# GMU AL – Open Source Round 4 Kentucky

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#### The fifty states and all relevant entities through the **N**ational **A**ssociation of **A**ttorneys **G**eneral Antitrust Task Force should increase the weight afforded to the competitive process in analysis of anticompetitive business practices.

#### The Supreme Court of the United States ought to not preempt state antitrust laws.

#### States solve

Arteaga 21 [Juan and Jordan Ludwig; January 28; former Deputy Assistant Attorney General for the U.S. Department of Justice’s Antitrust Division, J.D. from Columbia Law School; partner in the Antitrust and Competition Group at Crowell and Moring firm, J.D. from Loyola Law School; Global Competition Review, “The Role of US State Antitrust Enforcement,” <https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement>]

In the United States, competition laws have been implemented and enforced through a dual system where the state and federal governments play distinct, yet complementary, roles in regulating the competitive process. While the Department of Justice (DOJ) Antitrust Division and Federal Trade Commission (FTC) are widely viewed as the stewards of US antitrust laws, state attorneys general have long played an important, albeit varying, role within the United States’ antitrust enforcement regime. This has been especially true during the past 30 years because state attorneys general have become much more effective at coordinating their antitrust enforcement efforts to ensure that they have a meaningful seat at the table in any actions brought jointly with their federal counterparts or are able to bring their own actions when the DOJ and FTC decide not to do so.

Prior to the enactment of the first federal antitrust law – the Sherman Act – in 1890, state antitrust enforcement was quite robust in the United States because at least 26 states had already enacted some form of antitrust prohibition.[[2]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-126) In addition, state enforcers had often used general corporation law and common law restraint of trade principles to regulate anticompetitive business practices and transactions.[[3]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-125) This well-established state antitrust enforcement infrastructure – coupled with the fact that the Antitrust Division and FTC had only recently been created – permitted state attorneys general to continue playing a leading enforcement role for the first 30 years after the Sherman Act’s passage.[[4]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-124) Indeed, state attorneys general successfully prosecuted a number of the most consequential antitrust enforcement actions during this period.[[5]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-123)

In the early 1920s, however, state antitrust enforcers began playing a less prominent role because ‘the national dimension of the most important trusts, . . . as well as their ability to restructure in order to evade problematic state laws’, made clear that the federal government needed to step forward in order to adequately protect consumers and the competitive process.[[6]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-122) As a result, the DOJ and FTC – whose national jurisdiction and greater resources enabled them to tackle the most pressing competition issues of the time – displaced state attorneys general as the primary source of government antitrust enforcement within the United States.[[7]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-121) This largely remained true until the mid-1970s when Congress, in response to the DOJ and FTC’s perceived inactivity, passed two laws that expanded the authority of state attorneys general to enforce the federal antitrust laws and provided them with financial resources to do so.[[8]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-120)

In 1976, Congress passed the Hart-Scott-Rodino Antitrust Improvement Act, which, among other things, authorised state attorneys general to bring parens patriae suits (i.e., legal actions brought on behalf of natural persons residing within their states) seeking monetary (treble damages) and injunctive relief for Sherman Act violations.[[9]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-119) Congress also passed the Crime Control Act of 1976, which, among other things, provided state attorneys general with tens of millions in federal grants as ‘seed money’ for the creation of antitrust bureaus within their offices.[[10]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-118) These laws had their intended effect of reinvigorating state antitrust enforcement.

During the 1980s, for example, state attorneys general once again emerged as vigorous antitrust enforcers, especially with respect to the prosecution of resale price maintenance practices and other vertical restraints.[[11]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-117) The rise in the level and prominence of state antitrust enforcement during this period was largely due to a perceived enforcement void at the federal level, where the DOJ and FTC had mostly limited their focus to ‘prohibiting cartels and large horizontal mergers’.[[12]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-116) No longer content with ceding antitrust enforcement to federal enforcers, state attorneys general expanded their antitrust dockets from prosecuting purely ‘local matters, such as bid-rigging on state contracts’, to actively investigating and litigating matters with multistate and national implications.[[13]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-115) To help ensure that they had a larger seat at the antitrust enforcement table, state attorneys general also increased the coordination of their enforcement efforts and competition advocacy through organisations such as the National Association of Attorneys General (NAAG), which created a Multistate Antitrust Task Force and issued state Vertical Restraints and Horizontal Merger Guidelines during this period.[[14]](https://globalcompetitionreview.com/guide/private-litigation-guide/second-edition/article/the-role-of-us-state-antitrust-enforcement#footnote-114)

#### Double bind: either A) the aff has to pre-empt state laws crushing federalism OR B) the aff doesn’t and can’t solve because states circumvent.

Abbott 14 [Alden F. Abbott is Deputy Director of the Edwin Meese III Center for Legal and Judicial Studies and the John, Barbara, and Victoria Rumpel Senior Legal Fellow at The Heritage Foundation, “Constitutional Constraints on Federal Antitrust Law”, December 11, 2014, https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law] IanM

Nevertheless, various constitutionally based interests—such as federalism, freedom to petition the government, freedom of the press, freedom of speech, and freedom of religion—at times may be in tension with the economic-based goals of the antitrust laws. The **courts** have **taken into account** such **interests** in limiting the reach of antitrust. Whether they have struck an appropriate balance, however, is a matter of significant debate.

Fundamental Antitrust Principles

The U.S. antitrust laws seek to curb efforts by firms to reduce competition in the marketplace or to create or maintain monopolies. As Professor Herbert Hovenkamp, author of the leading antitrust treatise, points out, the antitrust statutes’ language is “vague and malleable.”[[2]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn2) For example, over a century of federal case law has been required to make sense of and cabin the Sherman Antitrust Act’s literal prohibition on “every contract, combination … or conspiracy in restraint of trade.”[[3]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn3) Even today, uncertainty about the likely antitrust treatment of many corporate contracts or mergers creates a continuing demand for antitrust counseling.

Until the past 50 years or so, antitrust was viewed by certain commentators as promoting a variety of goals—such as protecting small businesses and reducing the influence of large enterprises—in addition to improving the functioning of free markets. Such views, which also crept into case law, were not unreasonable. The antitrust statutes were enacted in the wake of populist and Progressive Movement concerns about “the trusts” and “big business” abuses, and given their lack of detail, it was natural that these laws might be interpreted in light of such a history. Since the 1970s, however, American federal courts have substituted economic reasoning for this “historical” approach, influenced by economics-based “Chicago School” and “Harvard School” scholarship.[[4]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn4)

Today, American antitrust law generally is aimed at promoting consumer welfare and “economic efficiency.” It pursues this goal by forbidding business behavior that harms the competitive process and that lacks countervailing efficiency justifications. Concern typically focuses on “bad” actions—business behavior that is not “competition on the merits”[[5]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn5)—that reduce output and raise prices. Certain conduct—“naked” cartel activity lacking any efficiency justification, such as secret price fixing or bid rigging—is deemed categorically illegal, or unlawful “per se.” Conduct that is not per se illegal is assessed under a “rule of reason,” which requires detailed and often intrusive analysis of particular practices.

American antitrust law, however, does not prohibit the mere exercise of legitimately obtained market power—that is, the mere charging of “high” prices by firms that succeed through merits-based competition. As the Supreme Court emphasized in Verizon v. Trinko:

The mere possession of monopoly power, and the concomitant charging of monopoly prices, is not only not unlawful; it is an important element of the free-market system. The opportunity to charge monopoly prices—at least for a short period—is what attracts “business acumen” in the first place; it induces risk taking that produces innovation and economic growth. To safeguard the incentive to innovate, the possession of monopoly power will not be found unlawful unless it is accompanied by an element of anticompetitive conduct.[[6]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn6)

The antitrust laws cannot, of course, be applied in a manner that offends the Constitution. **Two** types of **constitutionally influenced** limitations on the federal antitrust laws are especially well established: limitations derived from federalism and limitations derived from the First Amendment right to petition the government for the redress of grievances. As we will see, both sorts of **limitations** are **in tension** with the **purely materialist** goals of **antitrust.** We will consider them in turn before addressing a few additional constitutional considerations.

The Antitrust State Action Doctrine

First, **state laws** or **regulations** that **foster anticompetitive behavior** are nevertheless exempt from **federal antitrust scrutiny** as long as the state law displacement of competitive activity is clearly articulated and actively supervised by the state.[[7]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn7) This “**state action**” exemption was first pronounced in **Parker v. Brown**,[[8]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn8) in which the Supreme Court upheld a California statute that limited the production of raisins by California farmers.

In Parker, private industry participants set raisin allocations, supervised by state officials. This was **classic cartel behavior** that **raised prices**, **reduced output**, and substantially **harmed raisin consumers** throughout the country. Such **behavior** **would have been** per se illegal absent the state law. Nevertheless, the Supreme Court found in Parker that federalism concerns trumped antitrust. The Court **reasoned** that in enacting the antitrust laws, **Congress** had **never intended** to undermine sovereign state decisions to **displace competition**. In short, federalism principles allow states to immunize grossly anticompetitive schemes from antitrust review.

Over the past 70-plus years, the state action doctrine has taken many a twist and turn. One interesting aspect of this rather complex set of judge-made principles is that this doctrine could be rendered irrelevant by a simple act of Congress that subjected all state regulatory enactments to the federal antitrust laws, consistent with the power of Congress to legislate under the Commerce Clause of the Constitution.[[9]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn9) Given the breadth of Congress’s Commerce Clause powers under modern Supreme Court jurisprudence,[[10]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn10) very few state and local regulatory schemes would be antitrust-immune following the passage of such a law. Yet Congress has never seriously considered such legislation, nor is it likely to do so.

Such a **sweeping federal law** undoubtedly would give rise to objections that the threat of antitrust challenge would undermine state efforts to **promote** a host of regulatory goals unrelated to competition—and even efforts to carry out **routine regulatory actions** that are an inherent aspect of state sovereignty. Moreover, debate over such a law could well highlight the embarrassing fact that various antitrust-exempt federal regulatory schemes—schemes such as a federally sponsored raisin cartel similar to the one upheld in Parker v. Brown—are themselves highly anticompetitive.[[11]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn11)

In a time of concern about federal overreach, it would appear to be unusual for Congress to condemn state regulatory restrictions while shielding analogous federal restrictions from legal scrutiny. Moreover, while federal preemption of state cartel-like schemes and congressional repeal of analogous federal regulatory restrictions would promote consumer welfare in the short term,[[12]](https://www.heritage.org/report/constitutional-constraints-federal-antitrust-law#_ftn12) **concerns** about the long-term **effects** of such an unprecedented federal intrusion into **traditional areas** of **state sovereignty** would have to be addressed.

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#### Core antitrust laws’ must be economy wide---the aff only effects a subset

Gerber ’20 [David; October; Distinguished Professor of Law at Chicago-Kent College of Law, Illinois Institute of Technology; Oxford Scholarship Online, Competition Law and Antitrust, “What is It? Competition Law’s Veiled Identity,” Ch. 1, p. 14-15]

C. A Core Definition

The Guide uses the terms “competition law” and “antitrust law” to refer to a general domain of law whose object is to deter private restraints on competitive conduct. We look more closely at the terms:

1. “General”—The laws included are those that are applicable throughout an economy and thereby provide a framework for all market operations (there are always some exempted sectors). Laws dealing only with specific markets (e.g., telecommunication) do not play that role.

2. “Domain of Law” here refers to a politically authorized set of norms and the institutional arrangements used to enforce them.

Is it law—or is it policy? The relationship between “competition law” and “competition policy” is not always clear. Often the terms are used interchangeably, but there can be important differences between them. Both can refer to norms used to combat restraints on competition, but they represent two different ways of looking at the relevant laws, and the differences can influence how norms are interpreted and applied. “Law” implies that established methods of interpretation are used to interpret and apply the norms and that established procedures are the sole or primary means of enforcing and changing the norms. In this view, the norms are a relatively stable component of a legal system. Thinking of those same norms as “policy,” on the other hand, implies that they are a tool of whatever government is in power and that it can use and modify them as it wishes.

3. “Restraint” refers to any limitation imposed by one or more private actors that reduces the intensity of competition in a market.

4. “Competition” refers to a process by which firms in a market seek to maximize their profits by exploiting market opportunities more effectively than other firms in the market.

#### Voting issue--- the number of potential subsets is infinite which creates a moral hazard to rush to small non-controversial tweaks that shreds limits and ground

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Topicality:

#### ‘Prohibitions’ must cease all behavior. They regulate.

Broaddus ’50 [James; February 6; Judge on the Kansas City Court of Appeals, Missouri; Westlaw, “City of Meadville v. Caselman,” 240 Mo. App. 1220]

‘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.)

Precision and clash---regulation affs distort the legal meaning of the rez and explode into unpredictable tweaks and mechanisms, undermining testing.

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#### Reconciliation will pass---Biden’s continued push in ongoing negotiations is key

Emily Cochrane et al, Luke Broadwater and Jonathan Weisman 10-1 [NYT ‘‘*We’re going to get this done,’ Biden says after meeting with House Democrats* on his domestic agenda.,” 10-1-21, <https://www.nytimes.com/live/2021/10/01/us/infrastructure-bill-house>, hec]

President Biden emerged from a meeting with House Democrats on Friday expressing confidence that his party would ultimately unite behind his domestic agenda, but he suggested that a deal on a major social safety net and climate policy bill could be as far as weeks off, raising the prospect of a drawn-out negotiation. “I’m telling you, we’re going to get this done,” Mr. Biden said at the Capitol, after huddling with Democrats who have been feuding over his two top-priority bills. He added: “It doesn’t matter when. It doesn’t matter whether it’s in six minutes, six days or six weeks. We’re going to get it done.” One of the measures he is seeking, a $1 trillion bipartisan infrastructure package, is stalled in the House as progressives refuse to support it until they see action on a major budget bill to expand health care, education, climate change initiatives and paid leave. Speaker Nancy Pelosi postponed a planned vote on the infrastructure bill on Thursday, and it was not clear after the meeting with Mr. Biden whether she planned to move forward with it as scheduled on Friday. A closed-door meeting Ms. Pelosi had called on Friday morning did little to resolve the disputes, as lawmakers from swing districts pleaded for passage of the infrastructure bill and liberals in safe Democratic seats said they would not vote yes until the Senate the larger measure. Later, Mr. Biden — who was accompanied by top advisers, including Steve Ricchetti, Cedric Richmond and Louisa Terrell, the White House director of legislative affairs — made his first appearance before the House Democratic Caucus to try to bridge the divides. Many Democrats had issued public pleas for Mr. Biden to become more personally involved in the negotiations, saying he needed to allay the escalating mistrust and frustration among Democrats. “I think the president might be the only person that can bridge both the trust gap and the timing gap,” said Representative Dean Phillips, Democrat of Minnesota.

#### Antitrust reform requires PC and trades off =

Peter C. Carstensen 21, the Fred W. & Vi Miller Chair in Law Emeritus, University of Wisconsin Law School, February 2021, “THE “OUGHT” AND “IS LIKELY” OF BIDEN ANTITRUST,” https://www.concurrences.com/en/review/issues/no-1-2021/on-topic/the-new-us-antitrust-administration-en

14. Similarly, despite bipartisan murmurs about competitive issues, the potential in a closely divided Congress that any major initiatives will survive is limited at best. In part the challenge here is how the Biden administration will rank its commitments. If it were to make reform of competition law a major and primary commitment, it would have to trade off other goals, which might include health care reform or increases in the minimum wage. It is likely in this circumstance the new administration, like the Obama administration’s abandonment of the pro-competitive rules proposed under the PSA, would elect to give up stricter competition rules in order to achieve other legislative priorities. 15. Another key to a robust commitment to workable competition is the choice of cabinet and other key administrative positions. Here as well, the early signs are not entirely encouraging. In selecting Tom Vilsack to return as secretary of agriculture, the president has embraced a friend of the large corporate interests dominating agriculture who has spent the last four years in a highly lucrative position advancing their interests. Given the desperate need for pro-competitive rules to implement the PSA and control exploitation of dairy farmers through milk-market orders, the return of Vilsack is not good news. Who will head the FTC and who will be the attorney general and assistant attorney general for antitrust is still unknown, but if those picks are also centrists with strong links to corporate America the hope for robust enforcement of competition law will further attenuate! 16. In sum, this is a pessimistic prognostication for the likely Biden antitrust enforcement agenda. There is much that ought to be done. But this requires a willingness to take major enforcement risks, to invest significant political capital in the legislative process, and to select leaders who are committed to advancing the public interest in fair, efficient and dynamically competitive markets. The early signs are that the new administration will be no more committed to robust competition policy than the Obama administration. Events may force a more vigorous policy—I will cling to that hope as the Biden administration takes shape.

#### Quickly secures the vulnerable grid.

Carney ’21 [Chris, August 6; Senior Policy Advisor at Nossaman LLC, former US Representative, Former Professor of Political Science at Penn State University; JD Supra, “The US Senate Infrastructure Bill: Securing Our Electrical Grid Through P3s and Grants,” https://www.jdsupra.com/legalnews/the-us-senate-infrastructure-bill-4989100/]

As we begin to better understand the main components of the Infrastructure Investment and Jobs Act that the US Senate is working to pass this week, it is clear that public-private partnerships ("P3s") are a favored funding mechanism of lawmakers to help offset high costs associated with major infrastructure projects in communities. And while past infrastructure bills have used P3s for more conventional projects, the current bill also calls for P3s to help pay for protecting the US electric grid from cyberattacks. Responding to the increasing number of cyberattacks on our nation’s infrastructure, and given the fragile physical condition of our electrical grid, the Senate included provisions to help state, local and tribal entities harden electrical grids for which they are responsible.

Section 40121, Enhancing Grid Security Through Public-Private Partnerships, calls for not only physical protections of electrical grids, but also for enhancing cyber-resilience. This section seeks to encourage the various federal, state and local regulatory authorities, as well as industry participants to engage in a program that audits and assesses the physical security and cybersecurity of utilities, conducts threat assessments to identify and mitigate vulnerabilities, and provides cybersecurity training to utilities. Further, the section calls for strengthening supply chain security, protecting “defense critical” electrical infrastructure and buttressing against a constant barrage of cyberattacks on the grid. In determining the nature of the partnership arrangement, the size of the utility and the area served will be considered, with priority going to utilities with fewer available resources.

Section 40122 compliments the previous section as it seeks to incentivize testing of cybersecurity products meant to be used in the energy sector, including SCADA systems, and to find ways to mitigate any vulnerabilities identified by the testing. Intended as a voluntary program, utilities would be offered technical assistance and databases of vulnerabilities and best practices would be created. Section 40123 incentivizes investment in advanced cybersecurity technology to strengthen the security and resiliency of grid systems through rate adjustments that would be studied and approved by the Secretary of Energy and other relevant Commissions, Councils and Associations.

Lastly, Section 40124, a long sought-after package of cybersecurity grants for state, local and tribal entities is included in the bill. This section adds language that would enable state, local and tribal bodies to apply for funds to upgrade aging computer equipment and software, particularly related to utilities, as they face growing threats of ransomware, denial of service and other cyberattacks. However, under Section 40126, cybersecurity grants may be tied to meeting various security standards established by the Secretary of Homeland Security, and/or submission of a cybersecurity plan by a grant applicant that shows “maturity” in understanding the cyber threat they face and a sophisticated approach to utilizing the grant.

While the final outcome of the Infrastructure Investment and Jobs Act may still be weeks or months away, inclusion of these provisions not only demonstrates a positive step forward for the application of federal P3s and grants generally, they also show that Congress recognizes the seriousness of the cyber threats our electrical grids face. Hopefully, through judicious application of both public-private partnerships and grants, the nation can quickly secure its infrastructure from cyberattacks.

#### Grid vulnerabilities spark nuclear war.

Klare ’19 [Michael; November; Professor Emeritus of Peace and World Security Studies at Hampshire College; Arms Control Association, “Cyber Battles, Nuclear Outcomes? Dangerous New Pathways to Escalation,” https://www.armscontrol.org/act/2019-11/features/cyber-battles-nuclear-outcomes-dangerous-new-pathways-escalation]

Yet another pathway to escalation could arise from a cascading series of cyberstrikes and counterstrikes against vital national infrastructure rather than on military targets. All major powers, along with Iran and North Korea, have developed and deployed cyberweapons designed to disrupt and destroy major elements of an adversary’s key economic systems, such as power grids, financial systems, and transportation networks. As noted, Russia has infiltrated the U.S. electrical grid, and it is widely believed that the United States has done the same in Russia.12 The Pentagon has also devised a plan known as “Nitro Zeus,” intended to immobilize the entire Iranian economy and so force it to capitulate to U.S. demands or, if that approach failed, to pave the way for a crippling air and missile attack.13

The danger here is that economic attacks of this sort, if undertaken during a period of tension and crisis, could lead to an escalating series of tit-for-tat attacks against ever more vital elements of an adversary’s critical infrastructure, producing widespread chaos and harm and eventually leading one side to initiate kinetic attacks on critical military targets, risking the slippery slope to nuclear conflict. For example, a Russian cyberattack on the U.S. power grid could trigger U.S. attacks on Russian energy and financial systems, causing widespread disorder in both countries and generating an impulse for even more devastating attacks. At some point, such attacks “could lead to major conflict and possibly nuclear war.”14

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#### Anti-trust is capitalist---competition inevitably replicates market collapse.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Capitalism ensures ongoing catastrophe that makes the Earth uninhabitable

Zizek, 21 – (Slavoj Žižek is the author of over thirty books and has been acclaimed as both the "Elvis of cultural theory" and the "most dangerous philosopher in the West." Slavoj Žižek: Last Exit to Socialism, 7-21-21, <https://jacobinmag.com/2021/07/slavoj-zizek-climate-change-global-warming-nature-ecological-crises-socialism-final-exit>) nL

\*Edited for Language Used

The latest data make it clear that, even after the (very uneven) spread of vaccination, **we cannot afford to relax and return to the old normal**. Not only is the pandemic not over (infection numbers are rising again, new lockdowns are awaiting us), other catastrophes are on the horizon. At the end of June 2021, a heat dome — a weather phenomenon where a ridge of high pressure traps and compresses warm air, driving up temperatures and baking the region — over the Northwest of the United States and the Southwest of Canada caused temperatures to [approach 50°C](https://www.washingtonpost.com/weather/2021/06/27/heat-records-pacific-northwest/) (122°F), so that Vancouver was hotter than the Middle East. This **weather pathology is just the climax of a much wider process**: in the last years, northern Scandinavia and Siberia regularly see temperatures over 30°C (86°F). The World Meteorological Organization had a weather station in Siberia’s Verkhoyansk — north of the Arctic Circle — record a [38°C (100.4°F) day](https://edition.cnn.com/2021/07/04/world/canada-us-heatwave-northern-hemisphere-climate-change-cmd-intl/index.html) on June 20. The town of Oymyakon in Russia, considered to be **the coldest inhabited place on Earth**, was **hotter** (31.6°C [88.9°F]) **than it has ever been** in June. In short: **“Climate change is frying the Northern Hemisphere.”** True, the heat dome is a local phenomenon, but it is the result of a global disturbance of patterns which clearly depend on human interventions into natural cycles. The **catastrophic consequences** of this heat wave for the life in the ocean are already palpable: “‘Heat dome’ probably killed 1bn marine animals on Canada coast,” [experts say](https://www.theguardian.com/environment/2021/jul/08/heat-dome-canada-pacific-northwest-animal-deaths). “British Columbia scientist says heat essentially cooked mussels: ‘The shore doesn’t usually crunch when you walk.’” While weather is generally getting hotter, this process reaches a climax in local extremes, and these **local extremes will sooner or later coalesce in a series of global tipping points**. The [catastrophic floods](https://www.jacobinmag.com/2021/07/germany-rhineland-floods-climate-change-green-transition-christian-democrats-merkel-laschet-gradualism) in Germany and Belgium in July 2021 are another of these tipping points, and **who knows what will follow**. **The catastrophe is not something that will begin in the near future, it is here**, and it is also not in some distant African or Asian country but right here, in the heart of the developed West. To put it bluntly, **we will have to get used to living with multiple simultaneous crises.** Not only is a heat wave at least partially conditioned by reckless industrial exploitation of nature, but its effects also depend on social organization. At the beginning of July 2021 in southern Iraq, temperatures swelled to over 50°C (122°F), and what occurred simultaneously was a total collapse of the electricity supply (no air conditioner, no refrigerator, no light), which made the place a living hell. This catastrophic impact was clearly caused by the enormous state corruption in Iraq, with billions in oil money disappearing to private pockets. If we access this (and numerous other) data soberly, there is one simple conclusion to be drawn from them. For every living entity, collective or individual, the final exit is death (which is why Derek Humphry was right to entitle his 1992 pro–assisted suicide book Final Exit). **The ecological crises which are exploding lately open up a realistic prospect of the final exit** (~~collective suicide~~) **of humanity itself**. Is there a last exit from the road to our perdition or is it already too late, so that all we can do is find a way to painless suicide? So what should we do in such a predicament? We should above all avoid the common wisdom according to which the lesson of the ecological crises is that we are part of nature, not its center, so we have to change our way of life — limit our individualism, develop new solidarity, and accept our modest place among life on our planet. Or, as Judith Butler put it, “An **inhabitable world** for humans depends on a flourishing earth that does not have humans at its center. We oppose environmental toxins not only so that we humans can live and breathe without fear of being poisoned, but also because the water and the air must have lives that are not centered on our own.” But is it not that global warming and other ecological threats demand of us collective interventions into our environment which will be incredibly powerful, direct interventions into the fragile balance of forms of life? When we say that the rise of average temperature has to be kept below 2°C (35.6°F), we talk (and try to act) as general managers of life on Earth, not as a modest species. The regeneration of the earth obviously does not depend upon “our smaller and more mindful role” — it depends on our **gigantic role**, which is the truth beneath all the talk about our finitude and mortality. If we have to care also about the life of water and air, it means precisely that we are what Marx called “universal beings,” as it were, able to step outside ourselves, stand on our own shoulders, and perceive ourselves as a minor moment of the natural totality. To escape into the comfortable modesty of our finitude and mortality is not an option; it is a false exit to a catastrophe. As universal beings, we should learn to accept our environment in all its complex mixture, which includes what we perceive as trash or pollution, as well as what we cannot directly perceive since it is too large or too minuscule (Timothy Morton’s “hyperobjects”). [For Morton](https://www.newyorker.com/culture/persons-of-interest/timothy-mortons-hyper-pandemic?fbclid=IwAR0qbxs2y57TIQsOloIW9MrBtqleIMIFK3SsfBQeCcWXiGIKRpnUmRAiNTk), being ecological is not about spending time in a pristine nature preserve but about appreciating the weed working its way through a crack in the concrete, and then appreciating the concrete. It’s also part of the world, and part of us. . . . . . . Reality, Morton writes, is populated with “strange strangers” — things that are “knowable yet uncanny.” This strange strangeness, Morton writes, is an irreducible part of every rock, tree, terrarium, plastic Statue of Liberty, quasar, black hole, or marmoset one might encounter; by acknowledging it, we shift away from trying to master objects and toward learning to respect them in their elusiveness. Whereas the Romantic poets rhapsodized about nature’s beauty and sublimity, Morton responds to its all-pervading weirdness; they include in the category of the natural everything that is scary, ugly, artificial, harmful, and disturbing. Is this not a perfect example of such a mixture as the fate of rats in Manhattan during the pandemic? Manhattan is a living system of humans, cockroaches, . . . and millions of rats. Lockdown at the peak of the pandemic meant that, since all restaurants were closed, rats that lived off the trash from restaurants were deprived of the source of their food. This caused mass starvation: many rats were found eating their offspring. A closure of restaurants which changed the eating habits of humans but posed no threat to them was a catastrophe for rats, rats as comrades. Another similar accident from recent history could be called “sparrow as comrade.” In 1958, at the beginning of the [Great Leap Forward](https://en.wikipedia.org/wiki/Great_Leap_Forward%22%20%5Co%20%22Great%20Leap%20Forward), the Chinese government declared that “birds are public animals of capitalism” and set in motion a large campaign to eliminate sparrows, suspected of consuming approximately four pounds of grain per sparrow per year. Sparrow nests were destroyed, eggs were broken, and chicks were killed; millions of people organized into groups, and hit noisy pots and pans to prevent sparrows from resting in their nests, with the goal of causing them to drop dead from exhaustion. These mass attacks depleted the sparrow population, pushing it to near extinction. However, by April 1960, Chinese leaders were forced to realize that sparrows also ate a large number of insects in the fields, so, rather than being increased, rice yields after the campaign were substantially decreased: the extermination of sparrows upset the ecological balance, and insects destroyed crops as a result of the absence of natural predators. By this time, however, it was too late: with no sparrows to eat them, locust populations ballooned, swarming the country and compounding the ecological problems already caused by the [Great Leap Forward](https://en.wikipedia.org/wiki/Great_Leap_Forward), including widespread deforestation and misuse of poisons and pesticides. **Ecological imbalance** is credited with exacerbating the [Great Chinese Famine](https://en.wikipedia.org/wiki/Great_Chinese_Famine%22%20%5Co%20%22Chinese%20language) in which **millions died** of starvation. The Chinese government eventually resorted to [importing](https://en.wikipedia.org/wiki/Four_Pests_campaign) 250,000 sparrows from the Soviet Union to replenish their population. So, again, what can and should we do in this unbearable situation — unbearable because we have to accept that we are one among the species on Earth, but we are at the same time burdened by the impossible task to act as universal managers of the life on Earth? Since we failed to take other, perhaps easier, exits (**global temperatures are rising**, **oceans are more and more polluted** . . .), it looks more and more that the last exit before the final one will be some version of what was once called “war communism.” What I have in mind here is not any kind of rehabilitation of or continuity with the twentieth-century “really existing socialism,” even less the global adoption of the Chinese model, but a series of measures which are imposed by the situation itself. When (not just a country but) all of us are facing a threat to our survival, we enter a warlike emergency state which will last for decades at least. To simply guarantee the minimal conditions of our survival, mobilizing all our resources is inevitable to deal with unheard-of challenges, including displacements of dozens, maybe hundreds, of millions of people due to global warming.

#### Vote neg for anti-capitalist commons---collectives should refuse commitments to competitive principle and the straitjacket of what’s “realistic.”

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

Silvia Federici provides a longer historical perspective, noting that ‘commoning is the principle by which human beings have organised their existence for thousands of years;’ and that to ‘speak of the principle of the common’ is to speak ‘not only of small-scale experiments [but] of large-scale social formations that in the past were continent-wide.’87 Hence a commons-based society is neither a utopia or reducible to fringe projects, and the commons have persisted despite the many and continuing enclosures, ‘feeding the radical imagination as well as the bodies of many commoners.’87 Federici acknowledges that commons and practices of commoning are diverse, that many are susceptible to cooptation and many are consistent with the persistence of capitalism; indeed some, such as charities providing social services (including foodbanks) during the years of austerity budgets in the United Kingdom (2010-2015), reinforce and stabilise capitalism.87 What matters to Federici is the character and intentionality of the commons as anti-capitalist, as ‘a means to the creation of an egalitarian and cooperative society…no longer built on a competitive principle, but on the principle of collective solidarity [and commitments] to the creation of collective subjects [and] fostering common interests in every aspect of our lives.’87

Federici’s analysis resonates with the political thought and proposals developed by Dardot and Laval in their 2018 work, ‘On Common: Revolution in the 21st century.’11 For Dardot and Laval, the common is likewise understood as a principle of political struggle, a demand for ‘real democracy’ and a major driving force behind the emerging articulation of a political vision and programme that transcends and overcomes the straitjacket logic of neoliberal ideological hegemony and its ‘policy grammar’ which appears to foreclose all alternatives and lock us forever into a capitalist realism in which ‘it is easier to imagine the end of the world than it is to imagine the end of capitalism.’89 Eschewing Bollier’s ‘triarchy’ of a market/state/ commons coexistence, Dardot and Laval argue for a politics of the common based on an engaged citizenry that directly participates and deliberates in all decisions which impact it, and in the process not merely transforms the institutions responsible for the management of services and allocation of resources, but creates new institutions and new ways of being in the world.11

Dardot and Laval describe this form of politics as ‘instituent praxis’: the common, they argue, is ‘not produced but instituted.’11 This acknowledges the conventional understanding of Ostrom, Bollier and others of ‘the commons’ as residing in the rules – the laws – that a community establishes for the collective management and use of shared resources, but extends it much further and in a more radical direction. The essence of the commons, they argue, is not in the goods per se such as land or a forest or a seed bank ‘held in common,’ but rather in the process of their establishment as well as the ongoing negotiation that will surround their use and governance. Hence, Dardot and Laval distinguish the commons from the ‘rights’ tradition of property, arguing that ‘the commons are above all else matters of institution and government…the use of the commons is inseparable from the right of deciding and governing. The practice that institutes the commons is the practice that maintains them and keeps them alive and takes full responsibility for their conflictuality through the coproduction of rules.’90 To ‘institute’ in this context should not be misunderstood as ‘to institutionalise [or] render official;’ rather it is ‘to recreate with, or on the basis of, what already exists.’ 90 This messy, conflictual and evolving process is what Dardot and Laval insist will ultimately bring about a revolution, not in the form of a violent uprising or insurrection, but rather through the ‘reinstitution of society’ via the transformation of politics and economy from its current state of ‘representative oligarchy’ to full participatory and deliberative democracy.11 Such a vision is premised on a mass politicisation of society; in effect a return of mass popular political contestation and a turn away from the postpolitical era of the neoliberal consumer.91-92

## Adv 1

### Circumvention

#### The aff is unfavorable to corporate growth so lobbyists block and water down enforcement

Jones and Kovacic 20 [Alison Jones and William E. Kovacic, Alison Jones is Professor of Law at King’s and a solicitor at Freshfields Bruckhaus Deringer LLP; William Evan Kovacic is an American lawyer and legal scholar who was a commissioner of the U.S. Federal Trade Commission from 2006 to 2011. Kovacic is a professor at George Washington University Law School and the director of their Competition Law Center, "Antitrust’s Implementation Blind Side: Challenges to Major Expansion of U.S. Competition Policy", The Antitrust Bulletin 2020, Vol. 65(2) 227-255 [https://journals.sagepub.com/doi/pdf/10.1177/0003603X20912884]LPAL](https://journals.sagepub.com/doi/pdf/10.1177/0003603X20912884%5dLPAL)

\*this card has been modified for ableist language

As we have already indicated, the government’s prosecution of high stakes antitrust cases often inspires defendants to lobby elected officials to rein in the enforcement agency. Targets of cases that seek to impose powerful remedies have several possible paths to encourage politicians to blunt enforcement measures. One path is to seek intervention from the President. The Assistant Attorney General of the Antitrust Division serves at the will of the President, making DOJ policy dependent on the President’s continuing support. The White House ordinarily does not guide the Antitrust Division’s selection of cases, but there have been instances in which the President pressured the Division to alter course on behalf of a defendant, and did so successfully.125 The second path is to lobby the Congress. The FTC is called an “independent” regulatory agency, but Congress interprets independence in an idiosyncratic way.126 Legislators believe independence means insulation from the executive branch, not from the legislature. The FTC is dependent on a good relationship with Congress, which controls its budget and can react with hostility, and forcefully, when it disapproves of FTC litigation—particularly where it adversely affects the interests of members’ constituents. Controversial and contested cases may consequently be derailed or ~~muted~~ [silenced] if political support for them wanes and politicians become more sympathetic to commercial interests. The FTC’s sometimes tempestuous relationship with Congress demonstrates that political coalitions favoring bold enforcement can be volatile, unpredictable, and evanescent.127 If the FTC does not manage its relationship with Congress carefully, its litigation opponents may mobilize legislative intervention that causes ambitious enforcement measures to the founder. Imagine, for a moment, that the DOJ and the FTC launch monopolization cases against each of the GAFA giants. Among other grounds, these cases might be premised on the theory that the firms used mergers to accumulate and protect positions of dominance. The GAFA firms have received unfavorable scrutiny from legislators from both political parties over the past few years, but the current wave of political opprobrium is unlikely to discourage the firms from bringing their formidable lobbying resources to bear upon the Congress. It would be hazardous for the enforcement agencies to assume that a sustained, well-financed lobbying campaign will be ineffective. At a minimum, the agencies would need to consider how many battles they can fight at one time, and how to foster a countervailing coalition of business interests to oppose the defendants.

#### Anti-textualism – the aff’s change in antitrust doctrine will be reinterpreted by the Courts to soften their enforceability – every major piece of antitrust legislation in US history follows a pattern of preserving capital relations, even when explicitly directed to do the opposite

Crane 21 (Daniel [Frederick Paul Furth, Sr. Professor of Law, University of Michigan], 1/28/21, Antitrust Anti-textualism, 96 Notre Dame L. Rev. 3, p. 1205-1209, <https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=4952&context=ndlr>, accessed 8/24/21) JA

Scholars and judges widely agree that the U.S. antitrust statutes are open-textured, vague, indeterminate, and textually unilluminating.1 They further agree that little use can be made of the statutes’ legislative histories.2 It follows that the antitrust statutes are best understood as a legislative delegation to the courts to create an evolutionary and dynamic common law of competition.3 As the Supreme Court explained in its landmark Leegin decision on resale price maintenance, “From the beginning the Court has treated the Sherman Act as a common-law statute. . . . Just as the common law adapts to modern understanding and greater experience, so too does the Sherman Act’s prohibition on ‘restraint[s] of trade’ evolve to meet the dynamics of present economic conditions.” 4 In other words, the statutory texts disclose little of importance; the action is all in dynamic judicial interpretation. This view is so widely entrenched in the legal profession’s understanding of the antitrust laws—including, it must be admitted, this author’s—that it seems presumptuous to claim that the conventional wisdom is wrong, or at least significantly overstated. But it is. While the antitrust statutes may be lacking in some important particulars, they present a readily discernable meaning on many others. As Daniel Farber and Brett McDonnell have argued, “For the conscientious textualist, the statutory texts [of the antitrust laws] have considerably more specific meaning than the conventional wisdom would suggest.”5 And it is not simply the case that the meaning of the statutory texts could be rendered through ordinary methods of statutory interpretation but the courts have failed to see it. Rather, the courts frequently acknowledge that the statutory texts have a plain meaning, and then refuse to follow it. But it gets worse. The courts have not merely abandoned statutory textualism or other modes of faithful interpretation out of a commitment to a dynamic common-law process. Rather, they have departed from text and original meaning in one consistent direction—toward reading down the antitrust statutes in favor of big business. As detailed in this Article, this unilateral process began almost immediately upon the promulgation of the Sherman Act and continues to this day. In brief: within their first decade of antitrust jurisprudence, the courts read an atextual rule of reason into section 1 of the Sherman Act to transform an absolute prohibition on agreements restraining trade into a flexible standard often invoked to bless large business combinations; after Congress passed two reform statutes in 1914, the courts incrementally read much of the textual distinctiveness out of the statutes to lessen their anticorporate bite; the courts have read the 1936 Robinson-Patman Act almost out of existence; and the Celler-Kefauver Amendments of 1950, faithfully followed in the years immediately after their promulgation, have been watered down to textually unrecognizable levels by judicial interpretation and agency practice. It is no exaggeration to say that not one of the principal substantive antitrust statutes has been consistently interpreted by the courts in a way faithful to its text or legislative intent, and that the arc of antitrust antitexualism has bent always in favor of capital. Unlike in many debates over statutory interpretation, the issue in antitrust is not a contest between strict textualism and purposivism, including resort to legislative history.6 This Article uses “antitextualism” as a shorthand for the phenomenon of ignoring any bona fide construction of what a statute means, whether in the plain meaning of its words, linguistic or substantive interpretive canons, legislative history, or other ordinary markers of legislative meaning. Uninterested in these methods, the courts have treated the antitrust laws as a virtually unbounded delegation of common-law powers when, in important ways, the statutes quite clearly say something other than that. Inquiring into the nature and implications of antitrust antitextualism is particularly salient at the present when, for the first time in a generation, there is widespread dissatisfaction with antitrust enforcement and impetus for potential reform legislation.7 As was true at each of the prior moments of reformist sentiment, the call is for statutory reforms to curb the power of big business.8 We have seen this play before, and also its sequel. In the play, Congress announces that the antitrust laws are too weak and that reforms are necessary to protect the nation from the power of big capital. In the sequel, the courts (often abetted by the antitrust agencies and other antitrust elites) read down the statutes to accomplish less than their texts suggest or Congress meant. Will anything be different this time around, or are the legislative reforms currently on the table predestined to a similar fate? To begin informing an answer to that question, this Article undertakes to diagnose and analyze the longitudinal phenomenon of antitrust antitextualism. Part I sets the stage by contextualizing antitrust law within broader jurisprudential conceptions of statutory regimes, statutory interpretation, and legislative-judicial dynamics. More specifically, it presents the conventional understanding of the Sherman Act as a “super-statute” delegating broad common-law powers to the courts, thus removing antitrust law from usual controversies over statutory interpretation methodologies.9 It then establishes that, if the conventional wisdom is wrong and the antitrust statutes have determinate meanings that the courts are consistently ignoring in favor of big capital, the most obvious inference is that the courts have an ideological bias at odds with congressional purpose. Part I concludes by establishing a framework for assessing whether antitrust antitexualism generally represents a conservative judicial bias against the will of a more progressive Congress. Part II subjects the historical record of antitrust antitextualism to the analytical framework described in Part I. It presents the consistent pattern of judicial disregard of the antitrust statutes’ text and purpose across all five of the principal substantive antitrust statutes—the Sherman Act of 1890, the FTC and Clayton Acts of 1914, the Robinson-Patman Act of 1936, and the Celler-Kefauver Act of 1950, and shows that the pattern of judicial disregard has a unilateral direction—toward softening the blow of the antitrust laws on big business. However, Part II also shows that the progressive Congress/con servative courts hypothesis fails to capture the burden of the historical record. In particular, the judges responsible for reading down the antitrust statutes were not generally conservative by conventional measures, Congress has not shown much interest in overriding the judicial recasting of the statutes, and the courts have not undertaken to constitutionalize their holdings in order to prevent congressional overrides, even though they had many occasions to do so. Something other than ideological conflict between the legislative and judicial branches must be behind the phenomenon. Part III offers a counterhypothesis—that the antitrust laws reside in perennial tension between two fundamental impulses of the American political psyche: the romantic and idealistic attachment to smallness over bigness, and the pragmatic and often grudging realization that large-scale organization may be necessary to achieve economic efficiency. Congress expresses populist idealism through legislative pronouncements reining in big business, but then implicitly acquiesces as the courts (often in conjunction with the executive branch) read down the statutes to strike a balance between the aspirational and pragmatic impulses. For better or for worse, this is the way things have worked for 130 years. Part III concludes by considering the implications of the idealistic Congress/pragmatic courts thesis for future legislative reforms, the dynamism of the antitrust system, and jurisprudential understanding of legislative/judicial dynamics more generally.

### 1NC – Market Concentration

#### No inequality advantage. Antitrust can’t reverse it.

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Examining household consumption trends tells a similar story. Scholars have argued that consumption might be a superior measure of welfare, given a “closer link between consumption and well-being.”87 Consumption trends would also seem to be relevant when considering antitrust enforcement efforts, as they offer more information regarding economic effects than isolated income or wealth measurements. Examining household consumption over the last couple decades indicates that inequality is increasing but at a muted rate.

Accordingly, the evidence does seem to indicate inequality is increasing by some amount. Potentially more-accurate measures of income and welfare, however, suggest this trend is not as significant as populists claim. So, the first assumption in this particular populist theory appears to be valid, if often overstated. That leads us to the second—and for this discussion, the critical—assumption that antitrust enforcement is driving the apparent inequality trend.

Second, consider the empirical evidence supporting a causal link between antitrust enforcement and inequality. This proffered link remains, thus far, largely theoretical and undeveloped empirically. Populist papers advocating for increased antitrust as a salve for increasing inequality do not offer empirical support for their preferred course of treatment. But other authors have begun to explore empirically the proposed tie between antitrust enforcement and inequality. Wright et al., for instance, present time series regressions relating measures of inequality to antitrust enforcement measures.88 While the authors acknowledge the standard reasons that these analyses cannot isolate, with confidence, causation, their work provides a useful foray into the empirical basis for the notion that antitrust enforcement and inequality are causally linked. The authors examine data from DOJ investigations between 1984 and 2016, focusing first on merger investigations, given the populist emphasis on merger activity, and then broadly examine all DOJ investigations for a more general enforcement measure. Their results do not offer “much empirical evidence to substantiate the proposed correlation between antitrust enforcement activity and inequality.”89

Populist claims that increased antitrust enforcement is necessary to combat a severe trend of increasing inequality thus appear to be overstated. While inequality appears to be increasing, the rate is likely more modest than the populist movement implies. And there is, as of yet, no empirical support for the underlying proposition that increasing antitrust enforcement levels would slow, stop, or reverse this trend.

#### No LIO impact:

#### Slow erosion.

Mccoy 21 – Alfred McCoy is the J.R.W. Smail Professor of History at the University of Wisconsin-Madison, January 29th ("American Hegemony Is Ending With a Whimper, Not a Bang", *The Nation*, Available online at https://www.thenation.com/article/world/trump-biden-america/, Accessed 4-16-2021)

THE DECLINE AND FALL OF YOU-KNOW-WHICH GREAT POWER

If that were all, then we could chalk up a few significant wins for China and just wait for Biden’s foreign-policy team to try to even the score. But there’s far more happening that suggests those treaties were a clear manifestation of deeper, more troubling trends.

When empires decline and fall, they seldom collapse in the sort of sudden apocalypse portrayed in a monumental series of paintings entitled “The Course of Empire” by another denizen of the Catskill Mountains, the renowned artist Thomas Cole. His 1836 painting in that series, now appropriately enough hung at the Smithsonian Museum in Washington, shows a “savage enemy” plundering a grand imperial capital whose inhabitants, debased by years of luxurious living, can only flee in terror while women are raped and buildings burn.

Empires, however, usually experience a long, less dramatic decline before they fall in the Roman fashion, thanks to events whose logic only becomes apparent years or even decades later, as historians try to sort through the rubble. So it’s likely to be in what, until mid–last week, was (and still in many ways remains) Donald Trump’s America, where the signs of decline are as erratic as they are omnipresent.

The most telling harbinger of that decline, Trump himself, is now in exile at his Mar-a-Lago Club in Florida. Ten years ago in an essay for TomDispatch titled “Four Scenarios for the End of the American Century by 2025,” I suggested that US global hegemony would end not with Thomas Cole’s apocalyptic bang but instead with the whimper of empty populist rhetoric. “Riding a political tide of disillusionment and despair,” I wrote in December 2010, “a far-right patriot captures the presidency with thundering rhetoric, demanding respect for American authority and threatening military retaliation or economic reprisal. The world pays next to no attention as the American Century ends in silence.”

Trump’s election in 2016 made all too real what, until then, had only seemed to me a troubling possibility. With a legerdemain worthy of that 19th century showman P.T. Barnum’s bag of bunkum (like the supposed Cardiff Giant or the Fiji Island Mermaid), Trump’s TV show The Apprentice presented The Donald as a self-made billionaire of extraordinary financial savvy. Who better to rescue America from the job losses, stagnant wages, and foreign competition brought on by economic globalization? But Trump had cheated his way into an Ivy League college; many of his businesses had gone bankrupt; and his much-vaunted entrepreneurial flair came down essentially to frittering away a $400 million inheritance from his father. As journalist H.L. Mencken predicted back in 1920, America had finally come to the point where “the plain folks of the land will reach their heart’s desire at last and the White House will be adorned by a downright moron.”

Once in office, Trump soon bent the nation (but not the world) to his will, rupturing time-tested alliances, tearing up treaties, denying incontrovertible climate science, and demanding respect for American authority with a thundering, if largely empty, rhetoric that threatened military retaliation or economic reprisals globally. Despite the manifest inanity of his policies, the Republican Party capitulated, corporate tycoons applauded, and nearly half the American public cleaved to their newfound savior.

As with all sellout shows, the best was saved for last. When the Covid-19 pandemic struck with full force in March 2020, Trump turned up at the Centers for Disease Control (CDC) in Atlanta, donning a MAGA hat, to proclaim his “natural ability” when it came to medical science, while distinguished doctors stood by like studio extras in mute testimony to his otherwise risible claims. As the pandemic began climbing toward its terrible, still developing toll, Trump hijacked White House briefings by medical experts to promote a succession of crackpot claims—wearing a mask was merely “politically correct”; Covid-19 was just another flu that “becomes weaker with warmer weather”; hydroxychloroquine was a cure; and shining ultraviolet “light inside of the body” or injecting “disinfectant” were possible treatments. A surprising number of Americans started drinking bleach to protect themselves from the virus, forcing months of public health warnings.

After nearly a century in which the United States had been a world leader in promoting public health, the Trump administration, to escape blame for its own escalating failures, walked out of the World Health Organization. Lending the country the aura of a failed state, the CDC itself, once the world’s gold standard in medical research, bungled the development of a coronavirus test and so forfeited any serious, nationwide attempt to successfully track and trace the disease (the most effective means of controlling it).

While smaller nations like New Zealand, South Korea, and even impoverished Rwanda effectively curbed Covid-19, by the end of Trump’s term the United States already had experienced more than 400,000 deaths and 24 million infections—significantly above any other developed nation’s death rate and a full quarter of the world’s total cases. Meanwhile, Beijing mobilized a rigorous public health campaign that quickly contained the virus to just 4,600 deaths in a population of 1.4 billion. In only four months, China virtually eliminated the virus (despite periodic new local breakouts) and had its economy humming along with a 5 percent increase in gross domestic product, which accounted for 30 percent of global growth last year. Meanwhile, after 11 months of an incessant pandemic, the United States remained mired in a crippling recession. This striking disparity in state performance only accelerated China’s quest to surpass the United States as the world’s largest economy and, with all that financial clout, become its preeminent power.

A TRAGICOMIC ENCORE

It was, however, President Trump’s bid for an encore that would prove truly extraordinary when it came to imperial decline. During its 70 years as a global hegemon, Washington’s public promotion of democracy has been the signature program that has helped legitimate its global leadership (no matter the CIA-style interventions it launched or the colonial-style wars it continually fought).

While the Cold War often compromised that commitment in particularly striking ways, following its end Washington has spent 30 years officially promoting fair voting and democratic transitions, with leaders like former president Jimmy Carter flying off to capitals on five continents to oversee and encourage free elections. Suddenly, the world watched in slacked-jaw amazement as, on January 6 on the White House ellipse, the president denounced a fair American election as fraudulent and sent a mob of 10,000 white nationalists, QAnon conspiracists, and other Trumpsters off to storm the Capitol, where Congress was ratifying the transition to a new administration.

Adding to this failed-state aura, the country’s once-formidable national security apparatus crumpled like a Third World constabulary as right-wing militiamen breached the frail security cordon around the Capitol and stormed its halls as if they were a lynch mob hunting for congressional leaders. House majority leader Steny Hoyer’s desperate calls to a dawdling Pentagon and Maryland Governor Larry Hogan’s dangerously delayed mobilization of his state’s National Guard, caused by the US military’s compromised chain of command, only seemed to echo the sort of tropical coup scenarios I witnessed in Manila, the capital of the Philippines, during the 1980s.

When Congress was finally back in session, the Capitol still rang with Republican calls, in the name of national unity, for forgetting what the president had incited. In that way, Republican congressional representatives seemed to echo the kind of impunity that has long protected fallen military juntas in Asia or Latin America from any accounting for their countless crimes. This attempt, in other words, to perpetuate a would-be autocrat’s power through a (failed) coup was the sort of spectacle that many millions living in Asia, Africa, and Latin America have experienced in their own fragile states but never expected to see in America.

Suddenly, our supposedly exceptional nation seemed tragically ordinary. The shimmering dome of the Capitol once symbolized the vitality of this nation’s democracy, inspiring others to follow its principles or at least acquiesce to its power. This country now looks tattered and tired, caught like others before it between forgetting in the name of unity or demanding the powerful be held accountable for high crimes that will otherwise haunt the nation. Instead of aspiring to America’s ideals or entrusting their security to its power, many nations will likely find their own way forward, cutting deals with all comers, starting with China.

Despite an aura of overwhelming strength, empires, even ones as powerful as America’s, often prove surprisingly fragile and their decline regularly comes far sooner than anyone could have imagined—particularly when the cause is not Thomas Cole’s “savage enemy” but their own self-destructive instincts.

Today, in the era of a 78-year-old president, a veritable Rip Van Biden, Americans and the rest of the world are, it seems, waking up in a new age. It could well be a daunting one.

#### Unsustainable.

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\*We do not endorse the ableist language.

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

Growing multipolarity.

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

Institutional inertia.

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

Harder problems.

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

Fragmentation.

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

#### No Cyber Impact:

#### Resilient systems.

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Third, these limitations become even more salient when we consider how strategic interactions are likely to play out over time during repeated crisis interactions. Because the virtual domain is changeable in a way that the physical world is not, actions taken by defenders in the context of a crisis can radically and unpredictably alter an attacker’s ability to deliver and sustain effects against a target over time.30 Access and capabilities are neither guaranteed nor indefinite—they have a shelf life.31 Footholds into a target’s network that were time intensive to develop can unexpectedly disappear as vulnerabilities in a network are patched. Exploits may have a short shelf life as revealing information about them enables targets to identify indicators of compromise (IOCs) and use these to prevent further damage from specific malware strains or quarantine malicious traffic using known malware signatures. An example of the latter is the US Cyber Command initiative, beginning in 2018, to share information about adversary malware by uploading samples to VirusTotal.32 Therefore, a target can “transition from vulnerability (to a particular attack) to invulnerability in, literally, minutes.”33 Third-party disclosure about software vulnerabilities by governments or private actors can also unintentionally precipitate the loss of access as exposure about vulnerability information enables network defenders to take measures to remedy them.34 For instance, the disclosures that began in 2016 by the group Shadow Brokers of purportedly pilfered US National Security Agency exploits and zero days ostensibly put US government accesses at risk.35 Put simply, a vulnerability upon which an access relies may in theory be only one update or disclosure away from being patched.

Thus, in the context of an ongoing crisis interaction between an attacker and defender, the former’s operational tempo is likely to be interrupted by the latter’s behavior, forcing the attacker to devote additional time to find or acquire new vulnerabilities and exploits in the midst of an offensive operation or campaign. As Inglis notes, to succeed in an offensive cyber campaign that unfolds over time, attackers must be able to sustain “the efficacy of tools under varying conditions caused by the defender’s response and the natural variability and dynamism of cyberspace.”36 The ability to build or acquire new accesses and capabilities “in real time” during a crisis is highly limited.37 Indeed, General Paul Nakasone remarked in a January 2019 interview on the radical difference in shelf life between conventional and cyber capabilities:

Compare the air and cyberspace domains. Weapons like JDAMs [ Joint Direct Attack Munitions] are an important armament for air operations. How long are those JDAMs good for? Perhaps 5, 10, or 15 years, sometimes longer given the adversary. When we buy a capability or tool for cyberspace . . . we rarely get a prolonged use we can measure in years. Our capabilities rarely last 6 months, let alone 6 years. This is a big difference in two important domains of future conflict.38

Therefore, as a 2013 Defense Science Board report notes, “offensive cyber will always be a fragile capability” when pitted against network defenders who are “continuously improving network defensive tools and techniques.”39

Each side can take defensive measures to blunt the impact and effectiveness of the other’s access and capabilities—particularly as information about them is revealed. Consequently, strategic accesses and capabilities are likely to become more vulnerable and less reliable over time, shrinking the set of cyber escalatory response options for all parties. This cycle is likely to generate temporal breaks in the pace of adversarial engagements in cyberspace, where states must regroup and develop or rebuild accesses and capabilities during an ongoing interaction. These pauses are likely to diffuse the pressure that typically accompanies—even defines—crisis situations, creating breathing space and, by extension, room for decisionmakers to deliberate alternative courses of action, for domestic political tensions to cool down, for intent to be communicated to adversaries, and for de-escalation pathways to be determined.

#### Empirics and reversible consequences.

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Limited Costliness of Offensive Cyber Effects

Even under circumstances in which a state may possess the right cyber response capabilities at the desired time, its response may not generate sufficient costs against the target to be perceived as escalatory.41 Fundamental limits on the cost-generation potential of offensive cyber operations stem from the fact that cyber capabilities lack the physical violence of conventional and nuclear ones. Cyber weapons target data; they disrupt, manipulate, degrade, or destroy data resident on networks and systems or in transit.42 Moreover, aside from those cyber capabilities that permanently destroy data and for which there are no backups to which a target can revert, cyber effects are temporary and often reversible.

The utility of military instruments of power for the purposes of coercion or brute force inheres in their abilities to inflict—or credibly threaten to inflict—significant damage and harm against a target state (its civilian population or its military forces) to achieve a political objective.43 Cyber weapons could be (and have been) used to disrupt an adversary’s networks and systems—overwhelming them such that they temporarily lose the ability to function or the target loses confidence in their reliability—or even to produce destructive effects by destroying data resident on these systems or, in rarer circumstances, producing effects in the physical realm.44 While conducting multiple cyberattacks against a targeted state’s critical national infrastructure, for example, could in theory generate significant economic and national security consequences, the temporal aspects of offensive cyber operations as described above limit the ability of even the most capable states to sustain persistent, high-cost effects against multiple strategic targets over time. There is simply no guarantee that a state can generate significant costs against a target in the context of an unfolding crisis. This reality starkly contrasts with the relative predictability and reliability of conventional effects. Indeed, the empirical record has largely validated this claim; “the vast majority of malicious cyber activity has taken place far below the threshold of armed conflict between states, and has not risen to the level that would trigger such a conflict.”45 This is why, in Lin’s parlance, “going cyber is pre-escalatory” and countervalue cyberattacks (those that target civilian, rather than military, assets) occur “all the time now and are at the BOTTOM of the escalation ladder” [emphasis in original].46 Rather than their ability to wreak permanent, destructive effects, cyber operations are often prized for their temporary and reversible nature.47

One metric to assess the cost-generation potential of offensive cyber is in terms of loss of life. By this measure, cyber operations are unlikely to inflict significant harm. While theoretically possible that cyber operations could lead directly to a loss of life, no one has reportedly died to date as a direct result of a cyberattack despite over 30 years of recorded cyber operations.48 Even in hypothetical catastrophic scenarios, the cost in terms of human casualties is minimal. For instance, common worst-case scenarios of cyberattacks revolve around the loss of power stemming from a cyberattack on an electric grid.49 However, even in this instance, the conceivable damage from the loss of power over an extended period is far less than that which could be wreaked using basic, limited conventional capabilities. To draw a comparison, when Hurricane Sandy hit the United States’ eastern seaboard in late October 2012, over 8.5 million people were left without power—with many going weeks and even months before it was brought back online.50 Yet a US National Hurricane Center postmortem of Hurricane Sandy reported that of the 159 people in the United States killed either directly or indirectly, only “about 50 of these deaths were the result of extended power outages during cold weather, which led to deaths from hypothermia, falls in the dark by senior citizens, or carbon monoxide poisoning from improperly placed generators or cooking devices.”51 If a cyberattack took out power of a similar magnitude and duration of Hurricane Sandy, it is conceivable that an equivalent number of casualties would result. The 2015 synchronized cyberattacks against Ukrainian power companies, attributed to Russia, was the first known example of an offensive cyber operation targeting a state’s power grid. Its cost was ultimately low—service was temporarily disrupted to 225,000 customers for several hours, and energy providers operated at a limited capacity for some time after service was restored.52 There were no reported casualties from this power outage. While any casualty resulting from a cyberattack would certainly be lamentable, even worst-case scenario figures are minor in comparison to the cost in human lives stemming from other, even limited, kinetic military operations.

## Adv 2

### 1NC – Convergence Adv

#### Open Internet discourse cements neoliberalism.

Morozov 11

(Evgeny Morozov, contributing editor at the New Republic and the author of To Save Everything, Click Here: The Folly of Technological Solutionism, *The Net Delusion*, pgs. 303-305)

As the Internet makes technological fixes cheaper, the temptation to apply them even more aggressively and indiscriminately also grows. And the easier it is to implement them, the harder it is for internal critics to argue that such fixes should not be tried at all. In most organizations, low cost—and especially in times of profound technological change— is usually a strong enough reason to try something, even if it makes little strategic sense at the time. When technology promises so much and demands so little, the urge to find a quick fix is, indeed, irresistible. Policymakers are not immune to such temptations either. When it’s so easy and cheap to start a social networking site for activists in some authoritarian country, a common gut reaction is usually “It should be done.” That cramming personal details of all dissidents on one website and revealing connections among them may outweigh the benefits of providing activists with a cheaper mode of communication only becomes a concern retroactively. In most cases, if it can be done, it will be done. URLs will be bought, sites will be set up, activists will be imprisoned, and damning press releases will be issued. Likewise, given the undeniable mobilization advantages of the mobile phone, one may start singing its praises before realizing that it has also provided the secret police with a unique way to track and even predict where the protests may break out.¶ The problem with most technological fixes is that they come with costs unknown even to their fiercest advocates. Historian of science Lisa Rosner argues that “technological fixes, because they attack symptoms but don’t root out causes, have unforeseen and deleterious side effects that may be worse than the social problem they were intended to solve.” It’s hard to disagree, even more so in the case of the Internet. When digital activism is presented as the new platform for campaigning and organizing, one begins to wonder whether its side effects—further disengagement between traditional oppositional forces who practice real politics, no matter how risky and boring, and the younger generation, passionate about campaigning on Facebook and Twitter—would outweigh the benefits of cheaper and leaner communications. If the hidden costs of digital activism include the loss of coherence, morality, or even sustainability of the opposition movement, it may not be a solution worth pursuing.¶ Another problem with technological fixes is that they usually rely on extremely sophisticated solutions that cannot be easily understood by laypeople. The claims of their advocates are, thus, almost impenetrable to external scrutiny, while their ambitious promise—the elimination of some deeply entrenched social ill—makes such scrutiny, even if it is possible, hard to mount. Not surprisingly, the dangerous fascination with solving previously intractable social problems with the help of technology allows vested interests to disguise what essentially amounts to advertising for their commercial products in the language of freedom and liberation. It’s not by coincidence that those who are most vocal in proclaiming that the most burning problems of Internet freedom can be solved by breaking a number of firewalls happen to be the same people who develop and sell the technologies needed to break them. Obviously they have no incentive to point out that one needs to be fighting other, nontechnological problems or to disclose problems with their own technologies. The founders of Haystack rarely bothered to highlight the flaws in their own software—let alone dis- close that it was still in the testing stage—and the media never bothered to ask. As the Haystack fiasco so clearly illustrates, even being able to ask the right technological questions requires a good grasp of the sociopolitical context in which a given technology is supposed to be used. This points to another commonly overlooked problem: Our growing commitment to the instruments we use to implement “technological fixes” for what may be important global problems greatly restrains our ability to criticize those who own the rights to those fixes. Every new article or book about a Twitter Revolution is not a triumph of humanity; it is a triumph of Twitter’s marketing department. In fact, Silicon Valley’s marketing geniuses may have a strong interest in misleading the public about the similarity between the Cold War and today: The Voice of America and Radio Free Europe still enjoy a lot of goodwill with policymakers, and having Twitter and Facebook be seen as their digital equivalents doesn’t hurt their publicity.

#### No internet impact—they do not have a piece of evidence that says this causes extinction. We get new answers.

#### The aff persists in a Sinophobic techno-Orientalist imaginary.

Siu and Chun 20 [(Lok, is a cultural anthropologist and Associate Professor of Ethnic Studies at UC Berkeley; Claire, is a Ph.D. student at the University of California, Berkeley in the Department of Ethnic Studies) “Yellow Peril and Techno-orientalism in the Time of Covid-19: Racialized Contagion, Scientific Espionage, and Techno-Economic Warfare,” October 2020, pg. 425-427] julian

The term yellow peril emerged in the late nineteenth century in response to Japan’s arrival to the geopolitical stage as a formidable military and industrial contender to the Western powers of Europe and the United States.9 The concept was further elaborated and given a tangible racial form through Sax Rohmer’s series of novels and films that provided the early content for the social imaginary of “yellow peril” along with its personification in the character of Dr. Fu Manchu, the iconic supervillain archetype of the Asian “evil criminal genius,” and his cast of minions.10 Strikingly, Dr. Fu Manchu’s characterization as evil, criminal, and genius continues to inform the racial trope of the Asian scientist spy; and more recently, we may add to the list the bioengineer, the CFO, the international graduate student, to name just a few. Moreover, the notion of the non-differentiable “yellow” masses continues to function as a homogenizing and dehumanizing device of Asian racialization, which makes possible the transference of Sinophobia to Asian xenophobia.

In its inherent attempt to construct a racial other, “yellow peril” is more a projection of Western fear than a representation of an Asian object/subject, and in this sense, it may be better understood as a repository of racial affect that can animate a myriad of representational figures, images, and discourses, depending on context. Indeed, the images and discourses of yellow peril have surfaced multiple times throughout the twentieth century, capturing a multitude of ever-shifting perceived threats that range from the danger of military intrusion (i.e., Japanese Americans during WWII), economic competition (i.e., Chinese laborers in the late nineteenth century, Japan in the 1980s), Asian moral and cultural depravity (i.e., non-Christian heathens, Chinese prostitutes, opium smokers), to biological inferiority (i.e., effeminacy, disease carriers). As Colleen Lye observes, “the incipient ‘yellow peril’ refers to a particular combinatory kind of anticolonial [and anti-West] nationalism, in which the union of Japanese technological advance and Chinese numerical mass confronts Western civilization with a potentially unbeatable force.”11 Arguably, the yellow peril of today represents heightened Western anxieties around China’s combined forces of population size, global economic growth, and rapid technological-scientific innovation—all of which emerge from a political system that is considered ideologically oppositional to ours. The current context, we suggest, is best understood through the lens of techno-Orientalism.

When the idea of techno-Orientalism first appeared in David Morley and Kevin Robins’s analysis of why Japan occupied such a threatening position in Western imagination in the late 1980s, techno-Orientalism offered a framework to make sense of the technologically imbued racist stereotypes of Japan/the Japanese that were emerging within the context of Western fears and anxieties around Japan’s ascendancy as a technological global power. They proposed that if technological advancement has been crucial to Western civilizational progress, then Japan’s technological superiority over the West also signals a critical challenge to Western hegemony, including its cultural authority to control representations of the West and its “others.” They claimed that the shifting balance in global power—the West’s loss of technological preeminence—has induced an identity crisis in the West. In response, techno-Orientalism, in which “[idioms of technology] become structured into the discourse of Orientalism,” is produced in large part to discipline Japan and its rise to techno-economic power.12 The United States, for instance, externalized its anxiety into xenophobic projections of Japan as a “culture that is cold, impersonal, and machine-like” in which its people are “sub-human” and “unfeeling aliens.”13 Techno-Orientalism, born from the “Japan Panic,” was effectively consolidated through and around political-economic concerns that frame Japanese and, by extension, Asian techno-capitalist progress as dangerous and dystopian.

Extending Edward Said’s concept of Orientalism,14 techno-Orientalism marks a geo-historical shift where the West no longer has control over the terms that define the East—the “Orient”—as weak, inferior, and subordinate to the West. It marks a shift not only in political-economic power but also in cultural authority. Techno-Orientalism, then, is the expressive vehicle (cultural productions and visual representations) by which Western and Eastern nations articulate their fears, desires, and anxieties that are produced in their competitive struggle to gain technological hegemony through economic trade and scientific innovation.15

Analogous to Japan’s position in the late 1980s, China currently figures into the techno-Orientalist imaginary as a powerful competitor in mass production, a global financial giant, and an aggressive investor in technological, infrastructural, and scientific developments. At the same time, the increasing purchasing power of China provokes American fear of a future global market that is economically driven by Chinese consumptive desires and practices. It is this duality—the domination of both production and consumption across different sectors of the techno-capitalist global economy—that undergirds American anxieties of a sinicized future.16

Further amplifying these anxieties around Chinese techno-economic domination is our imagination of China/the Chinese as the ultimate yellow peril, whose state ideology is oppositional to that of the United States and whose unmatched population size combined with its economic expansion and technological advancements may actually pose a real challenge to U.S. global hegemony. We turn now to examine how the ideology of yellow peril is manifesting in the current context of techno-Orientalism, beginning first with an analysis of the racial trope of “Chinese as contagion” and its connection to anti-Asian aggression.

#### This falsifies their surveillance and LIO impacts.

**Nair 18**, founder and CEO of the Global Institute For Tomorrow (GIFT), an independent think tank based in Hong Kong. (Chandran, 12/21/2018, “Why Asia Should Be Worried By America’s Bullying of China,” *The Diplomat*, <https://thediplomat.com/2018/12/why-asia-should-be-worried-by-americas-bullying-of-china/> Date Accessed: 3/19/2021)

Imagine a scenario where a senior American business executive is suddenly detained overseas, at the behest of the Chinese government, which accuses him or her of violating its national security. American and Western media would undoubtedly express outrage and have a field day bashing China.

Yet when the equivalent happened last week with Canada’s detention of Huawei’s chief financial officer, Meng Wanzhou, on behalf of the United States, questions about the arrest’s legitimacy, or the presence of political motives behind it, were largely absent.

This is not to argue that Meng is completely innocent of breaking American law. But it is important to note that the right to this extraterritorial behavior is asymmetric: only the United States is allowed to wield it “legitimately.” No other country, such as Malaysia, which is trying to recover 1MDB-related money from Goldman Sachs, can dare to act in this way. If other nations tired of U.S. judicial bullying – and there are many – start to retaliate by detaining Americans and citizens of its Western allies, things could become very messy, very quickly.

But Meng’s arrest leads to a different question. Despite protests to the contrary, the United States made a choice to escalate tensions by taking this action. Why?

Some have connected Meng’s arrest to the wider trade tensions between China and the United States. Huawei had already been accused by Western politicians of being a front for the Chinese government, and it has been denied access to Western markets. Given that technology is one of the few areas where the West is still clearly dominant, people have viewed this pressure as strategic economic leverage.

But this misses a more fundamental cause for the worries about China, which now spread beyond trade and economics. Articles about China’s technology and surveillance, such as its “social credit system,” worry about a techno-dystopia, despite similar surveillance being done in Western countries (and by their own tech companies). The United States has expressed concern about the activities of university students from China, while Australian politicians have spent months debating “foreign influence” in their domestic politics: a rather poorly veiled reference to China.

A good case study is Google’s cancelled re-entry into China with a Chinese-compliant version of Google search. This was met with controversy both by Western media and Google’s own employees. This is partly the company’s own fault, due to its loud and public withdrawal from China almost 10 years ago. But similar concessions by Google in smaller countries have not sparked such controversy; only China has. Interestingly, a Chinese version of Google might actually be of value to Chinese people, as local search engines like Baidu have been plagued with scandal, hoaxes, and frauds. But the fear that Western observers have about China means that this benefit could be denied them.

One could argue that this is part and parcel of the usual geopolitical conflict between an incumbent power and a rising one, or that they are merely representations of how the economic relationship between China and the West continues to change.

But the source of suspicion is deeper and often not spoken about. For a long time, “American exceptionalism” (and “Western exceptionalism” in general) has been based on the idea that the American or Western culture, way of life, and values are superior. One could perhaps see racial supremacist undertones in these beliefs as well. After all, these were the same sentiments that permeated the colonial era and were used to explain away or justify the shameful excesses of colonialism.

It is clear that neither the United States nor Europe is mentally prepared for the prospect of another country, especially a non-Western one, being successful, let alone overtaking the West. This is particularly true for China: a country long viewed as backward but which has now succeeded while following its own political, economic, and cultural model. For the first time in two centuries a non-Western nation with a wholly different political system is challenging the West, and this is causing great anguish.

“American exceptionalism” is threatened when a country with different values does well. We first saw this in the 1980s: anti-Japan sentiment was sparked when Japanese companies started to buy American cultural symbols. This worry was reflected in American popular culture, best shown in any depiction of an American future dominated by Japanese companies. But this sentiment was nowhere near the level we can see today regarding China. Even the most liberal of Western media outlets have found it near impossible to portray China in a balanced way, finding it difficult to remove their inherent comfort with deep-rooted Western ideas and framings, and to confront their own prejudices.

The United States and the West by extension cannot accept China’s success on its own terms and this permeates almost all segments of society. This is one issue on which there is bipartisan support in the United States. The fear of China and the rest is real. They cannot just accept that China’s success says nothing about how Western countries should govern themselves. Instead, China’s model must be proven incorrect, by ignoring its successes in poverty reduction, education, and economic development and focusing on other issues.

There are hard lessons and warnings for here for developing countries, especially large ones finding their rightful place in the community of nations. People assume that the rise of other large developing nations, such as India, Indonesia, or Nigeria, will not be as disruptive as China’s, perhaps due to the belief that they would “balance” China or would not threaten to disrupt the international order. But this betrays a Western need to oppose China at all costs. Other countries need to be aware that they might be next if they begin to demand a say in world affairs. A rising India could be next.

If the roots of American-Chinese tensions come from something other than just geopolitics or economics, then the ascent of these large developing countries may not be as smooth as they hope. This would be due to the Western, U.S.-led opposition to the “rise of the others,” something the world has not seen in over two centuries. It is this that could well define and shape geopolitics in the 21st century. Denying that this sentiment exists and drives foreign policy would be to play into the hands of those who wish to preserve a Western world order at all costs.

One question many Americans asked themselves in the aftermath of the September 11 attacks was “Why do they hate us?” One wonders if people in China are asking themselves the same thing. They may not like the answer they get back.

# Block

## Cap K

#### 4. You should adopt a philosophy of praxis. Only turning stances into commitments can foment revolution.

McLaren 19 (Peter McLaren – “the one who writes that Marxist shit.” *Revolutionary Critical Pedagogy and the Macrostructural Unconscious*, Ch. 30 in K[eywords in Radical Philosophy and Education](https://brill.com/view/title/54628) (2019) pgs. 426-76. <https://brill.com/view/book/edcoll/9789004400467/BP000038.xml>, DOA: 8/31/20, kbb)

This praxis begins with an immanent critique of conventional pedagogies in order to see if their assumptions and claims are adequate to the type of praxis needed to both understand and challenge and eventually overcome capitalism’s expansionistic dynamic. So we need both a philosophy of praxis that is coherent and forms of organization—horizontal and democratic and sometimes possibly vertical—that best reflect our praxis. Now it is a praxis of being and becoming, of mental and manual labor, of thinking and doing, of reading and writing the word and the world (in the Freirean sense); in short, it is a practice of the self, a form of self-fashioning but not simply in the Foucauldian sense or in the Nietzschean “will to power” sense.

Theory and practice are contradictions in a unity where they interpenetrate, define and presuppose each other while co-evolving in the process of development ([Stetsenko, 2008](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380051)). Theory and practice do not exist separately from each other. Theory and practice are intrinsically linked in a dialectical unity ([Stetsenko, 2008](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380051)). With respect to critical pedagogy, we can thus pose the questions: What are the theories that guide the production of critical knowledge? What are the actions that need to be undertaken to help inform our theories of knowledge in the production of social transformation? How can the development of critical consciousness inform a theory of knowledge, or a theory of social transformation? How can a theory of knowledge production aid in the development of critical consciousness that leads to acts of social transformation?

As [Anna Stetsenko (2009)](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380052) notes, in the classical worldview, knowledge is defined as the inner depiction of an outer mind-independent reality and phenomena, but this has little to do with the practical actions in and on the world. The focus, then, in a critical pedagogy is to bring together knowing and doing, words and deeds. In this way, the production of critical knowledge and critical knowledge itself cannot be ever thought of as separate realms.

A revolutionary critical pedagogy, then, is both a reading practice where we read the word in the context of the world, and a practical activity where we write ourselves as subjective forces into the text of history—but this does not mean that making history is only an effect of discourse, a form of metonomy, the performative dimension of language, a rhetorical operation, a tropological system. No, reality is more than textual self-difference. Praxis is directed at engaging the word and the world dialectically as an effect of class contradictions. A critical pedagogy is a way of challenging the popular imaginary (which has no “outside” to the text) that normalizes the core cultural foundations of capitalism and the normative force of the state. In other words, the ruling capitalist ideology tells us in numerous ways that there is no alternative to capitalist social relations.

Critical pedagogy is a reading and an acting upon the social totality by turning abstract “things” into a material force for liberation, by helping abstract thought lead to praxis, to revolutionary praxis, to the bringing about of a social universe that is not based on the value form of labor and financial gain but based on human need.

Yes, ideas and reason have an important role to play in a meaningful account of life. We need to understand our place in the rational unfolding of the world, but more important, we need to play an active—and indeed, protagonistic—role in the unfolding of history. As critical educators, we can’t move history through ideas alone, we need to transcend the capitalist law of value and the social relations that constrain us. We transcend the alienation of this world by transforming the material world. Critical pedagogy is illuminated by an insight made foundational in the work of Paulo Freire: that politics and pedagogy are not an exclusive function of having the right knowledge via some kind of “ah-ha” awakening of the revolutionary soul. Critical consciousness is not the root of commitment to revolutionary struggle but rather the product of such a commitment. An individual does not have to be critically self-conscious in order to feel the obligation to help the poor and the dispossessed. In fact, it is in the very act of struggling that individuals become critically conscious and aware. Praxis begins with practice. This is the bedrock of revolutionary critical pedagogy’s politics of solidarity and commitment. While radical scholarship and theoretical ideas are important—extremely important—people do not become politically aware and then take part in radical activity. Rather, participating in contentious acts of revolutionary struggle creates new protagonistic political identities that become refined through theoretical engagement and refreshed in every moment by practices of critical reflexivity. Critically informed political identities do not motivate revolutionary action but rather develop as a logical consequence of such action. And the action summoned by revolutionary critical educators is always heterogeneous, multifaceted, protagonistic, democratic and participatory—yet always focalized—anti-capitalist struggle.

For some, making a commitment to help humanity liberate itself from its capitalist chains provokes an almost obsessive desire to understand everything that that commitment entails. For instance, a commitment to the oppressed is frequently postponed because of a fear that such a commitment might turn out to be all encompassing. This can be accompanied by an almost obsessive desire to know the full implications of serving the oppressed (i.e., how much time will it require; to what extent could it interfere with my other commitments; what kind of sacrifices will it require?). But as [Luigi Giussani (1995)](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380014) presciently remarks, “Making a commitment only after understanding it completely would mean never making a commitment” (p. 72). And it is through exercising our commitment (which is always undertaken in the realm of spirit as well as within material social relations of cooperation within our sensuous existence as producers) that critical consciousness begins to develop through action and doing, that is, through praxis.

So what do we mean by praxis? Imagine it as learning from our actions and acting from our learning. Theory and practice, knowing and doing, they are mutually constituting, and which comes first depends upon historical and situational contexts. But it is invariably an intervention. As I have written previously:

Teaching critically is always a leap across a dialectical divide that is necessary for any act of knowing to occur. Knowing is a type of dance, a movement, but a self-conscious one. Criticality is not a line stretching into eternity, but rather it is a circle. In other words, knowing can be the object of our knowing, it can be self-reflective, and it is something in which we can make an intervention. In which we must make an intervention. ([McLaren, 2008](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380037), p. 476)

This brings us then to the distinction between abstract utopian praxis and concrete utopian praxis. An abstract utopian praxis remains external to the daily struggles of the popular majorities, and is antiseptically cleaved from the toil and suffering of the poor. It is located in the imaginary world removed from the messy webs of material relationships in which we are all objectively situated through the social relations of production. A concrete utopianism (see the writings of [Ruth Levitas (1990)](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380027) on the important theories of Ernst Bloch) is grounded in the creative potential of human beings living in the messy web of capitalist social relations—in the here and now—to overcome and transform their conditions of unfreedom. The epistemology in question must have a practical effect in the world. This echoes Walter Benjamin’s argument that if we merely contemplate the world we will only arrive at a knowledge of evil (see [McNally, 2001](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380039)). Knowledge of the good is knowledge of a practice designed to change reality; it derives from action, from contemplation. We judge the truth of our actions in their effects on the lives of the oppressed.

Everyday resistance in the streets needs a larger rudder, something to give the acts of emancipation not only ballast but also direction. It is precisely the double valence, or mixture of theory and practice (praxis), that prevents our utopian dreaming from becoming overly abstract and metaphysical and prevents everyday acts of resistance from becoming free floating and directionless, detached from the larger project of global emancipation. It directs everyday resistance towards a concrete utopia, grounded in everyday struggle. The repressed part of critical pedagogy returns, but it returns from the future. And, it is this delay, this deferral of action that allows us the space for dialogue, a dialogue that can serve as the conditions of possibility for a new beginning. Revolutionary critical pedagogy is a trauma that can be acted out hysterically or with a sufficient distance. We can create a liminal classroom where all identities are leveled and we confront each other in an existential void as equals, or we can create the necessary distance for critical self-reflexivity, or we can engage in a dialectical dance involving both. Of course, there are those critics who say that we cannot have critical distance today since the society of the spectacle necessarily subsumes criticality under distraction, given the nature of the new technologies and the media, where separations are concealed by an imaginary unity ([Foster, 1996](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380012)).

A critical pedagogy is about the hard work of building community alliances, of challenging school policy, of providing teachers with alternative and oppositional teaching materials. It has little to do with awakening the “revolutionary soul” of students—this is merely a re-fetishization of the individual and the singular under the banner of the collective and serves only to bolster the untruth fostered by capitalist social relations and postpone the answer to the question: Is revolution possible today? It falls into the same kind of condition that critical pedagogy had been originally formulated to combat. It diverts us from the following challenge: Can we organize our social, cultural and economic life differently so as to transcend the exploitation that capital affords us?

Do we today possess the ability to pull others and ourselves out of the gap of contemporary madness? Can we return the character one is playing to the actor playing it? And can we help the actor distinguish himself from his spiritual essence and his ontological vocation as an agent of social justice? Can we once again live in the world of exteriority, affirming our history, values, practices and spaces of liberty, without them being rooted in narcissistic, pretentious and totalizing systems of intelligibility that would legislate uncritically for us all manner of thought and activity? We have taken the position over the years that transcendence must always remain within the immanence of human possibilities. But first you need to have some idea of where you want to go. If you don’t know where you want to go, it is pretty clear that no path will take you there ([Lebowitz, 2010](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml" \l "R380026)). What we need in critical pedagogy are strategic and tactical approaches in creating a world free from value production and a vision of the future that is gleaned from understanding how we are made by society and the educational system to be unfree, chained inside the prison house of capitalist social relations. Marx’s vision of a society was one that would permit the full development of human beings as a result of the protagonistic activity of human beings in revolutionary praxis—the simultaneous changing of circumstances and human activity or self-change. This key link in Marx was the concept of human development and practice. In other words, as Marx makes clear, there are always two products as the result of our activity, the change in circumstances and the change in people themselves. Socialist human beings produce themselves only through their own activity ([Lebowitz, 2010](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml" \l "R380026)).

Marxist humanists believe that transcendence means not only abolishing the dehumanizing conditions of human life under capitalism but also going beyond the given to create the conditions of possibility for individuals to shape their own destiny, read anew the past, de-mythify the present and generate meaning from the multiple contexts people inhabit. It is a process, one in which we have in mind the betterment of our social condition. Of course, it is impossible to create a classroom free of the totality of social relations that make up the social universe of capital such that students or teachers can take charge of the rudder of history. Pedagogical struggle will always be contingent, and provisional, and relational as well as disciplined and most certainly at times mutinous.

We struggle to negate social structures and social relations that negate us as human beings. This includes aspects of classroom life: of authoritarianism but not authority; of apathy and a heightened sense of individualism; of fear of speaking about difficult topics; of a resistance to move outside disciplinary boundaries and of questioning the interrelationship of ideas and practices. If we could depict our own unity, what would we create? But such a vision and struggle will not be absolute, a once-and-for-all moment—or even a series of moments. It is a protracted struggle waged every day in the schools, the factories, the boardrooms and the churches and community centers.

The self-transcending formation of the meanings and values that illuminate our lives isn’t restricted to the realm of ideas. It is an exigency and a demand. Our future has to be fought for through our projects, in the various realms of class struggle itself, in the productive dimension of history, within history’s process of humanization as we become more and more conscious of ourselves as social beings—that is, within all dimensions of human creativity. The ideas of critical pedagogy—as well as its practices—are never independent of the social conditions of the actions and processes that produced them. The concept of a revolutionary critical pedagogy implies some form of relation between knowledge of a domain formally constituted as “the social setting” in which learning takes place (such as classrooms) and another domain formally constituted as “the pedagogical” or where “teaching” occurs in the most general sense (and this includes venues other than classrooms). Revolutionary critical pedagogy analyzes pedagogical practices with protocols that are specific to the humanities and social sciences in general and Marxist and critical theory in particular. Depending on the level of detail at which analysis takes place, the object of critical pedagogy may take the gross form of a totality (capitalist society in general), or it may exist in nuanced forms: specific classroom practices or sites of knowledge production such as the media, community centers, conferences, church basements, coffee houses, etc., or some subset of pedagogy (i.e., definitions or generalizations about teaching and learning found in encyclopedias, education journals or handbooks of education).

But critical educators recognize that pedagogical acts of knowing and engagement can neither be given in advance nor arbitrarily constructed by an analytic choice, but are, rather, necessarily implicated in and derived from particular interpretations that are grounded in our social life, that is, in our everyday experiences. They have an experiential existence, a social existence, before they have an analytic existence. Experiences are never transparent, and they require critical languages that can interpret them and actions that can transform them. Otherwise, we are all guided by our quick-tempered opinions, our raw emotions, our unconditioned reflexes. And where is the morality in this?

Indeed, critical pedagogy seeks to challenge the core cultural foundations of capitalism that normalize the idea that there exists no alternative to capitalist social relations, no way of challenging the status quo, and no way of defeating inequality, injustice and suffering among human and non-human animals that populate this vast planet of ours. Revolutionary critical educators question capitalist concepts—such as wage labor and value production—alongside their students in order to consider alternative ways of subsisting and learning in the world so as to continually transform it along the arc of social and economic justice. They seek new democratic visions of organizing our schools and our communities through a conscious praxis that self-reflexively examines the historical context of our ideas, social relations, institutions and human relationships while opening space for the possibilities of the popular imaginary. As such, critical pedagogy calls for a movement that is anti-capitalist, anti-imperialist, anti-racist, anti-sexist, anti-heterosexist and pro-democratic. The strategy I see myself as supporting—to challenge capitalism at its roots—requires that we question normative ways of thinking about the world that corporate advertising and consumer-based culture continuously push upon us both blatantly and deviously. We must look beyond Western, Euro/US-centric ways of knowing the world that are based in capitalist wastefulness and a lack of regard for the planet, in order to consider alternative and oppositional ways of thinking about and acting towards/against the imperialism of free-market, neoliberal, global capitalism.

Rather than fall into the epistemologies of empire that designate certain knowledges as normative and non-dominant knowledges as “other,” revolutionary critical pedagogy must find creative purpose and protagonistic agency in embracing all epistemologies by acknowledging how peoples everywhere engage in a reciprocal relationship with the world from their own socio-historical contexts. It is through such a process of denying epistemologies of empire and recognizing the entirety of diverse human lifeways and thought that a new social order can be envisioned ([Monzó & McLaren, 2014](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml" \l "R380040)).

Indeed, this new social order should not be limited to Western/European responses to liberalism and capitalism alone, but rather should include the views of those who continue to suffer under the expansion of Western civilization while recognizing that their perspectives in response to colonization may not fully overlap with communist/Marxist responses to capitalism. Developing another artisanship of pedagogical practices also means interrogating Eurocentered epistemologies as well as producing decolonizing and decolonial knowledges through understanding our subjectivities as historical and biographical loci of enunciation. In other words, we need to engage in a geopolitics of knowing that will produce a geopolitics of knowledge that follows from a process of political and epistemic delinking from what is destructive about the grand Western episteme and cosmology.

Dialogic communication is born out of the experience of opposites, out of antagonisms structured in relation to the central conflict between capital and labor. There is a “withness” to knowing precisely because the experience of consciousness is always meaningful within the presence of another. Dialogical consciousness emerges out of conflict between the ego experienced as a subject versus the ego experienced as an object; between the ego experienced as worthy of respect and praise and the ego experienced as bad, degenerate and less than human; between the ego experienced as an active agent of history and experienced as a passive victim of oppression, betrayal, domination or exploitation. We strive to become active beings who can affect the world around us, but capital has, instead, embalmed us (through processes such as alienation and reification) so that we experience ourselves as constantly empty, as never being able to heal the jagged tear inside of our hemorrhaging self, never being able to stem the loss of our own agency as citizens from capitalism’s saber slash across the cheekbone of history. We are placeless subjects having not been satiated by the determinations of bourgeois life. Critical pedagogy makes this conflict an object of knowledge, a dialogical mode of understanding.

It is the power of critical reflection that separates the knowing subject from the object of knowledge so that the anguish and misery of everyday life can be examined; but critical pedagogy also enables the knowing subject to experience being the object of knowledge, as the “other” then becomes the knowing subject. That critical pedagogy enables the knowing subject and the known subject to co-exist within the hydra-headed Medusan horror of capitalist exploitation. Critical pedagogy therefore functions as Athena’s mirror shield that enabled Perseus to view Medusa through a reflection rather than directly; it protects the knowing subject through acto in distans from being consumed by the alienation of capitalism and the coloniality of being through a dialogical approach to reading the word and the world. Our identity is over time given continuity and coherence when we engage others not simply linguistically, as a set of linguistic relations, but as body-selves. The process of individuation—Auseinandersetzung—has as its most characteristic feature the encounter of oppositions (which in the capitalist world are really often distinctions within structural hierarchies that are metaphysically classified by the mind as oppositions) often experienced as antagonisms. This engagement—this dyadic relationship between self and other—gives form and substance to our sense of self. We don’t just “language forth” our social universe, we “body forth” our social universe. Human consciousness is not the mere “reflection” of material processes and relations—as this would be a pre-dialectical stance—rather, consciousness and language are modes of our embodied being with others. Physical objects have culturo -technological meaning because they are embedded, as [McNally (2001)](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380039) notes, in networks of human meanings. Commodities have meaning according to the social relations and contexts that situate the individuals who interact with them. Every context is intercontextual, referring to other contexts of meaning. They interact, creating what is called a linguistic sphere. The body is integral to history and language. Consciousness, language and culture are all vital aspects of our bodies.

We are “seeing bodies”—bodies that are the experiential sites of spatiality and temporality rather than the transcendental category of mind ([McNally, 2001](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380039), p. 124). Rather than teachers viewing students as disembodied minds, apart from teachers and other students and the outside world, we can only overcome the fragmentary character of our experience of our fermenting subjectivity and the world through our interactions with others. We need to instate the corporeal individual into our educational theorizing in and though the dyadic relationship between teacher and student, between the word and the world.

When we contemplate the current state of humanity, we are confronted with a myriad of choices. We can imagine the putrid stench of flesh decaying from regret; ambition lying fallow from an over-tilled darkness; voices rasping, hollowed out by unwelcomed perseverance; hope rattling like a dust-choked dream coughing in your brainpan. We can let death jeer at us, its chilling rictus pulled tight over our fears like a Canadian winter cap, or we can use the past, not as the deathbed of our last remorseful slumber, but transformed into a bow forged from our weary heartstrings, sending us spinning, a delirious flame shot into the temple of fate. Let us always be fearless teachers, even unto our last breath, and hope that such fearlessness will lead to wisdom. And such wisdom will lead to a transformation of this world to another world where love and justice prevail.

So far as I am aware, there exists no Critical Pedagogy for Idiots (although probably there is a proposal somewhere sitting on some publisher’s desk) and there is no easy way to grasp the capitalist present. We need to explore how we can construct systems of intelligibility from the conceptual intellect, where explanatory systems of classification and critical architectonics and interpretation cannot be separated from the underlying phenomenological descriptions of lived experiences of men, women, children and where, through logical inferences or critical theories we can tease out capital’s internal relations in some semblance of dialectical reasoning. To move from description to interpretation is not an easy task. We must not simply ally ourselves with compatible ideological interpretations but must be willing to challenge all our fraudulent assumptions. This includes a de-dogmatization about the merits of capitalism and the de-reification and de-colonization of the capitalist present. We need to be able to decondition beliefs and assumptions of our working epistemology, to de-reify and de-automatize everyday reality, smashing conditioned attributes that clutter our daily unthinking commonplace observations. Critical pedagogy does more than provide a Felliniesque tracking shot exposing the flamboyant earthiness of everyday life; it is a praxis that develops the kind of mindful protagonistic agency necessary to sift the through and transform those social relations of production in which the struggle for necessity are situated historically and materially.

In our current industrialist and post-industrialist world, we reside unhappily in a monophasic culture where alternative states of consciousness are avoided in favor of perceptual and cognitive processes oriented outward, in accordance with materialistic expectations related to the external world, thereby reducing its adaptational viability ([Laughlin, 2011](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380025)). We need to draw our attention to and learn from polyphasic indigenous cultures that value the dream-life, that are mindful of other domains of reality where dreams, myths and rituals make sense outside of the limitations of Western epistemology. We shouldn’t be discouraged from accessing mythopoetic dreaming in the inner theater of the mind, mastering the skills of shamanic dreaming and the techniques that drive lucidity and intentionality ([Laughlin, 2011](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380025)). Of course we are Marxist materialists, but we need to understand that dreams are fundamental to our waking life and all new worlds first appear in our dreams. Otherwise we make decisions about how to create a world outside of capitalist value production in situations where our hearts are encysted, and we remain sealed off from a deep dialogue with important dimensions of the Self. We need revolutionary dreaming if we are to smash through the firewall between piecemeal reform and liberation and this will require more than a change in the social relations of production but also endogenous spiritual development. While I am not hereby weakening my demand for a Marxist material analysis and sociopolitical project, neither am I intending a generalized fantasy of ‘plastic shamanism’ instead of a carefully situated and respectful set of political/pedagogical relations between first nations peoples and the wider settler culture. My comments here are self-consciously limited and meant only as suggestive and dignifying of the need for seriously engaging the decolonization of metaphysics at the level of the sociohistorical body of the proletariat. It remains a part of a wider dialectic that takes into account many different and variegated forms of struggle – not only around class, but also around race and ethnicity, gender and sexuality, spirituality, political organization and youth. It also supports a dialectical unity and coherence around different revolutionary movements dedicated to overcome the capitalist order.

When occasionally the storm of everyday life breaks, and the chaos ebbs, and we enjoy a brief respite from the ever-increasing anxiety embedded in the macrostructures of daily life, do not expect the poor and the suffering to float away in their dreams in the drifting stillness of the night, on some wave of elation, anointed by some ineffable and inscrutable daimon; for the horror of everyday life knows no space of quiet beyond perhaps a few Zen moments of reprieve, Americanized into dorm room koans. For the torture will soon begin again—unemployment, insecurity, lack of medical insurance, no place to run except smack into oblivion. Unless of course we transform the system through a social revolution that will shake the world. As Marxist humanists note, moral calls for peace in a world rife with wars resulting from inter-capitalist competition is utopian; the opposite of war is not peace but social revolution. A social revolution that must be cobbled from, among other things, blood, sweat, tears, a rejection of the present capitalist order, a positive humanist vision, a dialectical philosophy and the cultivation of hope out of our engagement in acts of insurrection in the streets and on the picket lines.

The decisive marks of our humanity today appear in our lack of compassion and imagination and our unwillingness to confront what appears to be the insoluble parallelism of capitalism and freedom. Many Americans cannot recognize this parallelism as, in reality, an antimony, since for them capitalism is at one with a larger all-encompassing value that preserves freedom: democracy. Yet Marx ([1973](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380030), [1983](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380032), [1984a](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380033), [1984b](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380034)) has shown us that capitalism and human freedom are not simply mirror aspects of each other, aspects perceived within different political registers but they actually work against each other. In the pedagogical struggle for a direct or participatory democracy that overcomes the telos of value-augmentation, we turn to the field of education, and a Freirean-inspired critical pedagogy. Here, we incorporate what Mary Watkins refers to as “imaginal dialogues,” which is a means “of creating worlds, of developing imaginative sympathy through which we go beyond the limits of our own corporeality and range of life experiences by embodying in imagination the perspectives of others, actual and imaginal” ([1986](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380036), p. 84). Relating to imaginal others could mean embodying points of view created by artists, musicians, artists, writers, and by our personal fantasies. But these need to be imaginal dialogues that further our goals of creating alternatives to relations of capitalist exploitation. After Watkins, we stress this as a developmental process, that is, we are concerned “with the development of the imaginal other from an extension of the ego, a passive recipient of the imaginer’s intention, to an autonomous and animate agency in its own right” ([1986](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380036), p. 86). Here we do not presume that there is only one generalized imaginal other; rather, we are “more concerned with the deepening of characterization of many imaginal others” ([1986](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380036), p. 86). Here we “will not dwell on how the imaginal other is really ourself, but pursue further how the imaginal other is gradually released from our egocentrism to an autonomy from which he or she creates us as much as we create him or her” ([1986](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380036), p. 86). We work, of course, with a prior ontological commitment to standing in solidarity with and alongside the oppressed. In our pedagogical work in this area we can benefit greatly from the work on “playbuilding” by Joe Norris, as well as work by Richard Courtney, Theresa Dudeck, Keith Johnstone and Augusto Boal. My own work ([McLaren, 1986](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380036)) on the liminal servant is perhaps of use here.

Within US capitalist society, academics continue to hide behind a politics of neutrality. I believe that it is not only possible but imperative that academics and researchers make a “commitment” as public intellectuals to a specific action or consider as an “obligation” their actions regarding the relationship between a specific premise and their concluding interpretations and explanations. That, of course, depends upon whether or not they agree to consider both creatively and dialectically the idea that our interpretation of the world is inseparable from our transformation of the world—both are linked socially and ethically. As such, a dialectical and critical self-consciousness of the relationship between being and doing (or being and becoming) becomes a part of the very reality one is attempting to understand and requires an ethical rather than an epistemological move, which is why ethics always precedes epistemology in the field of critical pedagogy. Only an ethics of compassion, a commitment to ending the horror of neoliberal capitalism through the creating of a social universe outside of value production, and respect for diversity can guide us out of the neoliberal capitalist impasse that we face. Such critical self-consciousness steeled by a commitment to the oppressed becomes revolutionary if, for instance, your analysis is placed within the class perspective of the oppressed, that is, within the class perspective of the proletariat, cognitariat, precariat, etc. Logic and reason must be anchored by values and virtues that are grounded in an obligation to help the most powerless and those who suffer most under the heel of capitalism.

The vision for socialism that I support as a part of revolutionary critical pedagogy is grounded in the notion that a philosophy of praxis is not simply a stance one takes toward the world, but a commitment to changing the world through the “onto-creative” process of becoming fully human. It is grounded in the notion that we discover reality in the process of discovering our humanity within the continuity and fullness of history. While capitalism abstracts from our subjectivity and turns us into objects and instruments of exploitation, our personhood can never be reduced to this set of abstract social relations since we are both the subject and object of history and play a part in pushing back against the economic system that produces us. While we reflect the ensemble of social relations that inform our humanness we also have the ability of transforming those social relations by assigning meaning to them. Those meanings, of course, vary in time and place and are part of the flesh of our dreams as much as the sinews and sweat of our material life.

To echo a famous Glen Campbell song (written by John Hartford and released in 1967), “it’s knowing I’m not shackled by forgotten words and bonds, and the ink stains that are dried upon some line” that sustains hope, a hope that wends through our hearts. And “through cupped hands ‘round the tin can” we can still find memories worth remembering, remembrances that remain gentle on our mind. We must know the world as something that is worth saving. And we must create a viable plan for transforming the world that achieves hegemonic ascendancy among the working-classes so that it becomes less likely that the revolution ahead will not turn into its opposite. And by viable plan, I don’t mean some blueprint for creating a steampunk universe where we sport oversized goggles, Gothic molded pauldrons and iron and leader spaulders and sail the skies in whale-shaped airships to some promised brass-fitted and steam propulsion dreamland. I mean rethinking socialism and democracy from the bottom up and bringing together dialectical philosophy with political activism through the development of a philosophy of praxis.

The falcon is “turning in the widening gyre,” beware! Do you not hear Yeats’s anguished cry as “things fall apart,” as the center collapses like a sunken lung? Beware the Spiritus Mundi, blackened with pitch and winter catarrh, carrying portents from lost scrolls hidden in the damp abode of billionaires’ yachts. A new messiah is being spawned from the curdling afterbirth of history’s raw defeat, its spine bent forward like a twisted compass, pointing to Silicon Valley. This “rough beast,” this “rising Sphinx” with a smile of infinite bandwidth and burning fiber optic eyes encoded with apocalypse wades slowly through deep deposits of NSA data, gleefully sinking in the muck of its own creation. It is up to us to fight this beast and to fight it with every means that we have. I think it was the poet June Jordan who said, “we’re the ones we’ve been waiting for,” a line made famous in a song by Sweet Honey in the Rock. Well, what can I say except, “we’re the ones we’ve been waiting for!” The time for the struggle is now. And it is a struggle that will tax both our minds and bodies. It will be fought in the seminar rooms, in the picket lines, and on the streets. Let’s get ready for a revitalized revolutionary critical pedagogy.

As I emphasized earlier, critical pedagogy is a reading of and an acting upon the social totality by turning abstract “things” into a material force for liberation, by helping abstract thought and action lead to praxis, to revolutionary praxis, to the bringing about of a social universe that is not based on the value form of labor and financial gain but based on human need. I wish to emphasize again that critical consciousness is not the root of commitment to revolutionary struggle but rather the product of such a commitment. An individual does not have to be critically self-conscious and well-versed in the theories of the Frankfurt School or the writings of liberation theologians in order to feel the obligation to help the poor and the dispossessed. In fact, it is in the very act of struggling alongside the oppressed that individuals become critically conscious and aware and motivated to help others.

A revolutionary critical pedagogy operates from an understanding that the basis of education is political and that spaces need to be created where students can imagine a different world outside of the capitalist law of value, where alternatives to capitalism and capitalist institutions can be discussed and debated, and where dialogue can occur about why so many revolutions in past history turned into their opposite ([McLaren & Rikowski, 2000](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380038)). It looks to create a world where social labor is no longer an indirect part of the total social labor but a direct part it, where a new mode of distribution can prevail not based on socially necessary labor time but on actual labor time, where alienated human relations are subsumed by transparent ones, where freely associated individuals can work towards a permanent revolution, where the division between mental and manual labor can be abolished, where patriarchal relations and other privileging hierarchies of oppression and exploitation can be ended, where we can truly exercise the principle ‘from each according to his or her ability and to each according to his or her need,’ where we can traverse the terrain of universal rights unburdened by necessity, moving sensuously and fluidly within that ontological space where subjectivity is exercised as a form of capacity-building and creative self-activity within the social totality (see [Hudis, 2005](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380017), [2012](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380018), [2014](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380019)).

Here I am referring to a social space where labor is no longer exploited and becomes a striving that will benefit all human beings, where labor refuses to be instrumentalized and commodified and ceases to be a compulsory activity, and where the full development of human capacity is encouraged. It also builds upon forms of self-organization that are part of the history of liberation struggles worldwide, such as those that developed during the civil rights, feminist and worker movements and those organizations of today such as Anonymous, Idle No More, Movimiento 15-M/Indignados and the Zapatistas and those that emphasize participatory and direct democracy.

There is room for all at the table of restoration, a creative site of possibility, where we can contemplate our existence in the present and the not yet, where we can set freedom in motion but not fully realize it, where we can move towards redemption but not quite achieve resolution, where art can bring forth subconscious truth, where we can reconcile ourselves with others and where we can embrace our brother and sister trade unionists, civil libertarians, anarchists, small peasant proprietors, revolutionary intellectuals, precariats, metadidacts, students of Rhizomatics, agricultural workers, students, anti-war activists, Marxists, Black and Latino activists, teachers, eco-socialists, fast-food workers, factory workers and animal rights activists and all the while try to love our enemies. We seek to replace instrumental reason with critical rationality, fostering popular dissent and creating workers’ and communal councils and community decision-making structures.

We continue to struggle in our educational projects to eliminate rent-seeking and for-profit financial industries; we seek to distribute incomes without reference to individual productivity, but rather according to need; and we seek to substantially reduce hours of labor and make possible, through socialist general education, a well-rounded and scientific and intercultural development of the young ([Reitz, 2013](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380044)). This involves a larger epistemological fight against neoliberal and imperial common sense, and a grounding of our critical pedagogy in a concrete universal that can welcome diverse and particular social formations ([San Juan, 2009](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380050)) joined in class struggle. It is a struggle that has come down to us not from the distant past, but from thoughts that have ricocheted back to us from the future.

Heeding the warning of the greatest of all critical educators, comrade Jesus, the time has come to announce the Kingdom of God (which is here and now and not found in some metaphysical pie in the sky when you die or some harrowing metapunk cry to stomp out the capitalist system), to remain steadfast in our ethical obligation to struggle against differentiated wealth (inequality), and to be mindful of the role of the mother of Jesus, whom Mexico praises as La Virgin de Guadalupe, who is both female, indigenous or mixed race, and the mother of all the oppressed peoples of the world. Remember that race, class and gender are recounted in the Pauline epistles, specifically Galatians 3:28: “There is neither Jew nor Greek, slave nor free, male nor female, for you are all one in Christ Jesus.”

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

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

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

#### 2. Peer review consensus of 835 studies say success cherry picks data---no political will for innovation.

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

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

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

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

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

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

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

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

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

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

This fiction is nonetheless fundamental to the very math used by international climate institutions. In 2018, the Intergovernmental Panel on Climate Change’s benchmark Special Report on Global Warming of 1.5oC—which announced in no uncertain terms that global emissions must be decreased by nearly half by 2030 and reach net zero by 2050 to avoid cataclysm at an almost unthinkable scale—set out a number of possible scenarios for policymakers to consider. It relied on algorithmic models linking greenhouse gas emissions and their climate impacts to various socioeconomic “pathways.” Whatever other variables they accounted for, though, all of the scenarios envisioned by the IPCC assumed the continuation of economic growth comparable to the past half-century’s. Even as they acknowledged levels of atmospheric carbon unseen in the last three million years, they were unable to conceive of an economy that does not perpetually expand. Fredric Jameson’s oft-cited dictum that it is easier to imagine the end of the world than the end of capitalism was baked into the actual modeling.

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

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

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

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

#### 3. Psychologically primed against it.

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Mainstream policy proposals for a ‘Green New Deal’ have been premised on the basis that a ‘decoupling’ of material resource use, and associated pollution, from continued economic growth, is possible.54,55 This premise has in turn come under sustained attack in recent years, as efforts to articulate a ‘fair low-carbon transition’ have gathered pace.56- 58

Increasingly, the very notion of ‘growth’ itself has become problematised as being at the root of the crises we face. As John Barry puts it:

“The green critique of orthodox economics must become a clearer critique of capitalism itself…Any planned economic contraction (in the developed world) as a response to climate change…must therefore be viewed for what this is and means: a transition away from capitalism since a non-growth/ degrowth capitalism is impossible as well as undesirable. Carbon-fuelled capitalism is destroying the planet’s life support systems and is systematically liquidating them and calling it ‘economic growth’…A post-growth critique must necessarily lead to a post-capitalist alternative and related political and ideological struggle.”59

In the context of discursive and political struggles over endless and thus exponential economic growth, McMurty’s framing of ‘the cancer stage of capitalism’ has both explanatory and discursive power. McMurty insists that his framing is not a provocative metaphor or a rhetorical flourish. Rather, he argues that the ‘seven defining properties of a cancer invasion’ at the cellular level in an individual human being can also ‘be recognised at the level of global life-organisation [and that] this is the pathological core of our current disease condition [as a species].’9,60,61 The central proposition is that the exponential and metastisizing growth of capitalism, which takes place on the basis of relentless exploitation of human populations and ecosystems, mirrors in all essential respects the behaviour of cancer cells within an individual human body.61 An essential point for McMurtry is the inability of the host’s immune system to recognise the disease and respond effectively to it. This becomes the core of his argument that the ‘social immune system of the civil commons’ is perhaps the only mechanism available to humanity to save ourselves – and indeed the living planet – from the metastasizing political economy of contemporary capitalism.61

Capitalism as a form of social cancer afflicting humanity, yet which at the same time is internalised and naturalised as ‘normal’ even as its predations move us closer to ecosystem and thus social collapse, captures much that it is important about the contemporary situation. What is fails to identify is the ‘space-time compression’ of late capitalism described by David Harvey and Frederick Jameson, and the cultural and ideological consequences of the accelerated and distorted temporalities which thus characterise contemporary life.62,63 In the following passage, Joel Kovel succinctly explains the interplay between the dynamics of acceleration and commodification, and the cultural effects this produces:

“The culture of advanced capital aims to turn society into addicts of commodity consumption, a condition ‘good for business’ and correspondingly bad for ecosystems. The evil is twofold, with reckless consumption leading to pollution and waste, while the addiction to commodities builds a society unable to comprehend, much less resist, the ecological crisis. Once time is bound in capitalist production, the subtle attunement to natural rhythms necessary for an ecocentric sensibility becomes thwarted. This allows the suicidal insanity of ever-expanding accumulation to appear as natural. People with mentalities warped by the casino complex are simply not going to think in terms of limits and balances, or of the mutual recognition of all beings. This helps account for the chorus of hosannas from presumably intelligent authorities at the nightmarish prospect of a doubling of economic product in the next twenty years.”29

#### 4. Too slow and small.

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What about ‘green growth’? Most mainstream economists and politicians accept the science on the dire state of the planet, but not many people think capitalism is the problem. Instead, the dominant response to the ecological crisis is to call for ‘green growth’. This theory involves producing ever more goods and services, but with fewer resources and impacts. So a business might design its products to have less environmental impact, or a product at the end of its life could be reused – sometimes called a ‘circular economy’. If our entire economy produced and consumed goods and services like this, we mightn’t need to abandon the growth economics inherent to capitalism. Instead, we would just “decouple” economic growth from environmental impact. Too good to be true There are several big problems with green growth theory. First, it isn’t happening at the global scale – and where it is happening to a limited extent within nations, the change is not fast or deep enough to head off dangerous climate change. Second, the extent of “decoupling” required is simply too great. Ecological footprint accounting shows we need 1.75 planets to support existing economic activity into the future – yet every nation seeks more growth and ever-rising material living standards.

#### The innovation warrant:

#### 1. Red innovation solves---mutual funds, dividends, public projects, larger and more creative workforce.

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In this market socialist society, most shares are pooled into highly regulated mutual funds, which then pursue different investment strategies when trading them on a highly regulated stock exchange. This exchange helps monitor the performance of the firm managers and assess which innovations are performing strongly. To avoid the concentration of market power and capital, the government sets the bar for how much stock any stakeholder can hold in any firm and industry. It also sets the minimum and maximum amount of dividends that each person can receive annually. As the economy grows, dividends can be adjusted to increase by a percentage, or commensurate with inflation. Surplus resulting from distributing only part of the profits allows the more profitable firms to subsidize innovative, but less profitable, activities. In addition, this regime does not tolerate anti-competitive contracts like restrictive employment agreements, strict license agreements, and long patents (although inventions may be attributable to their inventors and may be rewarded through other means like prizes, bonus compensation, or simply very short patents periods).

The model could incorporate elements of democratically-planned, participatory socialism, which emphasizes democracy and individual autonomy in the workplace. Economist David Kotz believes that particular features of this model could foster innovation performance:

First, the main features of the overall economic plan would be determined by a democratic process … Second, the planning and coordination of the economy would take place … by industry boards and local and regional negotiated coordination bodies that have representation of all affected constituencies, including workers, consumers, suppliers, the local community, and even “cause” groups such as environmentalists, job safety activists, feminists, etc.

Among other topics, these representative boards could vote on compensation minimums and maximums, to prevent innovation from supporting socioeconomic inequality and unfair social divisions of labor. This injection of democracy would give ordinary people a larger say in the direction of the markets, and what areas they think would benefit from more investment in innovation.

The second ingredient of innovation, capital, is guaranteed in the market socialist economy. Freed of its neoliberal handcuffs, the government can designate funding towards various innovative projects at a greater rate than it does now. Banks jointly owned by the government and other non-private stakeholders would provide entrepreneurs with access to capital for projects through loans with terms more generous than private lenders offer now. The firms owned by government, worker co-operatives, ordinary people, and other publicly-owned firms can also raise capital from each other as wealth is distributed more equally. In such a world, more individuals can pool their resources to invest in particular innovative projects rather than a recurring cast of millionaires.

Market socialism would easily deliver the third ingredient of innovation: human capital. Such an economy has no need for a reserve army of labor. While profit is encouraged, its primary function is increasing the pool of resources and cash distributable to workers and non-workers. It does not come at the price of providing generous wages, as dividends to shareholders are capped no matter how well the firm performs. In fact, this society could make a democratic decision to compensate people in positions on the lower band of wages with more in unearned income, out of the same pool of profits.

When applied earnestly, the principles of socialism are also incompatible with mass incarceration, discrimination, uncompensated caregiving, highly restrictive immigration policies, and other social practices that exclude large numbers of workers from participating in our capitalist economy. Add a fairer distribution of public resources among individuals and communities, along with more free or heavily subsidized goods like education, and a market socialist economy could really see an increase in the availability and skills in the pool of workers. Freeing more people to join the innovative process would naturally foster more innovation.

Lastly, innovation can only thrive if the innovation process affords individuals chances to be creative and the right conditions to motivate them. Studies on what fosters creativity show that workers who rate highly on creativity indexes perform best when they are given challenging work, a good measure of autonomy, and supportive and caring supervisors who can provide substantive and constructive feedback. The same study, however, shows that workers who are by nature less creative tend to be happier in less complex positions. Neither worker is, or should be, superior to the other. On the contrary, the innovation process has plenty of room for all types of workers with varying degrees of innate creativity. The core principles of socialism, however, do suggest that this economic system is better suited for supporting creative workers than capitalism.

#### Commons develop break-through innovation. Focus on competition causes them to be commercialized for profit.

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Modern industrial culture has placed such a premium on “innovation” — fueled in large part by an endless quest for competitive advantage — that innovation is often seen as an absolute good in itself. In such a world, its general goal is to help businesses prevail against competitors in the marketplace, improve return on investment, and entice consumers to buy an endless stream of “new and improved” products. By contrast, the commons as a system of provisioning is often considered backward, premodern, or tribal — ways of producing things that are seen as static, stodgy, and not innovative. This is a gross caricature if not untruth because many commoners are extremely capable of adapting to changing needs, including the need to reduce one’s ecological footprint. In a commons, there is no imperative to constantly expand production and profit, and so creativity can be focused on what really matters — ameliorating quality, durability, resilience, and holistic stability. Innovation need not be linked to boosting market sales and ignoring planetary health. Countless commons exhibit the pattern of Creatively Adapt & Renew as part of their everyday activity. As Eric von Hippel shows in his book Democratizing Innovation, all sorts of practitioner-communities — bicyclists, hang-gliders, skiers, extreme sports buffs — have developed breakthrough ideas that were later commercialized by conventional businesses.26 Indigenous peoples, too — long considered fixed and traditional in their ways — have shown immense creativity over the centuries in co-creating robust ecosystems through seed-breeding and animal domestication. The fertile soil in the Amazon region known as terra preta do indio — “dark earth of the Indians” — writes political economist James Boyce, “is not a random anomaly, but rather a deliberate creation of Indigenous farmers who long ago practiced ‘slash-and-char’ agroforestry in the region. A noteworthy feature of terra preta is its remarkable capacity for self-regeneration, which scientists attribute to soil microorganisms.”27 Such practices can also be seen in the creation of gravity-fed acequia irrigation in the upper Rio Grande valley, which transformed the semi-arid region into a rich landscape of wetlands, cultivated fields, and riparian corridors that allowed many animal species to flourish. The ETC Group, an organization that studies technological innovation, has called such creativity “Indigenous innovation” and “cooperative innovation”28 because Indigenous peoples have made countless ethnobotanical and ecological discoveries that transnational corporations have later sought to appropriate for free and privatize (“biopiracy”). Commoners survive through creative adaptation and renewal. It is in their blood. They habitually have to make do with what is available and improvise. Among peasants and poor people in India, there is a word for such innovation — jugaad — the Indian practice of slapdash innovation from whatever is at hand.29 Creative adaptation, in truth, is a part of the human condition. Struggle and need induce creativity as a matter of survival.

#### 2. Profit stifles innovation

#### A) Propriety rights, no incentive for R&D

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But prioritizing profit is a double-edged sword that can hamper innovation. Owning the proprietary rights allows private firms to block workers—through anti-competitive tools like non-compete agreements, patents, and licenses—who put labor into the innovation process from applying the extensive technical expertise and intimate understanding of the product to improve the innovation substantially. This becomes especially relevant once the workers leave the firm division in which they worked, or leave the firm altogether. Understandably, this lack of control and ownership will cause some workers, however passionate they may be about a project, to be less willing to maximize their contribution to the innovation.

Of course, the so-called nimbleness that allows firms to make drastic changes like mass layoffs is extremely harmful to the workers. This is no fluke. The capitalist economy thrives on a reserve army of labor. Inching closer to full employment makes workers scarcer, which empowers the labor force as a whole to bargain for higher wages and better work conditions. These threaten the firm’s bottom line. So, the capitalist economy is structured to maintain the balance of power towards the owners of capital. Positions that pay well (and less than well) come with the precariousness of at-will employment and disappearing union power. A constant pool of unemployed labor is maintained through layoffs and other tactics like higher interest rates, which the government will compel to help slow growth and thereby hiring. This system harms the potential for innovation, too.

The fear of losing work can dissuade workers from taking risks, experimenting, or speaking up as they identify items that could improve a taken approach—all actions that foster innovation. Meanwhile, thousands of individuals who could be contributing to the innovative process are instead involuntarily un-employed. This model also encourages monopolization, as concentrating market power gives private firms the most control over how much profit they can extract. But squashing competition that could contribute fresh ideas hurts every phase of the innovation process, while giving workers in fewer workplaces space to innovate.

Deferring to profit causes many areas of R&D to go unexplored. Private firms have less reason to invest in innovations likely to be made universally available for free if managers or investors do not see much upside for the firm’s bottom line. In theory, the slack in private research can be picked up by the public sector. In reality, however, decades of austerity measures  threaten the public’s ability to underwrite risky and inefficient research. Both the Democratic and Republican parties increasingly adhere to a neoliberal ideology that vilifies “big government,” promotes running government like a business, pretends that government budgets should mirror household budgets or the private firm’s balance sheet, and rams privatization under the guises of so-called public-private partnerships and private subcontractors.

In the United States, public investment in R&D has been trending downward. As documented in a 2014 report from the Information Technology & Innovation Foundation, “[f]rom 2010 to 2013, federal R&D spending fell from $158.8 to $133.2 billion … Between 2003 and 2008, state funding for university research, as a share of GDP, dropped on average by 2 percent. States such as Arizona and Utah saw decreases of 49 percent and 24 percent respectively.” Even if public investment in the least profitable aspect of research suddenly surged, in our current model, the private sector continues to be the primary driver of development, production, and distribution. Where there remains little potential for profit, private firms will be reluctant to advance to the next phases of the innovation process. Public-private projects raise similar concerns. Coordinated efforts can increase private investment by spreading some costs and risk to the public. But to attract private partners in the first place, the public sector has a greater incentive to prioritize R&D projects with more financial upsides.

This is how the quest for profits and tight grip over proprietary rights, both important features of the capitalist model, discourage risk. Innovations are bound for plateauing after a few years, as firms increasingly favor minor aesthetic tweaks and updates over bold ideas while preventing other avenues of innovation from blossoming. At the same time, massive amounts of capital continue to float into the hands of a few. The price of innovating under capitalism is then both decreased innovation and decreased equality. The idea that this approach to innovation must be our best and only option is a delusion.

#### 1. Ag collapse---short term.

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The Triassic-Permian ‘great dying’ was a megaphase change taking place through pulses lasting for tens of thousands of years, separated by interludes of hundreds of thousands of years, if not millions. The current mass extinction event is a megaphase change taking place in microphase time. Mass extinction is punctuated by the production of what the environmentalist Jonathan Lymbery calls ‘dead zones’: the conversion of wild ecosystems into dead monocultures. In Sumatra, these dead zones are made by burning rainforest and, amid the stench of death, planting palm crop. The palm oil is used in foods and household items, while the nut is used in animal feed. It is secured with barbed wire, and treated with poison, to prevent the crop from being eaten. Surviving animal life, and surrounding human communities, are pushed to the edges, to the brink of extinction. Agricultural workers are abused, underpaid, even enslaved. This is an example of what Moore would call ‘cheap food’, where the ‘value composition’ of the goods, the amount of waged labour necessary to produce each item is ‘below the systemwide average for all commodities’. In this case, a ‘cheap nature’ is produced by a distinctly capitalist form of territorialisation, wherein forestry is converted through deforestation into palm monoculture, while ‘cheap labour’ is secured partly through the dispossession of neighbouring human communities. More calories with less socially-necessary labour-time is cheap food. Cheap is not, of course, the same thing as efficient. Food production is, alongside fuel, a fulcrum of the capitalist organisation of work-energetics. It is one that, as with fossil fuels, wastes an incredible amount of the energy it extracts. According to the FAO (Food and Agriculture Organization of the United Nations), 30 per cent of cereals grown for human and animal consumption are wasted, along with almost half of all root crops, fruits and vegetables. To conclude from this grotesque squander that a ‘more efficient’ capitalism would ‘solve the problem’ of ‘the environment’ would be to fail to understand waste, capitalism and ecology: that the first is intrinsic to the second; that the second, whatever the degree to which it is inflected by the first, is inimical to the third. Capitalism also directly undermines its own productivity, precisely through its industrially-produced biospheric destruction. According to the UN, for example, there are at most sixty harvests remaining before the world’s soils are too exhausted to feed the planet. This edaphic impoverishment is a product, not a byproduct. It is the predictable, and long-predicted, consequence of intensive agriculture, over-grazing and the destruction of natural features (such as trees) that prevent erosion. Likewise, the death-drop of insect biomass, the decline of pollinating bees, are hastened by the extensive use of pesticides and fertilisers. Capitalist food production can only evade the problem – a problem, in its terms, of accumulation – either by establishing new ‘cheap natures’ through such means as deforestation, or by extracting rent from competitor producers through such means as intellectual property rights. For instance, since 1994’s notorious TRIPS agreement (Trade-Related Aspects of Intellectual Property Rights), through the rules of UPOV (Union for the Protection of New Plant Varieties), particularly the notorious UPOV 1991, and in the face of local fightbacks from Guatemala to Ghana, the World Trade Organisation has enforced property agreements outlawing the saving of seeds from one season to the next, thus sharply raising costs for farmers producing 70 per cent of the global food supply.

#### 2. Carbon bubble, peak oil.

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The Carbon Tracker Initiative, a London-based think tank serving the energy industry, reports that the steep decline in the price of generating solar and wind energy “will inevitably lead to trillions of dollars of stranded assets across the corporate sector and hit petro-states that fail to reinvent themselves,” while “putting trillions at risk for unsavvy investors oblivious to the speed of the unfolding energy transition.”19 “Stranded assets” are all the fossil fuels that will remain in the ground because of falling demand as well as the abandonment of pipelines, ocean platforms, storage facilities, energy generation plants, backup power plants, petrochemical processing facilities, and industries tightly coupled to the fossil fuel culture. Behind the scenes, a seismic struggle is taking place as four of the principal sectors responsible for global warming—the Information and Communications Technology (ICT)/telecommunications sector, the power and electric utility sector, the mobility and logistics sector, and the buildings sector—are beginning to decouple from the fossil fuel industry in favor of adopting the cheaper new green energies. The result is that within the fossil fuel industry, “around $100 trillion of assets could be ‘carbon stranded.’”20 The carbon bubble is the largest economic bubble in history. And studies and reports over the past twenty-four months—from within the global financial community, the insurance sector, global trade organizations, national governments, and many of the leading consulting agencies in the energy industry, the transportation sector, and the real estate sector—suggest that the imminent collapse of the fossil fuel industrial civilization could occur sometime between 2023 and 2030, as key sectors decouple from fossil fuels and rely on ever-cheaper solar, wind, and other renewable energies and accompanying zero-carbon technologies.21 The United States, currently the leading oil-producing nation, will be caught in the crosshairs between the plummeting price of solar and wind and the fallout from peak oil demand and accumulating stranded assets in the oil industry.22

#### The LIO is doomed---backlash and technology destroy the foundations of order. That turns their entire second advantage.

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This task was complicated by the Cold War, but “the free world” (as Americans then called the noncommunist countries) continued to develop along Wilsonian lines. Inevitable compromises, such as U.S. support for ruthless dictators and military rulers in many parts of the world, were seen as regrettable necessities imposed by the need to fight the much greater evil of Soviet communism. When the Berlin Wall fell, in 1989, it seemed that the opportunity for a Wilsonian world order had finally come. The former Soviet empire could be reconstructed along Wilsonian lines, and the West could embrace Wilsonian principles more consistently now that the Soviet threat had disappeared. Self-determination, the rule of law between and within countries, liberal economics, and the protection of human rights: the “new world order” that both the George H. W. Bush and the Clinton administrations worked to create was very much in the Wilsonian mold.

Today, however, the most important fact in world politics is that this noble effort has failed. The next stage in world history will not unfold along Wilsonian lines. The nations of the earth will continue to seek some kind of political order, because they must. And human rights activists and others will continue to work toward their goals. But the dream of a universal order, grounded in law, that secures peace between countries and democracy inside them will figure less and less in the work of world leaders.

To state this truth is not to welcome it. There are many advantages to a Wilsonian world order, even when that order is partial and incomplete. Many analysts, some associated with the presidential campaign of former U.S. Vice President Joe Biden, think they can put Humpty Dumpty together again. One wishes them every success. But the centrifugal forces tearing at the Wilsonian order are so deeply rooted in the nature of the contemporary world that not even the end of the Trump era can revive the Wilsonian project in its most ambitious form. Although Wilsonian ideals will not disappear and there will be a continuing influence of Wilsonian thought on U.S. foreign policies, the halcyon days of the post–Cold War era, when American presidents organized their foreign policies around the principles of liberal internationalism, are unlikely to return anytime soon.

THE ORDER OF THINGS

Wilsonianism is only one version of a rules-based world order among many. The Westphalian system, which emerged in Europe after the Thirty Years’ War ended in 1648, and the Congress system, which arose in the wake of the Napoleonic Wars of the early nineteenth century, were both rules-based and even law-based; some of the foundational ideas of international law date from those eras. And the Holy Roman Empire—a transnational collection of territories that stretched from France into modern-day Poland and from Hamburg to Milan—was an international system that foreshadowed the European Union, with highly complex rules governing everything from trade to sovereign inheritance among princely houses.

As for human rights, by the early twentieth century, the pre-Wilsonian European system had been moving for a century in the direction of putting egregious violations of human rights onto the international agenda. Then, as now, it was chiefly weak countries whose oppressive behavior attracted the most attention. The genocidal murder of Ottoman Christian minorities at the hands of Ottoman troops and irregular forces in the late nineteenth and early twentieth centuries received substantially more attention than atrocities carried out around the same time by Russian forces against rebellious Muslim peoples in the Caucasus. No delegation of European powers came to Washington to discuss the treatment of Native Americans or to make representations concerning the status of African Americans. Nevertheless, the pre-Wilsonian European order had moved significantly in the direction of elevating human rights to the level of diplomacy.

Wilson, therefore, was not introducing the ideas of world order and human rights to a collection of previously anarchic states and unenlightened polities. Rather, his quest was to reform an existing international order whose defects had been conclusively demonstrated by the horrors of World War I. In the pre-Wilsonian order, established dynastic rulers were generally regarded as legitimate, and interventions such as the 1849 Russian invasion of Hungary, which restored Habsburg rule, were considered lawful. Except in the most glaring instances, states were more or less free to treat their citizens or subjects as they wished, and although governments were expected to observe the accepted principles of public international law, no supranational body was charged with the enforcement of these standards. The preservation of the balance of power was invoked as a goal to guide states; war, although regrettable, was seen as a legitimate element of the system. From Wilson’s standpoint, these were fatal flaws that made future conflagrations inevitable. To redress them, he sought to build an order in which states would accept enforceable legal restrictions on their behavior at home and their international conduct.

That never quite materialized, but until recent years, the U.S.-led postwar order resembled Wilson’s vision in important respects. And, it should be noted, that vision is not equally dead everywhere. Although Wilson was an American, his view of world order was first and foremost developed as a method for managing international politics in Europe, and it is in Europe where Wilson’s ideas have had their greatest success and where their prospects continue to look strongest. His ideas were treated with bitter and cynical contempt by most European statesmen when he first proposed them, but they later became the fundamental basis of the European order, enshrined in the laws and practices of the EU. Arguably, no ruler since Charlemagne has made as deep an impression on the European political order as the much-mocked Presbyterian from the Shenandoah Valley.

THE ARC OF HISTORY

Beyond Europe, the prospects for the Wilsonian order are bleak. The reasons behind its demise, however, are different from what many assume. Critics of the Wilsonian approach to foreign affairs often decry what they see as its idealism. In fact, as Wilson demonstrated during the negotiations over the Treaty of Versailles, he was perfectly capable of the most cynical realpolitik when it suited him. The real problem of Wilsonianism is not a naive faith in good intentions but a simplistic view of the historical process, especially when it comes to the impact of technological progress on human social order. Wilson’s problem was not that he was a prig but that he was a Whig.

Like early-twentieth-century progressives generally and many American intellectuals to this day, Wilson was a liberal determinist of the Anglo-Saxon school; he shared the optimism of what the scholar Herbert Butterfield called “the Whig historians,” the Victorian-era British thinkers who saw human history as a narrative of inexorable progress and betterment. Wilson believed that the so-called ordered liberty that characterized the Anglo-American countries had opened a path to permanent prosperity and peace. This belief represents a sort of Anglo-Saxon Hegelianism and holds that the mix of free markets, free government, and the rule of law that developed in the United Kingdom and the United States is inevitably transforming the rest of the world—and that as this process continues, the world will slowly and for the most part voluntarily converge on the values that made the Anglo-Saxon world as wealthy, attractive, and free as it has become.

Wilson was the devout son of a minister, deeply steeped in Calvinist teachings about predestination and the utter sovereignty of God, and he believed that the arc of progress was fated. The future would fulfill biblical prophecies of a coming millennium: a thousand-year reign of peace and prosperity before the final consummation of human existence, when a returning Christ would unite heaven and earth. (Today’s Wilsonians have given this determinism a secular twist: in their eyes, liberalism will rule the future and bring humanity to “the end of history” as a result of human nature rather than divine purpose.)

Wilson believed that the defeat of imperial Germany in World War I and the collapse of the Austro-Hungarian, Russian, and Ottoman empires meant that the hour of a universal League of Nations had finally arrived. In 1945, American leaders ranging from Eleanor Roosevelt and Henry Wallace on the left to Wendell Willkie and Thomas Dewey on the right would interpret the fall of Germany and Japan in much the same way. In the early 1990s, leading U.S. foreign policymakers and commentators saw the fall of the Soviet Union through the same deterministic prism: as a signal that the time had come for a truly global and truly liberal world order. On all three occasions, Wilsonian order builders seemed to be in sight of their goal. But each time, like Ulysses, they were blown off course by contrary winds.

TECHNICAL DIFFICULTIES

Today, those winds are gaining strength. Anyone hoping to reinvigorate the flagging Wilsonian project must contend with a number of obstacles. The most obvious is the return of ideology-fueled geopolitics. China, Russia, and a number of smaller powers aligned with them—Iran, for example—correctly see Wilsonian ideals as a deadly threat to their domestic arrangements. Earlier in the post–Cold War period, U.S. primacy was so thorough that those countries attempted to downplay or disguise their opposition to the prevailing pro-democracy consensus. Beginning in U.S. President Barack Obama’s second term, however, and continuing through the Trump era, they have become less inhibited. Seeing Wilsonianism as a cover for American and, to some degree, EU ambitions, Beijing and Moscow have grown increasingly bold about contesting Wilsonian ideas and initiatives inside international institutions such as the UN and on the ground in places from Syria to the South China Sea.

These powers’ opposition to the Wilsonian order is corrosive in several ways. It raises the risks and costs for Wilsonian powers to intervene in conflicts beyond their own borders. Consider, for example, how Iranian and Russian support for the Assad regime in Syria has helped prevent the United States and European countries from getting more directly involved in that country’s civil war. The presence of great powers in the anti-Wilsonian coalition also provides shelter and assistance to smaller powers that otherwise might not choose to resist the status quo. Finally, the membership of countries such as China and Russia in international institutions makes it more difficult for those institutions to operate in support of Wilsonian norms: take, for example, Chinese and Russian vetoes in the UN Security Council, the election of anti-Wilsonian representatives to various UN bodies, and the opposition by countries such as Hungary and Poland to EU measures intended to promote the rule of law.

Meanwhile, the torrent of technological innovation and change known as “the information revolution” creates obstacles for Wilsonian goals within countries and in the international system. The irony is that Wilsonians often believe that technological progress will make the world more governable and politics more rational—even if it also adds to the danger of war by making it so much more destructive. Wilson himself believed just that, as did the postwar order builders and the liberals who sought to extend the U.S.-led order after the Cold War. Each time, however, this faith in technological change was misplaced. As seen most recently with the rise of the Internet, although new technologies often contribute to the spread of liberal ideas and practices, they can also undermine democratic systems and aid authoritarian regimes.

Today, as new technologies disrupt entire industries, and as social media upends the news media and election campaigning, politics is becoming more turbulent and polarized in many countries. That makes the victory of populist and antiestablishment candidates from both the left and the right more likely in many places. It also makes it harder for national leaders to pursue the compromises that international cooperation inevitably requires and increases the chances that incoming governments will refuse to be bound by the acts of their predecessors.

The information revolution is destabilizing international life in other ways that make it harder for rules-based international institutions to cope. Take, for example, the issue of arms control, a central concern of Wilsonian foreign policy since World War I and one that grew even more important following the development of nuclear weapons. Wilsonians prioritize arms control not just because nuclear warfare could destroy the human race but also because, even if unused, nuclear weapons or their equivalent put the Wilsonian dream of a completely rules-based, law-bound international order out of reach. Weapons of mass destruction guarantee exactly the kind of state sovereignty that Wilsonians think is incompatible with humanity’s long-term security. One cannot easily stage a humanitarian intervention against a nuclear power.

The fight against proliferation has had its successes, and the spread of nuclear weapons has been delayed—but it has not stopped, and the fight is getting harder over time. In the 1940s, it took the world’s richest nation and a consortium of leading scientists to assemble the first nuclear weapon. Today, second- and third-rate scientific establishments in low-income countries can manage the feat. That does not mean that the fight against proliferation should be abandoned. It is merely a reminder that not all diseases have cures.

What is more, the technological progress that underlies the information revolution significantly exacerbates the problem of arms control. The development of cyberweapons and the potential of biological agents to inflict strategic damage on adversaries—graphically demonstrated by the COVID-19 pandemic—serve as warnings that new tools of warfare will be significantly more difficult to monitor or control than nuclear technology. Effective arms control in these fields may well not be possible. The science is changing too quickly, the research behind them is too hard to detect, and too many of the key technologies cannot be banned outright because they also have beneficial civilian applications.

In addition, economic incentives that did not exist in the Cold War are now pushing arms races in new fields. Nuclear weapons and long-range missile technology were extremely expensive and brought few benefits to the civilian economy. Biological and technological research, by contrast, are critical for any country or company that hopes to remain competitive in the twenty-first century. An uncontrollable, multipolar arms race across a range of cutting-edge technologies is on the horizon, and it will undercut hopes for a revived Wilsonian order.

IT’S NOT FOR EVERYBODY

One of the central assumptions behind the quest for a Wilsonian order is the belief that as countries develop, they become more similar to already developed countries and will eventually converge on the liberal capitalist model that shapes North America and western Europe. The Wilsonian project requires a high degree of convergence to succeed; the member states of a Wilsonian order must be democratic, and they must be willing and able to conduct their international relations within liberal multilateral institutions.

At least for the medium term, the belief in convergence can no longer be sustained. Today, China, India, Russia, and Turkey all seem less likely to converge on liberal democracy than they did in 1990. These countries and many others have developed economically and technologically not in order to become more like the West but rather to achieve a deeper independence from the West and to pursue civilizational and political goals of their own.

In truth, Wilsonianism is a particularly European solution to a particularly European set of problems. Since the fall of the Roman Empire, Europe has been divided into peer and near-peer competitors. War was the constant condition of Europe for much of its history, and Europe’s global dominance in the nineteenth century and early twentieth century can be attributed in no small part to the long contest for supremacy between France and the United Kingdom, which promoted developments in finance, state organization, industrial techniques, and the art of war that made European states fierce and ferocious competitors.

With the specter of great-power war constantly hanging over them, European states developed a more intricate system of diplomacy and international politics than did countries in other parts of the world. Well-developed international institutions and doctrines of legitimacy existed in Europe well before Wilson sailed across the Atlantic to pitch the League of Nations, which was in essence an upgraded version of preexisting European forms of international governance. Although it would take another devastating world war to ensure that Germany, as well as its Western neighbors, would adhere to the rules of a new system, Europe was already prepared for the establishment of a Wilsonian order.

But Europe’s experience has not been the global norm. Although China has been periodically invaded by nomads, and there were periods in its history when several independent Chinese states struggled for power, China has been a single entity for most of its history. The idea of a single legitimate state with no true international peers is as deeply embedded in the political culture of China as the idea of a multistate system grounded in mutual recognition is embedded in that of Europe. There have been clashes among Chinese, Japanese, and Koreans, but until the late nineteenth century, interstate conflict was rare.

In human history as a whole, enduring civilizational states seem more typical than the European pattern of rivalry among peer states. Early modern India was dominated by the Mughal Empire. Between the sixteenth century and the nineteenth century, the Ottoman and Persian Empires dominated what is now known as the Middle East. And the Incas and the Aztecs knew no true rivals in their regions. War seems universal or nearly so among human cultures, but the European pattern, in which an escalating cycle of war forced a mobilization and the development of technological, political, and bureaucratic resources to ensure the survival of the state, does not seem to have characterized international life in the rest of the world.

For states and peoples in much of the world, the problem of modern history that needed to be solved was not the recurrence of great-power conflict. The problem, instead, was figuring out how to drive European powers away, which involved a wrenching cultural and economic adjustment in order to harness natural and industrial resources. Europe’s internecine quarrels struck non-Europeans not as an existential civilizational challenge to be solved but as a welcome opportunity to achieve independence.

Postcolonial and non-Western states often joined international institutions as a way to recover and enhance their sovereignty, not to surrender it, and their chief interest in international law was to protect weak states from strong ones, not to limit the power of national leaders to consolidate their authority. Unlike their European counterparts, these states did not have formative political experiences of tyrannical regimes suppressing dissent and drafting helpless populations into the service of colonial conquest. Their experiences, instead, involved a humiliating consciousness of the inability of local authorities and elites to protect their subjects and citizens from the arrogant actions and decrees of foreign powers. After colonialism formally ended and nascent countries began to assert control over their new territories, the classic problems of governance in the postcolonial world remained weak states and compromised sovereignty.

Even within Europe, differences in historical experiences help explain varying levels of commitment to Wilsonian ideals. Countries such as France, Germany, Italy, and the Netherlands came to the EU understanding that they could meet their basic national goals only by pooling their sovereignty. For many former Warsaw Pact members, however, the motive for joining Western clubs such as the EU and NATO was to regain their lost sovereignty. They did not share the feelings of guilt and remorse over the colonial past—and, in Germany, over the Holocaust—that led many in western Europe to embrace the idea of a new approach to international affairs, and they felt no qualms about taking full advantage of the privileges of EU and NATO membership without feeling in any way bound by those organizations’ stated tenets, which many regarded as hypocritical boilerplate.

EXPERT TEXPERT

The recent rise of populist movements across the West has revealed another danger to the Wilsonian project. If the United States could elect Donald Trump as president in 2016, what might it do in the future? What might the electorates in other important countries do? And if the Wilsonian order has become so controversial in the West, what are its prospects in the rest of the world?

Wilson lived in an era when democratic governance faced problems that many feared were insurmountable. The Industrial Revolution had divided American society, creating unprecedented levels of inequality. Titanic corporations and trusts had acquired immense political power and were quite selfishly exploiting that power to resist all challenges to their economic interests. At that time, the richest man in the United States, John D. Rockefeller, had a fortune greater than the annual budget of the federal government. By contrast, in 2020, the wealthiest American, Jeff Bezos, had a net worth equal to about three percent of budgeted federal expenditures.

Yet from the standpoint of Wilson and his fellow progressives, the solution to these problems could not be simply to vest power in the voters. At the time, most Americans still had an eighth-grade education or less, and a wave of migration from Europe had filled the country’s burgeoning cities with millions of voters who could not speak English, were often illiterate, and routinely voted for corrupt urban machine politicians.

The progressives’ answer to this problem was to support the creation of an apolitical expert class of managers and administrators. The progressives sought to build an administrative state that would curb the excessive power of the rich and redress the moral and political deficiencies of the poor. (Prohibition was an important part of Wilson’s electoral program, and during World War I and afterward, he moved aggressively to arrest and in some cases deport socialists and other radicals.) Through measures such as improved education, strict limits on immigration, and eugenic birth-control policies, the progressives hoped to create better-educated and more responsible voters who would reliably support the technocratic state.

A century later, elements of this progressive thinking remain critical to Wilsonian governance in the United States and elsewhere, but public support is less readily forthcoming than in the past. The Internet and social media have undermined respect for all forms of expertise. Ordinary citizens today are significantly better educated and feel less need to rely on expert guidance. And events including the U.S. invasion of Iraq in 2003, the 2008 financial crisis, and the inept government responses during the 2020 pandemic have seriously reduced confidence in experts and technocrats, whom many people have come to see as forming a nefarious “deep state.”

International institutions face an even greater crisis of confidence. Voters skeptical of the value of technocratic rule by fellow citizens are even more skeptical of foreign technocrats with suspiciously cosmopolitan views. Just as the inhabitants of European colonial territories preferred home rule (even when badly administered) to rule by colonial civil servants (even when competent), many people in the West and in the postcolonial world are likely to reject even the best-intentioned plans of global institutions.

Meanwhile, in developed countries, problems such as the loss of manufacturing jobs, the stagnation or decline of wages, persistent poverty among minority groups, and the opioid epidemic have resisted technocratic solutions. And when it comes to international challenges such as climate change and mass migration, there is little evidence that the cumbersome institutions of global governance and the quarrelsome countries that run them will produce the kind of cheap, elegant solutions that could inspire public trust.

WHAT IT MEANS FOR BIDEN

For all these reasons, the movement away from the Wilsonian order is likely to continue, and world politics will increasingly be carried out along non-Wilsonian and in some cases even anti-Wilsonian lines. Institutions such as NATO, the UN, and the World Trade Organization may well survive (bureaucratic tenacity should never be discounted), but they will be less able and perhaps less willing to fulfill even their original purposes, much less take on new challenges. Meanwhile, the international order will increasingly be shaped by states that are on diverging paths. This does not mean an inevitable future of civilizational clashes, but it does mean that global institutions will have to accommodate a much wider range of views and values than they have in the past.

There is hope that many of the gains of the Wilsonian order can be preserved and perhaps in a few areas even extended. But fixating on past glories will not help develop the ideas and policies needed in an increasingly dangerous time. Non-Wilsonian orders have existed both in Europe and in other parts of the world in the past, and the nations of the world will likely need to draw on these examples as they seek to cobble together some kind of framework for stability and, if possible, peace under contemporary conditions.

For U.S. policymakers, the developing crisis of the Wilsonian order worldwide presents vexing problems that are likely to preoccupy presidential administrations for decades to come. One problem is that many career officials and powerful voices in Congress, civil society organizations, and the press deeply believe not only that a Wilsonian foreign policy is a good and useful thing for the United States but also that it is the only path to peace and security and even to the survival of civilization and humanity. They will continue to fight for their cause, conducting trench warfare inside the bureaucracy and employing congressional oversight powers and steady leaks to sympathetic press outlets to keep the flame alive.

Those factions will be hemmed in by the fact that any internationalist coalition in American foreign policy must rely to a significant degree on Wilsonian voters. But a generation of overreach and poor political judgment has significantly reduced the credibility of Wilsonian ideas among the American electorate. Neither President George W. Bush’s nation-building disaster in Iraq nor Obama’s humanitarian-intervention fiasco in Libya struck most Americans as successful, and there is little public enthusiasm for democracy building abroad.

#### 2. BUT cap turns it because neoliberalism undermines the operating assumptions of democratic peace.

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Building on the long tradition of “commercial liberalism” that emphasizes the pacifying effect of trade and commerce, democratic-peace research tends to assume a positive and complimentary relationship between democracy and capitalism. A prominent example of this is Russett and Oneal’s “Kantian Triangle,” in which democracy and economic interdependence are two of the triangle’s corners. 59 As the research program has developed further, some scholars have moved beyond suggesting that free trade works as a supplement in promoting peaceful behavior to instead proposing that it is the key factor. The debate over what role capitalism plays in the dyadic peace is arguably now the central point of contention in this research program. 60 While this literature acknowledges an alternative tradition of thought that argues capitalism fuels war, it largely assumes that the economic and political realms work together in a harmonious fashion to promote peace and preserve democracy. Critical scholarship is more skeptical, but an overriding focus on democratic wars has meant the economic dimension has not received sufficient attention. A notable exception is Barkawi and Laffey’s early contribution, which proposed that the global capitalist system may work at cross-purposes with the expansion of democracy and peace. 61 This argument was recently picked up by John MacMillan, who uses a critical materialist approach to highlight the relevance of core-periphery relations for democratic-peace claims. He points to the way that global capitalism has restricted possibilities for democratization in periphery states, while also fostering forms of social violence missed by democratic-peace scholarship. 62 If anything, MacMillan understates his case: neoliberal globalization has had grave consequences for democracies not only in the periphery, but also in the core.

History and theory offer a more nuanced understanding of the relationship between democracy and capitalism than the one prevalent in democratic-peace research. All models of democracy necessarily include a set of assumptions about how the political and economic spheres relate. 63 This point is bypassed by democratic-peace scholars, who assume a natural fit between democracy and markets. Yet this relationship is not inevitable: it is historically conditioned and has changed over time. Indeed, classical liberals were doubtful that capitalism and democracy were compatible. 64 An important part of the development of the liberal democratic model was the more radical social features associated with democracy—which liberals saw as a threat to property rights—being muted and restrained. Certainly within democratic-peace research there is an awareness that liberal democracy is a composite form, with scholars such as John Owen arguing that it is actually liberalism—not democracy—that does the causal work in dyadic arguments. 65 The point here is a different one, however: insofar as the dominant model of liberal democracy is one in which liberalism is the senior partner, this has important ramifications for the way the political and economic spheres are related. As Kurki notes, “even (and especially!) the liberal model, by separating the economic and the political, structures the relationship between democracy and the economy.” 66

Central to the development and expansion of the zone of peace after World War II were democracies reasserting political control over the economic realm. Capitalism, largely freed from political restraints, had proven corrosive of democracy and peace in the first half of the twentieth century. 67 The experience of the Great Depression and its role in fueling the rise of Fascism, combined with the ongoing challenge posed by Communism, meant that in the immediate postwar-period democracies introduced reforms that tempered the dangerous excesses of unchecked markets and in so doing, promoted a form of capitalism that was more socially sustainable. This reflected an awareness of the remarkable power of capitalism in generating economic growth, but also the considerable political and social costs it can have if not carefully regulated. As Berman notes, in this form of democracy “not only did it include free and fair elections and explicit protections of individual rights and liberties, it was also committed to ensuring certain social and economic rights and outcomes.” 68 The Keynesian bargain oversaw a period of economic growth and social stability that lasted until the economic problems of the early 1970s. In the following decades there was a massive revision in the way the economic and political realms relate, triggered by the interconnected trends of the decline of the welfare state, the rise of neoliberalism and the intensification of globalization. As Streeck notes, “the history of capitalism after the 1970s . . . is a history of capital’s escape from the system of social regulation imposed on it against its will after 1945.” 69 While this transformation has had far-reaching consequences for democracy, it has generally been overlooked by the democratic-peace research program. 70

The emergence and subsequent hegemony of neoliberalism has played a fundamental role in reshaping the relationship between politics and economics in contemporary democracy, threatening to completely sever the latter from the constraints imposed by the former. To the extent that trends related to neoliberalism have been considered by those making capitalist or democratic-peace arguments, Erik Gartzke suggests that the globalization of capital reduces the likelihood of conflict between economically integrated states, while Patrick McDonald proposes that privatization reduces state autonomy and the resources available to mobilize for war, which can work to reduce conflict. 71 In considering these issues, remarkably neither makes any reference to neoliberalism. A considerably different perspective is provided by Offe:

Neoliberal states are regimes whose policy agenda is so restricted that the substantive concerns of the “people” remain largely bracketed out from it and have no access to the making of public policies, as major areas of public interest (urban development, health, education, the environment, transportation, utilities, etc.) are taken off the agenda of political authorities in the name of privatisation, deregulation, marketisation, competitiveness, and efficiency. 72

What Offe points to is the manner in which neoliberalism has shrunk the political sphere in democracies. It is not simply that the economic realm has become detached from democratic control, helping to exacerbate inequality. The situation is more drastic than this; it is what Manet terms the “economic evisceration of our bodies politic.” 73 Market-based relations have become the dominant framework for conceiving of the role of government, what citizenship means, how we see ourselves, the way we determine value, and how people relate to each other in society. 74 Economic logic is effectively consuming the political sphere, corrupting the register in which democracy is enacted. If one takes these arguments seriously, it suggests that one of the greatest threats to the dyadic peace comes from established democracies being hollowed out and destroyed from within. Put strongly, neoliberalism is acting like acid on democratic norms and institutions, eating away not only at the foundations of this form of rule, but also the zone of peace.

#### 3. Their Mousseau evidence relies on the premise that the liberal order is sustainable and strengthens institutions that prevent war yet it’s from 2019. The LIO is doomed---backlash and technology destroy the foundations of order.

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This task was complicated by the Cold War, but “the free world” (as Americans then called the noncommunist countries) continued to develop along Wilsonian lines. Inevitable compromises, such as U.S. support for ruthless dictators and military rulers in many parts of the world, were seen as regrettable necessities imposed by the need to fight the much greater evil of Soviet communism. When the Berlin Wall fell, in 1989, it seemed that the opportunity for a Wilsonian world order had finally come. The former Soviet empire could be reconstructed along Wilsonian lines, and the West could embrace Wilsonian principles more consistently now that the Soviet threat had disappeared. Self-determination, the rule of law between and within countries, liberal economics, and the protection of human rights: the “new world order” that both the George H. W. Bush and the Clinton administrations worked to create was very much in the Wilsonian mold.

Today, however, the most important fact in world politics is that this noble effort has failed. The next stage in world history will not unfold along Wilsonian lines. The nations of the earth will continue to seek some kind of political order, because they must. And human rights activists and others will continue to work toward their goals. But the dream of a universal order, grounded in law, that secures peace between countries and democracy inside them will figure less and less in the work of world leaders.

To state this truth is not to welcome it. There are many advantages to a Wilsonian world order, even when that order is partial and incomplete. Many analysts, some associated with the presidential campaign of former U.S. Vice President Joe Biden, think they can put Humpty Dumpty together again. One wishes them every success. But the centrifugal forces tearing at the Wilsonian order are so deeply rooted in the nature of the contemporary world that not even the end of the Trump era can revive the Wilsonian project in its most ambitious form. Although Wilsonian ideals will not disappear and there will be a continuing influence of Wilsonian thought on U.S. foreign policies, the halcyon days of the post–Cold War era, when American presidents organized their foreign policies around the principles of liberal internationalism, are unlikely to return anytime soon.

THE ORDER OF THINGS

Wilsonianism is only one version of a rules-based world order among many. The Westphalian system, which emerged in Europe after the Thirty Years’ War ended in 1648, and the Congress system, which arose in the wake of the Napoleonic Wars of the early nineteenth century, were both rules-based and even law-based; some of the foundational ideas of international law date from those eras. And the Holy Roman Empire—a transnational collection of territories that stretched from France into modern-day Poland and from Hamburg to Milan—was an international system that foreshadowed the European Union, with highly complex rules governing everything from trade to sovereign inheritance among princely houses.

As for human rights, by the early twentieth century, the pre-Wilsonian European system had been moving for a century in the direction of putting egregious violations of human rights onto the international agenda. Then, as now, it was chiefly weak countries whose oppressive behavior attracted the most attention. The genocidal murder of Ottoman Christian minorities at the hands of Ottoman troops and irregular forces in the late nineteenth and early twentieth centuries received substantially more attention than atrocities carried out around the same time by Russian forces against rebellious Muslim peoples in the Caucasus. No delegation of European powers came to Washington to discuss the treatment of Native Americans or to make representations concerning the status of African Americans. Nevertheless, the pre-Wilsonian European order had moved significantly in the direction of elevating human rights to the level of diplomacy.

Wilson, therefore, was not introducing the ideas of world order and human rights to a collection of previously anarchic states and unenlightened polities. Rather, his quest was to reform an existing international order whose defects had been conclusively demonstrated by the horrors of World War I. In the pre-Wilsonian order, established dynastic rulers were generally regarded as legitimate, and interventions such as the 1849 Russian invasion of Hungary, which restored Habsburg rule, were considered lawful. Except in the most glaring instances, states were more or less free to treat their citizens or subjects as they wished, and although governments were expected to observe the accepted principles of public international law, no supranational body was charged with the enforcement of these standards. The preservation of the balance of power was invoked as a goal to guide states; war, although regrettable, was seen as a legitimate element of the system. From Wilson’s standpoint, these were fatal flaws that made future conflagrations inevitable. To redress them, he sought to build an order in which states would accept enforceable legal restrictions on their behavior at home and their international conduct.

That never quite materialized, but until recent years, the U.S.-led postwar order resembled Wilson’s vision in important respects. And, it should be noted, that vision is not equally dead everywhere. Although Wilson was an American, his view of world order was first and foremost developed as a method for managing international politics in Europe, and it is in Europe where Wilson’s ideas have had their greatest success and where their prospects continue to look strongest. His ideas were treated with bitter and cynical contempt by most European statesmen when he first proposed them, but they later became the fundamental basis of the European order, enshrined in the laws and practices of the EU. Arguably, no ruler since Charlemagne has made as deep an impression on the European political order as the much-mocked Presbyterian from the Shenandoah Valley.

THE ARC OF HISTORY

Beyond Europe, the prospects for the Wilsonian order are bleak. The reasons behind its demise, however, are different from what many assume. Critics of the Wilsonian approach to foreign affairs often decry what they see as its idealism. In fact, as Wilson demonstrated during the negotiations over the Treaty of Versailles, he was perfectly capable of the most cynical realpolitik when it suited him. The real problem of Wilsonianism is not a naive faith in good intentions but a simplistic view of the historical process, especially when it comes to the impact of technological progress on human social order. Wilson’s problem was not that he was a prig but that he was a Whig.

Like early-twentieth-century progressives generally and many American intellectuals to this day, Wilson was a liberal determinist of the Anglo-Saxon school; he shared the optimism of what the scholar Herbert Butterfield called “the Whig historians,” the Victorian-era British thinkers who saw human history as a narrative of inexorable progress and betterment. Wilson believed that the so-called ordered liberty that characterized the Anglo-American countries had opened a path to permanent prosperity and peace. This belief represents a sort of Anglo-Saxon Hegelianism and holds that the mix of free markets, free government, and the rule of law that developed in the United Kingdom and the United States is inevitably transforming the rest of the world—and that as this process continues, the world will slowly and for the most part voluntarily converge on the values that made the Anglo-Saxon world as wealthy, attractive, and free as it has become.

Wilson was the devout son of a minister, deeply steeped in Calvinist teachings about predestination and the utter sovereignty of God, and he believed that the arc of progress was fated. The future would fulfill biblical prophecies of a coming millennium: a thousand-year reign of peace and prosperity before the final consummation of human existence, when a returning Christ would unite heaven and earth. (Today’s Wilsonians have given this determinism a secular twist: in their eyes, liberalism will rule the future and bring humanity to “the end of history” as a result of human nature rather than divine purpose.)

Wilson believed that the defeat of imperial Germany in World War I and the collapse of the Austro-Hungarian, Russian, and Ottoman empires meant that the hour of a universal League of Nations had finally arrived. In 1945, American leaders ranging from Eleanor Roosevelt and Henry Wallace on the left to Wendell Willkie and Thomas Dewey on the right would interpret the fall of Germany and Japan in much the same way. In the early 1990s, leading U.S. foreign policymakers and commentators saw the fall of the Soviet Union through the same deterministic prism: as a signal that the time had come for a truly global and truly liberal world order. On all three occasions, Wilsonian order builders seemed to be in sight of their goal. But each time, like Ulysses, they were blown off course by contrary winds.

TECHNICAL DIFFICULTIES

Today, those winds are gaining strength. Anyone hoping to reinvigorate the flagging Wilsonian project must contend with a number of obstacles. The most obvious is the return of ideology-fueled geopolitics. China, Russia, and a number of smaller powers aligned with them—Iran, for example—correctly see Wilsonian ideals as a deadly threat to their domestic arrangements. Earlier in the post–Cold War period, U.S. primacy was so thorough that those countries attempted to downplay or disguise their opposition to the prevailing pro-democracy consensus. Beginning in U.S. President Barack Obama’s second term, however, and continuing through the Trump era, they have become less inhibited. Seeing Wilsonianism as a cover for American and, to some degree, EU ambitions, Beijing and Moscow have grown increasingly bold about contesting Wilsonian ideas and initiatives inside international institutions such as the UN and on the ground in places from Syria to the South China Sea.

These powers’ opposition to the Wilsonian order is corrosive in several ways. It raises the risks and costs for Wilsonian powers to intervene in conflicts beyond their own borders. Consider, for example, how Iranian and Russian support for the Assad regime in Syria has helped prevent the United States and European countries from getting more directly involved in that country’s civil war. The presence of great powers in the anti-Wilsonian coalition also provides shelter and assistance to smaller powers that otherwise might not choose to resist the status quo. Finally, the membership of countries such as China and Russia in international institutions makes it more difficult for those institutions to operate in support of Wilsonian norms: take, for example, Chinese and Russian vetoes in the UN Security Council, the election of anti-Wilsonian representatives to various UN bodies, and the opposition by countries such as Hungary and Poland to EU measures intended to promote the rule of law.

Meanwhile, the torrent of technological innovation and change known as “the information revolution” creates obstacles for Wilsonian goals within countries and in the international system. The irony is that Wilsonians often believe that technological progress will make the world more governable and politics more rational—even if it also adds to the danger of war by making it so much more destructive. Wilson himself believed just that, as did the postwar order builders and the liberals who sought to extend the U.S.-led order after the Cold War. Each time, however, this faith in technological change was misplaced. As seen most recently with the rise of the Internet, although new technologies often contribute to the spread of liberal ideas and practices, they can also undermine democratic systems and aid authoritarian regimes.

Today, as new technologies disrupt entire industries, and as social media upends the news media and election campaigning, politics is becoming more turbulent and polarized in many countries. That makes the victory of populist and antiestablishment candidates from both the left and the right more likely in many places. It also makes it harder for national leaders to pursue the compromises that international cooperation inevitably requires and increases the chances that incoming governments will refuse to be bound by the acts of their predecessors.

The information revolution is destabilizing international life in other ways that make it harder for rules-based international institutions to cope. Take, for example, the issue of arms control, a central concern of Wilsonian foreign policy since World War I and one that grew even more important following the development of nuclear weapons. Wilsonians prioritize arms control not just because nuclear warfare could destroy the human race but also because, even if unused, nuclear weapons or their equivalent put the Wilsonian dream of a completely rules-based, law-bound international order out of reach. Weapons of mass destruction guarantee exactly the kind of state sovereignty that Wilsonians think is incompatible with humanity’s long-term security. One cannot easily stage a humanitarian intervention against a nuclear power.

The fight against proliferation has had its successes, and the spread of nuclear weapons has been delayed—but it has not stopped, and the fight is getting harder over time. In the 1940s, it took the world’s richest nation and a consortium of leading scientists to assemble the first nuclear weapon. Today, second- and third-rate scientific establishments in low-income countries can manage the feat. That does not mean that the fight against proliferation should be abandoned. It is merely a reminder that not all diseases have cures.

What is more, the technological progress that underlies the information revolution significantly exacerbates the problem of arms control. The development of cyberweapons and the potential of biological agents to inflict strategic damage on adversaries—graphically demonstrated by the COVID-19 pandemic—serve as warnings that new tools of warfare will be significantly more difficult to monitor or control than nuclear technology. Effective arms control in these fields may well not be possible. The science is changing too quickly, the research behind them is too hard to detect, and too many of the key technologies cannot be banned outright because they also have beneficial civilian applications.

In addition, economic incentives that did not exist in the Cold War are now pushing arms races in new fields. Nuclear weapons and long-range missile technology were extremely expensive and brought few benefits to the civilian economy. Biological and technological research, by contrast, are critical for any country or company that hopes to remain competitive in the twenty-first century. An uncontrollable, multipolar arms race across a range of cutting-edge technologies is on the horizon, and it will undercut hopes for a revived Wilsonian order.

IT’S NOT FOR EVERYBODY

One of the central assumptions behind the quest for a Wilsonian order is the belief that as countries develop, they become more similar to already developed countries and will eventually converge on the liberal capitalist model that shapes North America and western Europe. The Wilsonian project requires a high degree of convergence to succeed; the member states of a Wilsonian order must be democratic, and they must be willing and able to conduct their international relations within liberal multilateral institutions.

At least for the medium term, the belief in convergence can no longer be sustained. Today, China, India, Russia, and Turkey all seem less likely to converge on liberal democracy than they did in 1990. These countries and many others have developed economically and technologically not in order to become more like the West but rather to achieve a deeper independence from the West and to pursue civilizational and political goals of their own.

In truth, Wilsonianism is a particularly European solution to a particularly European set of problems. Since the fall of the Roman Empire, Europe has been divided into peer and near-peer competitors. War was the constant condition of Europe for much of its history, and Europe’s global dominance in the nineteenth century and early twentieth century can be attributed in no small part to the long contest for supremacy between France and the United Kingdom, which promoted developments in finance, state organization, industrial techniques, and the art of war that made European states fierce and ferocious competitors.

With the specter of great-power war constantly hanging over them, European states developed a more intricate system of diplomacy and international politics than did countries in other parts of the world. Well-developed international institutions and doctrines of legitimacy existed in Europe well before Wilson sailed across the Atlantic to pitch the League of Nations, which was in essence an upgraded version of preexisting European forms of international governance. Although it would take another devastating world war to ensure that Germany, as well as its Western neighbors, would adhere to the rules of a new system, Europe was already prepared for the establishment of a Wilsonian order.

But Europe’s experience has not been the global norm. Although China has been periodically invaded by nomads, and there were periods in its history when several independent Chinese states struggled for power, China has been a single entity for most of its history. The idea of a single legitimate state with no true international peers is as deeply embedded in the political culture of China as the idea of a multistate system grounded in mutual recognition is embedded in that of Europe. There have been clashes among Chinese, Japanese, and Koreans, but until the late nineteenth century, interstate conflict was rare.

In human history as a whole, enduring civilizational states seem more typical than the European pattern of rivalry among peer states. Early modern India was dominated by the Mughal Empire. Between the sixteenth century and the nineteenth century, the Ottoman and Persian Empires dominated what is now known as the Middle East. And the Incas and the Aztecs knew no true rivals in their regions. War seems universal or nearly so among human cultures, but the European pattern, in which an escalating cycle of war forced a mobilization and the development of technological, political, and bureaucratic resources to ensure the survival of the state, does not seem to have characterized international life in the rest of the world.

For states and peoples in much of the world, the problem of modern history that needed to be solved was not the recurrence of great-power conflict. The problem, instead, was figuring out how to drive European powers away, which involved a wrenching cultural and economic adjustment in order to harness natural and industrial resources. Europe’s internecine quarrels struck non-Europeans not as an existential civilizational challenge to be solved but as a welcome opportunity to achieve independence.

Postcolonial and non-Western states often joined international institutions as a way to recover and enhance their sovereignty, not to surrender it, and their chief interest in international law was to protect weak states from strong ones, not to limit the power of national leaders to consolidate their authority. Unlike their European counterparts, these states did not have formative political experiences of tyrannical regimes suppressing dissent and drafting helpless populations into the service of colonial conquest. Their experiences, instead, involved a humiliating consciousness of the inability of local authorities and elites to protect their subjects and citizens from the arrogant actions and decrees of foreign powers. After colonialism formally ended and nascent countries began to assert control over their new territories, the classic problems of governance in the postcolonial world remained weak states and compromised sovereignty.

Even within Europe, differences in historical experiences help explain varying levels of commitment to Wilsonian ideals. Countries such as France, Germany, Italy, and the Netherlands came to the EU understanding that they could meet their basic national goals only by pooling their sovereignty. For many former Warsaw Pact members, however, the motive for joining Western clubs such as the EU and NATO was to regain their lost sovereignty. They did not share the feelings of guilt and remorse over the colonial past—and, in Germany, over the Holocaust—that led many in western Europe to embrace the idea of a new approach to international affairs, and they felt no qualms about taking full advantage of the privileges of EU and NATO membership without feeling in any way bound by those organizations’ stated tenets, which many regarded as hypocritical boilerplate.

EXPERT TEXPERT

The recent rise of populist movements across the West has revealed another danger to the Wilsonian project. If the United States could elect Donald Trump as president in 2016, what might it do in the future? What might the electorates in other important countries do? And if the Wilsonian order has become so controversial in the West, what are its prospects in the rest of the world?

Wilson lived in an era when democratic governance faced problems that many feared were insurmountable. The Industrial Revolution had divided American society, creating unprecedented levels of inequality. Titanic corporations and trusts had acquired immense political power and were quite selfishly exploiting that power to resist all challenges to their economic interests. At that time, the richest man in the United States, John D. Rockefeller, had a fortune greater than the annual budget of the federal government. By contrast, in 2020, the wealthiest American, Jeff Bezos, had a net worth equal to about three percent of budgeted federal expenditures.

Yet from the standpoint of Wilson and his fellow progressives, the solution to these problems could not be simply to vest power in the voters. At the time, most Americans still had an eighth-grade education or less, and a wave of migration from Europe had filled the country’s burgeoning cities with millions of voters who could not speak English, were often illiterate, and routinely voted for corrupt urban machine politicians.

The progressives’ answer to this problem was to support the creation of an apolitical expert class of managers and administrators. The progressives sought to build an administrative state that would curb the excessive power of the rich and redress the moral and political deficiencies of the poor. (Prohibition was an important part of Wilson’s electoral program, and during World War I and afterward, he moved aggressively to arrest and in some cases deport socialists and other radicals.) Through measures such as improved education, strict limits on immigration, and eugenic birth-control policies, the progressives hoped to create better-educated and more responsible voters who would reliably support the technocratic state.

A century later, elements of this progressive thinking remain critical to Wilsonian governance in the United States and elsewhere, but public support is less readily forthcoming than in the past. The Internet and social media have undermined respect for all forms of expertise. Ordinary citizens today are significantly better educated and feel less need to rely on expert guidance. And events including the U.S. invasion of Iraq in 2003, the 2008 financial crisis, and the inept government responses during the 2020 pandemic have seriously reduced confidence in experts and technocrats, whom many people have come to see as forming a nefarious “deep state.”

International institutions face an even greater crisis of confidence. Voters skeptical of the value of technocratic rule by fellow citizens are even more skeptical of foreign technocrats with suspiciously cosmopolitan views. Just as the inhabitants of European colonial territories preferred home rule (even when badly administered) to rule by colonial civil servants (even when competent), many people in the West and in the postcolonial world are likely to reject even the best-intentioned plans of global institutions.

Meanwhile, in developed countries, problems such as the loss of manufacturing jobs, the stagnation or decline of wages, persistent poverty among minority groups, and the opioid epidemic have resisted technocratic solutions. And when it comes to international challenges such as climate change and mass migration, there is little evidence that the cumbersome institutions of global governance and the quarrelsome countries that run them will produce the kind of cheap, elegant solutions that could inspire public trust.

WHAT IT MEANS FOR BIDEN

For all these reasons, the movement away from the Wilsonian order is likely to continue, and world politics will increasingly be carried out along non-Wilsonian and in some cases even anti-Wilsonian lines. Institutions such as NATO, the UN, and the World Trade Organization may well survive (bureaucratic tenacity should never be discounted), but they will be less able and perhaps less willing to fulfill even their original purposes, much less take on new challenges. Meanwhile, the international order will increasingly be shaped by states that are on diverging paths. This does not mean an inevitable future of civilizational clashes, but it does mean that global institutions will have to accommodate a much wider range of views and values than they have in the past.

There is hope that many of the gains of the Wilsonian order can be preserved and perhaps in a few areas even extended. But fixating on past glories will not help develop the ideas and policies needed in an increasingly dangerous time. Non-Wilsonian orders have existed both in Europe and in other parts of the world in the past, and the nations of the world will likely need to draw on these examples as they seek to cobble together some kind of framework for stability and, if possible, peace under contemporary conditions.

For U.S. policymakers, the developing crisis of the Wilsonian order worldwide presents vexing problems that are likely to preoccupy presidential administrations for decades to come. One problem is that many career officials and powerful voices in Congress, civil society organizations, and the press deeply believe not only that a Wilsonian foreign policy is a good and useful thing for the United States but also that it is the only path to peace and security and even to the survival of civilization and humanity. They will continue to fight for their cause, conducting trench warfare inside the bureaucracy and employing congressional oversight powers and steady leaks to sympathetic press outlets to keep the flame alive.

Those factions will be hemmed in by the fact that any internationalist coalition in American foreign policy must rely to a significant degree on Wilsonian voters. But a generation of overreach and poor political judgment has significantly reduced the credibility of Wilsonian ideas among the American electorate. Neither President George W. Bush’s nation-building disaster in Iraq nor Obama’s humanitarian-intervention fiasco in Libya struck most Americans as successful, and there is little public enthusiasm for democracy building abroad.

#### 5. Their theory has a narrow conception of peace as the absence of war.

Scott PATRICK 14, PhD student in comparative politics at American University [“The Capitalist Peace, Dependency Theory, and Imperialism,” *Bakunin Matata*, March 16, 2014, https://bakuninmatata.wordpress.com/2014/03/16/the-capitalist-peace-dependency-theory-and-imperialism/]

We are living in an age of capitalist peace, at least according to some scholars. It may seem unlikely that capitalism, which even its most ardent defenders admit is based on stratification, would foster peaceful relations between people, but there is no shortage of scholarly pieces devoted to the analysis of how trade and interstate conflict interact. While surveying several works on this topic, from the sanguine to the skeptical, it becomes clear that there are aspects of the theory, ranging from the arrangement of the international economic order to the drive of capital accumulation, that are missing from studies that could potentially greatly benefit from their conclusion. Although dependency theory and imperialism are no longer popular in academia as they once were, they do offer perspectives that would serve to make academic studies of the “capitalist peace” more critical and more robust.

More than two centuries after Kant advanced it, the validity of the claim that liberal states are pacific in their relations with other liberal state continues to attract scholarly interest. One of the key arguments articulated in its defense is that liberal states prefer peace as it fosters trade, and as states become integrated into the global marketplace, the costs of conflict are outweighed by the profits of peace. Oneal and Russett (1997) declared this assertion correct after performing a rigorous analysis of data from the post-WWII period that illustrated a “separate peace” between liberal states during the Cold War built around shared democratic values and economic interdependence. In a later study, Lupu and Traag (2013) extend this argument further, arguing that indirect trade between members of joint trade communities is as instrumental as direct economic linkages in discouraging conflict, as war generates negative externalities for the trade partners of combatants in addition to the combatants themselves. As trading communities tend to be geographically clustered, they see the influence of indirect trade dependence as the driving factor behind increased regional security agreements in the era of globalization. Trade, from the perspective of these authors, acts as the classical liberals said it would: bringing states together in a “harmony of interests,” where the clarity of gains from tranquility and cooperation would logically overtake and supplant the primal desire of “winner take all.”

What is missing from the above accounts is a consideration of the historical conditions that shaped the “separate peace” enjoyed by liberal states during the postwar era. For example, there was a conscious attempt by the triumphant Allies not to repeat the “Carthaginian peace” of the Treaty of Versailles, which had led to economic collapse and a surge in radical politics. Instead, the wealth and might of the United States was directed toward rebuilding the infrastructure of the defeated Axis nations while simultaneously reshaping their politics to be amenable to the support and expansion of U.S. hegemonic power, both in Western Europe and East Asia. The peace that followed was less an organic development and more a purposive political project to shore up support for Washington while also countering the communist critique of capitalism broadcasting from Moscow. To extrapolate from the experiences of the great powers a natural, normal emanation of liberal values is to ignore the critical compulsions those powers had to abide in order to protect and project the interests of capital at the historical moment. The impact of economic power from the developed world onto the developing world is much more telling, as it reveals much more about the hierarchical nature of global capitalism.

Several scholars that have written on economic interdependence and conflict have broached this topic. Morrow (1999), in expressing skepticism that trade prevents conflict, notes that economic interdependence leaves poorer states inclined to preserve the status quo, making their coercion more likely. Moreover, powerful states can utilize economic linkages to send costly signals to their partners, damaging trade flows but nevertheless successfully imposing their will on others. Gartzke, et al (2001) build on this by demonstrating how countries dependent on capital investment are especially at risk of economic disruption brought on by a communication of resolve from a capital-rich partner. In their view, trade itself can be a medium of conflict as wealthy countries push their agenda on poor ones.

For those countries that have existed in a state of underdevelopment in the postwar era, this should not come as news. The work of dependency theorists like Andre Gunder Frank (1966) and Samir Amin (1976) explains in detail how developing countries find their economic and political options placed largely out of their hands due to their involvement in the world economy organized and orchestrated by the affluent industrialized countries. Required to follow neoliberal policy prescriptions to access long-term finance, developing countries are thus unable to implement programs to protect and grow domestic industries or to reduce inequality through redistributionist measures, thereby ensuring that their societies remain strained and unstable. Hence such countries remain at the bottom of vertical economic order, their political development stunted as it is often difficult to appease foreign capital and domestic forces demanding equality and redistribution. The all-too-common outcome (and one conveniently ignored by advocates of “pacific liberalism”) is that developed liberal states provide support for dictators and death squads in Latin America, Africa and elsewhere, so that elites in the developing world commit violence on their behalf to keep their counties and, by extension, industries stable. Of course, it should not be omitted that those same developed liberal states, especially the U.S., has not hesitated to intervene directly in Iran, Guatemala, Chile and elsewhere to violently remove populist leaders who dare to privilege sovereignty over capital access. Yet, because “conflict” is so often defined as direct and fitting in with expectations of conventional war, liberal states that finance right-wing guerrillas and generalissimos or back coups are still considered “pacific” in their relations.

#### The aff and the alt cannot possibly be combined…

McLaren 19 (Peter McLaren – “the one who writes that Marxist shit.” *Revolutionary Critical Pedagogy and the Macrostructural Unconscious*, Ch. 30 in K[eywords in Radical Philosophy and Education](https://brill.com/view/title/54628) (2019) pgs. 426-76. <https://brill.com/view/book/edcoll/9789004400467/BP000038.xml>, DOA: 8/31/20, kbb)

The tendrils of capitalism’s poisonous vine are spreading into all the spaces and virtual spaces of potential capital accumulation and we need cadres of teachers to speak out and to create spaces where their students can assume roles as razor-tongued public instigators for the social good. Globalized finance capitalism is the most widespread authoritarian structure in the history of civilization, giving the rich even greater riches and forcing the dispossessed to set up markets on moonlit streets to augment their exiguous incomes. We might be living in what is now called the “age of greed” but we should not be fooled that the current crisis of capital is linked mainly to the greed of corporate capitalists captured by Hollywood figures such as Gordon Gekko, since we believe that it is endemic to the system of capitalism itself.

Our shadow grows large beside the flames of capital’s vast furnace, a grotesquery out of Dante’s Inferno. We appear specter-like, Nosferatu the Vampyre with fingers extended across the wall of our flickering cave that we call civilization, all the better to grasp profits wherever our bloodlust for capital finds them, and to palpate the farthest rim of the earth if necessary, even to squeeze out from the vacant eyes of the poor their last tears of sorrow, if they could fetch a handy price in the market. All human and non-human animals inhabiting the planet have been stuffed stone-eyed into the vaults of capitalist social relations, a mausoleum of tortured beings writhing in the toxic vomit of the earth. We weep with all sentient beings, even as we shift from our anthropocentric cosmovision to a biocentric one.

According to Noam Chomsky,

This is the first time in human history that we have the capacity to destroy the conditions for decent survival. It is already happening. Look at species destruction. It is estimated to be at about the level of 65 million years ago when an asteroid hit the earth, ended the period of the dinosaurs and wiped out a huge number of species. It is the same level today. And we are the asteroid. If anyone could see us from outer space they would be astonished. There are sectors of the global population trying to impede the global catastrophe. There are other sectors trying to accelerate it. Take a look at whom they are. (Cited in [Hedges, 2014](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380016), p. 3)

This behemoth we call capital is not some creature encountered in the medieval surrealism of Hieronymus Bosch or a Bestiarum vocabulum of the Middle Ages or in a sideshow banner in a county fair midway where you might be expected to find, in the abhorrent language of the carnival, Melvin Burkhart the Anatomical Wonder; Zippy the Pinhead; Chang and Eng, the original Siamese twins; Johnny Eck, the King of the Freaks; or Koo Koo the Birdgirl. The beast of the apocalypse, which I could name Exploitagus, is here among us, among both the living and the dead. Besmirched with a feral lunacy, and driven by a lust for the spoils of labor power, it towers over our world and all of our imaginings of what other worlds could, or should, be like. Its pallid countenance, lolling tongue and bloodless skin disguises its gluttonous and perverse appetite for profit, an appetite so ravenous that it would swim across an ocean of excrement, even risking the trident of Britannia, in order to ingurgitate a half farthing wrung from the aching arms of a bootblack. Its indelicate stride is not an evolutionary gallop as we are much too worldly wise to label it progress. Quite the contrary, it’s a devolutionary sprint, a conquest of the globe that has laid waste to the land and has made civilization into a mausoleum, a place of dry bones in what once was a thriving metropolis of pulsating, fibrillating and undulating flesh; it’s now a place of hollow sockets and empty brainpans that once held the vitreous and the electrical charges that fashioned for humanity the gift of sight and foresight. Even a premonitory lunge from its febrile hand can cause havoc to cascade from its fingers of fire. And when it goes on a rampage, squatting on its precious platinum haunches and depositing its larvae as it has this past decade into the gin and tonics of our political leaders, nothing can stand in its path and survive, least of all the impecunious bystanders who seek out whatever diversions they can in order to avoid staring directly into the darkness of their own souls. Inside the darkness, they can see the junkyard world of the future. Finding relief in the light, they become blind to any and all alternatives to capital’s value form.

The free-market economy is championed as the protector of democracy, like the fierce Chinese guardians or warrior attendants in a Tang dynasty temple. They protect us from any competing alternative, such as dreaded socialism. The new citizens of this tilt-a-whirl domain of American politics remain functionally unaware, studiously refusing to see capitalism as a means of the exploitation of the labor-power of the worker and even less as accumulation by dispossession. As [David Harvey (2010)](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380015) puts it, accumulation by dispossession “is about plundering, robbing other people of their rights … capitalism is very much about taking away the right people have over their natural resources” ([Harvey, 2010](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380015), p. 99). Accumulation by dispossession is interrelated with neoliberalization or institutional reforms that are premarket and pro-privatization and against state interventions into the marketplace and so on.

The champions of neoliberalism—the antinomians, the pre-millenialists and post-millenialists—see those who would oppose their master—the socialists, liberals and communists—as in league with the anti-Christ. Some of these “warrior Christians” (as they like to see themselves) send their children to “Jesus camps,” while others join the Christian militias, like Hutaree, and plot to kill government law enforcement agents and train to wage war against the anti-Christ (a recent poll indicated that one-quarter of Republicans believe that Barack Obama could be the anti-Christ, the Beast of the Apocalypse in the Book of Revelation). Of course, the Jesus of these militant evangelical extremists bears little resemblance to the Jesus of the Bible, even though their serpent-handling pastors and fellow sign-followers like to brag in their tent crusade revival meetings (once the copperheads and water moccasins are carefully secured in their baskets) that their values and politics derive from a ‘literal’ interpretation of holy Christian scriptures. Theirs is the Jesus of the prosperity preachers, a Jesus who wears a revolving Krispy Kreme donut as a halo, complete with sprinkle candy.

Those who do not want to talk critically about capitalism should keep quiet about the barbarism we are witnessing all around us. Be my guest and keep complaining about violence in schools, and how poorly teachers teach, and how immigrants are spoiling the country, but we don’t need your advice. Can’t you hear the earth shuddering in agony beneath your spit-and-polished jackboots? People aren’t falling on the streets like spent bullets in crime ridden neighborhoods. Violence is more than a metaphor. People are falling in the street because they have been shot with bullets! And these are disproportionately people of color. Is it so difficult to connect this destruction systematically to capitalist relations of production rather than simply foisting it off as the result of greedy capitalists (we are tired of psychologizing what is clearly a structural crisis built into the dynamics of value production under capitalism)?

Present attempts at resisting the hydra-headed beast of capital are frozen like dried blood on history’s stale proscenium where we dream our dreams and are dreamt in an overcrowded theater of destruction. In this country of strangers, the scourge of capitalism is too infrequently accompanied by a momentous uprising by the oppressed but instead is met by isolated individuals enshrouded in a cynical resignation and a calcified hope, resulting in a paralyzing quietism awaiting its own dispersion. We will not be bequeathed another Che Guevara or Paulo Freire who will lead the fated triumph of the hardscrabble workers over the succulent and savvy bourgeoisie, who will transubstantiate the graveyards of political defeat into a victory march of the Left, or who will bring us into a world of unbearable beauty and harmony, a land of Cockaigne devoid of Breughel’s slothful peasants. Those days are gone. But we do have Julian Assange, Chelsea Manning and Edward Snowden, and we should acquaint ourselves of their gifts of courage.

In our world of hand sanitizers, willfully disenfranchised youth, high-gloss reality shows, television commentaries on world events that have as much analytical depth as sparkle dust sprayed from a vintage-style perfume bottle, and benign varieties of televised adolescent rebellion with fast-food marketing tie-ins, we try in vain to find a way out. But that proves as difficult as asking your eyeball to stare back at itself. Or Benjamin’s Angel of History to turn her head and face the future. Yet even against logo-swathed backdrops and image-based commentaries of daunting corporate grandeur, we keep ransacking Marx’s tomb, especially when an economic crisis hits that demands some kind of explanation not afforded by the pundits of the Wall Street Journal. Everywhere it seems—perhaps especially in education—you find Marxism being derided with a leering flippancy or galvanized indifference. You can’t escape it, even in coffee shops for the urban literati, as a recent visit to a popular Los Angeles establishment taught me. There, among the hard-nosed espresso drinkers, a stranger approached me waving heavy hands. Bobbing over a thin nose and pair of succulent lips were a pair of tarsier eyes, as if they had been clumsily plopped onto plump, fleshy stumps that sprung out ominously from deep within his sockets. Escaping his overly caffeinated oral cavity was a stage-whispered admonition delivered with requisite theatrical intensity: “Oh, you’re McLaren, the one that writes that Marxist shit.” I responded with a simple retort, as quickly as if I had rehearsed it in advance: “I assume you’re already so full of capitalist shit that I wonder how you noticed mine.” Today’s capitalism is spawned in a petri dish of virtual Faustian space, as dank and suffocating as the inside of a hot air balloon. Capitalism dresses itself up in corset-like vocabularies of common sense. It can adapt to and absorb any language—even the language of the Left. It works its discourse in the service of its self-expansion, having no master to serve but itself. Its favorite language is the language of mystification, of progress, of democracy. By fashioning itself out of the contradictory logic of progressivism and traditionalism, it can confuse and obfuscate unobstructed.

In these times the tears of the poor do not help nourish the seeds of revolution; before they can fall to the ground they are swept up into the tornado of fast capitalism that passes them like minuscule batons around and around from crisis to crisis in an arena of corruption where the race is never finished, only suspended like an image in a frozen computer screen until the next corporate bailout. Resistance cannot take hold. Freedom is slipping away. Arguably it is the case today that corporate greed constitutes the epochal spirit of our times. But to my thinking it is not the central antagonism at this current juncture in world history that is witnessing the ongoing trauma of capitalist formation within national security states such as the US. The problem is not entrenched corporate interests. This is merely the symptom that we mistake for the disease. The main problem—dare we say it?—is not that corporations and the banking industry (what used to be called the “Big Mules”) are mulcting the public (which they are). The problem is global or transnational capitalism itself.

Capitalism is the very Eye of Sauron, the Hammer of Havoc, a heinous blight upon the planet that sees all, consumes all and destroys all in its path. We, the people, are lodged fast in the fetid bowels of the capitalist state, buried deep inside a monological regime of untruth, ensepulchered within the monumentalism and US exceptionalism of the dominant culture—spread-eagled in the vortex of conflict that Bakhtin (in his work on dialogism, polyphony, heteroglossia and open interpretation) calls the authoritative discourse of the state and the internally persuasive discourse of our own making that expresses our values and our aspirations. The discourse of the state—that positions the “other” as irredeemably evil, as a monolithic alien species that is so barbaric as not to merit the rule of law—along with the functional existence of the state as an instrument of exploitation and repression, clearly need to be overcome. How can this be possible? Cold War ideology prevails and US citizens in the main bear the ideological marks of their times. The term “American empire” is being championed by the Right out of a sense of noblesse oblige—to be part of an empire is a duty and a responsibility that comes with being the leader and protector of the “free” world. With their paternalistic toy trumpets, and their willingness to jettison their critical faculties in favor of embracing an iron certainty and ineffable faith that the United States has a providential mission in the world, the far right boasts that free-market democracy has to be delivered to the far corners of the earth (by bombing runs, if necessary) if civilization is to prevail on the planet.

We learn this in our Stephen Spielberg suburbs waiting for E.T. to return, in our double-mortgaged farmhouses, in our Appalachian towns ravaged by crystal meth, in our urban barrios where children with shipwrecked eyes and remastered smiles dream of Marvel Comics lives. We learn this from Lamp Unto My Feet, from Our Gang, from Leave it to Beaver, from Happy Days, from The Fresh Prince of Bel Air, from Soupy and Pookie, from Tom Terrific, from What’s My Line?, from Winky Dink and You, from Ding Dong School, from Jack Bailey on Queen for the Day, from Twin Peaks, from Jeopardy, from Teletubbies, from carnival barkers, from television commercial scripts, from rodeo announcers and commentator hosts from the Super Bowl to the Final Four. We are all infected.

The corbelled vault of our imagination from which memories cry out and dreams are born has been constructed out of the windswept debris of dead cities, destroyed civilizations, nations brought to servitude by the mailed fist of the world eaters, those whose imperial eyes sweep over the clearings when the dust of destruction has settled and seek to plunder the resources of entire nations, caring nothing of the aftermath, nothing of the blood that soaks into the earth or pools in the sewers of the heart, nothing of the blight brought to humankind.

Is it too late to re-enchant the world, to remold the planet in mytho -poetic terms, to create a past dreamtime, a mystical milieu in the present, to give ourselves over to dream divinities, to live in the eternal moment, to mold sacred totems from the clay of the riverbed? And while we ponder this possibility, the armies of the night march on, sneering at the pious surrender of the oppressed.

Because through the medium of experience the ego-driven individual is mistaken as the source of social practices, this process of misidentification has become a capitalist arche-strategy that marginalizes collectivity and protects the individual as the foundation of entrepreneurial capitalism. As a consequence, the well-being of the collectivity is replaced by the “politics of consumption” that celebrates the singularities of individuals by valorizing the desire to obtain and consume objects of pleasure. Experience in this view becomes non-theoretical and beyond the realities of history. This is why we need to locate all human experience in a world-historical frame, that is, within specific social relations of production. Revolutionary critical pedagogy, as we have been trying to develop it, attempts to create the conditions of pedagogical possibility that enable students to see how, through the exercise of power, the dominant structures of class rule protect the practices of the powerful from being publicly scrutinized as they appropriate resources to serve the interests of the few at the expense of the many ([Ebert & Zavarzadeh, 2008](https://brill.com/view/book/edcoll/9789004400467/BP000038.xml#R380009)).

#### Second, only 10% have to mobilize for successful transition – the alternative solves

Alexander 15

lecturer at the Office for Environmental Programs, University of Melbourne (Samuel, *Sufficiency Economy* pg 150-152)

The largest empirical analysis of the Voluntary Simplicity Movement (Alexander and Ussher, 2012) shows that there could now be as many as 200 million people in the developed regions of the world exploring, to varying degrees, lifestyles of reduced and restrained consumption. This signifies an emerging social movement of potentially transformative significance, especially if it were ever to radicalise and organise itself with political intent. Notably, that same empirical study showed that the movement was developing both a ‘group consciousness’ and a ‘political sensibility’, features that are arguably necessary for any social movement to use its collective power in influential ways. As more people are exposed to the type of reasoning unpacked by Kevin Anderson – that is, as more people see that responding to climate change actually requires consuming less – the Voluntary Simplicity Movement could well grow in size and influence, perhaps with surprising speed.

Interestingly, the justification for embracing a lifestyle of voluntary simplicity does not begin and end with ecological or humanitarian arguments. In recent decades there has been a huge amount of literature exploring the relationship between income and subjective wellbeing (see Alexander, 2012b), and the results undermine the culturally entrenched assumption that ‘money buys happiness’. Although the empirical debate is not over, the weight of evidence strongly suggests that money and material wealth is important at low levels of income, but once basic material needs for food, shelter, clothing, etc. have been met, money has fast diminishing marginal returns. In other words, beyond the basic needs threshold, the things that really contribute most to human wellbeing are not monetary or material, but instead things like socialising, creative activity, meaningful work, and other nonmaterial sources of meaning and satisfaction. This literature is arguably a ticking time bomb for consumer culture, because if more people came to see that consumerist lifestyles are not a reliable path to a happy and meaningful existence, they would presumably give up the consumerist lifestyle and seek happiness and meaning in realms other than consumption. Although this culture shift might be motivated primarily by self-interest, clearly it would have beneficial social and ecological implications. The point is that a very strong case is developing for people to explore post-consumerist lifestyles of reduced or restrained consumption, suggesting that the conditions for a cultural revolution are ripe.

It is also worth acknowledging a new and controversial analysis presented by David Holmgren (2013), co-originator of the permaculture concept, which provides further grounds for thinking that the Voluntary Simplicity Movement could have disruptive potential. Voluntary simplicity has always been an implicit feature of the permaculture worldview, insofar as permaculture is about designing a way of life that minimises waste in order to work with nature rather than against nature (Holmgren, 2002). But Holmgren recently placed voluntary simplicity at the centre of his thinking, and arrived at a theory of change that has received a vast amount of online attention.

Always doubtful of the prospects of convincing politicians to lead the necessary transition to a low-carbon world, Holmgren has grown increasingly sceptical that any mass movement at the social level is going to produce significant change either. Accordingly, his pessimism has driven him to conclude that the best we can hope at this late stage is to deliberately ‘crash’ the existing fossil fuel-based system and build a permaculture alternative as the existing system deteriorates. His provocative theory, to oversimplify, is that if a new, relatively small social movement of anti-consumers were able to radically reduce their consumption, this reduction in demand for commodities could destabilise the global economy, which is already struggling. More precisely, Holmgren hypothesises that if merely 10% of people in a nation could reduce their consumption by 50%, this could signify a 5% reduction in total demand, which, although small, would likely cause havoc with any growth-based economy. It is important to emphasise that Holmgren does not romanticise the process of collapse; he acknowledges the worrying risks his strategy poses. First and foremost, it is unpredictable in its consequences. Nevertheless, he argues that whatever risks his strategy poses, there are greater risks – both socially and environmentally – in letting the existing system continue to degrade planetary ecosystems. What is most interesting about Holmgren’s strategy is that it does not rely on a mass movement. He believes that a relatively small but radical anti-consumerist movement could be a truly disruptive force.

## States

#### 4---Lit and solvency advocates check

Rose 13 (Amanda M. Rose, Associate Professor, Vanderbilt University Law School, Article: State Enforcement of National Policy: A Contextual Approach (with Evidence from the Securities Realm). Minnesota Law Review, 97, 1343, y2k)

A mature debate exists over the wisdom of concurrent state enforcement in the antitrust context. See, e.g., Stephen Calkins, Perspectives on State and Federal Antitrust Enforcement, 53 Duke L.J. 673 (2004) (defending concurrent state enforcement); Carole R. Doris, Another View on State Antitrust Enforcement - A Reply to Judge Posner, 69 Antitrust L.J. 345 (2001) (same); Harry First, Delivering Remedies: The Role of the States in Antitrust Enforcement, 69 Geo. Wash. L. Rev. 1004 (2001) (same); Robert L. Hubbard & James Yoon, How the Antitrust Modernization Commission Should View State Antitrust Enforcement, 17 Loy. Consumer L. Rev. 497 (2005) (same); cf. Richard A. Posner, Federalism and the Enforcement of Antitrust Laws by State Attorneys General, in Competition Laws in Conflict: Antitrust Jurisdiction in the Global Economy 252-66 (Richard A. Epstein & Michael S. Greve eds., 2004) [hereinafter Competition Laws in Conflict] (criticizing concurrent state enforcement); Michael L. Denger & D. Jarrett Arp, Does Our Multifaceted Enforcement System Promote Sound Competition Policy?, 15 Antitrust 41 (2001) (same); Robert W. Hahn & Anne Layne-Farrar, Federalism in Antitrust, 26 Harv. J.L. & Pub. Pol'y 877 (2003); Posner, supra note 22 (same). For more information about this debate, see also Michael DeBow, State Antitrust Enforcement: Empirical Evidence and a Modest Reform Proposal, in Competition Laws in Conflict, at 267-88; Michael S. Greve, Cartel Federalism? Antitrust Enforcement by State Attorneys General, 72 U. Chi. L. Rev. 99 (2005).

## Adv 1

#### A New Antitrust legislation would take years to enforce even if successful

**Tracy 21** (Dana Mattioli and Ryan Tracy, WSJ, "House Bills Seek to Break Up Amazon and Other Big Tech Companies", 6-11-2021, accessed on 8-31-2021, https://www.wsj.com/articles/amazon-other-tech-giants-could-be-forced-to-shed-assets-under-house-bill-11623423248)

House lawmakers proposed a raft of bipartisan legislation aimed at reining in the country’s biggest tech companies, including a bill that seeks to make Amazon.com Inc. AMZN 1.44% and other large corporations effectively split in two or shed their private-label products. The bills, announced Friday, amount to the biggest congressional broadside yet on a handful of technology companies—including Alphabet Inc.’s GOOG -0.01% Google, Apple Inc. AAPL -0.84% and Facebook Inc. FB -0.34% as well as Amazon AMZN 1.44% —whose size and power have drawn growing scrutiny from lawmakers and regulators in the U.S. and Europe. If the bills become law—a prospect that faces significant hurdles—they could substantially alter the most richly valued companies in America and reshape an industry that has extended its impact into nearly every facet of work and life. One of the proposed measures, titled the Ending Platform Monopolies Act, seeks to require structural separation of Amazon and other big technology companies to break up their businesses. It would make it unlawful for a covered online platform to own a business that “utilizes the covered platform for the sale or provision of products or services” or that sells services as a condition for access to the platform. The platform company also couldn’t own businesses that create conflicts of interest, such as by creating the “incentive and ability” for the platform to advantage its own products over competitors. A separate bill takes a different approach to target platforms’ self-preferencing. It would bar platforms from conduct that “advantages the covered platform operator’s own products, services, or lines of business over those of another business user,” or that excludes or disadvantages other businesses. The proposed legislation would need to be passed by the Democratic-controlled House as well as the Senate, where it would likely also need substantial Republican support. Each of the bills has both Republicans and Democrats signed onto it, with more expected to join, congressional aides said. Seven Republicans are backing the bills, with a different group of three signing on to each measure, according to a person familiar with the situation. “Unregulated tech monopolies have too much power over our economy,” said Rep. David Cicilline (D., R.I.), the top Democrat on the House Antitrust Subcommittee. “They are in a unique position to pick winners and losers, destroy small businesses, raise prices on consumers, and put folks out of work. Our agenda will level the playing field.” Rep. Ken Buck (R., Col.), the panel’s top Republican, said he supports the bill because it “breaks up Big Tech’s monopoly power to control what Americans see and say online, and fosters an online market that encourages innovation.” The four companies didn’t comment on the proposed legislation Friday. All have defended their competitive practices and said that they operate their products and services to benefit customers. Matt Schruers, president of the Computer & Communications Industry Association, whose members include Facebook, Amazon and Google, said the House bills would disrupt Americans’ ability to use products that they like. “Writing regulations for a handful of businesses will skew competition and leave consumers worse off,” he said. Critics of the tech giants praised the legislation. Roku Inc., which competes with several of the tech giants, applauded the lawmakers for “taking a crucial step toward curbing the predatory and anticompetitive behaviors of some of the country’s most powerful companies.” Gaining sufficient Republic support for the bills will be an uphill battle: While Republicans are concerned about technology companies’ power, many are skeptical about changing antitrust laws. Even if they pass, the laws could take years to implement as federal agencies try to enforce them over the companies’ likely legal objections.

#### Defense teams will stall legal proceedings long enough to trigger their internal links

Jones and Kovacic 20 [Alison Jones and William E. Kovacic, Alison Jones is Professor of Law at King’s and a solicitor at Freshfields Bruckhaus Deringer LLP; William Evan Kovacic is an American lawyer and legal scholar who was a commissioner of the U.S. Federal Trade Commission from 2006 to 2011. Kovacic is a professor at George Washington University Law School and the director of their Competition Law Center, "Antitrust’s Implementation Blind Side: Challenges to Major Expansion of U.S. Competition Policy", The Antitrust Bulletin 2020, Vol. 65(2) 227-255 <https://journals.sagepub.com/doi/pdf/10.1177/0003603X20912884>]LPAL

Opposition to Legislative Reform Although statutory reform might at first sight appear to be a direct, effective solution to some of the impediments (such as entrenched judicial resistance to intervention), there are good reasons to expect that powerful business interests will also stoutly oppose any proposals for legislation to expand the reach of the antitrust laws or to create a new digital regulator.128 One can envisage the formidable financial and political resources of the affected firms will amass to stymie far-reaching legislative reforms. Legislative steps that threaten the structure, operations, and profitability of the Tech Giants and other leading firms are fraught with political risk. These risks are surmountable, but only by means of a clever strategy that anticipates and blunts political pressure. One element of such a strategy is to mobilize countervailing support from consumer and business interests to sustain an enabling political environment to enact ambitious new laws. Even if successful, “[l]egislative relief from existing jurisprudential structures might take years to accomplish”;129 acts taken under new legislation—even with the establishment of presumptions that improve the litigation position of government plaintiffs—may still be relatively complex and difficult to prosecute. Rulemaking is an alternative to litigation, but it is no easy way out of the problem. On the contrary, promulgation and defense, in litigation, of a major trade regulation rule is liable to take as long as the prosecution of a Section 2 case. It can also be anticipated that a judiciary populated with many regulation skeptics will subject new rules or related measures to demanding scrutiny.

#### Clarifying the scope and meaning of vague language doesn’t solve---courts ignore, Congress backs down, it’s already very clear.

Crane ‘21 [Daniel A Crane. Frederick Paul Furth, Sr. Professor of Law, University of Michigan. I am very grateful for many helpful comments from Tom Arthur, Jonathan Baker, Steve Calkins, Dale Collins, Eleanor Fox, Rebecca Haw, Hiba Hafiz, Jack Kirkwood, Bob Lande, Christopher Leslie, Alan Meese, Steve Ross, Danny Sokol, and other participants at the University of Florida Summer Antitrust Workshop. "ANTITRUST ANTITEXTUALISM." https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=4952&context=ndlr]

This Article has shown that, historically, the judiciary has treated the antitrust statutes as broad delegations to the courts to create a pragmatic common law of competition, even when the statutes plainly said something more specifically prohibitory. What, then, are the strategies available to a reformist Congress seeking to rein in business power through remedial antitrust legislation?

The one strategy that does not seem especially promising is simply writing clearer statutes. The antitrust statutes that the courts wrote down in favor of big business did not suffer from a lack of clarity or, if they did, not in the textual implications the courts chose to ignore. Strikingly, the courts continue to insist that the antitrust statutes are indeterminate delegations of common-law power, even while admitting in candor that they have simply chosen to ignore the statutes’ plain meaning in favor of a common method of deciding antitrust cases. For instance, in Professional Engineers, Justice Stevens remarked for the Court that “the language of § 1 of the Sherman Act . . . cannot mean what it says” and therefore that Congress must not have intended “the text of the Sherman Act to delineate the full meaning of the statute or its application in concrete situations,” thus justifying the courts in shaping the “statute’s broad mandate by drawing on common-law tradition.”255 Given over a century’s tradition of interpreting antitrust statutes as invitations to continue a common-law process whatever else is suggested by the statute’s text, it is difficult to see how simply accumulating stern new language in new texts would lead to a different result.

Even where reform statutes are textually honored in their immediate aftermath, history shows a creeping judicial tendency to begin integrating the reform statutes into the mainstream of antitrust jurisprudence within a few decades. This has been the fate of the four major antitrust reform statutes— the FTC, Clayton, Robinson-Patman, and Celler-Kefauver Acts—each of which was meant to rein in capital in ways that the Sherman Act did not. In all four instances, however, the courts incrementally began mainstreaming the statutes into Sherman Act precedent, creating a homogenous antitrust jurisprudence that read the textual distinctiveness out of the reform statutes. Thus, today, cases under the FTC Act, section 3 of the Clayton Act, and the Robinson-Patman Act are largely indistinct from Sherman Act cases,256 and merger cases have been rolled into the same modes of price-theoretic analysis that would be employed in a Sherman Act case.257 Given that neither statutory text nor legislative history seems to have deterred the courts from this process within a few decades after the passage of the statutes, there is little reason to believe that a “this time we mean it” statutory reform would not meet the same fate. If the courts continue to understand aspects of the antitrust statutes as aspirationally motivated and operationally impracticable, the previously observed pattern is likely to continue.

#### Historically, not a single law has been interpreted faithfully

Crane 21 [Daniel A Crane. Frederick Paul Furth, Sr. Professor of Law, University of Michigan. I am very grateful for many helpful comments from Tom Arthur, Jonathan Baker, Steve Calkins, Dale Collins, Eleanor Fox, Rebecca Haw, Hiba Hafiz, Jack Kirkwood, Bob Lande, Christopher Leslie, Alan Meese, Steve Ross, Danny Sokol, and other participants at the University of Florida Summer Antitrust Workshop. "ANTITRUST ANTITEXTUALISM." https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=4952&context=ndlr]

In sum, from the courts’ earliest forays into interpreting the Sherman Act up through contemporary antitrust jurisprudence, the courts have manifested a systematic tendency to interpret the substantive antitrust statutes contrary to their texts, legislative histories, and often their spirit.236 Sometimes, as with the rule of reason and labor exemption, the judicial disregard of text and purpose has occurred fairly immediately. In other cases, as with the Robinson-Patman and Celler-Kefauver Acts, an initial period of statutory fidelity has slipped gradually into a period of statutory infidelity. In some cases, as with respect to section 5 of the FTC Act and section 3 of the Clayton Act, the courts continue to proclaim their fidelity after they functionally move to infidelity. In many cases, the courts stop pretending after a while and admit quite candidly that they are taking liberties with the statute.

If this antitrust antitextualism is merely the product of common-law methodology, one would expect to see movement away from the statute’s text in both permissive and restrictive directions, or, to put it more crassly, both in favor of big capital and against it. But the movement has all been in one direction: loosening a congressional check on big capital. Thus, the rule of reason allowed courts to bless large combinations of capital that the courts deemed reasonable; narrowing the labor exemption frustrated labor’s ability to countervail capital’s power; restricting the private right of action for treble damages significantly curtailed the private-litigation check on business; judicial narrowing of the Clayton Act’s exclusive dealing and tying restrictions allowed (mostly big) firms to exploit market power; reading “unfair” out of the FTC Act eliminated section 5 as a check on business morality; eviscerating the Robinson-Patman Act protections for small and independent businesses favored large and powerful businesses; and requiring proof of likely price increases and technical relevant market definition in merger cases immunized many large-scale mergers from legal challenge. Throughout the history of American antitrust law, the courts have shown a systematic tendency to read down the antitrust statutes in favor of big capital.

But the story of antitrust antitextualism is not simply one of conservative/progressive ideological struggle between Congress and the courts. Much of the action away from statutory text and purpose was accomplished by, or with the support of, judges of the political left. Unlike in other fields, Congress has not responded with statutory overrides. And far from buttressing its atextual statutory readings of the antitrust laws through veiled constitutional warnings about congressional overreaching, the Court has repeatedly pulled in the opposite direction, asserting quasi-constitutional reverence for antitrust law.237 Despite ample opportunity to do so, the Court has not removed antitrust law from the reach of congressional reconsideration by constitutionalizing its atextual readings. Antitrust antitextualism does not follow a conventional left/right ideological pattern. Its actual pattern is more subtle.

#### Antitrust enforcement doesn’t solve wealth inequality---market dynamics are way too complex for this facile argument to be true---CEOs in consolidated markets make less than in competitive ones

Schechter ’16 – writer at ProMarket citing Daniel Crane, the associate dean for faculty and research and the Frederick Paul Furth Sr. Professor of Law at the University of Michigan, disputes the monopoly regressivity claim

Asher, “Is More Antitrust the Answer to Rising Wealth Inequality?” ProMarket, <https://promarket.org/2016/07/08/antitrust-answer-rising-wealth-inequality/>

Daniel Crane, the associate dean for faculty and research and the Frederick Paul Furth Sr. Professor of Law at the University of Michigan, disputes the monopoly regressivity claim. He also disputes the growing notion that a more rigorous antitrust enforcement can diminish wealth inequality, arguing that “more antitrust is not the answer to wealth inequality.”4

In a recent paper, Crane challenges what he deems as an oversimplification, claiming that that the relationship between antitrust law and wealth inequality is “far more complex” and that the relationship between income distribution and market power is “subtle, circumstantially contingent, and, at least for a developed economy, extremely difficult to generalize.” Crane then goes on to argue that more antitrust can in fact lead to greater inequality, and that “when it comes to wealth equality and social justice in a developed economy, antitrust law cannot be calibrated to help, but it can be calibrated not to harm.”5

That the U.S. economy is suffering from increasing concentration levels, and that this rise in concentration has led in some cases to significant price increases, has been established in recent years by a growing number of studies. A recent paper by José Azar, Martin C. Schmalz, and Isabel Tecu6 showed that ticket prices are 3-11 percent higher due to common ownership among airlines. A similar paper by Azar, Schmalz, and Sahil Raina that looked at common ownership in U.S. banking7 found that that the largest U.S. banks share identical top shareholders, and that reduced competition in banking leads to worse service for consumers in the form of higher fees for deposit accounts and lower savings interest rates.

In health care, studies show that consolidations among hospitals led to significant price hikes. A 2015 study by Zack Cooper, Stuart Craig, Martin Gaynor, and John Van Reenen found that in markets where hospitals have a monopoly, prices are 15.3 percent higher than in more competitive markets that have four or more hospitals.8

To be sure, Crane does not completely dispute the idea that antitrust enforcement (or lack thereof) is related in some way to growing wealth inequality. What he does dispute, he says, is the “simplistic” version of the relationship between wealth inequality and antitrust, in which consumer-to-producer wealth transfers, enabled by lax antitrust enforcement and rent extractions, create regressive distributional effects. “In a complex, advanced economy, the lines of exploitation and profiting run in too many complicated and cross-cutting directions to permit broad generalization,” he writes in the paper.

“I am not claiming that there is no relationship between wealth inequality and antitrust or market competitiveness,” Crane tells ProMarket. “I am also not claiming that there couldn’t be certain antitrust interventions that would reduce wealth inequality. I think that there could be. All I am saying is that the overall picture, this facile assumption that more antitrust means greater equality and wealth is just way over-broad. The interactions between the distribution of wealth in society and market competitiveness are very complex and cross-cutting, and there are a number of ways in which more antitrust would actually increase wealth inequality.”

He adds: “I am not going to argue that there could never be case in which it would be appropriate to rationalize antitrust enforcement because of the inequality factor—if inequality is your priority, you could try to make a case—but it’s just that there are countercurrents where the effects are much more complicated than the people understand.”

In his paper, Crane disputes one of the key arguments for more antitrust enforcement–that shareholders and senior corporate managers are the main beneficiaries of monopoly rents. The literature on these issues, he argues, is ambiguous. Shareholding is something tens of millions of Americans do across social classes, as part of their 401(k)s and other retirement plans. It is far from clear that shareholders reap the lion’s share of monopoly profits, he notes, and a number of studies have shown that mergers don’t necessarily produce positive returns to the shareholders of the acquiring firm.

Some empirical studies, he claims, have actually shown that CEO compensation declines as markets become less competitive. Labor unions have also supported anti-competitive mergers in the past, he notes—such as the merger between US Airways and American Airlines—expecting that higher concentration would lead to a monopoly wage premium.

“When it comes to regressivity in monopoly, there are two questions: who bears the brunt—who is the effective payer of monopoly overcharges—and who obtains the gains. If you look at CEOs, for instance, the economic literature on CEOS earning a higher wage or stock option in more concentrated markets is very weak. In fact, there’s some literature that suggests that CEOs actually earn a lower wage in monopoly markets. If it’s a monopoly market, they’re less valuable to the firm, because it’s easier to generate income. There’s some literature suggesting it’s precisely where you see highly paid corporate executives that markets are very competitive, because then special talent is most beneficial to shareholders,” he says.

Moreover, Crane argues, antitrust cases have been brought not only against abusive corporations, but against middle-class professionals, such as music teachers, dentists, and lawyers. As an example, he points to a case brought by the Department of Justice against the National Association of Realtors in 2005, a case that concerned restrictions on home buyers to search for listings online.“If you look at statistics on the income of relators and the income of people selling homes, the income profile of a home-selling family is roughly twice the income profile of a realtor, on average,” he says. “Which means that if these allegations were correct, this is a huge wealth transfer from much-richer home sellers to much poorer realtors, and the enforcement action would have actually been regressive.” His point, he stresses, is not to dispute the case, but the notion that antitrust enforcement necessarily leads to progressive wealth redistribution.

Another factor that is often not taken into account, he argues, is government purchasing. Monopolists, he notes, often sell to “large intermediary organizations, which may distribute the incidence of monopoly charges progressively.” In the US, federal procurement accounts for roughly one-seventh of the GDP, not including state and local governments. Government, he argues, pays these monopoly overcharges and ultimately transmits them to taxpayers. Since the U.S. tax code is generally progressive, he argues, those overcharges are being borne progressively. Meaning: wealthy people should, in theory at least, pay a greater share, “which actually means that an antitrust intervention that diminishes anticompetitive conduct in government procurement actually has the effect of increasing wealth inequality.”

When it comes to the issue of price discrimination, says Crane, the relatively wealthy tend to be exploited proportionally more than the relatively poor. “According to most economic accounts, price discrimination has progressive distribution effects, meaning that a greater share of the higher prices charged by price discrimination comes from wealthier individuals than from poorer ones. That’s not uniformly true, but as a generality, in a market characterized by less competition, as monopolists are increasing their prices they are going to be charging proportionally higher prices on higher-income people, on average.”

The proponents of government antitrust action, argues Crane, ignore private efforts to curtail monopoly power. Government, he argues, should “get out of the way” of these private efforts. In the paper, he writes: “When it comes to wealth equality and social justice in a developed economy, antitrust law cannot be calibrated to help, but it can be calibrated not to harm.”

“I think it’s just a mistake, as a general matter, to include reducing wealth inequality as one of the goals of antitrust law,” says Crane. “I’m resisting the idea that somehow talking about wealth inequality will improve antitrust enforcement. If anything, it will just distract, making it a political hot potato, but I don’t think it will have any appreciable effect on wealth inequality. Antitrust law works best when it’s concerned with economic efficiency and the protection of consumer welfare. That has been the consensus by economists, people in the field, and antitrust agencies for several decades now. My concern [is] that at a political level, people are looking for new scapegoats for wealth inequality, and particularly in recent times people have been looking at weak antitrust enforcement.”

#### Market concentration can’t explain inequality or wage stagnation, and antitrust won’t solve – this means they can’t apply their research to the k because even current understandings of the market disagree.

Bivens et al. 18, \*PhD, director of research at the Economic Policy Institute; \*\*PhD, MA, distinguished fellow at EPI; \*\*\*PhD, MSc, EPI’s vice president. (Josh, Lawrence Mishel, and John Schmitt, 4-25-2018, "It’s not just monopoly and monopsony: How market power has affected American wages", *Economic Policy Institute*, https://www.epi.org/publication/its-not-just-monopoly-and-monopsony-how-market-power-has-affected-american-wages/)

This paper highlights some empirical findings from the new literature on the effect of labor and product market concentration on wages. We address three questions about market concentration that have not always been placed front and center in this literature. The first question is, “Does concentration adversely affect wages at a point in time?” The second question is, “Has concentration grown over time?” The third question is, “Can growing concentration by itself explain a significant portion of the change in wage trends in recent decades?” We find there is evidence to answer “yes” to the first and second questions but not the third. To be clear, the failure to answer affirmatively to the third question is not a criticism of these studies. The studies are not claiming that rising concentration alone can explain wage stagnation or inequality. Yet too many readers have taken these studies’ findings to this conclusion.

Finally, this paper makes two broader points about market power. First, market concentration is not the only source of power—particularly employer power—in markets. Second, even unchanged employer power (like that conferred by market concentration) can play a role in growing wage suppression and inequality if it is accompanied by a collapse of workers’ market power. The new literature on market concentration tells us a lot about employer power, but further exploration of what has happened to workers’ market power remains a key research agenda.

This paper highlights the need to tackle sluggish wage growth and rising inequality with a broad menu of policy interventions that go beyond those provided by competitive models to focus on employer and worker power, and even beyond the antitrust agenda suggested by focusing exclusively on market concentration.

Following are our key conclusions:

Labor market concentration is negatively correlated with wages, but the scope of its downward pressure on wages is limited.

New research shows that labor market concentration is negatively correlated with wages. However, the effect of labor market concentration is comparatively modest when scaled against what we consider the most significant wage trend in recent decades: the growing gap between typical (median) workers’ pay and productivity.

The new literature on market concentration has not yet provided concrete empirical estimates of a key labor market trend of recent decades—rising compensation inequality. This should be a priority for this research agenda in the future.

The new concentration literature does allow us to estimate the effect of market concentration on the share of overall income claimed by labor compensation. These estimates suggest that concentration has not risen enough, nor is its effect on labor’s share of income strong enough, to account by itself for an economically important share of the divergence between economywide productivity and the typical worker’s pay in recent decades.

The new research on labor market concentration implies that this concentration reduced wage growth by roughly 0.03 percent annually between 1979 and 2014, a decline that would explain about 3.5 percent of the total divergence between the median worker’s pay and economywide productivity over the same period.

One important study shows that the “average” labor market is “highly concentrated.” But differences between measures of concentration of the average labor market and the labor market experienced by the average worker have important implications for how to assess the impact of labor market concentration on long-term wage trends. In other words, many labor markets suffer from high degrees of concentration, but most people work in labor markets with only low-to-moderate degrees of concentration.

Nonetheless, labor market concentration is a particular challenge for rural areas and small cities and towns. This is an important finding for those looking to provide economic help to residents of those areas.

#### Empirics and reversible consequences.

Borghard and Lonergan 19 -- Erica Boghard, Assistant Professor at the Army Cyber Institute at the United States Military Academy at West Point and a research fellow at the Saltzman Institute of War and Peace Studies at Columbia University, PhD in political science from Columbia University, Shawn Lonergan, Research affiliate of the Army Cyber Institute at the United States Military Academy at West Point and a cyber officer in the US Army Reserve currently assigned to 75th Innovation Command, PhD in political science from Columbia University, 2019 (“Cyber Operations as Imperfect Tools of Escalation”, *Strategic Studies Quarterly*, Fall Issue 2019, Available Online through University of Southern California Libraries, Accessed 01-17-2021)

Limited Costliness of Offensive Cyber Effects

Even under circumstances in which a state may possess the right cyber response capabilities at the desired time, its response may not generate sufficient costs against the target to be perceived as escalatory.41 Fundamental limits on the cost-generation potential of offensive cyber operations stem from the fact that cyber capabilities lack the physical violence of conventional and nuclear ones. Cyber weapons target data; they disrupt, manipulate, degrade, or destroy data resident on networks and systems or in transit.42 Moreover, aside from those cyber capabilities that permanently destroy data and for which there are no backups to which a target can revert, cyber effects are temporary and often reversible.

The utility of military instruments of power for the purposes of coercion or brute force inheres in their abilities to inflict—or credibly threaten to inflict—significant damage and harm against a target state (its civilian population or its military forces) to achieve a political objective.43 Cyber weapons could be (and have been) used to disrupt an adversary’s networks and systems—overwhelming them such that they temporarily lose the ability to function or the target loses confidence in their reliability—or even to produce destructive effects by destroying data resident on these systems or, in rarer circumstances, producing effects in the physical realm.44 While conducting multiple cyberattacks against a targeted state’s critical national infrastructure, for example, could in theory generate significant economic and national security consequences, the temporal aspects of offensive cyber operations as described above limit the ability of even the most capable states to sustain persistent, high-cost effects against multiple strategic targets over time. There is simply no guarantee that a state can generate significant costs against a target in the context of an unfolding crisis. This reality starkly contrasts with the relative predictability and reliability of conventional effects. Indeed, the empirical record has largely validated this claim; “the vast majority of malicious cyber activity has taken place far below the threshold of armed conflict between states, and has not risen to the level that would trigger such a conflict.”45 This is why, in Lin’s parlance, “going cyber is pre-escalatory” and countervalue cyberattacks (those that target civilian, rather than military, assets) occur “all the time now and are at the BOTTOM of the escalation ladder” [emphasis in original].46 Rather than their ability to wreak permanent, destructive effects, cyber operations are often prized for their temporary and reversible nature.47

One metric to assess the cost-generation potential of offensive cyber is in terms of loss of life. By this measure, cyber operations are unlikely to inflict significant harm. While theoretically possible that cyber operations could lead directly to a loss of life, no one has reportedly died to date as a direct result of a cyberattack despite over 30 years of recorded cyber operations.48 Even in hypothetical catastrophic scenarios, the cost in terms of human casualties is minimal. For instance, common worst-case scenarios of cyberattacks revolve around the loss of power stemming from a cyberattack on an electric grid.49 However, even in this instance, the conceivable damage from the loss of power over an extended period is far less than that which could be wreaked using basic, limited conventional capabilities. To draw a comparison, when Hurricane Sandy hit the United States’ eastern seaboard in late October 2012, over 8.5 million people were left without power—with many going weeks and even months before it was brought back online.50 Yet a US National Hurricane Center postmortem of Hurricane Sandy reported that of the 159 people in the United States killed either directly or indirectly, only “about 50 of these deaths were the result of extended power outages during cold weather, which led to deaths from hypothermia, falls in the dark by senior citizens, or carbon monoxide poisoning from improperly placed generators or cooking devices.”51 If a cyberattack took out power of a similar magnitude and duration of Hurricane Sandy, it is conceivable that an equivalent number of casualties would result. The 2015 synchronized cyberattacks against Ukrainian power companies, attributed to Russia, was the first known example of an offensive cyber operation targeting a state’s power grid. Its cost was ultimately low—service was temporarily disrupted to 225,000 customers for several hours, and energy providers operated at a limited capacity for some time after service was restored.52 There were no reported casualties from this power outage. While any casualty resulting from a cyberattack would certainly be lamentable, even worst-case scenario figures are minor in comparison to the cost in human lives stemming from other, even limited, kinetic military operations.

#### No catastrophic cyberattacks---25 years of empirics prove they stay low-level and non-escalatory.

Lewis 20---senior vice president and director of the Technology Policy Program at the Center for Strategic and International Studies). Lewis, James. 2020. “Dismissing Cyber Catastrophe.” Center for Strategic & International Studies. August 17, 2020. https://www.csis.org/analysis/dismissing-cyber-catastrophe.

A catastrophic cyberattack was first predicted in the mid-1990s. Since then, predictions of a catastrophe have appeared regularly and have entered the popular consciousness. As a trope, a cyber catastrophe captures our imagination, but as analysis, it remains entirely imaginary and is of dubious value as a basis for policymaking. There has never been a catastrophic cyberattack. To qualify as a catastrophe, an event must produce damaging mass effect, including casualties and destruction. The fires that swept across California last summer were a catastrophe. Covid-19 has been a catastrophe, especially in countries with inadequate responses. With man-made actions, however, a catastrophe is harder to produce than it may seem, and for cyberattacks a catastrophe requires organizational and technical skills most actors still do not possess. It requires planning, reconnaissance to find vulnerabilities, and then acquiring or building attack tools—things that require resources and experience. To achieve mass effect, either a few central targets (like an electrical grid) need to be hit or multiple targets would have to be hit simultaneously (as is the case with urban water systems), something that is itself an operational challenge. It is easier to imagine a catastrophe than to produce it. The 2003 East Coast blackout is the archetype for an attack on the U.S. electrical grid. No one died in this blackout, and services were restored in a few days. As electric production is digitized, vulnerability increases, but many electrical companies have made cybersecurity a priority. Similarly, at water treatment plants, the chemicals used to purify water are controlled in ways that make mass releases difficult. In any case, it would take a massive amount of chemicals to poison large rivers or lakes, more than most companies keep on hand, and any release would quickly be diluted. More importantly, there are powerful strategic constraints on those who have the ability to launch catastrophe attacks. We have more than two decades of experience with the use of cyber techniques and operations for coercive and criminal purposes and have a clear understanding of motives, capabilities, and intentions. We can be guided by the methods of the Strategic Bombing Survey, which used interviews and observation (rather than hypotheses) to determine effect. These methods apply equally to cyberattacks. The conclusions we can draw from this are: Nonstate actors and most states lack the capability to launch attacks that cause physical damage at any level, much less a catastrophe. There have been regular predictions every year for over a decade that nonstate actors will acquire these high-end cyber capabilities in two or three years in what has become a cycle of repetition. The monetary return is negligible, which dissuades the skilled cybercriminals (mostly Russian speaking) who might have the necessary skills. One mystery is why these groups have not been used as mercenaries, and this may reflect either a degree of control by the Russian state (if it has forbidden mercenary acts) or a degree of caution by criminals. There is enough uncertainty among potential attackers about the United States’ ability to attribute that they are unwilling to risk massive retaliation in response to a catastrophic attack. (They are perfectly willing to take the risk of attribution for espionage and coercive cyber actions.) No one has ever died from a cyberattack, and only a handful of these attacks have produced physical damage. A cyberattack is not a nuclear weapon, and it is intellectually lazy to equate them to nuclear weapons. Using a tactical nuclear weapon against an urban center would produce several hundred thousand casualties, while a strategic nuclear exchange would cause tens of millions of casualties and immense physical destruction. These are catastrophes that some hack cannot duplicate. The shadow of nuclear war distorts discussion of cyber warfare. State use of cyber operations is consistent with their broad national strategies and interests. Their primary emphasis is on espionage and political coercion. The United States has opponents and is in conflict with them, but they have no interest in launching a catastrophic cyberattack since it would certainly produce an equally catastrophic retaliation. Their goal is to stay below the “use-of-force” threshold and undertake damaging cyber actions against the United States, not start a war. This has implications for the discussion of inadvertent escalation, something that has also never occurred. The concern over escalation deserves a longer discussion, as there are both technological and strategic constraints that shape and limit risk in cyber operations, and the absence of inadvertent escalation suggests a high degree of control for cyber capabilities by advanced states. Attackers, particularly among the United States’ major opponents for whom cyber is just one of the tools for confrontation, seek to avoid actions that could trigger escalation. The United States has two opponents (China and Russia) who are capable of damaging cyberattacks. Russia has demonstrated its attack skills on the Ukrainian power grid, but neither Russia nor China would be well served by a similar attack on the United States. Iran is improving and may reach the point where it could use cyberattacks to cause major damage, but it would only do so when it has decided to engage in a major armed conflict with the United States. Iran might attack targets outside the United States and its allies with less risk and continues to experiment with cyberattacks against Israeli critical infrastructure. North Korea has not yet developed this kind of capability. One major failing of catastrophe scenarios is that they discount the robustness and resilience of modern economies. These economies present multiple targets and configurations; they are harder to damage through cyberattack than they look, given the growing (albeit incomplete) attention to cybersecurity; and experience shows that people compensate for damage and quickly repair or rebuild. This was one of the counterintuitive lessons of the Strategic Bombing Survey. Pre-war planning assumed that civilian morale and production would crumple under aerial bombardment. In fact, the opposite occurred. Resistance hardened and production was restored.1 This is a short overview of why catastrophe is unlikely. Several longer CSIS reports go into the reasons in some detail. Past performance may not necessarily predict the future, but after 25 years without a single catastrophic cyberattack, we should invoke the concept cautiously, if at all. Why then, it is raised so often? Some of the explanation for the emphasis on cyber catastrophe is hortatory. When the author of one of the first reports (in the 1990s) to sound the alarm over cyber catastrophe was asked later why he had warned of a cyber Pearl Harbor when it was clear this was not going to happen, his reply was that he hoped to scare people into action. "Catastrophe is nigh; we must act" was possibly a reasonable strategy 22 years ago, but no longer. The resilience of historical events to remain culturally significant must be taken into account for an objective assessment of cyber warfare, and this will require the United States to discard some hypothetical scenarios. The long experience of living under the shadow of nuclear annihilation still shapes American thinking and conditions the United States to expect extreme outcomes. American thinking is also shaped by the experience of 9/11, a wrenching attack that caught the United States by surprise. Fears of another 9/11 reinforce the memory of nuclear war in driving the catastrophe trope, but when applied to cyberattack, these scenarios do not track with operational requirements or the nature of opponent strategy and planning. The contours of cyber warfare are emerging, but they are not always what we discuss. Better policy will require greater objectivity.

#### No cyber impact---non state actors lack capability, Russia and China don’t have an incentive.

Lewis 20 – (James A., PhD, a senior vice president and director of the Technology Policy Program at the Center for Strategic and International Studies (CSIS), Before joining CSIS, Lewis worked at the Departments of State and Commerce as a foreign service officer and as a member of the Senior Executive Service, a political advisor to the U.S. Southern Command for Operation Just Cause, the U.S. Central Command for Operation Desert Shield, and the Central American Task Force. Lewis served on the U.S. delegations to the Cambodian peace process and the Permanent Five talks on arms transfers and nonproliferation, and he negotiated bilateral agreements on transfers of military technology to Asia and the Middle East. He led the U.S. delegation to the Wassenaar Arrangement Experts Group on advanced civilian and military technologies. Lewis led a long-running Track 2 dialogue on cybersecurity with the China Institutes of Contemporary International Relations. He has served as a member of the Commerce Spectrum Management Advisory Committee, the Advisory Committee on International Communications and Information Policy, and the Advisory Committee on Commercial Remote Sensing and as an advisor to government agencies on the security and intelligence implications of foreign investment in the United States, 2020, “Dismissing Cyber Catastrophe,” [accessed 8/30/20], <https://www.csis.org/analysis/dismissing-cyber-catastrophe>, see)

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There have been regular predictions every year for over a decade that nonstate actors will acquire these high-end cyber capabilities in two or three years in what has become a cycle of repetition. **The monetary return is negligible, which dissuades the skilled cybercriminals** (mostly Russian speaking) **who might have the necessary skills.** One mystery is why these groups have not been used as mercenaries, and this may reflect either a degree of control by the Russian state (if it has forbidden mercenary acts) or a degree of caution by criminals. **There is enough uncertainty among potential attackers about the United States’ ability to attribute that they are unwilling to risk massive retaliation in response to a catastrophic attack.** (They are perfectly willing to take the risk of attribution for espionage and coercive cyber actions.) **No one has ever died from a cyberattack, and only a handful of these attacks have produced physical damage. 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Russia has demonstrated its attack skills on the Ukrainian power grid, but **neither Russia nor China would be well served by a similar attack on the United States.** **Iran is improving and may reach the point where it could use cyberattacks to cause major damage, but it would only do so when it has decided to engage in a major armed conflict with the United States.** Iran might attack targets outside the United States and its allies with less risk and continues to experiment with cyberattacks against Israeli critical infrastructure. **North Korea has not yet developed this kind of capability.** **One major failing of catastrophe scenarios is that they discount the robustness and resilience of modern economies.** These economies present multiple targets and configurations; they are harder to damage through cyberattack than they look, given the growing (albeit incomplete) attention to cybersecurity; and **experience shows that people compensate for damage and quickly repair or rebuild.** This was one of the counterintuitive lessons of the Strategic Bombing Survey. 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## Adv 2

#### Its is an “essential feature of US” global architecture.

**ACLU 3/10** , American Civil Liberties Union (3/10/2021, “ACLU, CIVIL RIGHTS GROUPS CALL ON DHS TO ABANDON PROPOSED EXPANSION OF FACE SURVEILLANCE AT AIRPORTS,” <https://www.aclu.org/press-releases/aclu-civil-rights-groups-call-dhs-abandon-proposed-expansion-face-surveillance> Date Accessed: 3/21/2021)

WASHINGTON — The American Civil Liberties Union and a coalition of more than 20 civil rights organizations are calling on the Department of Homeland Security and Customs and Border Protection to withdraw a proposed regulation that would dramatically expand the use of face recognition technology at airports and the border. The proposed regulation would allow CBP to require all noncitizen travelers entering and exiting the United States to submit to face recognition.

In a [letter sent today](https://www.aclu.org/letter/coalition-letter-secretary-mayorkas-proposed-expansion-face-recognition-airports) to Secretary of Homeland Security Alejandro Mayorkas, the organizations highlight the dangers of face surveillance, which has been shown to disproportionately harm communities of color and has led to the wrongful arrest of at least three Black men. The organizations urge Mayorkas to withdraw the proposed regulation and suspend the use of face recognition technology on travelers.

“This proposed rule poses grave risks to the privacy of immigrants and all visitors to the United States, giving the government a dangerous tool that could allow it to track everyday movements and private associations,” said Ashley Gorski, senior staff attorney with the ACLU’s National Security Project. “No government agency should have that power. And especially not CBP, given its record of separating families, profoundly harming people it detains, and profiling on the basis of ethnicity and religion. CBP’s use of this technology will undoubtedly harm immigrants and communities of color the most.”

Under the proposed regulation, all noncitizen travelers, including children, may be required to be photographed upon entry and departure from the United States. U.S. citizen travelers who do not affirmatively opt out may be photographed as well. CBP would harvest “faceprints” from these images — precise measurements of the unique facial geometry of each photographed traveler — and then apply a face-matching algorithm to travelers, comparing their faceprint to a gallery of other images in the government’s possession. DHS plans to store all the faceprints it collects in a database for up to 75 years, where they may be used by federal, state, and local law enforcement to identify individuals for purposes unrelated to their travel.

Unlike other forms of identity verification, faceprints can be collected covertly, at a distance, and without consent. And because facial geometry is unique to each person and faces are typically exposed, the collection of faceprints poses a significant risk of persistent surveillance that could allow the U.S. government and others to track our movements wherever we go.

#### This falsifies their surveillance and LIO impacts.

**Nair 18**, founder and CEO of the Global Institute For Tomorrow (GIFT), an independent think tank based in Hong Kong. (Chandran, 12/21/2018, “Why Asia Should Be Worried By America’s Bullying of China,” *The Diplomat*, <https://thediplomat.com/2018/12/why-asia-should-be-worried-by-americas-bullying-of-china/> Date Accessed: 3/19/2021)

Imagine a scenario where a senior American business executive is suddenly detained overseas, at the behest of the Chinese government, which accuses him or her of violating its national security. American and Western media would undoubtedly express outrage and have a field day bashing China.

Yet when the equivalent happened last week with Canada’s detention of Huawei’s chief financial officer, Meng Wanzhou, on behalf of the United States, questions about the arrest’s legitimacy, or the presence of political motives behind it, were largely absent.

This is not to argue that Meng is completely innocent of breaking American law. But it is important to note that the right to this extraterritorial behavior is asymmetric: only the United States is allowed to wield it “legitimately.” No other country, such as Malaysia, which is trying to recover 1MDB-related money from Goldman Sachs, can dare to act in this way. If other nations tired of U.S. judicial bullying – and there are many – start to retaliate by detaining Americans and citizens of its Western allies, things could become very messy, very quickly.

But Meng’s arrest leads to a different question. Despite protests to the contrary, the United States made a choice to escalate tensions by taking this action. Why?

Some have connected Meng’s arrest to the wider trade tensions between China and the United States. Huawei had already been accused by Western politicians of being a front for the Chinese government, and it has been denied access to Western markets. Given that technology is one of the few areas where the West is still clearly dominant, people have viewed this pressure as strategic economic leverage.

But this misses a more fundamental cause for the worries about China, which now spread beyond trade and economics. Articles about China’s technology and surveillance, such as its “social credit system,” worry about a techno-dystopia, despite similar surveillance being done in Western countries (and by their own tech companies). The United States has expressed concern about the activities of university students from China, while Australian politicians have spent months debating “foreign influence” in their domestic politics: a rather poorly veiled reference to China.

A good case study is Google’s cancelled re-entry into China with a Chinese-compliant version of Google search. This was met with controversy both by Western media and Google’s own employees. This is partly the company’s own fault, due to its loud and public withdrawal from China almost 10 years ago. But similar concessions by Google in smaller countries have not sparked such controversy; only China has. Interestingly, a Chinese version of Google might actually be of value to Chinese people, as local search engines like Baidu have been plagued with scandal, hoaxes, and frauds. But the fear that Western observers have about China means that this benefit could be denied them.

One could argue that this is part and parcel of the usual geopolitical conflict between an incumbent power and a rising one, or that they are merely representations of how the economic relationship between China and the West continues to change.

But the source of suspicion is deeper and often not spoken about. For a long time, “American exceptionalism” (and “Western exceptionalism” in general) has been based on the idea that the American or Western culture, way of life, and values are superior. One could perhaps see racial supremacist undertones in these beliefs as well. After all, these were the same sentiments that permeated the colonial era and were used to explain away or justify the shameful excesses of colonialism.

It is clear that neither the United States nor Europe is mentally prepared for the prospect of another country, especially a non-Western one, being successful, let alone overtaking the West. This is particularly true for China: a country long viewed as backward but which has now succeeded while following its own political, economic, and cultural model. For the first time in two centuries a non-Western nation with a wholly different political system is challenging the West, and this is causing great anguish.

“American exceptionalism” is threatened when a country with different values does well. We first saw this in the 1980s: anti-Japan sentiment was sparked when Japanese companies started to buy American cultural symbols. This worry was reflected in American popular culture, best shown in any depiction of an American future dominated by Japanese companies. But this sentiment was nowhere near the level we can see today regarding China. Even the most liberal of Western media outlets have found it near impossible to portray China in a balanced way, finding it difficult to remove their inherent comfort with deep-rooted Western ideas and framings, and to confront their own prejudices.

The United States and the West by extension cannot accept China’s success on its own terms and this permeates almost all segments of society. This is one issue on which there is bipartisan support in the United States. The fear of China and the rest is real. They cannot just accept that China’s success says nothing about how Western countries should govern themselves. Instead, China’s model must be proven incorrect, by ignoring its successes in poverty reduction, education, and economic development and focusing on other issues.

There are hard lessons and warnings for here for developing countries, especially large ones finding their rightful place in the community of nations. People assume that the rise of other large developing nations, such as India, Indonesia, or Nigeria, will not be as disruptive as China’s, perhaps due to the belief that they would “balance” China or would not threaten to disrupt the international order. But this betrays a Western need to oppose China at all costs. Other countries need to be aware that they might be next if they begin to demand a say in world affairs. A rising India could be next.

If the roots of American-Chinese tensions come from something other than just geopolitics or economics, then the ascent of these large developing countries may not be as smooth as they hope. This would be due to the Western, U.S.-led opposition to the “rise of the others,” something the world has not seen in over two centuries. It is this that could well define and shape geopolitics in the 21st century. Denying that this sentiment exists and drives foreign policy would be to play into the hands of those who wish to preserve a Western world order at all costs.

One question many Americans asked themselves in the aftermath of the September 11 attacks was “Why do they hate us?” One wonders if people in China are asking themselves the same thing. They may not like the answer they get back.

#### Ev concedes they “need” to export their model to the developing world —this proves they foreclose their Zapatistas arguments. GMU reads BLUE

Cosmina Moghior 21, Denton Fellow with the Transatlantic Leadership program at the Center for European Policy Analysis, Protectionism Threatens To Torpedo The Transatlantic Technology Alliance, CEPA, <https://cepa.org/protectionism-threatens-to-torpedo-the-transatlantic-technology-alliance/>

On a broad level, the U.S. and Europe agree on the need for new regulations to limit dangers from the authoritarian digital model. They want to reign in tech monopolies. They want to protect privacy. They want to combat disinformation that threatens democracy.

On a practical level, both favors strengthened export controls of dangerous technology. A good example of cooperation concerns semiconductors. While the US is leading in most stages of the semiconductor supply chain, the Dutch company ASML dominates lithography equipment production. Even under President Trump, the Dutch government agreed to stop ASML from selling its most advanced machines to China.

Unfortunately, though, protectionism threatens to undermine future progress. The Biden Administration’s massive infrastructure plan and new “Supply Chain Disruptions Task Force” aim to keep innovation and production of leading-edge technology at home, making the U.S. a technological leader. Biden’s Buy America Executive Order (EO) encourages domestic procurement of “goods, products, materials, and services from sources that help the American businesses compete in strategic industries and help America’s workers thrive”. The Federal Acquisition Regulatory Council is developing recommendations to extend requirements to information technology.

The U.S. is pouring public money into strategic digital industries. In a rare bipartisan vote, Congress approved $52 billion in subsidies in June for chip research and manufacturing. States from Wisconsin, Texas, and Nevada are showering tax benefits on digital tech giants including Amazon, Apple, and Google to build factories and data centers.

Europe similarly is determined to build its own tech capacities. It promotes the concept of digital sovereignty aimed at providing the continent the capacity to make “autonomous technological choices.” Several projects promote domestic production of critical technologies ranging from next-generation mobile phone production to quantum computing. Public funds already are being spent on the

European cloud computing project GAIA-X aims to break the U.S. stranglehold on cloud computing. While Europe insists that its actions are not protectionist, designed instead to promote and safeguard European values, GAIA-X aims to ensure data protection and limit access of U.S. intelligence to European data. U.S. tech giants including Amazon, Google, and Microsoft have been invited to join, but are banned from joining the board.

The U.S. is home to the world’s largest Internet companies and fears that European regulatory measures will discriminate against them. Plans for a European “digital” tax – put on hold to secure a global corporate tax reform – would disproportionately impact American companies that provide digital services in Europe. A separate Digital Markets Act proposal under consideration at the European Parliament addresses unfair practices of the so-called “gatekeepers,” that operate “core platform services.” Most of the targeted companies will likely be American, beginning with giants Google, Apple, Facebook, and Amazon.

Europe and the U.S. need to step back from pursuing their protectionist instincts, which threatens to allow China’s increasing inroads into the digital market. Beijing is making investments on all continents on projects ranging from education to critical infrastructure. Many countries are turning to China for support and guidance on technological development while the U.S. and the EU focus on their domestic anxieties and ambitions.

A transatlantic tech alliance could provide the blueprint for offering a viable alternative to Chinese inroads in the developing world. Europe and the U.S. need to coordinate against the export of authoritarian practices on the Internet. They can only do this by dropping the push for Buy American and European Digital Sovereignty.