# 2AC

## Case

#### Aff isn’t oriented towards state power for its own sake, but toward state power as an instrumentality to produce political equity – their evidence says that’s good AND that demands on the federal government are key!

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But in the second half of the nineteenth century, “socialist” came to signify not merely concern with “the social question,” but opposition to capitalism and support for some variety of social ownership of the means of production. So, while never abandoning the term “communist,” Marx and Engels also became quite happy to call themselves socialists. What is most distinctive about the kind of socialism that they supported, however, is that it can only be created through the active participation of workers themselves. The American Marxist Hal **Draper called this** conception “**socialism from below**” and contrasted it with various varieties of “**socialism from above,” in which an elite imposes change on a passive working class. Historically, most versions of self-described socialism—including both Stalinism and social democracy—have been varieties of “socialism from above**,” **which** from Marx and Engels’ perspective **was not genuine socialism at all.** **Unlike the utopian socialists, who drew up intricate blueprints of post-capitalist society** (**which they** sometimes **attempted to put into practice on a small scale**), **Marx and Engels never speculated on the detailed organization of a future socialist or communist society. The key task for them was building a movement to overthrow capitalism.** If and when that movement won power, it would be up to the members of the new society to decide democratically how it was to be organized, in the concrete historical circumstances in which they found themselves. Nevertheless, Marx did comment in a more general way about what could be expected to happen if workers were able to seize control of the state. In the Critique of the Gotha Program (1875), Marx notes that, because a socialist society will not develop “on its own foundations” but will emerge from capitalist society, it will therefore be “in every respect, economically, morally, and intellectually, still stamped with the birthmarks of the old society from whose womb it emerges.” At this early stage of its development, although some goods and services (such as housing and health care) would be provided to everyone, and although no one would grow rich at the expense of others, work would be rewarded in proportion to a person’s contribution. Only later, when work has been reorganized to become truly fulfilling, so that “labor has become not only a means of life but life’s prime want,” and when the level of production has consequently increased, will it be possible to go beyond market incentives and reward people not in accordance with their individual contribution, but in accordance with what they need to flourish. MARX AND Engels’ vision of **socialism from below is** not simply a historical curiosity, but **a vital part of successfully refashioning a socialist movement** for the twenty-first century. The perspective of **socialism from below offers a way of navigating between cautious reformism, which aims to humanize capitalism rather than to replace it**, **and utopian fantasy, which constructs blueprints for a future society with no strategy for their implementation**. In the Nation’s debate on socialism, the perspective of cautious reformism is articulated most openly by the left-wing economist Robert Pollin. **Pollin** agrees that “socialism is desirable as a longer-term vision of a just society,” but **argues that now is not the time to “advance a case for full-throttle socialism**,” because “we do not know what a socialist economy would look like, nor do we know how to move from our current disintegrating neoliberalism to something approximating socialism.” Instead, Pollin advocates a “realistic” approach of pushing “a social justice agenda” while continuing to raise questions about how to go further. **Socialists certainly need to be realistic, and nobody on the left will object to fighting for social justice, but the problems with Pollin’s approach emerge as soon as he looks at the concrete proposals he offers.** Even though the near collapse of the financial system has opened a debate in the mainstream about whether the banks should be nationalized, Pollin rejects this as too risky, arguing that failures and scandals would continue under state control and that public anger might be shifted from Wall Street to the federal government. Instead he advocates more regulation of the private banking industry. Similarly, rather than a massive publicly funded research effort to develop new energy sources and seriously tackle the environmental crisis, Pollin proposes “large government incentives for private businesses to profit from clean energy investments.” The bottom line is that **Pollin’s reforms are so cautious that they fail to make any serious challenge to the status quo**. Instead, **they** are little more than a recipe for propping up capitalism at vast public expense, which is precisely why they are already the preferred policies of the Obama administration. The private banks have already gobbled up hundreds of billions of dollars of public money and will likely require hundreds of billions more. Meanwhile, as John Bellamy Foster and others have argued, the idea of **a market-based solution to the environmental crisis is a fantasy.** **Pollin’s proposals are “realistic” only if our goal is to preserve the existing system for as long as possible, not if we hope to create a movement to replace it. This last idea is key**. The perspective of **socialism from below does not reject the idea that we should demand reforms, but it measures success largely in terms of whether the fight helps to mobilize, energize, and radicalize a movement that can fight for more**. **The call for nationalizing the banks**, for example, **is important not because socialists have a ready-made blueprint for how to run the financial system, but because a full-scale government takeover would be a further blow to free market ideology and give people confidence to demand more public encroachments into the private sector**. **Socialists need to argue**, first, **that the failure of “socialism from above” is not an argument against the radical democratic restructuring of society from below** and, second, that **the key practical task is to organize and encourage people to engage in grass-roots struggle to defend jobs and wages, fight evictions and foreclosures, oppose racism, immigrant bashing and other forms of oppression, and to force federal, state, and local governments to enact policies that will benefit people at the bottom of society**. Ultimately, **socialism will succeed or fail depending on whether the growing anger against the injustices and failures of the present system can be channeled into such struggles, and whether they can be linked together to create not just a call for change, but a challenge to the ruling order itself.**

#### Aff solves – commitment to substantive equity extends to developing a new, anti-imperialist foreign policy

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Aziz Rana, “Renewing Working-Class Internationalism,” *New Labor Forum*, vol. 28, no. 1, pp. 33-38, https://journals.sagepub.com/doi/pdf/10.1177/1095796018817033.

The Era of Anti-Capitalism and Anti-Imperialism

Again, this was not always the case. Elements of the early twentieth century labor movement, especially those associated with the Socialist Party and that gravitated to the Industrial Workers of the World (IWW), were famous for their avowed anti-nationalism. A common slogan among such activists was that, “The working class has no country. The employing class has stolen them all.”3 This hostility to nationalism and to invocations of patriotic attachment were not just radical poses. They were grounded concretely in an account of the oppressive forces facing working people and the modes both of solidarity and of reform that would be needed to overcome them. According to party and union members, the driving problem of the era was plutocracy—the overwhelming authority corporations and socioeconomic elites wielded over political life. Moreover, given the international rise of corporate capitalism, what defined this plutocracy was the extent to which corporate elites benefited from the mobility of capital and from their ties to the American state. As the United States became a growing world power, policymakers made replicating business-friendly market structures and state institutions their paramount objective. This entailed opening new markets for American domestic goods and intervening, in many cases violently, wherever foreign opposition threatened an American-defined stability. U.S. supervision and oversight, often justified in explicitly racial terms, became the essential gateway for the expansion of a new global economy and the entrenchment of pliable foreign elites. What all of this underscored for socialists and labor radicals was the degree to which plutocracy was global in nature and required a global response. As Christian socialist William Brown commented, “Plutocracy is not a national affair. It is international. It is rapidly becoming the government of the world. . . . The interests of wealth decide the final policies of all civilized nations.”4

According to those in the IWW, for working people to contest these developments, they would need a new account of solidarity. Poor farmers and industrial workers had to recognize that a small group of fellow nationals, their employers, and those government officials closely aligned with them were the public’s principal opponents. They had to break free from class deference and to develop a fully oppositional political culture that called out all class enemies in just those stark terms. This meant seeing how patriotic bromides often functioned to paper over fundamental conflicts of interest between employers and workers, in ways that perpetuated the fiction of a harmonious “we the people.”

Thus, crucial to such an oppositional culture was a vision of community, not based on race, gender, or nationality, but on treating workers or colonized peoples abroad—regardless of their ethnicity or citizenship—as engaged in the same freedom struggles over economic and political self-determination. IWW pamphleteers commonly maintained that their movement was “an international movement; not merely an American movement. We are ‘patriotic’ for our class, the working class.” One pamphleteer articulated a reason labor should oppose entrance into World War I, “As long as we quarrel among ourselves over differences of nationality we weaken our cause, we defeat our own purpose.”5

Reform victories at home—winning the eight-hour day or the right to strike, for example—would also provide strength to workers abroad fighting the same corporate entities. Journals such as the International Socialist Review devoted extensive space to the fate of labor activism around the world—often following events in Mexico or Japan with the same intensity as those closer by. This was both to maintain feelings of shared community and to make clear that events elsewhere that reined in business elites also had material effects on the bargaining position of those same elites within the United States. Such an emphasis was in part due to how central immigrant labor, during these years, became to revitalizing and radicalizing working-class politics. Such workers arrived with their own experiences of political struggle as well as ideas about institutional possibility. And they pushed existing labor groups to see the significance of cross-national class solidarity for any successful anti-capitalist agenda. All of this led to a very specific relationship to the American state. Rather than taking pride in its wars or its growing primacy, emerging labor activists, both native and foreign born, pressed working people to view the state as a partisan opponent shaping the terms of labor struggle through its global choices. For this very reason, labor constituencies had to assert their own independent foreign policy and orientation to the world, an orientation that may well require taking on the state itself.

Labor Internationalism in Decline

Between World War I and the 1950s, labor internationalism faced a series of brutal crackdowns on dissent, marked in the early years by the effective criminalization of the IWW and the imprisonment of many of its members. During the 1920s, this crackdown went hand in hand with a government- and business-led project of patriotic education in schools and in the public square. Such campaigns presented labor activism—and especially the internationalism of groups such as the IWW—as a foreign threat and as fundamentally un-American.

Similar dynamics played out again a generation later in the context of U.S.-Soviet rivalry and state-driven suppression of communist and socialist politics. The ultimate result was that by the 1950s, American labor leaders accepted a basic cold war compromise. This compromise preserved their own hard-won New Deal–era achievements, while leaving to the state the right to direct foreign policy as it saw fit. Over time, more and more labor leaders came to view the compromise not just pragmatically but actually to identify with the state’s cold war project—including its most violent and destructive elements. This was due to a genuine belief among some that the growing national security state in fact facilitated labor’s gains. World War II—and the war economy—had indeed generated real economic growth. The living standards and social status of white unionized workers reached a high point in the 1950s. Moreover, the perceived threat from Nazi Germany and then from the Soviet Union made plausible to many Americans that what the state fought for abroad, in the face of potentially existential threats, protected people at home. Today, these claims sound like empty clichés, but in the early days of the cold war, they spoke to real and deeply felt experiences of intertwined military victories and economic gains.

But even if the New Deal order convinced some labor leaders of the potential compatibility between empire and social democracy, over the long run, the results proved disastrous. To begin with, the alliance of organized labor with the state corroded the movement’s moral standing, as unions made common cause abroad with brutal business elites and U.S.-friendly dictators. Especially through entities like the American Institute for Free Labor Development (AIFLD), voices within organized labor not only defended catastrophic follies such as the Vietnam War but also participated in undermining foreign labor movements, when these movements contradicted the security state’s anti-communist agenda.6 The old IWW fears about the substantive alliances of that security state proved correct. Foreign policy decision making was not driven by working people or their interests but by security experts and corporate elites. It was built around pro-business market goals and continuous military intervention in ways that intruded into the domestic sphere, whether through expensive and disastrous wars or by expanding corporate rights that undermined the global position of labor. Taken together, these polices over time propelled precisely the cycle of conservative retrenchment and privatization that ate away at labor successes in the United States. Rather than preserving social democracy, as cold war labor leaders had hoped, the state’s constitutive ties to business and the enormous growth of the security apparatus underscored the exceptional and precarious nature of past New Deal achievements.

Social Democracy without Empire

Today, one can sketch out what a non-imperial vision of the United States in the world might look like. This vision, not unlike that of labor radicals a century ago, would oppose American international police power—the presumptive right of intervention—and refuse to treat any foreign people as an instrument in the service of state security ends. It would view social democracy rather than free market capitalism (as embodied in austerity, neoliberal privatization, and trade agreements built on entrenching corporate property rights) as the bedrock of global economic relations. Thus, instead of assisting footloose capital in avoiding regulation or paying the taxes it owes, the state would work on the global stage to end tax havens that hide away the money of plutocrats, protect foreign labor from oppression at the hands of U.S. multinationals, and develop collective strategies for controlling corporate power more generally.

Such an approach would also inevitably buttress a meaningful commitment to local self-determination—treating the United States and its officials as rightly limited by binding domestic and international sanctions. This would put into question the terms of current American alliances, alliances such as those in the Middle East with Saudi Arabia, Egypt, and Israel that the state has for so long maintained with treasure and force of arms. In the process, the United States would show far greater hesitancy to pursue militarized responses, or to turn a blind eye when its own regional proxies engage in lawlessness and brutal violence. Thus, this vision would reject the absolute impunity, for both state abuse and financial crime, which government officials, corporate elites, and foreign allies have all enjoyed as a presumptive staple of American imperium. And finally, such a reorientation would require a systematic transformation of the national security state, particularly a significant demobilization of its military footprint abroad and its security infrastructure at home. This security apparatus has fed American interventionism and criminalized dissent, and placed immigrant and Muslim communities under constant suspicion.

But at present, any effort to develop progressive “white papers” on foreign policy, in keeping with this overarching vision, faces more than simply an uphill battle. It is not just that the left does not have a policymaking infrastructure to give concrete substance to non-imperial politics. Crucially, if such an infrastructure were somehow to materialize and a future Democratic administration included competing voices—say on what to do in Afghanistan or how to reconstruct American trade deals—it is unclear how much would actually change. This is because even under those circumstances, foreign policy would still be treated as a separate realm of expert-driven decision making, undergirded by a massive business and security-dominated bureaucracy. A social democratic president may have one or two new voices in the room, but all the remaining advice, not to mention the terms of the debate, would still be set by the same old figures and perspectives.

Moreover, without any sustained external pressure, the policy that would emerge would inevitably be what appeared reasonable to those in the room. What made “Medicare for All” so persuasive to Democratic politicians was not that the merits of the idea somehow won over decision makers. Similar calls had been circulating for decades with limited effect. It was that the call was now backed up by organized popular commitment. Similarly, when it comes to foreign policy issues, unless alternative goals have the power of mass democratic pressure, it is hard to imagine that new ideas on their own will miraculously win the day. What past labor radicals understood was that unless an anti-imperial agenda was experienced by labor and other organized constituencies as bread-and-butter matters, and thus actively fought for, it would inevitably fail. Or even worse, elites would use jingoism and nationalist appeals, as has Trump and a virulent right, to protect their interests and to attack working-class solidarities.

Making Material Demands in Internationalist Terms

All of this underscores that for an actual alternative foreign policy to emerge and to be genuinely plausible, it is crucial that left constituencies begin articulating material demands in internationalist terms, not unlike how labor radicals once did. From the vision statement of the Movement for Black Lives to the AFL-CIO’s own recent 2017 convention resolution, titled “War Is Not the Answer,” such an effort has no doubt started to emerge. And indeed, part of the reason why is because, for all of the darkness entailed by the rise of Trump, this moment offers the rare possibility for a left internationalism to return to prominence.

In his own way, Trump’s focus on “America First” as a central way of discussing the economy, with its pro-business protectionism and suspicion of traditional European allies, has chipped away at the separation between the domestic and foreign. And in doing so, it has perhaps opened the door for the left to offer a genuinely emancipatory account of how these two can be differently combined. Moreover, if anti-imperial politics in the past faced harsh state crackdowns, part of the success of that state suppression was due to the reality of world war and of genuine global antagonists. Left forces today will still have to reckon with a militarized brand of hyper-nationalism, one willing to tar any opposition, from kneeling during the playing of the national anthem to questioning the utility of new weapons purchases, as unpatriotic. But the lack of real existential competitors—and the relative weakness of declared American enemies, whether al Qaeda, Iran, or North Korea—undercuts the fear-mongering that in the past was so central to generating broad support for conservative reaction and crackdowns.

Given these partial openings, what is most needed now in reviving left internationalism is a focus on those locations where foreign and domestic connect dramatically and so resonate as matters of everyday material need. One key intersection is over the security budget. The United States accounts for nearly half of all global defense expenditures, with an annual defense outlay in 2017 of almost $800 billion. This is a fundamental misallocation of the public treasure, which sustains a continuous international police power that promotes instability abroad and feeds militaristic chauvinism at home. Actually entrenching social democracy, through universal access to health care, education, housing, a guaranteed job, and other basic rights, requires the funds to pursue it—what antiwar and civil rights activists during the Vietnam era called a “freedom budget.” And the fundamental condition of possibility for such a budget is not only taxing corporations and the wealthy but also pursuing a dramatic decrease in military and intelligence spending.

But more than an issue of misallocated funds, the politics of the budget also speaks to why working people should care about the larger and destructive geostrategic alliances that the U.S. government has maintained. The security budget, which amounts to a massive giveaway to corporations, facilitates both a militarized relationship to the world and, through arms sales and financial assistance, bankrolls the extreme violence of specific regional allies. It underscores the extent to which the security state operates hand in glove with corporate interests and to the direct detriment of local peoples. Thus, so long as left constituencies refuse to have the fight over the budget, the possibility of an actual shift in geostrategy— including in places such as the Middle East— and thus in meaningful foreign policy is essentially off the table.

A second key intersection is over the politics of impunity. When oligarchs like Trump are unaccountable for their financial crimes—from tax fraud to money laundering—and for their labor violations, they enjoy the same freedom from legal sanction that officials who commit torture or human rights abuses do. Both are illustrations of a corrosive political order that works on behalf of plutocracy. Thus, any necessary response entails organizing mass pressure around measures that would address both state violence and financial crime.

It also means exposing the shallowness of Trumpian protectionism. Just because this protectionism flies in the face of Republican trade orthodoxy, and is opposed by some business elites, does not mean that it actually serves working-class interests or is remotely committed to challenging corporate dominance. Indeed, Trumpian tariffs and trade talk not only remain a grab bag of corporate payoffs. They also break class solidarities by repeating the lie that workers are primarily threatened by foreign labor rather by than by the realities of American capitalism and its domestic abettors. A social democratic alternative must be based, at a minimum, on a vision of global trade that imposes real constraints on the transnational property rights of corporations. It must see full employment and a guaranteed jobs program at home as going hand in hand with the final end of business impunity abroad—by enforcing environmental and labor standards, by holding corporations responsible for what happens in their supply chain, and by prosecuting those that violate the law.7

A final intersection concerns immigrant labor and immigrant rights, which in today’s America is essential to class-based political struggle. The overwhelming tendency—and not just on the right—is to present immigration as an issue that begins at the national border, with virtually no attention paid to the particular histories, international economic pressures, and specific U.S. foreign policy practices that generate migration patterns in the first place. The movement of men and women from their homes does not occur in a vacuum and is deeply tied not only to a colonial past stitching together the Global North and the Global South but also to business-led and state-backed policies. These policies, along with being complicit in local violence, promote corporate control and worker insecurity abroad. Indeed, the main drivers of mass dispossession and hence mass immigration in the Global South are the fundamental and structuring relations of economic exploitation and political domination between the West and the rest of the world.

Any effort to strengthen the hand of labor— along with linking the domestic and the foreign—requires a sustained effort to confront this fact, beginning with the provision of real economic and political rights to migrants here in the United States. To the extent that harsh border practices are today a continuous source of legally sanctioned terror, sowing fear and reducing immigrant workers to silence, these practices too have to be fundamentally uprooted. If Trump has linked the foreign and domestic through racial demonization and a focus on the imperative of the border, the challenge for the left is precisely to invert and repudiate his framing. The goal must be to reject absolutely that imperative, and to present the full protection of immigrant status as a paramount objective of labor struggle itself—a necessary element of improving the power of the working class. And moreover, this politics must take its lead from immigrant workers themselves. Just as a century ago, these workers come with their own grounding in political struggle. They have been essential to infusing labor agendas with new energy and moral commitment as well as, given their experiences, to highlighting the constitutive ties between anti-imperialism and economic freedom.

A left foreign policy cannot emerge in a vacuum. It will require an intellectual infrastructure premised on non-imperial values and armed with actual substantive knowledge about how to transition to a more equitable and democratic global condition. But above all, it will also require an organized and assertive politics within the United States that sees the domestic in international terms—something that for decades has been missing. In a sense, if the Sanders wing of the Democratic Party has reshaped the domestic reform debate over what is possible, for these goals to succeed and to stick, a second transformation will likely have to take place. Such a transformation must connect, in everyday politics, social democracy to anti-imperialism—seeing each as impossible without the support of the other.

## Body Ptx

#### If they win any “spill-over” claim to political subjectivity outside of debate, this argument turns the efficacy of that political strategy.

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Miriyam, “‘White privilege’ and shortcuts to anti-racism.” Institute of Race Relations, Vol. 61(2) 3–26. SagePub.

It is important that injustice be acknowledged, and experience be embodied in politics as a narrative and a source of knowledge. But what happens when these become totemic, or when concepts slip into dogma, spilling into other (activist) realms where tactics overtake strategy?

historically, the successful methods of anti-racist resistance were rarely about individual experiences and were mostly framed in an anti-capitalist paradigm – ‘the masses’ hold the key. This approach was both a rhetoric and a plea which the Black Panther Party understood it had to balance. In hampton’s much-used quote, the meaning is almost missed through its simplicity. The ‘masses’ may sound populist, but in fact the thinking is transgressive, encompassing not only black and white unity, but also politico-economic struggle. The progressive mutual solidarity of the Rainbow Coalition in 1969 by the Black Panthers, under the leadership of Fred hampton in Chicago, brought groups and organisations from different ethnic backgrounds together.

The objective – to fight for their common interests – and the ‘cross-racial unity’ approach was the most dangerous thing imaginable for a capitalist racist state, and thus was intensely undermined and violently attacked. And therefore short- lived. hampton was killed, and the coalition fell apart.49 This was part of a pat- tern whenever a link between racial oppression, capitalism, and imperialism was made material and central to social movements. The socialist Pan Africanist Ben Barka was murdered by the Moroccan and French secret service (assisted by the CIA) in 1965. Malcolm X was killed after positing that ‘you cannot have capital- ism without racism’, Martin Luther King was assassinated in 1967, for whom ‘The evils of capitalism are as real as the evils of militarism and evils of racism’. These positions made them enemies of nationalists, black separatists and white supremacists. These deaths signal that when this kind of politics gains an audi- ence this is the most radical transgression imaginable, and organising across movements becomes a major threat to the state. The fact that the state erases these legacies doesn’t mean we have to stop employing these methods, doesn’t mean we have to erase our legacies too by accepting individual state incentives and normalising neoliberal paradigms.

Black nationalism and theories of white privilege did not gain ascendancy in the 1960s because programmes fusing anti-capitalism, anti-imperialism and internationalism grew and these challenged the emphasis on skin colour at the expense of class and solidarity. Assata Shakur wrote in her autobiography:

one of the most important things the [BPP] Party did was to make it really clear who the enemy was: not the white people, but the capitalistic, imperialistic oppressors. They took the Black liberation struggle out of a national and put it in an international context.50

The tendency to divide our struggle between black and brown, or to narrow down activism to capitalism versus racism, reflects the weakness of our move- ment. By stressing what and who we are personally, we split identity from its collective, social and structural context. But, as I showed at the outset, the race/ class divide becomes more plausible when those doing class reject, in turn, race.

It is in this form that the role ascribed to privilege increases the presumption that whites (also anti-racist activists) are incapable of really committing to the struggle because they are guilty by virtue of a system that will always favour them. This can morph into ‘NBPoC’ being considered culpable or even told that they should not use black radical sources. one of my memorable experiences was to be told that I should not cite black Marxists but Edward Said. The idea that a Du Bois is for ‘black’ people and a Said for certain ‘brown’ people does not under- stand that progressive ideologies cross these markers. It makes a farce of radical anti-racist and anti-colonial history that transcends these values. When we reach the point of ‘appropriating others’ struggles’ we have arrived at a rivalry between oppressed peoples, which is exactly what our common oppressors want.

The tragedy is that the black radical men and women who have threatened the racist and imperialist state and/or power structures on precisely these terms are not recognised. Their experiences show that the real threat to racist nation states comes from those who identify with members of other groups, not only their ‘own’. And the key is indeed in experience, one that can translate from the indi- vidual onto a collective scale, for in this variety of experience lies a great power. Thus, the solidarity expressed between Palestinians and the Sioux people of Standing Rock, whose fight against an oil pipeline on their lands was exemplary, and the resonances with Palestinian struggles to protect sacred sites were clearly understood:

As an indigenous people whose lands have been robbed and pillaged, and who face existential settler-colonial expansion in Palestine, we recognize that Native American and First Nation peoples have endured centuries of violent settler colonialism that has dismantled and robbed them of home, heritage, dignity, security, narrative, land, language, identity, family, trees, cemeteries, animals, livelihoods and life.

We recognize the multitude of ways that Native American and First Nation struggles to protect indigenous territories have ultimately been struggles on behalf of all of humanity to save the Earth we share from toxic globalization of neoliberal and capitalist ethos that threaten our collective survival.51

With the same revolutionary love, black activists in Ferguson expressed kinship with Palestinians, saying ‘When I see them, I see us’. This black-Palestinian solidarity has grown because both understand the relationship between state vio- lence, the prison system, and militarised surveillance.52

how we can incorporate this genuine kinship more into our own political cam- paigns and everyday lives today remains to be answered. But as shown, there are many suggestions we can take direction from. Moreover, as Assata Shakur reminds us, ‘To win any struggle for liberation, you have to have the way as well as the will.’53 In the end, what we want is a radical alternative based on kinship, a kinship of equality; a universalism grounded in resistance. Criticism is useful only if the goal is justice and joined by material equality; if not, it turns into a kind of moralism that mostly weakens us.

At a time of sharp disagreement between Dutch anti-racist activists, Philomena Essed, the Netherlands’ leading analyst on racism, was asked what she would like to endow to activists. She paused and said, ‘I think mainly dignity’. It is a reminder that politics and activism are also human and personal issues. To be human is implicated in the struggle because dignity and respect is about more than claiming your own right. We do want acknowledgement, but not at the cost of others. If you belittle or exclude someone today, you stand to lose a comrade tomorrow. That is what Shakur meant when she wrote about being ‘responsible for each other and to each other’.54 But we live in a different time and operate in new different activist arenas, driven by a social media-geared sphere that encour- ages hyper public polemics and reduces mutual respect via a competitive culture of individual accomplishment. To avoid being played off one against the other, our theoretical or tactical differences should be public and made in a spirit of comradeship. We need space for radical intellectual thinking without suppress- ing critical debate, we don’t have to limit our thinking for the sake of action. Political differences were discussed vigorously between Du Bois and Garvey, between Fanon and Negritude, between Malcolm X and Farrakhan. Does this mean that we need to return to an abstract general universalism? What universal values are we talking about? It is crucial to question universality because I do not propose a return to the time when the white, abled, heterosexual man was the unchallenged universal norm. We need our own universalist alliance that is able to overcome divisive tendencies but push towards an emancipation that does not look only into ourselves or our own group for the answer; based on what is called a radical universalism this is ‘not something that pre-exists; it’s a break with the existing state of things’ and thus founded on a fraternity of radical kinship.55 For anti-racists, it means claiming equality and justice in collective coalitions, with strong comrades not submissive allies.

A progressive understanding of experience and awareness is one based on prin- ciples of unity and a solidarity nurtured in struggle. Intellectual honesty strength- ens politics; this is why constructive criticism is vital. We can be inclusive about differences regarding the understanding of the world we live in. Instead of the focus on undeniable and unbridgeable difference, Rahul Rao pointed to a more dif- ficult yet politically useful ‘finding ways of thinking about different forms of injus- tice together’. I share his critique of the apathy to ‘repairing differences’.56

Different sets of ideas begin to shape/are shaped by the very labour of activ- ism. The lesson I learned from anti-racism in the Netherlands is that it is critical to interrogate and critique the notion of white privilege as an instrument in activ- ist strategies. It is the ‘anchored struggle’ which I aim for – doing something together.57 ultimately, as Sivanandan said: ‘The people we are writing for are the people we are fighting for.’ Whatever our critiques, they should aim to strengthen the struggle against oppression and exploitation. It is where anti-racists are forced to overcome a double divide: inside the political and mainstream Left where the demand is to take racism seriously, and inside the anti-racist, grassroots Left that restricts itself to using certain tools without considering what is missing. This can be overwhelming, but our movements, workplace disputes and strikes, campus sit-ins and demonstrations are sites of resistance where we breathe, where hope overtakes fatalism. Where our scepticism is not frivolous, but sober. And where we learn and unlearn.

## Hoofd Procedural

#### Our substantive legal commitments matter – debating about them and presenting alternative visions of antitrust is key to counter corporate power

Newman, Associate Professor, University of Miami School of Law, ‘21

(John, “Racist Antitrust, Antiracist Antitrust,” The Antitrust Bulletin, Sagepub)

But a change in goals does not always yield an immediate change in implementation-put another way, choice of an end does not necessarily dictate the choice of means. The pair of cases discussed below frame the 1980s, a decade in which antitrust's end was fairly static, yet its means were still in flux. The first, Knights of the Ku Klux Klan ("KKK"), stands as one of the clearest, most admirable examples of antiracist antitrust in U.S. history. The second, Superior Court Trial Lawyers Association ("SCTLA"), is its opposite: the Sherman Act being deployed against an attempt to ensure adequate legal representation for indigent defendants, most of them being people of color.

Taken together, these two cases represent divergent paths. Which has the contemporary antitrust enterprise chosen to follow? The Supreme Court's most recent substantive decision, Ohio v. American Express ("AmEx"), suggests both room for hope and reason for concern. With the latter in mind, the essay concludes by offering four recommendations for how antitrust can retake the high road. By avoiding overemphasis on categorical labels or particular types of effects, and by recentering a focus on power, the antitrust enterprise can play a vital part in addressing-and avoid exacerbating-structural inequality.

A. Knights of the KKK: Antiracist Antitrust

After the U.S. military exited Vietnam in 1975, millions of Vietnamese, Laotian, and Cambodian people fled the region. 12 Rapid congressional action facilitated emigration to the United States for many of these displaced persons. 13 Many settled in coastal Texas, a designated resettlement site that offered a familiar opportunity for sustenance: fishing and shrimping. 14 Unsurprisingly, the refugees' integration into the local economy was met with hostility on the part of incumbents. One antiimmigrant tactic was political: at the behest of the Texas Shrimp Association, the state legislature passed a bill in early 1981 that imposed a 2-year ban on issuing new shrimping licenses. 15

But in the towns and cities along the Gulf coast, nativist locals were unsatisfied with what they perceived to be a half-measure by the state legislature. Boat merchants began charging premium prices to Vietnamese immigrants. 16 Bait shops refused to sell to them. 17 Rumors flew, with some locals suggesting the new shrimpers were being subsidized by the U.S. Government. 18 Incumbents suggested the new entrants were overfishing and underpricing. 19 A shaky cease-fire agreement was drawn up but quickly fell apart after the Federal Trade Commission warned that it violated the Sherman Act. 20 In January 1981, one of the nativist locals met with Louis Beam, a Grand Dragon of the Knights of the KKK, 21 to present the concerns of"a group of American fishermen." 22 The Klan moved swiftly. At a rally held on Valentine's Day in Santa Fe, Beam warned the crowd that it "may become necessary to take laws into our own hands." 23 The Grand Dragon went on to invite attendees to train at Klanorganized "military camps," inveighing that it would be necessary to "fight, fight, fight" and see "blood, blood, blood" for the salvation of the country. 24 Beam vowed to give the newcomers "a lot better fight here than they got from the Viet Cong. "25 The crowd watched a demonstration of how to bum a boat and later a cross.2 6 On a clear day in March, a shrimp boat owned by one of the long-term residents was seen carrying men garbed in the traditional white robes and pointed hats of the KKK. Most were visibly armed, and the boat had been fitted with-and was firing-a cannon. 27 Locals reported receiving threats that those who did business with Vietnamese immigrants would be viewed as "enemies." 28 A woman who had allowed an immigrant-owned fishing boat to use her docks was issued a warning: "You have been paid a 'friendly visit' do you want the next one to be a 'real one. "' 29 Klansmen burned crosses in the yards of immigrant shrimpers, 30 set their fishing boats ablaze, and firebombed a home. 31

Meanwhile, in Alabama, the cofounders of the Southern Poverty Law Center had been closely monitoring the Klan's activities. 32 In April 1981, Morris Dees and Joseph Levin filed a wide-ranging lawsuit in federal court, seeking to enjoin the Klan's reign of terror. Judge Gabrielle l(jrk McDonald, the first African American judge in the state of Texas, was assigned to hear the case. 33 The defendants called for her disqualification, referring to her supposed prejudice against the Klan. Beam publicly called her a racial slur. 34 Throughout the entire proceedings, Judge McDonald and her family received death threats and one-way tickets to Africa. 35

Among the fourteen counts pleaded were violations of Sherman Act   1 and   2. 36 The   1 claim formed the core of the antitrust case: plaintiffs alleged that the defendants-the Knights of the KKK, Beam, various anonymous members of the Klan, the "American Fishermen's Coalition," and several individual fishermen-had conspired "to force the Vietnamese fishermen class to terminate or at the very least curtail their commercial fishing business in the Galveston Bay area" and to try to "intimidate them into selling off sixty percent of their shrimping boats." 37 The conspiracy's goal, per the complaint, was to "eliminate or reduce competition" for incumbent fisherman in the area. 38 After granting class certification, Judge McDonald issued a preliminary injunction ordering the defendants to cease their campaign of violence, threats, and intimidation. The imbalance of societal and material power was subtly-and effectively---emphasized throughout Judge McDonald's opinion. Facts were presented without embellishment; they spoke for themselves. The reader learns, for example, of a Vietnamese shrimp seller who testified that "six weeks ago two American men drove up in a truck and pointed a gun at her" and that "her husband will not take out their shrimp boat on May 15, 1981 because she is afraid that he will be killed." 39

The antitrust analysis is notable for its clarity and brevity-indeed, to the contemporary observer, it is perhaps most remarkable for what it does *not* say. Although Judge McDonald began by stating that "the anti-trust laws" forbid a "lessening of competitive conditions in the relevant market," she went on to explain that plaintiffs could prove such a "lessening" by demonstrating an actual marketplace effect. 40 No formal market definition was required. Nor did the opinion engage in a protracted attempt to fit the defendants' conduct into a particular analytical category before deciding on the appropriate legal treatrnent. 41 Again, proof of actual harmful effects was sufficient, at least to receive a preliminary injunction. In August, the court made the injunction permanent and ordered it to be posted publicly in the Gulf Coast area. 42

B. FTC v. SCTL.A

SCTLA was another antitrust lawsuit targeting coordinated activity, but the similarities began-and ended-there. While Knights of the KKK was championed by civil-rights attorneys, SCTLA was the brainchild of a hard-right-wing economist. 43 In fact, the latter was filed against a group of publicinterest attorneys. Knights of the KKK exemplifies antitrust being used to counter coordinated power on behalf of displaced persons enduring personal and structural racism. SCTLA, on the other hand, exemplifies an antitrust enterprise oblivious to power imbalances and structural racism. James C. Miller III, President Reagan's first appointee to chair the Federal Trade Commission, was the first nonlawyer ever to hold that position. 44 Miller's doctoral studies were completed at the University of Virginia's economics department under James Buchanan, dubbed by some "the Architect of the Radical Right." 45 Buchanan had a controversial track record on racial issues-his academic center, formed amid Virginia's "Massive Resistance" to federally mandated school desegregation in the 1950s, was pitched as a means for preserving the state's "social order" and stymieing the "increasing role of government in economic and social life." 46

Buchanan was, according to Miller, one of his chief intellectual influences in the field of economics. 4 7 One of Miller's first actions as FTC chairman was to request a budget cut and a 10% reduction in personnel. 48 Unsurprisingly, the Agency's enforcement activity also plummeted. In just two years, antitrust actions dropped by nearly one-third, and consumer protection actions by more than onehalf. 49 But one particular type of litigation bucked the downward trend. Miller spearheaded an enforcement initiative aimed at professional associations-and he "particularly liked the idea of bringing some cases against lawyers." 50 The District of Columbia in the 1970s was a majority-minority city; over 70% of residents identified as Black. 51 More than 100,000 D.C. residents fell below the poverty line, with poverty rates exceeding 30% in some census tracts. 52 In a 1963 decision, the U.S. Supreme Court had held indigent defendants in criminal cases are constitutionally entitled to adequate representation. 53 D.C., like many jurisdictions, complied with this mandate via a dual system comprising a government-funded public defender's office and court-appointed private lawyers. 54 The District's public defenders handled just 8%-10% of indigent defendants, leaving court-appointed lawyers to take up the considerable slack, a situation "unique among major urban jurisdictions." 55 Despite the pressing need for quality representation-and despite runaway inflation rates throughout much of the 1970s-statutory rates for court-appointed work in the District stayed flat for more than sixteen years. 56 The D.C. Bar and the Judicial Conference of the D.C. Circuit released two reports finding that low compensation rates forced existing courtappointed lawyers to take on too many cases and dissuaded other attorneys from taking on any cases. 57 As the first report explained, "[A] system which is heavily weighed against the indigent defendant in terms of the compensation that [their] attorney will receive raises serious questions of equal protection. The indigent's rights under the Constitution are no less than the rights of the well-to-do." 58 Fed up with the situation, a group of court-appointed lawyers formed the SCTLA as a means of exerting political pressure. After initially casting about for the right tactical strategy, the Association was inspired to launch a strike by a suggestion from the dean of Howard University Law School: "[Y]ou will have to raise hell about this to attract somebody's attention." 59 The D.C. Governmentostensibly the intended "victim" of the planned stoppage-was supportive. At a meeting with Association lawyers, Mayor Marion Barry tacitly encouraged the strike, as he was "very sympathetic" to the cause. 60 And, once launched, the strike yielded rapid results: the City Council voted to increase

funding, thereby improving the "quantity and quality of representation received by ... indigent

clients. "61

Meanwhile, the Miller-helmed FTC had also been busy, opening an investigation into the Trial Lawyers Association before the strike had even begun. 62 On December 16, months after the strike had concluded, the Commission proceeded with a complaint against the lawyers' association and its four individual leaders. No practicable remedy was sought. 63 The local government had already voted to increase funding and, despite being the ostensible "victim," had neither asked the FTC to intervene nor sought to enjoin the boycotters under its own local antitrust authority. 64 Rather strikingly, FTC staff internally recognized that the Association's lawyers could not possibly have wielded market power. The Superior Court had the legal authority to order any member of the D.C. Bar to represent indigent defendants. 65 In fact, it had done just that during a prior strike in 1974. 66 Thus, the target of the strike could have simply ordered the attorneys to resume representation, ordered nonstriking attorneys to take on indigent clients, or both. The "victim" wielded all of the power. 67 Nonetheless, the FTC pursued the case all the way to the U.S. Supreme Court, which roundly censured the strike. (Justice Marshall, the only Black member of the Court, joined Justice Brennan in dissenting from much of the majority opinion. 68 ) The majority's reasoning was formalistic: categorize, then condemn. To the majority, the strike was a "price-fixing agreement, a 'naked restraint' on price and output." 69 Once categorized as such, the strike was deemed, ipso facto, illegal per se. 70 The fact that the boycotters clearly wielded no market power was irrelevant. The fact that the supposed "victim" had actively encouraged the strike was irrelevant. The fact that the strike benefited indigent defendants, many of whom were people of color who had endured decades of structural racism, was irrelevant. This was not antitrust's finest hour.

C. Which Path Have We Taken? The Promise and Pitfalls of Ohio v. Arn Ex These bookends of the 1980s-Knights of the KKK and Superior Court Trial La Jlers-suggest divergent approaches to the question of how to administer the antitrust laws. Which path has the contemporary antitrust enterprise pursued? The highest profile case of the past decade, Ohio v. AmEx, suggests both room for hope and reason for concern. AmEx began as a suit by the U.S. Department of Justice Antitrust Division against the three largest creditcard companies, Visa, AmEx, and MasterCard. 71 The suit sought to enjoin "no-steering" rules contractually imposed by networks on all card-accepting merchants. 72 In general, the challenged rules forbid merchants from presenting any particular credit network in a unique or differentiated way to their customers. Thus, for example, merchants cannot offer discounts for using a particular brand of card, tell customers "We prefer" a certain card, or inform customers of the costs associated with each brand. 73 Visa and MasterCard quickly settled, but AmEx-which charged the highest merchant fees-fought to keep its rules in place. 74 At trial, the Antitrust Division proved that AmEx's no-steering rules had stifled competition and increased card acceptance prices across all networks. 75 Merchants, in turn, passed along whatever costs they could to their customers via across-the-board retail price increases. 76 To its credit, the Division brought to the trial court's attention one of the most unusual-and most pernicious-effects of AmEx's rules. Because merchants cannot treat higher-cost cards differently, they must raise retail prices to all of their customers, including those who pay with cash, checks, money orders, and food stamps. 77 Such customers tend to be far less wealthy than credit-cardholders, especially AmEx cardholders. 78 AmEx passes some, though not all, of its supracompetitive merchant fees through to its own cardholders in the form of cardmember rewards. In other words, AmEx' s rules force the least wealthy members of society to fund lavish travel points and perks for the most affluent. 79 In a careful, well-reasoned decision, the trial court held that AmEx's rules were unreasonable restraints of trade. Judge Garaufis's opinion resisted easy formalizing and conclusory reasoning. The agreements at issue were between trading partners, not direct competitors. Yet, as Garaufis explained, AmEx 's rules did not "fit neatly into the standard taxonomy" of vertical versus horizontal restraints. 80 The challenged agreements themselves may have been "vertical," but the effects on competition were horizontal. 81 AmEx' s rules prevented its rivals from attracting additional business by offering lower prices or higher quality, as Discover learned in the 1990s. 82 As to effects, the court did not insist on a showing of any particular type of harm. Instead, it found that AmEx's rules cause a wide variety of harms, including higher card acceptance costs for merchants, higher retail prices for consumers, and stifled innovation. The court also found the regressive forcedsubsidization effect to be anticompetitive: [A] lower-income shopper who pays for his or her groceries with cash or through Electronic Benefit Transfer ... is subsidizing, for example, the cost of the premium rewards conferred by American Express on its relatively small, affluent cardholder base in the form of higher retail prices. The court views this extemality as another anticompetitive effect of Defendants' [rules]. 83 This particular effect technically occurred outside the relevant market ("general-purpose credit and charge card network services"). Again, however, the court refused to allow an artificial constructmarket definition-to distract from actual analysis of real-world effects.

The AmEx litigation thus yielded two bright spots: the Antitrust Division's decision to bring the case and Judge Garaufis's sophisticated decision. Both closely attended to structural power and inequity. Like Knights of the KKK, these were examples of antitrust directly confronting a power imbalance and seeking to redress its harmful effects.

But that success was short-lived. On appeal, the Second Circuit issued a sloppily reasoned decision for the defendant. (During oral arguments, one of the judges implied that the relevant market must also include cardholders because he personally received frequent credit card applications in the mail. 84 ) A disappointed Antitrust Division decided not to pursue the case further. A group of states led by Ohio, however, proceeded to appeal to the U.S. Supreme Court.

The majority opinion in Ohio v. AmEx carries all of the hallmarks of bad antitrust analysis, and poor-quality appellate review more generally. 85 It placed enormous weight on the "vertical vs. horizontal" dichotomy without appearing to recognize the horizontal nature of the restraints' effects. 86 Instead of analyzing the factual record before it, the majority simply ignored-and sometimes outright changed-inconvenient truths. 87 Instead of evaluating the relevant effects, the majority insisted on proof of one particular type of effect: an output reduction. 88 As to the regressive forced-subsidization effect-which was, again, part of the factual record-the majority opinion was silent. Instead, the majority conjured up a novel effect, positing without support the idea that AmEx's restraints were actually beneficial for "low-income customers. " 89

Today, the widely felt and regressive effects of AmEx's rules continue unabated. Given the racialized nature of wealth and income inequality in the United States, 90 those effects contribute to historically rooted structural inequity. A case that had begun so promisingly ended in ignominy-after something of a zenith at the trial-court level, AmEx now stands as a nadir of modem antitrust.

D. A Path Forward

As bookends for the turbulent 1980s, Knights of the KKK and SCTLA represent two paths for antitrust. AmEx offers a contemporary view of what traveling each of those paths can look like. The antitrust enterprise might take a flexible approach, cognizant of real-world power structures, always seeking to protect the relatively powerless against the more powerful. On the other hand, antitrust might ossify, placing more weight on assigning categorical labels than on assessing actual effects and narrowing the analytical lens until concentrated power-antitrust law's raison d'etre 91-becomes largely irrelevant.

Cases like SCTLA and *AmEx*, though troubling, may nonetheless offer useful insights. Set upon the right path, antitrust can serve as a useful tool in moving toward a more just society. Toward that end, four normative suggestions follow.

First, do not place undue weight on the "horizontal versus vertical" distinction. Some horizontal restraints are harmful, but not every horizontal agreement deserves hasty condemnation. The SCTLA majority allowed a label ("horizontal") to obscure a lack of power. Similarly, Justice Thomas's defendant-friendly reasoning in AmEx hinged in part on his statement that "vertical restraints are different" from horizontal ones. 92 But such broad pronouncements elide the fact that vertical restraints-like the ones at issue in AmEx-can cause effects identical to those caused by harmful horizontal restraints. 93

Second, do not place undue weight on categorizing conduct as "price-fixing," "a restraint on output," and the like. A classification system can offer value. But, like any other tool, it can be pushed far beyond its usefulness. Labeling the lawyers' strike "price-fixing" ( or, alternatively, a "naked restraint on output") was essentially the beginning and end of the SCTLA Court's analysis. Yet not all price-setting agreements are equally likely to cause harm, as most of those very same Justices had previously recognized. 94 A strike functions by temporarily disrupting the internal workings of a specific buyer of labor, 95 whereas the archetypical price-fixing cartel agreement functions by indefinitely controlling the market for a product. 96 From an economic perspective, it makes little sense to treat the two as analytically identical. Classification systems can obscure important nuance, in addition to posing the obvious risk of misclassification. 97

Third, do not artificially narrow the analytical lens by insisting on proof of a particular type of effect. Leading treatises, 98 law-school casebooks, 99 amicus briefs, 100 and journal articles 101 suggest that all of antitrust can be boiled down to simple analysis of output effects. 102 As Bork put it, "The task of antitrust is to identify and prohibit those forms of behavior whose net effect is output restricting and hence detrimental. " 103 Antitrust law's output obsession may well have played a role in the SCTLA decision-recall the majority's characterization of the strike as a "naked restraint on price and output." The AmEx majority clearly fell into this trap, insisting that the plaintiffs demonstrate an output reduction despite abundant evidence of actual anticompetitive effects. This makes little analytical sense. Output reductions can be harmful or beneficial to consumers. Conduct can simultaneously push the output of multiple products in different directions. And anticompetitive conduct can be harmful without affecting output levels at all. 104 All of this counsels against overreliance on a single type of effect.

Like most disciplines, antitrust has developed a variety of labels and heuristics. But when analytical tools begin to consume the analysis, antitrust can sight of its target. An analytical tool is just that: a tool, to be used when it is helpful and set aside when it is not. To be clear, this is not a call for the abandonment of economic methodology. It is instead a call for better economics, tailored to suit the task at hand. And what is that?

Fourth, antitrust analysis must center the overarching purpose of the law itself: countering concentrated power. 105 Amid the complexity of contemporary markets, it can be easy to lose sight of that goal. This may help to explain the SCTLA and AmEx opinions, both of which were regressive in nature. It may also help to explain the federal enforcement agencies' otherwise-puzzling decisions to weigh in against efforts by rideshare drivers-disproportionately people ofcolor 106 -to organize. 107 Through a narrow lens, collective organizing by workers can be viewed as "horizontal price-fixing" or "outputreducing," as it was in SCTLA. 108 But, stepping back for a moment, is there any reason to worry that rideshare drivers will exercise dominance over Uber and Lyft, even if they receive limited collective bargaining rights? Keeping antitrust's goal in view is appropriate not only on deontological grounds but also on utilitarian ones: It allows scarce enforcement resources to be more helpfully allocated.

Divergent paths lay open. The first leads to ossification and erroneous outcomes. 109 When antitrust analysis is overly constricted, it risks exacerbating systemic inequality and becomes prone to harming those whom the laws were meant to protect. The alternative is a more flexible, robust approach attuned to economic realities, one that allows enforcers and judges to maintain focus on furthering the law's fundamental purpose. If-but only if-the antitrust enterprise does so, it can play a vital role in helping to correct structural imbalances of power.

## Race War Procedural

#### White being is contingent

Gordon 21 – Philosopher at the University of Connecticut who works in the areas of Africana philosophy and black existentialism.

Lewis Gordon, “5: Thoughts on Afropessimism,” *Freedom, Justice, and Decolonization*, Routledge 2021, pp. 75.

The first is that “an antiblack world” is not identical with “the world is antiblack.” The latter is an antiblack racist project. It is not the historical achievement of such. Its limitations emerge from a basic fact. Black people and other opponents of such an enterprise fought, and continue to fight, against it. The same argument applies to the argument about social death. Such an achievement would have rendered even those authors’ and the reflections I am offering here stillborn. The basic premises of the antiblack world and social death arguments are, then, locked in performative contradictions. They fail at the moment they are articulated. Yet, they have rhetorical force. This is evident through the continued growth of its proponents, literature, and forums devoted to it, in which all lay claim to stillborn status.

## Baudrillard Procedural

#### Contingent acceptance of truth is good

Postman, chairman of the Department of Culture and Communication @ NYU, ‘99

(Neil, *Building a bridge to the 18th century*, Pg. 77-81)

This is a form of radical relativism that would have befuddled many Enlightenment thinkers. If I may be permitted another "thought experiment," I can imagine a synoptic reply by the advocates of reason that would go like this: "There are words that do not seem to refer to anything in the world of non-words. **And there are 'truths' that cannot be verified**, and which gain their authority from other words **that cannot be verified.** But many words are reflections of reality. To be sure, the reflections are at varying levels of abstraction, e.g., 'tree is more abstract than 'oak/ which is more abstract than 'this eight-foot oak which you are leaning against.' **But it is the** key to intelligence, if not sanity, to be able to assess with some accuracy **the extent to which words refer to the world of non-words**. Modern medicine is better than witchcraft **precisely because its language is a more** accurate depiction **of the world of non-words.** 'More accurate1 **means closer to reality**; that is, 'truer' or 'more objective.' You may say, if you wish, that all reality is a social construction, **but you cannot deny that some constructions are** 'truer' than others. They are not 'truer' because they are privileged; **they are privileged because they are 'truer**. As for procedures that are effective, **e.g., inoculations** against smallpox, sending astronauts to the moon and returning them safely to Earth, and two hundred million other procedures executed daily by sane people, they work because they are derived from sets of propositions **whose** 'truths' have been tested **and shown to be in** accord **with our** limited understanding **of the** structure of reality."

Nothing I have said above means to imply that there can be certainty about our knowledge. It is the quest for certainty that the best-known "postmodernist," Jacques Derrida, has found dangerous, and which he suggests is embedded in the Enlightenment tradition. He calls it "logocentrism." There is no doubt that there were some Enlightenment philosophers, inspired perhaps by Descartes, who can fairly be charged with believing in the possibility of certain knowledge. The most notorious expression of this is found in an essay by Pierre-Simon de Laplace published in 1814. He wrote:

A mind that in a given instance knew all the forces by which nature is animated and the position of all the bodies of which it is composed, if it were vast enough to include all these data within his analysis, could embrace in one single formula the movements of the largest bodies of the universe and of the smallest atoms; nothing would be uncertain for him; the future and the past would be equally before his eyes.8

There is, of course, no scientist today who believes this, and there were very few in the eighteenth century. Then, as now, the idea of certainty functions, for most, as a kind of metaphor, reflecting the thrill of discovering something that appears to be true for everyone at all times, e.g., that blood circulates through the body, that the Earth revolves around the sun, that the rights of human beings derive from God and nature, that the market is self-regulating. Enlightenment scientists and political and social philosophers wrote of these ideas "as if" they were immutable and universal. Some of these ideas, e.g., that human rights are derived from God and nature, are highly debatable, and led in the eighteenth century to arguments about the sources of the origin and authority of human rights. One need only read the quarrels between Edmund Burke and Tom Paine to get a sense of the status of such "truths." These quarrels continue to this day, and one may wish to argue that these "truths," if they are such, are applicable only to Western culture. The term "Eurocentric" is sometimes used (always as a pejorative) to suggest that such "truths" are limited in their scope, and, in fact, may be thought of as mere prejudices. Of course, if one does deny the universality of these "truths," one must explain why some of them—for exam-pie, "those who govern must do so by the will of the governed"— appeal to people all over the world, why even the most repressive regimes will call themselves "a people's democracy." Is it possible that there is at least a universal resonance to these ideas? To label an idea "Eurocentric" does not necessarily mean it does not have universal application. After all, the claim that the blood circulates through the body or that the speed of light is 186,000 miles per second is "Eurocentric," at least in origin. Are these "truths" mere prejudice or are we entitled to treat them as if they are universal and immutable?

If postmodernism **is simply** skepticism **elevated to the** highest degree, **we may give it muted applause.** The applause must be muted because even skepticism requires nuance and balance. To say that all reality is a social construction is interesting, indeed provocative, but requires, nonetheless, that distinctions be made between what is an unprovable opinion and a testable fact. And if one wants to say that "a testable fact" is, itself, a social construction, a mere linguistic illusion, **one is moving dangerously close to a kind of** Zeno's paradox. One can use a thousand words, in French or any other language, to show that a belief is a product of habits of language—**and graduate students by the carload can join in the fun**—**but blood still circulates through the body** **and the AIDS virus still makes people sick** and the moon is not made of green cheese**.**

One may also say something like this about the "postmodern" view of texts. Roland Barthes is frequently cited as the originator of the announcement of "the death of the author." He is usually taken to mean that readers create their own meanings of a text irrespective of the author's intentions. Thus, the meanings of texts are always shifting and open to question, depending on what the reader does with the text. If this means that texts (including spoken words) may have multiple meanings, then the idea is a mere commonplace. But if it is taken to mean that there is no basis for privileging any meaning given to a text over any other meaning, then it is, of course, nonsense. You can "deconstruct" Man Kampf until doomsday **and** it will not occur to you **that the text is a paean of praise to the Jewish people**. Unless, of course, you want to claim that **the text can be read as irony,** that Hitler is spoofing anti-Semitism. No one can stop you from doing this. **No one can stop anyone from misreading anything** or rationalizing anything or excusing anything. Derrida, with whom the word "deconstruction" is most commonly associated, gave a superb example of how one may choose to misread, in his defense of Paul de Mans pro-Nazi writings during the German occupation of Belgium. De Man is one of the founders of the postmodern school of "deconstructing" texts, and when his pro-Nazi articles were discovered after the war, he wrote a letter to Harvard's Society of Fellows explaining himself. In such a circumstance, it is convenient, to say the least, to represent the view that all meanings are indeterminate, that there can be no definitive interpretations of any text. In any case, de Man s letter was filled with ambiguities and even outright lies, about which Derrida commented: "Even if sometimes a minimum of protest stirs in me, I prefer, upon reflection, that he chose not to take it on himself to provoke, during his life, this spectacular and painful discussion. It would have taken his time and energy. He did not have very much and that would have deprived us of a part of his work."9 As Anthony Julius puts it in describing the affair: Derrida is saying that telling the truth should be avoided because it is time-consuming.

Derrida, so far as I know, has not argued that any meaning can be attributed to a text, **only that there are wider possibilities** than are usually accepted or expected. Perhaps there are no postmodernists who argue that any meaning can be justified. But in surveying the work of well-known postmodernists, I find no clarity about—indeed, no interest in—**the** standards **by which certain meanings may be** excluded. **The process of making meaning** from a text **involves as much withholding meanings as adding them**, and knowing the rules that govern when it is appropriate to do either is at the core of reasonable interpretation. Derrida, in fact, **knows this as well as anyone,** since his famous analyses of the contradictions in the texts of Plato and Edmund Husserl, among others, are as good a demonstration of how to read deeply as any we have. But there are those who have taken the act of postmodern reading and writing to the edge of absurd^ the case of The Great Postmodern Spoof of 1997. Alan physicist at New York University, submitted a long essay to journal Social Text, noted for its commitment to postmodern thought. After the essay was published, Sokal revealed that it Was complete gibberish from beginning to end. Not error-laden not overstated, not even an exercise in fantasy. Gibberish. Appar-ently, this was not noticed by the editors of Social Text, or if it was, they felt that gibberish is as good as any other form of discourse. Sokal has continued his assault on postmodern writing by joining with John Bricmont, a Belgian physicist, in writing Fashtonabk Nonsense, a devastating critique of the writings of Regis Ddbm Jacques Lacan, and Jean Baudrillard, among others. Of Bau-drillard's theories about "multiple refraction in hyperspace," Sokal (in an interview with the London Times) said: "In physics, the word 'space' exists, as does hyperspace and refraction. But multiple refractions in hyperspace? ... It appears to be scientific, but in fact it is as pompous as it is meaningless."10

Pomposity we can survive. But meaninglessness is another matter. Fortunately, **most of us have not succumbed to the pleasures of meaningless language**. We struggle as best we can to connect **our words with the world of non-words**. Or, at least, to use words that will resonate **with the experiences of those whom we address**. But one worries, nonetheless, that a generation of young people may become entangled in an academic fashion **that will increase their difficulties in** solving real problems—indeed, in facing them. Which is why, **rather than their reading Derrida**, **they ought to read Diderot, or Voltaire**, Rousseau, Swift, Madison, Condorcet, or many of the writers of the Enlightenment period who believed that, **for all of the difficulties** in mastering language, it is possible to say what you mean, to mean what you say, **and to be silent when you have nothing to say**. They believed that it is possible to use language to say things about the world that are true—true, meaning that they are testable and verifiable, that there is evidence for believing. Their belief in truth included statements about history and about social life, although they knew that such statements were less authoritative than those of a scientific nature. They believed in the capacity of lucid language to help them know when they had spoken truly or falsely. Above all, they believed that the purpose of language is to communicate ideas to oneself and to others. Why, at this point in history, so many Western philosophers are teaching that language is nothing but a snare and a delusion, that it serves only to falsify and obscure, **is mysterious** to me. Perhaps it comes as a consequence of our disappointments in the twentieth century. Perhaps some of our philosophers have been driven to a Caliban-like despair: You taught me language and my profit on it is that I know how to kill and be cruel." If so, it is understandable but not acceptable. Can we go into the future believing that gibberish is as good as any other form of language?

## Fun Procedural

No cards

## Psychoanalytic Cap K

#### Demands on the state are a productive center of discussion but don’t tie us to the government or its legitimacy

Saul Newman, PhD, Professor of Political Theory, Goldsmith University, London, ’11

(*The Politics of Postanarchism*, pg. 114)

Despite the obvious pitfalls of the Leninist vanguard strategy, we should nevertheless take Zizek's challenge to Critchley seriously: that, in other words, the problem with the strategy of working outside the state is that it **may essentially leave the state intact**, and entail an irresponsible and even **self-indulgent politics of demand** that hides a secret reliance on the state to take care of the everyday running of society. Is there some truth to this claim?

There are two aspects that I would like to address here. First, the notion of demand: making certain demands on the state - say for higher wages, equal rights for excluded groups, to not go to war or an end to draconian policing - is one of the **basic strategies** of social movements and radical groups. Making such demands does not necessarily mean working within the state **or reaffirming its legitimacy.** On the contrary, demands are made from a position **outside the established political order,** and they often **exceed the question of the implementation** of this or that specific measure. They implicitly **call into question the legitimacy** and even the sovereignty of the state by highlighting fundamental inconsistencies between, for instance, a formal constitutional order that guarantees certain rights and equalities, and state practices that in reality violate and deny them. Jacques Ranciere gives a succinct example of this when he discusses Olympe de Gouges, who, at the time of the French Revolution, demanded that women be given the right to go to the Assembly. In doing so, she demonstrated the inconsistency between the promise of equality - invoked in a general sense and yet denied in the particular by the Declaration of the Rights of Man and the Citizen - and the political order which was formally based on this:

Women could make a twofold demonstration. They could demonstrate that they were deprived of the rights that they had, thanks to the Declaration of Rights. And they could demonstrate, through their public action, that they had the rights that the constitution denied to them, that they could enact those rights. So they could act as subjects of the Rights of Man in the precise sense that 1 have mentioned. They acted as subjects that did not have the rights that they had and had the rights that they had not.21

#### State policy change is essential to transform our political economy, reform is never an end in itself

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Amna A. Akbar, “Demands for a Democratic Political Economy,” *Harvard Law Review Forum*, vol. 134, 2020, pp. 98-106, https://harvardlawreview.org/wp-content/uploads/2020/12/134-Harv.-L.-Rev.-F.-90.pdf.

I. NON-REFORMIST REFORMS

As a matter of rhetoric, the left often fashions itself as against reform and outside of formal politics -- characterizations that liberals and scholars echo. 51But today's left social movements are turning to demands, reforms, and policy platforms. 52This is not a rejection of electoral and legislative politics: it is a cautious embrace, marking a shift for the emergent left. The demands are amplified by an increasingly organized strategy to elect left and socialist candidates to office, to challenge the Democratic Party's ties to corporate money and the billionaire class, and to redefine the realm of the possible. 53Congressional Representatives Alexandria Ocasio-Cortez, Ilhan Omar, and the growing Squad are supported by a developing constellation of organizations focused on electoral strategy -- and these elected officials have become important amplifiers for radical demands. 54The turn to reform undoubtedly reflects the defeat of the revolutionary politics of the New Left and Black Power era -- itself an index of frustration with what the civil rights movement achieved 55-- as well as a recognition of the immensity of U.S. military and police power that rose up to crush movements here and around the world. 56But it also reflects a sober assessment of the limited scale of left, working-class, and poor people power amid decades of state repression and the rise of the neoliberal agenda Klarman documents. 57It is a bid for power that recognizes that mass disenfranchisement is central to the elite's hold on the state and the economy. A growing number of organizers now understand the need to organize poor, working-class, Black, brown, and immigrant people to effectuate transformational change. 58

Reform has long been a central question in debates about left and socialist strategy, 59with a range of terms to capture the aspiration for a reform program aimed at a larger project of transformation. 60Organizers are increasingly invoking non-reformist reforms, the term coined in the 1960s by French economist-philosopher and socialist André Gorz. 61In Strategy for Labor, Gorz defined a non-reformist reform as one that does not comport with "capitalist needs, criteria, and rationales." 62Instead it advances a logic of "what should be" and requires "implementation of fundamental political and economic changes." 63Whether the change is "sudden" or "gradual" is immaterial: non-reformist reforms require a "modification of the relations of power," in particular "the creation of new centers of democratic power." 64

The non-reformist reform framework is prevalent in abolitionist organizing against the prison industrial complex 65and deployed by those who embrace racial justice, anticapitalism, and socialism more broadly. 66In Golden Gulag, Professor Ruth Wilson Gilmore calls for non-reformist reforms, which she defines as "changes that, at the end of the day, unravel rather than widen the net of social control through criminalization." 67Through decades of campaigns against carceral infrastructure, abolitionist campaigns have produced rubrics demarcating an approach to reform focused on reducing the scale, power, tools, and legitimacy of the carceral state. 68The focus on the ideological scaffolding of carceral control -- the equation of policing with safety, for example -- signals a keen understanding of the interlocking ideological and material infrastructure of our lives. 69In turn, it suggests, like Gorz did, that a revolutionary program of reform must continually deepen consciousness around the violence and exploitation of the status quo as it advances the possibility of alternatives.

While Gorz is remembered as a champion for non-reformist reforms, his work is decidedly ambivalent: a "very clear dividing line" will not always exist between "reformist" and "non-reformist reforms." 70Assessing a demand for "the construction of 500,000 new housing units a year," for example, would require an assessment of whether the proposal involved "the expropriation of those who own the required land, and whether the construction would be a socialized public service, thus destroying an important center of the accumulation of private capital; or if, on the contrary, this would mean subsidizing private enterprise with taxpayers' money to guarantee its profits." 71The non-reformist reform does not aim to create policy solutions to discrete problems; rather it aims to unleash people power against the prevailing political, economic, and social arrangements and toward new possibilities.

But whether something is non-reformist or reformist is about more than the nature of the demand and its particulars: it is also a question of how the campaign is waged. Consider another example: abolition of the death penalty. The conventional liberal approach emphasizes that death is too great a power for the state, and reassures the public that life sentences will continue to ensure safety of local communities. In this guise, the campaign aims to shrink the state's carceral power in one particular way but does not question mass human caging. As the campaign attempts to undermine the death penalty, its logic shores up the legitimacy, righteousness, and necessity of life sentences. 72A non-reformist approach would frame the problem of the death penalty as stemming from the larger violence of prisons and policing and its historical continuities with lynching and enslavement. Life without parole then is not the solution, it is illegitimate carceral violence: what abolitionist organizers in Pennsylvania have dubbed "death by incarceration." 73

If the same demand can be framed or implemented in reformist or non-reformist ways, the line is undoubtedly murky in practice. But this does not make the attempt to distinguish futile. Instead it clarifies that reform projects are contradictory gambits if the aim is transformation: they always have the possibility of reifying the status quo. Nonetheless, there are essential distinctions for developing transformative programs of reform that aim to undermine the prevailing order in service of building a new one.

The hallmarks of non-reformist reforms are three. First, non-reformist reforms advance a radical critique and radical imagination. 74Reform is not the end goal; transformation is. 75Non-reformist reforms are "conceived not in terms of what is possible within the framework of a given system and administration, but in view of what should be made possible in terms of human needs and demands." 76In advancing an agenda to meet human need, non-reformist reforms advance a critique about how capitalism and the carceral state structure society for the benefit of the few, rather than the many. They also posit a radical imagination for a state or society oriented toward meeting those needs.

By contrast, reformist reforms draw on and advance critiques of our system -- whether that be capitalism or the carceral state -- that do not question underlying premises or advance alternative futures. In fact, reformist reforms "reject[] those objectives and demands -- however deep the need for them -- which are incompatible with the preservation of the system." 77Here, one can think of the quick rejections by so many of defund the police or the Green New Deal -- despite the mounting evidence that liberal reforms have done little to limit police violence or to slow the speed at which we are hurtling toward increasingly frequent environmental disasters. 78Liberal reformism effectively shields the status quo from deep critique. 79The end goal of liberal reformism is just that: reform.

The non-reformist reform then provides a framework for demands that will undermine the prevailing political, economic, social system from reproducing itself and make more possible a radically different political, economic, social system. For abolitionists, the underlying system to undermine is the prison industrial complex and the horizon to build toward is abolition democracy. For socialists, the underlying system is capitalism and the horizon socialism. In theory and practice, these are intertwined, variegated, and debated political projects. 80

I am suggesting neither a false neatness within nor artificial distinctions between rich left traditions. But I mention it to make a point so obscured in legal discourse: that approaches to reform reflect ideological commitments, critiques of or acquiescence to underlying systems, aspirations for the future, and theories of change. Reforms communicate analyses of our conditions, tell stories about possibilities, and contribute to dynamic relations of power. So the target and object of the non-reformist framework will depend on one's political project and analysis, as will whether one accepts a reformist or non-reformist orientation.

Whereas reformist reforms aim to improve, ameliorate, legitimate, and even advance the underlying system, 81non-reformist reforms aim for political, economic, social transformation: for example, socialism or abolition democracy. They seek to delegitimate the underlying system in service of building new forms of social organization. Rather than relegitimate, they seek to sustain ideological crisis as a way to provoke action and develop public consciousness about the possibilities of alternatives and our collective capacity to build them together.

Second, non-reformist reforms must draw from and create pathways for building ever-growing organized popular power. 82They aim to shift power away from elites and toward the masses of people. This is a matter of substance and process, from where the demand comes, the vision it advances, and the space it creates. Whether through demands on the state or the workplace, non-reformist reform " always requires the creation of new centers of democratic power[,] . . . a restriction on the powers of State or Capital, an extension of popular power, that is to say, a victory of democracy over the dictatorship of profit." 83In their focus on power, non-reformist reforms challenge liberal legal frameworks that tend to obscure power relations. 84Non-reformist reforms are about building the power of people to wage a long-term struggle of transformation.

In contrast to reforms formulated by expert elites, non-reformist reforms come from social movements, labor, and organized collectives of poor, working-class, and directly impacted people making demands for power over the conditions of their lives and the shape of their institutions. 85People living under perilous conditions must generate analysis of those conditions, and advance solutions, in collective formations. 86 Collective processes -- whether in organizations, unions, or assemblies -- become schools of democratic governance in action: processes of enfranchisement and exercises in self-determination that build power and motivate further action. 87

Third, non-reformist reforms are about the dialectic between radical ideation and power building. Non-reformist reforms come from contestatory exercises of popular power. 88They attempt to expand organized collective power to build pathways for transformation. As such, they are not in themselves about finding an answer to a policy problem: They are centrally about an exercise of power by people over the conditions of their own lives. They aim to create "a vast extension of democratic participation in all areas of civic life -- amounting to a very considerable transformation of the character of the state and of existing bourgeois democratic forms." 89

Because the end goal is building power rather than identifying a policy fix, non-reformist reforms can only be effective when pursued in relation to a broader array of strategies and tactics for political, economic, social transformation. That includes protests and strikes as well as political education, mutual aid, organizing, and the building of alternative institutions.

Along with other strategies and tactics, reforms are in dialectical relationship with transformation: deepening consciousness, building independent power and membership, and expanding demands. 90As Gorz put it, reforms have to be imagined as part of a longer-term "strategy of progressive conquest of power by the workers." 91

#### Only state power solves climate change – instead of stopping emissions, the alt guarantees that every Daily Mail reader in the country picks up a gun and shoots the nearest hippy

Monbiot 8 – Political & environmental activist, recipient of the UN Global 500 Award for outstanding environmental achievement, author of several award-winning books on environmental crises and corporate capture in politics, reporter for The Guardian Neoliberalism.

George Monbiot, August 22 2008, “Climate change is not anarchy's football,” The Guardian, https://www.theguardian.com/commentisfree/2008/aug/22/climatechange.kingsnorthclimatecamp

If you want a glimpse of how the movement against climate change could crumble faster than a summer snowflake, read Ewa Jasiewicz's article, published yesterday on Comment is free. It is a fine example of the identity politics that plagued direct action movements during the 1990s, and from which the new generation of activists has so far been mercifully free.

Jasiewicz rightly celebrates the leaderless, autonomous model of organising that has made this movement so effective. The two climate camps I have attended – this year and last – were among the most inspiring events I've ever witnessed. I am awed by the people who organised them, who managed to create, under extraordinary pressure, safe, functioning, delightful spaces in which we could debate the issues and plan the actions which thrust Heathrow and Kingsnorth into the public eye. Climate camp is a tribute to the anarchist politics that Jasiewicz supports.

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But in seeking to extrapolate from this experience to a wider social plan, she makes two grave errors. The first is to confuse ends and means. She claims to want to stop global warming, but she makes that task 100 times harder by rejecting all state and corporate solutions. It seems to me that what she really wants to do is to create an anarchist utopia, and to use climate change as an excuse to engineer it.

Stopping runaway climate change must take precedence over every other aim. Everyone in this movement knows that there is very little time: the window of opportunity in which we can prevent two degrees of warming is closing fast. We have to use all the resources we can lay hands on, and these must include both governments and corporations. Or perhaps she intends to build the installations required to turn the energy economy around – wind farms, wave machines, solar thermal plants in the Sahara, new grid connections and public transport systems – herself?

Her article is a terrifying example of the ability some people have to put politics first and facts second when confronting the greatest challenge humanity now faces. The facts are as follows. Runaway climate change is bearing down on us fast. We require a massive political and economic response to prevent it. Governments and corporations, whether we like it or not, currently control both money and power. Unless we manage to mobilise them, we stand a snowball's chance in climate hell of stopping the collapse of the biosphere. Jasiewicz would ignore all these inconvenient truths because they conflict with her politics.

"Changing our sources of energy without changing our sources of economic and political power", she asserts, "will not make a difference. Neither coal nor nuclear are the 'solution', we need a revolution." So before we are allowed to begin cutting greenhouse gas emissions, we must first overthrow all governments and corporations and replace them with autonomous communities of happy campers. All this must take place within a couple of months, as there is so little time in which we could prevent two degrees of warming. This is magical thinking of the most desperate kind. If I were an executive of E.ON or Exxon, I would be delighted by this political posturing, as it provides a marvellous distraction from our real aims.

To support her argument, Jasiewicz misrepresents what I said at climate camp. She claims that I "confessed not knowing where to turn next to solve the issues of how to generate the changes necessary to shift our sources of energy, production and consumption". I confessed nothing of the kind. In my book Heat, I spell out what is required to bring about a 90% cut in emissions by 2030. Instead I confessed that I don't know how to solve the problem of capitalism without resorting to totalitarianism.

The issue is that capitalism involves lending money at interest. If you lend at 5%, then one of two things must happen. Either the money supply must increase by 5%, or the velocity of circulation must increase by 5%. In either case, if this growth is not met by a concomitant increase in the supply of goods and services, it becomes inflationary and the system collapses. But a perpetual increase in the supply of goods and services will eventually destroy the biosphere. So how do we stall this process? Even when usurers were put to death and condemned to perpetual damnation, the practice couldn't be stamped out. Only the communist states managed it, through the extreme use of the state control Jasiewicz professes to hate. I don't yet have an answer to this conundrum. Does she?

Yes, let us fight both corporate power and the undemocratic tendencies of the state. Yes, let us try to crack the problem of capitalism and then fight for a different system. But let us not confuse this task with the immediate need to stop two degrees of warming, or allow it to interfere with the carbon cuts that have to begin now.

Jasiewicz's second grave error is to imagine that society could be turned into a giant climate camp. Anarchism is a great means of organising a self-elected community of like-minded people. It is a disastrous means of organising a planet. Most anarchists envisage their system as the means by which the oppressed can free themselves from persecution. But if everyone is to be free from the coercive power of the state, this must apply to the oppressors as well as the oppressed. The richest and most powerful communities on earth – be they geographical communities or communities of interest – will be as unrestrained by external forces as the poorest and weakest. As a friend of mine put it, "when the anarchist utopia arrives, the first thing that will happen is that every Daily Mail reader in the country will pick up a gun and go and kill the nearest hippy".

This is why, though both sides furiously deny it, the outcome of both market fundamentalism and anarchism, if applied universally, is identical. The anarchists' associate with the oppressed, the market fundamentalists with the oppressors. But by eliminating the state, both remove such restraints as prevent the strong from crushing the weak. Ours is not a choice between government and no government. It is a choice between government and the mafia.

Over the past year I have been working with groups of climate protesters who have changed my view of what could be achieved. Most of them are under 30, and they bring to this issue a clear-headedness and pragmatism that I have never encountered in direct action movements before. They are prepared to take extraordinary risks to try to defend the biosphere from the corporations, governments and social trends which threaten to make it uninhabitable. They do so for one reason only: that they love the world and fear for its future. It would be a tragedy if, through the efforts of people like Jasiewicz, they were to be diverted from this urgent task into the identity politics that have wrecked so many movements.

#### Aff alone is politically feasible now – the Reaganite consensus is crumbling, but it’s in favor of the aff, NOT the alt!

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Ganesh Sitaraman, also Chancellor Faculty Fellow and Director of the Program in Law and Government at Vanderbilt University, The Coming Revolution in the American Economy: In the Biden era, the Reaganite consensus is finally breaking down., April 29, 2021, <https://newrepublic.com/article/162211/revolution-american-economy-end-reagan-magic-market>

We are now in the midst of a total rethinking of the Reaganite political economy. Republican Senator Marco Rubio has recently questioned the “25-year orthodoxy in the Republican Party centered around market fundamentalism,” telling The New Yorker that “sometimes the most efficient outcome isn’t the best one for the country.” Rubio has declared that markets should serve human values, called for a reassertion of the common good over market ideology, and explicitly demanded that the United States adopt an industrial policy to further the national interest. At the same time, liberals and the left are advancing a new political economy that encourages the government to shape markets more actively, with an eye toward who has power, how it is exercised, and whether it enhances freedom and equality.

This reassessment is one of the most important political developments today, even if it often feels more suited to a college seminar than the halls of Congress. The last few months have seen the passage of the American Rescue Plan—with its break from 1990s welfare reform and its bold action on child poverty—as well as Republicans’ willingness to embrace direct payments, best exemplified by Senator Mitt Romney’s proposal for a universal child allowance. These breaks from the past are the most acute examples of a much broader shift at work. In arenas that don’t tend to see such swift action—antitrust, industrial policy, trade, and international economics—a number of recent books, essays, and political initiatives are challenging the received wisdom. If it holds, the emerging political economy will shape the thinking of a whole generation of policymakers, just as the magic of the market formed the paradigm for the Age of Reagan.

The field of antitrust has undergone perhaps the most striking transformation. Five years ago, few were talking much about antitrust law and policy. The field remained in the shadow of Robert Bork, whose approach focused on efficiency and lowering consumer prices—and led to weak enforcement. In March 2019, when Senator Elizabeth Warren announced her plan to break up big tech companies, critics assured her that she didn’t know what she was talking about, and that competition was “not a virtue” in itself. (Disclosure: I was formerly an adviser to Warren.) How things have changed. In the last two years, a slew of books have described the dangers of monopoly power and called for change: David Dayen’s Monopolized, Zephyr Teachout’s Break ’Em Up, Barry Lynn’s Liberty From All Masters, Sally Hubbard’s Monopolies Suck, Tim Wu’s The Curse of Bigness, and Matt Stoller’s Goliath.

Just two years since Warren’s plan, the antitrust establishment has largely moved into her camp. The Department of Justice and several states are suing Google for anti-competitive behavior and calling for “structural relief” (in ordinary language: breakups). The Federal Trade Commission and almost every state are suing Facebook and calling for the same thing. The House of Representatives’ Subcommittee on Antitrust has scrutinized competition in digital markets. Nor are these partisan actions. It was the Trump Justice Department that brought the suit against Google. State attorneys general of both parties are involved in lawsuits. On any given day, one can find Senator Josh Hawley and Representative Ken Buck railing against big tech monopolies.

A new book by Minnesota Senator Amy Klobuchar, considered one of the more centrist candidates for the Democratic presidential nomination last year, indicates just how much has changed. Senators rarely write books, and when they do, they tend to be political memoirs. But Klobuchar’s Antitrust: Taking on Monopoly Power From the Gilded Age to the Digital Age is a serious and important contribution that will help build momentum for reform. Stories from nineteenth-century Minnesota illustrate the harsh realities of monopoly capitalism: Klobuchar’s great-grandfather emigrated from Slovenia in the 1880s to work in the Iron Range mines in the far north of the state. Immigrant laborers fueled the railroad boom, and many died young—orphaning their children, who entered the mines, too. The railroads made robber barons rich and powerful. Minnesota’s own James J. Hill built a 36,000-square-foot mansion in St. Paul. As firms consolidated into the railroad, steel, oil, and sugar trusts, they gained a worrying degree of power over workers, other firms, and even over government. The Sherman Antitrust Act of 1890 and the Clayton and Federal Trade Commission Acts, both passed in 1914, were designed to break up these megacorporations and ensure competitive markets.

For many decades, Klobuchar notes, antitrust enforcement successfully regulated some of the most powerful businesses in the country. She weaves memoir into her opening chapters, recalling her early career as an antitrust lawyer in the aftermath of the AT&T breakup in the mid-1980s. But the Reagan administration “dismantled and defunded” antitrust efforts. Relaxing the standards for mergers, it challenged only 33 mergers out of 11,547 between 1982 and 1987. It cut staff from the FTC. It even canceled a program that collected information on business lines and market activity. A generation later, Klobuchar sees a renewed threat in today’s monopolies. In many sectors, including tech, health care, and agriculture, consolidation means that a small number of companies dominate. “One- or two- or three-company control of major industries or technology platforms,” she writes, “is unacceptable.”

Antitrust is primarily a policy book, and Klobuchar spends much of it offering 25 recommendations to increase competition. These range from the very broad (“Take on the Big Tech Companies”) to the extremely specific (“Change the Legal Standard for Predatory Pricing Claims”) to the practical (“Increase Antitrust Enforcement Staff”). Throughout, she references her own proposed legislation on the topic. And as Klobuchar is chair of the Judiciary Committee’s subcommittee on competition policy, antitrust, and consumer rights, her proposals are likely to be one of the starting points for reform.

Industrial policy may have been an even more neglected area than antitrust in recent decades. For years, it seemed that merely whispering the words “industrial policy” at a Washington cocktail party would lead to ostracism so complete that Hester Prynne would have felt beloved. The thinking was that government should act only to solve market failures; that government should be run like a business; and that governments couldn’t—and shouldn’t—invest in or subsidize specific sectors or companies, because only the market is qualified to pick “winners.” Attitudes on this are also changing. There is a growing recognition that government invariably shapes the economy, and that it must. Policy determines every part of how markets work—if government abandons the field, that is a policy choice, too.

This recognition, again, comes from both sides of the aisle. Rubio has explicitly called for the United States to formulate an active industrial policy, in part to compete with China and in part to address crises like Covid-19, which has shown how badly the United States needs to be able to produce its own medical supplies and protective equipment. A number of conservative intellectuals, in the magazine American Affairs and think tank American Compass, have chimed in with proposals. President Joe Biden’s Build Back Better plan and his commitment to an infrastructure bill are the biggest signals of change. Biden has already ordered reviews of supply chains in defense, transportation, public health, agriculture, technology, and energy—both to boost manufacturing jobs and to avoid future shortages of critical materials. Meanwhile an infrastructure bill could include trillions of dollars of spending—not only on roads and bridges, but also on clean energy.

In her new book, Mission Economy: A Moonshot Guide to Changing Capitalism, Mariana Mazzucato makes the case for government investments and their unexpected and transformative effects. An economics professor at University College London, Mazzucato argues that the Reaganite approach to capitalism prevents the next big moon shot—the kind of project0 so ambitious that only a government can launch it, and whose benefits ripple through the rest of society and the economy.

Mazzucato uses the Apollo moon shot as an extended case study of “mission thinking”—that is, of picking a goal and committing whatever resources it takes to achieve it. The government invested heavily in sending a man to the moon: The NASA budget from 1960 to 1973 was $56.6 billion, or $326.8 billion in 2020 dollars; it is difficult to imagine belt-tightening, austerity-driven politicians in the long Reagan Era taking on such a bold and pricey effort.

These investments delivered much more than the initial goal. They resulted in dozens of spillover products, industries, and processes that President Kennedy could never have foreseen when he pledged to send a man to the moon. Major investments in semiconductors and software engineering transformed technology, leading to modern computing. Meanwhile, NASA’s work required inventing materials that could function in space, eventually leading to consumer products like Teflon and CorningWare. The mission-driven approach inspired and motivated people to support something bigger than their narrow self-interest. “The appeal of working for a government agency,” Mazzucato writes, “was that it was not only purpose-driven but also explicitly welcomed risk-taking in the process.” Government had to innovate in order to get to the moon, and that meant trial and error. It is not surprising, then, that young people were excited about the endeavor: The average age of staff at Mission Control during the Apollo 11 moon landing was an astonishing 26 years.

Policymakers in the late twentieth century began to worship “the trade god,” Clyde Prest­owitz writes in his new book, The World Turned Upside Down: America, China, and the Struggle for Global Leadership. What he means is that international economic policy focused single-mindedly on lowering trade and investment barriers. Commentators and policymakers celebrated the go-go era of globalization, assuming that all good things would go together—free trade, economic growth, national prosperity, human rights, and liberal democracy. But as Prestowitz argues, they were wrong.

That view is gaining traction. With the failure of the Trans-Pacific Partnership agreement during the Obama administration and the start of President Trump’s trade war a year later, the decades-long consensus on trade liberalization has come under increasing attack. Globalization boosters assumed that though some people would lose their jobs to free trade, they would soon find new work. But as David Autor, David Dorn, and Gordon Hanson’s recent paper, “The China Shock,” has shown, some regions of the United States were hit so hard with factory closures and layoffs after China entered the World Trade Organization that, even a decade later, they hadn’t improved economically. It is not much help that trade deals have made cheap foreign goods available to U.S. consumers. “It is nice to save a few dollars when buying shoes or a washing machine,” Prestowitz writes. “But that pleasure does not equal the intensity of the complete loss of a job, or of a school system in a factory town when the factory closes.”

Prestowitz bemoans the way liberalization has dampened America’s economic prowess. Since the time of Alexander Hamilton, the United States has used high tariffs to encourage domestic manufacturing; spent public funds on infrastructure; subsidized industries that were essential to economic growth or national security; and invested in public education to foster an educated, innovative workforce. This package of activities constituted an industrial policy. But decades of neoliberal trade policy essentially saw industrial policy dissolve. Supply chains have been offshored, leaving the United States vulnerable to shortages of protective equipment and ventilators during the pandemic. Essential technologies, like semiconductors, are now increasingly manufactured overseas.

The challenges to the American economy are only half of Prestowitz’s subject. The other half is the rise of China. When the foreign policy establishment thought that free trade and globalization would spread liberal democracy, they included China. But this hasn’t happened. Instead of becoming more liberal or democratic as it gained in economic strength, China has remained authoritarian, and has increasingly wielded its economic and political power globally with sticks and carrots. On the one hand, China has pressured companies and individuals to stifle their opinions (recall the firestorm that took place when a manager of the Houston Rockets tweeted support for protesters in Hong Kong). On the other, it has undertaken efforts to help countries out and bring them into its sphere of influence, by investing in infrastructure around the world and, now, exporting millions of doses of Covid vaccines. Economic power is political power, and China has not been afraid to use it to advance its values and develop global relationships.

The principled pursuit of free trade above all else does not account for this more hardheaded reality, which is one of the reasons why views seem to be changing. Today, competition from China is pushing both Republicans and Democrats to rethink offshoring and invest in research and development at home. It will also likely lead them away from the neoliberal emphasis on liberalizing international economics and trade, and instead encourage a greater focus on deepening relationships with close democratic allies.

The intellectual work in some of these areas is more developed than others, and the political uptake has been haphazard. But these efforts share some common themes: All of this work takes as a given that the government must act—and that the failure to act is itself an action. The emerging political economy abandons the myth of the independent marketplace, and it sees policy choices as inescapable. This work also comes at a time of global-sparked anxiety, and the needs of national security and competitiveness are therefore likely to be invoked more and more frequently as a way to increase pressure for domestic economic reforms.

Each of these areas tackles the extraordinary inequalities within the United States—inequalities by race, class, and geography. Antitrust, industrial policy, and trade present fundamental choices—about who has power and who doesn’t, about how to invest and where. Each of these books is awake to the notion that those choices will affect the way the wealth is distributed through society; economic inequality is not a problem for someone else to solve through tax-and-transfer policies. Finally, and critically, the impetus behind the emerging political economy is largely structural, not technocratic. Advocates speak less of imperceptible nudges and tax credits and more of achieving specific goals, such as breaking up big tech, “Buy American” programs, and getting to 100 percent clean energy. These are salient ideas, and they involve clear rules and massive investments.

The simultaneous, sweeping rethinking of these sectors is a major event. Rarely do scholars and policy thinkers on both sides of the aisle fundamentally revise their paradigms in one arena, let alone so many all at once. This is itself exciting, and when combined with efforts among liberals and the left to invest in strengthening social infrastructure and in public goods, there is a real possibility that we might be in the midst of another “present at the creation” moment—a moment in which a new public philosophy is emerging, along with the policies to support it.

#### The brain is too complex to be simplified into singular theories of behavior – any decision to wage war or violence involves multiple contradictory motives and influences

Pinker 13

Steven Pinker, Prof of Psychology at Harvard, "The Decline of War and Conceptions of Human Nature", International Studies Review, 2013, 15, pp. 396-419

2. Human Nature Has Multiple Components

People tend to reduce human nature to a single essence and then debate what that essence consists of. Are we nasty or noble, Hobbesian or Rousseauan, ape or angel? In this way of thinking, if we regularly engage in violence, we must be a violent species; if we are capable of peace we must be pacifistic.

But the brain is a mind-bogglingly complex organ with many anatomically and chemically distinguishable circuits. Most psychologists believe that human nature is not just one thing, but comprises multiple intelligences, modules, faculties, organs, drives, or other subsystems. Some of these subsystems may impel us toward violence, but others inhibit us from violence.

Human violence springs from at least four kinds of motives, each involving different neurobiological systems:

Exploitation: Violence used as the means to an end; that is, damaging a human who happens to be an obstacle on the path to something the actor wants. Examples include plunder, rape, conquest, the displacement or genocide of native peoples, and the murder or imprisonment of political or economic rivals.

Dominance: The urge among individuals to ascend the pecking order and become the alpha male, and the corresponding urge among groups for tribal, ethnic, racial, national, or religious supremacy.

Revenge: The conviction that someone who has committed a moral infraction deserves to be punished.

Ideology: Shared belief systems, spread virally or by indoctrination or force, which hold out the prospect of a utopia. Examples include nationalism, Fascism, Nazism, communism, and militant religions. Since a utopia is a world that will be infinitely good forever, one is permitted to perpetrate unlimited amounts of force against those who stand in its way, as in the saying, “You can’t make an omelet without breaking a few eggs.”

Pushing against these nasty impulses are some of our kinder, gentler faculties:

Self-control: Circuitry in the frontal lobes of the brain that can anticipate the long-term consequence of actions and inhibit them accordingly.

Empathy: The ability to feel someone else’s pain.

The moral sense: A system of norms and taboos centered on intuitions of fairness to individuals, loyalty to a community, deference to legitimate authority, and the safeguarding of purity and sanctity. The moral sense can motivate the imposition of standards of fairness and can render certain courses of harmful action unthinkable. (Unfortunately, it can also be a cause of violence, because it can rationalize militant ideologies based on tribalism, puritanism, and authoritarianism.)

Reason: Cognitive processes that allow us to engage in objective, detached analysis. Whether people actually commit acts of violence, then, depends on the interplay among these faculties; the mere existence of human nature does not doom our species to a constant rate of violence.

The decision to wage war, in particular, may be triggered by any combination of the violence-inducing motives. If the decision is not overturned by any of the motives that inhibit violence, the decision-maker must then mobilize an aggressive coalition by whipping up the aggressive motives in his compatriots, while disabling the peaceable motives. The actual outbreak of war thus depends on many psychological processes lining up in the right way and escaping the restraining influence of other psychological processes, which are distributed in social networks connecting many other individuals. There is no reason to expect that the relative strengths of these competing influences should remain constant over the course of human history.

3. Facultative Components of Human Nature

Many components of human nature are facultative (environmentally sensitive), not hydraulic (homeostatic). The intuition that a respite from war could not possibly be real often rests on a mental model in which the drive toward violence is conceived of as a hydraulic force. At best, it can be diverted or channeled, but it cannot be bottled up indefinitely. The hydraulic model of human motivation is deeply embedded in the way we think about violence. It was given a scientific imprimatur by psychoanalysis, ethology, and behaviorism (in the guise of drive reduction), and it fits with the cybernetic notion of homeostasis, in which a feedback loop maintains a system in a steady state by counteracting any imbalance. It also fits with our subjective experience: no one can go indefinitely without food, water, or sleep, and it is a challenge to do without sex or to hold in a mounting urge to yawn, sneeze, scratch an itch, or expel various substances from the body.

But, it is a big mistake to think that all human responses are homeostatic. Many are opportunistic, reactive, or facultative: they are elicited by combinations of environmental triggers and cognitive and emotional states. Consider evolutionarily prepared fears such as those of heights, snakes, confinement, deep water, or spiders. Even if one were born with an innate phobia of snakes, as long as one never encountered a snake one could live one’s entire life without experiencing that fear. Other examples include the tendency to shiver, fall head over heels in love, or experience sexual jealousy.

The motives that lead to violence, too, need not be homeostatic. There is no reason to believe that the urge to hurt someone gradually builds up and periodically needs to be discharged. Violence carries significant risks of injury or death when the target defends himself, when he or his relatives wreak revenge, or when he is tempted into attacking preemptively. The theory of natural selection predicts that adaptations evolve when their expected costs exceed their expected benefits. We should not expect a hydraulic urge to violence to evolve, but rather one that is sensitive to circumstances. These may include predation and exploitation, when an opportunity to exploit a victim at low risk presents itself; dominance, when one’s masculinity is suddenly impugned in front of an important audience; vengeance, to punish (and thus ultimately deter) insults or injuries; rampage, when a longstanding menace is suddenly exposed in a window of vulnerability. If the circumstances never materialize—say, if one lives an orderly, bourgeois life, free from grave threats or insults—any tendency to react with violence could lie as dormant as a fear of poisonous snakes. The same sensitivity to environmental contingencies could, if circumstances line up, prevent political leaders from experiencing any urge to mobilize their countries for war.

# 1AR

## Case

No cards

## Body Ptx

No cards

## Race War Procedural

No cards

## K

#### Death drive thesis outdated

Smith, Director of the Critical Transdisciplinary Research Program and Editor at Heathwood Institute and Press, ‘3/22/17

(Robert C., “An Alternative Conception of Social Pathology,” in *Society and Social Pathology*, palgrave, pg. 74-75, \*language modified)

Aside from the question of social pathology, at the heart of this book is also the issue of subject development. This involves questions of how a human being develops—or how a child changes during the course of his/ her growth (Litowitz 1999)—and how social conditions, positive or negative, affect that development. “Every psychoanalytic theory from Freud’s earliest models to the latest post-Freudian versions” attempt to capture a theory of development in some way (Litowitz 1999). Freud’s theories claim to describe universal developmental stages, which do not depend upon specific environmental responses, cultural or social or otherwise (Litowitz 1999). Thus significant emphasis is placed on biology in the development of the psyche (Moritsugu et al. 2016).

Outside of certain movements within CT and more traditional pockets of psychoanalysis, Freud’s instinct theory and biological model is generally considered highly questionable (Benja eld 2010; Benjamin 1988; Black and Mitchell 2016; Blum and Hoffman 2016; Gomez 1997; Buirski and Kottler 2007; Rogers 1951, 1959; Schneider et al. 2001; Shane et al. 1997; Simanowitz and Pearce 2003). In fact, Freud’s theories in general are being increasingly challenged, or shown as not possible to prove (Dvorsky 2013). Many have either already discarded his theories as postulation without scientic validation or have used them as guidance knowing they are awed or incredibly abstract. As Axel Honneth put it:

Only dogmatism can today still ~~blind one to~~[conceal] the fact that a string of premises of Freudian theory have [...] become highly questionable. Developments in infant research, in developmental psychology generally, but also in evolutionary biology, have cast doubt on central and basic assumptions of the psychoanalytic view of young children. (Honneth 2009, p. 126)

Even contemporary theories of the unconscious, which many have labelled one of Freud’s greatest accomplishments, are continuously seeking to establish differentiation from Freudian theory (Romand 2012), rooting their concepts in Gustav Fechner’s earlier hypotheses. Additionally, while efforts at reforming classical Freudian theory have been attempted by the likes of Jacques Lacan and his contemporary followers, which is a popular movement in psychoanalysis today, particularly or primarily in theory and through the work of Slavoj Žižek, this too can be argued for different reasons to be deeply inadequate when weighed against more up-to-date cross-disciplinary research programme (Smith 2013).

Indeed, from a wide survey of literature, and from a discussion with different clinical practitioners and psychotherapists, it is clear that Fromm’s challenging Freudian instinct theory is, in present times, a less than controversial course of critique. This lends to the belief that when reading Freud today, as Fisher and Greenberg (1996) argue, what is required is a significant amount of nuance. His theory should be evaluated, they claim, in terms of specific hypotheses rather than as a whole (Fisher and Greenberg 1996; also cited in McLeod 2013). One reason for this, quite simply, has to do with the many “unresolved contradictions in Freud’s writings”, including what has been summarized as an unevenly developed system of ideas that are not integrated into a logical, systematic whole (Boag 2014).

#### Psychoanalysis is not empirical and has no explanatory power – prefer social science because it can explain events based on causal relationships

Sadovnikov, York University, ‘07

(Slava, "Escape from Reason: Labels as Arguments and Theories", Dialogue XLVI (2007), 781-796, philpapers.org/archive/SADEFR.pdf)

The way McLaughlin shows the rosy prospects of psychoanalytical social theory boils down to this: there are people who labour at it. He reports on Neil Smelser’s lifelong elaborations of psychoanalytical sociology, which prescribed the use of Freudian theories. Then he presents a “powerful” psychoanalytical theory of creativity of Michael Farrell, commenting on how the theorist “usefully utilizes psychoanalytic insights,” though McLaughlin does not specify them. He correctly expects that I might not view his examples as scientiﬁc. Their problems begin well before that. First, due to their informative emptiness, or tautological character, all they amount to is rewordings of everyday assumptions. Second, due to their vagueness these accounts are compatible with any outcomes; in other words, they lack explanatory and predictive power. The proposed ideas are too inarticulate to subject to intersubjective criticism, and to call them empirical or scientiﬁc theories would be, no matter how comforting, a gross misuse of words.

On the constructive side, a psychoanalytic theorist may be challenged to unambiguously formulate her suppositions and specify conditions of their disproof, to leave out what we already well know and smooth out internal inconsistencies, and revise the theories in view of easily available counter-examples and competing accounts. Only after having done this can one present candidate theories to public criticism and thus make them part of science, and fruitfully discuss their further reﬁnements. Another suggestion is not to label them “powerful theories,” “classics,” or anything else before their real scrutiny begins.

That criticism and disagreement are indispensable for science is not a “Popperian orthodoxy,” although Popper does champion this idea; it is the pivot of the tradition (which we owe to the Greeks) which identiﬁes rationalism with criticism. 4 McLaughlin ostensibly bows to the critical tradition but does not put it to use. Instead of critical evaluation of the theories in question he writes of “compelling case,” “powerful analytic model,” and “useful conceptual tool.”

On the methodological side of the issue, we should inquire into the mode of thinking common to Fromm and all adherents of conﬁrmation-ism. The trick consists in mere replacement of familiar words with new, more peculiar ones; customary expressions are substituted by “instrumental intimacy,” “collaborative circles,” and “idealization of a self-object.” Since the new, funnier, and pseudo-theoretical tag does the job of naming just as well, it “shows how” things work. The new labels in the cases criticized here do not add anything to our knowledge; nor do they explain. We have seen Fromm routinely abuse this technique. The vacuity of Fromm’s explanations by character type was the central point in my analysis of Escape , yet McLaughlin conveniently ignores it and, like Fromm, uses the method of labelling as somehow supporting his cause.

The widely popular practice of mistaking new labels for explanations has been exposed by many methodologists in the history of philosophy, but probably the most famous example of such critique comes from Molière. In the now often-quoted passage, his character delivers a vacuous explanation of opium’s property to induce sleep by renaming the property with an offhand Latinism, “virtus dormitiva.” The satire acutely points not only at the Impostor doctor’s hiding his lack of knowledge behind foreign words, but also at the emptiness of his alleged explanation. (Pseudo-theoretical literature is boring precisely because of its “dormitive virtue,” its shufﬂing of labels without rewarding inquiring minds.)

Let me review notable criticisms of this approach in the twentieth century by Hempel, Homans, and Weber leaving aside their forerunners. This problem was discussed in the famous debate between William Dray and Carl Hempel. Dray argues, contra the nomological account of explanation, that historians and social scientists often try to answer the question, “What is this phenomenon?” by giving an “explanation-by-concept” (Dray 1959, p. 403). A series of events may be better understood if we call it “a social revolution”; or the appropriate tag may be found in the expressions “reform,” “collaboration,” “class struggle,” “progress,” etc.; or, to take Fromm’s suggestions, we may call familiar motives and actions “sadomasochistic,” and any political choice save the Marxist “escape from freedom.”

Hempel agrees with Dray that such concepts may be explanatory, but they are so only if the chosen labels or classiﬁcatory tags refer to some uniformities, or are based on nomic analogies. In other words, our new label has explanatory force if it states or implies some established regularity (Hempel 1970, pp. 453-57). For example, you travel to a foreign country and, strolling along the street, see a boisterous crowd. Your guide may explain the crowd with one of several terms: that it is the local soccer team’s fans celebrating its victory, or it is a local religious festival, or a teachers’ strike, etc. The labels applied here—celebration, festival, strike— have explanatory value, because we know that things they refer to usually manifest themselves in noisy or unruly mass gatherings.

If, on the other hand, by way of explaining the boisterous crowd the guide had invoked some hidden social or psychological forces, or used expressions such as embodiment, mode of production, de-centring, simulacra, otherness, etc., its causes would remain obscure. If she had referred to psychoanalytic “character types” (say, Fromm’s authoritarian, anal, or necrophiliac types), the explanation would not make much sense either. Nothing prevents us nevertheless from unconditionally attaching all these labels to any event. The mistake McLaughlin and conﬁrmationists persistently make is in thinking that labelling social phenomena alone does theoretical and explanatory work. 5 George Homans observed the prevalence of this trick some decades ago:

Much modern sociological theory seems to us to possess every virtue except that of explaining anything. . . . The theorist shoves various aspects of behavior into his pigeonholes, cries “Ah-ha!” and leaves it at that. Like magicians in all times and places, the theorist thinks he controls phenomena if he is able to give them names, particularly names of his own invention. (1974, pp. 10-11)

#### The inexorable endpoint is refusing to give healthcare to people in prison because they are in a prison—that’s extremely fucked up

Davis, 2k

Angela, Author and activist, professor emerita at the University of California, Santa Cruz, "The Challenge of Prison Abolition: A Conversation," [www.historyisaweapon.com/defcon1/davisinterview.html](http://www.historyisaweapon.com/defcon1/davisinterview.html)

Angela: The seemingly unbreakable link between prison reform and prison development -- referred to by Foucault in his analysis of prison history -- has created a situation in which progress in prison reform has tended to render the prison more impermeable to change and has resulted in bigger, and what are considered "better," prisons. The most difficult question for advocates of prison abolition is **how to establish a balance between reforms that are clearly necessary to safeguard the lives of prisoners** **and** those **strategies designed to promote the eventual abolition of prisons as the dominant mode of punishment**. In other words, I do not think that there is a strict dividing line **between reform and abolition**. For example, it would be utterly absurd **for a radical prison activist to refuse to support the demand for better health care inside Valley State**, California's largest women's prison, **under the pretext that such reforms would make the prison a more viable institution**. Demands for improved health care, **including protection from sexual abuse and challenges to the myriad ways in which prisons violate prisoners' human rights, can be** integrated into an abolitionist context that elaborates specific decarceration strategies and helps to develop a popular discourse **on the need to shift resources from punishment to education, housing, health care, and other public resources and services**.