all with at least a bachelor’s degree) competing to predict 199 world events. One paper focuses solely on high-performing “super forecasters”; another looks at the entire group; and a third makes the case for forecasting tournaments as a research tool.

The main finding? Prediction isn’t a hopeless enterprise— the tournament participants did far better than blind chance. Think about a prediction with two possible outcomes, like who will win the Super Bowl. If you pick at random, you’ll be wrong half the time. But the best forecasters were consistently able to cut that error rate by more than half. As Tetlock put it to me, “The best forecasters are hovering between the chimp and God.”

### AT: Can’t Superforecast FoPo---2NC

#### GJP Superforecasters have learned foreign policy.

Barbara Mellers and Michael C. Horowitz 15. Barbara Mellers is the I. George Heyman University Professor of Psychology at the University of Pennsylvania. Michael C. Horowitz is an associate professor of political science at the University of Pennsylvania. "Does anyone make accurate geopolitical predictions?". Washington Post. https://www.washingtonpost.com/news/monkey-cage/wp/2015/01/29/does-anyone-make-accurate-geopolitical-predictions/

We discovered three key factors that predicted geopolitical forecasting accuracy.

First, psychological factors, including inductive reasoning, pattern detection, open-mindedness and the tendency to look for information that goes against one’s favored views, especially when combined with political knowledge, helped forecasters make accurate predictions.

Second, forecasters benefited from conditions tested in controlled experiments to determine the best environments for making accurate forecasts, including training in probabilistic reasoning and participation in collaborative teams that shared information and discussed rationales.

Third, effort mattered. Forecasters who made predictions on more questions, updated their predictions more often and spent more time deliberating about their predictions had a decisive edge.

The best forecasters also believed they could learn to make better predictions – they viewed forecasting not as an innate ability, but rather as a skill that required deliberate practice, sustained effort and constant monitoring of current affairs.

Although we were initially unsure whether it was even possible to develop skill in geopolitical forecasting, our research shows that some people are exceptionally accurate over long periods of time. These people tended to share all of the qualities described above, and took advantage of their training in probabilistic reasoning and the advantages of working together in teams.

Can this be learned? For any type of skill to develop, two conditions must be present: an environment with sufficient stability to permit learning and opportunities for practice. Skill development also occurs when people care enough to engage in deliberative rehearsal. Our forecasters received constant feedback with accuracy scores and leaderboard rankings as each question closed and scores were provided. They also had many chances to learn; forecasters were given almost 200 questions over two years. Participants each made an average of 121 forecasts. These conditions enabled a process of learning-by-doing and help to explain why some forecasters achieved far-better-than-chance accuracy.

Our findings could yield important lessons for both the U.S. national security community and others in government and the private sector interested in improving forecasting accuracy.

In the real world, many analysts inside and outside the government make non-numerical forecasts that are vague and hard to assess for accuracy, so feedback is often absent. Feedback is essential for learning, though. We must keep score, and there is no way to do that without precise forecasting and some sort of accountability. That’s harder than it sounds. Accountability can be like a Ping-Pong game in which analysts are incentivized to shift their predictions depending on the direction of the most recent error. They are likelier to say “signal” when recently accused of under-connecting the dots (i.e., 9/11) and to say “noise” when recently accused of over-connecting the dots (i.e., weapons of mass destruction in Iraq). With this process, improvement is impossible. By harnessing the wisdom of crowds with the tools Good Judgment Project developed, we can build on what we know, keep improving our skills and become more accurate in our forecasting of geopolitical events.

#### Superforecasting applies to foreign policy predictions.

Philip Tetlock 15. "Why an Open Mind Is Key to Making Better Predictions". Knowledge@Wharton. 10-2-2015. https://knowledge.wharton.upenn.edu/article/why-an-open-mind-is-key-to-making-better-predictions/

Tetlock: Eventually you’re going to reach a point where you’re not going to get any better because, as I mentioned, the environment itself has some degree of irreducible uncertainty. So no matter how good you are, you’re probably not going to do a very good job predicting what the value of Google is going to be next week on the New York Stock Exchange. So there are some things that are very difficult to do. It’s not clear that even using superforecasters is going to let you make appreciable headway on that. But there are many things that are quite doable that we previously didn’t think were doable, and there’s a lot of room for improving the accuracy and probability judgments on those things.

Those are things like predicting whether international conflicts are going to escalate or deescalate, whether certain treaties are going to be signed or approved by legislatures, or whether Greece is going to leave the eurozone. So there are a lot of problems that have relevance to financial markets, have relevance to business decisions, where there is potential to improve probability judgment, where we have shown that experimentally now in the IARPA tournament, where people typically don’t do that. People typically rely on vague verbiage forecasts. You’ve heard people say, “Well, I think it’s possible. This could happen. This might happen. It’s likely.” Those are terms [are] not all that informative.