# 1NC

### 1NC OFF

First off is T

#### ‘Prohibiting’ a practice requires per se illegality.

Lee Mendelsohn 6, Director at Edward Nathan, “KIPA Conduct Amounts to Price Fixing”, Business Day (South Africa), 6/12/2006, Lexis

The first step in any competition law analysis is to define the relevant market. There are two components to an analysis of the relevant market, namely the relevant product market and the geographic market.

The relevant product market consists of those products and services that operate as a competitive constraint on the behaviour of the suppliers of those products and/or services.

The relevant product market is determined by ascertaining whether a small but significant non-transient increase in pricing of the product in question would cause buyers to substitute the product with another product or would cause suppliers of other products to begin producing the product in question.

The relevant geographic market is determined by ascertaining whether a small but significant non-transient increase in pricing of the product in question would cause buyers to purchase the product from other geographic areas, alternatively suppliers of the product in other geographic areas to supply those products into the area in question.

For the purposes of this case study, we are instructed to accept that each medical speciality constitutes a relevant product market and that the relevant geographic market for each of them is Kleindorpie.

The Competition Act provides that "an agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if … it involves … directly or indirectly fixing a purchase or selling price or any other trading condition".

An "agreement" is defined as including a contract, arrangement or understanding, whether or not legally enforceable. The term agreement is very widely defined. A "horizontal relationship" is defined as a "relationship between competitors".

The prohibition on the fixing of a purchase or selling price or any other trading condition is one of the so-called "per se" prohibitions which are included in our Competition Act. The prohibition is automatic and absolute and the fixing of prices or other trading condition cannot be justified on the basis of any technological, efficiency or other procompetitive gains that could outweigh the potential anticompetitive effect of the fixing of the price or trading condition. If the capitation plan of KIPA falls within the restrictive horizontal practice prohibiting price fixing and the fixing of other trading conditions, such practice will be a contravention of the act.

#### Vote neg for limits—too many distinct standards require huge numbers of case negs—topic becomes unmanageable

### 1NC OFF

Next off is Cap:

#### Antitrust is fundamentally rooted in an idealization of market ordering as neutral. The aff’s emphasis on “pro-competition” is entrenched in law-and-economics thinking which privileges capital over workers and guarantees environmental destruction.

Britton-Purdy, 20

(Jedediah, William S. Beinecke Professor of Law at Columbia Law School, David Singh Grewal, Professor of Law at Berkeley Law School, Amy Kapczynski, Professor of Law at Yale Law School, and K. Sabeel Rahman, Associate Professor of Law at Brooklyn Law School and President, Demos, “Building a Law-and-Political-Economy Framework: Beyond the Twentieth-Century Synthesis”, *Yale Law Journal, 129*(6), 1801-1802, (2020), https://heinonline.org/HOL/Page?handle=hein.journals/ylr129&div=36&g\_sent=1&casa\_token=&collection=journals)\\JM

B. The Law of the Economy Remade The many criticisms of this way of reasoning did not halt the influence of modern law and economics in legal thought. Law and economics spanned substantive areas of law, delivering a simplicity and method that any first-year student could learn and that a wave of dedicated scholarship on alternative fieldspecific idioms did little to displace. The result was far from a comprehensive defense of market ordering, much less one that overcame the many telling criticisms of the normative case for law and economics that issued in the 198os.59 Nonetheless, adherents of law and economics reorganized an array of legal fields. They did so using a variety of argument types, sometimes shifting among them. Arguments that idealize a version of market ordering as neutral and "good for us all," which would characterize the elevation of consumer welfare in antitrust law or efficiency reasoning in intellectual property, are market fundamentalist. Arguments to the effect that the state simply cannot be trusted to make substantive judgments about value and distribution on account of the dynamics revealed by public-choice theory take the form of market tragedy. Here, market-modeled insight reveals that the market is the best we can do, perhaps regrettably but ineluctably nonetheless. This style of argument persistently accompanied the more optimistic market-fundamentalist moves, enabling scholars and advocates to insist without fear of contradiction that economic policy deviating from market models would invite rent seeking. The combination of the first two supported a third, subtler style of argument: market hegemony simply assumed that "serious" law and policy thinking would adhere to market models, as in environmental law's focus on cost engineering to the exclusion of infrastructure investment and political engagement. The latter kinds of proposals simply have no place at the table, and raising them suggests the discrediting failure to understand that market reasoning provides the authoritative and exclusive way of engaging urgent questions. Antitrust law, our first example, was remade to address a drastically narrowed conception of the problem of monopoly.60 Market power was to be disciplined only when it interfered with consumer welfare, and sometimes, still more narrowly, only when it increased prices. 61 Historically, antitrust law and scholarship took a broader view: it emerged from a concern about the power of large corporate entities to influence politics and not just prices, and imposed structural limits and bright-line rules to guard against an array of possible political-economic implications of firm dominance.6 2 Replacing this political-economic version of antitrust, the field came to target a much narrower conception of market collusion. The result is a regime that privileges firms as favored instances of (vertical) coordination but repudiates certain forms of (horizontal) coordination among market participants and certain workers (such as independent contractors).63 In the name of supposed efficiency, antitrust now blesses mergers and big firms but restrains cooperation among Uber drivers and church organists. 64 This remade antitrust law has in turn helped to remake the corporate world, facilitating the substantial new forms of market concentration and priority for capital over labor that we previewed above. Intellectual-property law is another field that was remade -indeed, made by law-and-economics thinking. The term "intellectual property" itself was hardly used before the 196os, and its use exploded only in the 198os and 1990s.65 "Intellectual property" gathers together distinct legal regimes under the banner of information production. These regimes were once thought to be about scientific and technical advancement (patent), the cultivation of learning and culture (copyright), and the enforcement of standards of commercial morality (trademark and trade secrets). Each of these fields responded to a set of distinctive institutional contexts and sought to promote forms of flourishing that were measured against distinctive political values. But economic thinking - the notion that information has "public goods" qualities of nonrivalry and nonexcludability-joined these radically different legal regimes together into one subject and rendered the pursuit of efficiency their aim. It inaugurated a new language for debating the contours of these laws and redescribing some of their features in a manner that empowered rightsholders. Leading law-and-economics scholars tended-especially early on-to presume that stronger rights were good, applying a simplistic version of the command to internalize externalities, rather than any sophisticated analysis of information economics. 66 Critics concerned with overpropertization came to argue against these claims in the same efficiency-oriented register, in ways that subtly but consequentially shaped the debate and the law. The most powerful argument for "fair use," for example -the doctrine in copyright law that permits copying for criticism, commentary, and educational uses - became the argument that it resolved "market failures."6 7 Transaction costs were assumed to be the measure of the reach of this critical public safeguard, and a statute that marked out a set of uses that had much more to do with democratic citizenship and distribution was slowly (and, we might say, undemocratically) rendered responsive to arguments from efficiency.68 In a host of other domains, too, the law of intellectual property was subtly revised under the sign of a set of claims about efficiency, in ways that empowered corporate owners of intellectual property over workers and consumers and set the stage for today's extraordinary forms of platform power.69 Environmental law was also transformed, with enormous and perhaps irreparable consequences for the planet. The field emerged from a long history of legislation over public lands and natural resources that had always been closely engaged in questions of public value and collective identity: it was generally understood that making a landscape was part of making a nation. 7 Modern environmental law, constructed in a wave of legislation between 1970 and 1977, began amid legislative and popular debate over fundamental questions of political economy: what kind of human flourishing could be compatible with the flourishing of the larger living world?" By the 198os, however, both scholarship and policy were increasingly bound to public-choice models of legislation and cost-benefit assessment of policy.72 In recent decades, the looming climate crisis has met with scholarship and political initiatives shaped by the dominance of economic method: meditations on the public-choice challenges to climate action, or - at the outer limits of what we could be supposed to achieve -proposals to change the cost structure of the economy through a carbon tax or cap-and-trade initiative." Such scholarship is admirable in its constructive aim to guide a basic reorientation of the economy. But, it has steadily avoided the demand for massive public investment and reconstruction of infrastructure that characterized earlier interventions as fundamental as this one and that have emerged as necessary to any rapid transition to a sustainable economy.74 It has also avoided engagement with the fundamental questions of value that are necessarily implied in political judgments about what should count as "costs" and "benefits" in a reconstruction of the economy that is, by virtue of climate dynamics, also a global reconstruction of the natural world.71 Most fundamentally, it has also obscured from view the kinds of political mobilization that are essential for engaging these fundamental questions. In a host of other fields, similar moves have been made with varying degrees of success. In civil procedure, law and economics led to reforms, often at the state level, that reined in the plaintiffs' bar, limited class-action lawsuits, and empowered judicial "managerialism" 76 and, more recently, arbitration.7 7 In corporate law, the shift to an ideal of shareholder-value maximization, while not legally required, became hegemonic. 78 In international economic law, a neoliberal conception of cross-border activity gradually became dominant, institutionalized in the immediate post-Cold War context in new trade and investment treaties that served to limit the possibility of political interference with cross-border economic activity.79 In fields where law and economics came to dominate, it helped to turn legal scholars' attention persistently to certain questions. Law and economics centered the identification and elimination of transaction costs, channeling the Paretian utopia of Ronald Coase's famous frictionless plane of exchange-a kind of heaven, not of legal concepts (as Felix Cohen had wryly described classical legal liberalism) but of general equilibrium. The emphasis on externalities reframed the conflict among competing interests that had properly struck realists as central to law's concerns as a failure of accounting or pricing, a failure in properly rendering the boundaries of a potential transaction. Coase's point that a householder can harm a factory by reducing its profits just as a polluting factory can harm a downwind householder was familiar, of course, from Hale's description of all exchange as mutual coercion. The difference was that law and economics recast this relativizing not as the starting point for a judgment about power and legitimacy but as a nonproblem. We lost the ability to see certain commitments in our law-whether educational exceptions to copyright law, or commitments to clean air - as either reflecting or calling forth certain kinds of political values, or as taking a side in disputes that were inevitably struggles for power. That move, of course, was not neutral. It expressed a particular view of power and legitimacy, one that viewed market ordering as tending to diffuse and neutralize power and as earning legitimacy by producing both a wealthy society and an appropriately constrained state.

#### Capitalism is unsustainable, collapsing, and guarantees environmental extinction—resource depletion and pollution surpass tech advancements

Smith, 21

(Tony, Professor emeritus of Philosophy at Iowa State University, "The Deadly Metabolic Rift", Against the Current No. 211, March/April 2021, https://againstthecurrent.org/atc211/the-deadly-metabolic-rift/)

Monthly Review editor and University of Oregon professor of sociology John Bellamy Foster has written several books and numerous articles, beginning with Marx’s Ecology: Materialism and Nature (2000), exploring the relevance of classical Marxist thought to grasping today’s existential environmental crises. Co-author Brett Clark is professor of sociology and sustainability studies at the University of Utah. A small subset of the authors’ main claims will be highlighted here. (1) There is indeed “an existential crisis in the human relation to the earth.” (1) Over the last 10,000 years planetary conditions fluctuated within relatively narrow and stable boundaries. The entire history of settled human civilizations has unfolded in this “Holocene” period of our planet’s life. This period has now concluded. In a number of areas crucially important to humanity, these boundaries have been (or are about to be) transgressed: climate change, ocean acidification, stratospheric ozone depletion, nitrogen and phosphorus cycles, global freshwater use, changes in land use, biodiversity loss, atmospheric aerosol loading, and chemical pollution. (244) Human activity is the main causal factor explaining this development, leading earth scientists to refer to the new period as the “Anthropocene.” The authors of an important study cited by Foster and Clark warn that if the upper-range of projections of global warming were to occur it “would severely challenge the viability of contemporary human societies.”(1) When we recall how little has been done to prevent increased global warming, and how y-it is only one of the numerous planetary transformations imposing comparable risks on human societies, talk of an “existential threat” is fully warranted. (2) There is no “technological fix” for this existential crisis. The more intelligent representatives of capital do not deny that serious environmental challenges must be faced. For them, however, this is best done by working with capitalist markets and not against them. A carbon tax on polluting firms would give companies a strong market incentive to lower their costs by using technologies requiring fewer carbon emissions. Having to purchase rights to release carbon into the atmosphere in carbon markets would supposedly have the same effect, in their view. There are also calls for the state to support firms undertaking massive geoengineering projects, such as sending aerosols into the upper atmosphere to reflect away the sun’s rays before they increase the planet’s surface temperature. Another proposal is to install technologies capable of extracting and sequestering significant amounts of carbon from the atmosphere. As Foster and Clark remind us, technological change in capitalism tends to develop “greener” technologies without any special spur. Over the course of the industrial revolution, for example, each succeeding generation of steam engines became “greener” over time, burning less coal per unit of output than the one before. The total amount of coal burned in England increased nonetheless. (245) This “Jevons paradox” (named after the British political economist who first brought it to attention) is easily explained: the increase in the number of units produced overwhelmed the reduction of coal use per unit, leading to more coal being burned overall. Is there any reason to think that introducing technologies “greener” than those employed today won’t have a similarly paradoxical result? Investors in the stock market, whose pricing of oil companies’ stocks assumes that the last drop of oil in the ground will be profitably extracted, do not seem to think so. (243-4) Engineering Disaster Regarding geoengineering projects, Foster and Clark repeat the warning of many scientists that such unprecedented technological experiments would almost surely have pernicious consequences as harmful as the harms they are supposed to alleviate. (278) Further, their massive scale would leave few resources for other social needs. An infrastructure capable of handling annual throughput 70 percent larger than that handled currently by the global crude oil industry would be required, along with ridiculous quantities of water — 130 billion tons annually just to capture and store U.S. emissions. (280) Far from being a step towards socialism (as some techno-utopians of the left hold), government funded geoengineering would simply solidify an environmental industrial complex alongside the military industrial complex, the pharmaceutical industrial complex, and other complexes of big capital. (281-2) Finally, once again, climate change is only one way in which present environmental trends will soon “severely challenge the viability of contemporary human societies.” In all the other cases too the sorts of technologies that have been developed, and the ways they have been used, have been part of the story of how we got to the present “existential crisis.” Unless we figure out why that has been the case and eliminate that reason, to think we will be saved by technologies is to indulge in fantasy. (3) Capitalism is the fundamental cause of the existential crisis in the relation between humans and the earth. All living beings appropriate resources from their environment and all generate wastes back into their surroundings. For a species to successfully occupy an environmental niche, the rate at which it depletes resources from its ecosystem must correspond to the rate they are replenished, and the rate it generates wastes must be aligned with the rate wastes can be processed. When the social forms of capitalism are in place, neither condition is met, creating the metabolic rift between human society and its environment. Capitalist market societies are distinguished from other societies in that products generally take the form of commodities sold for a profit. Any capitalist producers who do not attempt to make as much profit as possible, as fast as possible, will find themselves losing market share to those who do, if not forced out of existence altogether. Making as much profit as possible, as fast as possible, generally means producing and selling as many commodities as possible, as fast as possible. This accelerated temporality is in tension with the temporality of our environment; resources tend to be depleted at a faster rate than they can be replenished, and wastes generated at a faster rate than they can be processed. From this standpoint the “Jevons Para­dox” is less a paradox than a general description of how capitalism works. Any environmental benefits from technologies using fewer natural resources or generating fewer wastes per unit of production necessarily tends to be overwhelmed by the increase in the number of commodities produced in response to the “Grow or die!” imperative so ruthlessly imposed by the demands of capital accumulation. From Local to Global Destruction In the early phases of capitalist development, environmental destruction was relatively localized. After a handful of centuries of global expansion, it has sucked in re­sources from the natural world and spewed out wastes on a global scale, creating a fundamental rift in the metabolic relationship between human beings and the earth that is our home.

#### Vote neg to endorse the commons – collective solidarity works and the only way to avoid extinction

Rose, 21

(Nick, Executive Director of Sustain: The Australian Food Network, PhD in Political Ecology from RMIT University, “From the Cancer Stage of Capitalism to the Political Principle of the Common: The Social Immune Response of “Food as Commons”.", *International Journal of Health Policy and Management* (2021), doi:10.34172/ijhpm.2021.20)

Mainstream policy proposals for a ‘Green New Deal’ have been premised on the basis that a ‘decoupling’ of material resource use, and associated pollution, from continued economic growth, is possible.54,55 This premise has in turn come under sustained attack in recent years, as efforts to articulate a ‘fair low-carbon transition’ have gathered pace.56- 58 Increasingly, the very notion of ‘growth’ itself has become problematised as being at the root of the crises we face. As John Barry puts it: “The green critique of orthodox economics must become a clearer critique of capitalism itself…Any planned economic contraction (in the developed world) as a response to climate change…must therefore be viewed for what this is and means: a transition away from capitalism since a non-growth/ degrowth capitalism is impossible as well as undesirable. Carbon-fuelled capitalism is destroying the planet’s lifesupport systems and is systematically liquidating them and calling it ‘economic growth’…A post-growth critique must necessarily lead to a post-capitalist alternative and related political and ideological struggle.”59 In the context of discursive and political struggles over endless and thus exponential economic growth, McMurty’s framing of ‘the cancer stage of capitalism’ has both explanatory and discursive power. McMurty insists that his framing is not a provocative metaphor or a rhetorical flourish. Rather, he argues that the ‘seven defining properties of a cancer invasion’ at the cellular level in an individual human being can also ‘be recognised at the level of global life-organisation [and that] this is the pathological core of our current disease condition [as a species].’9,60,61 The central proposition is that the exponential and metastisizing growth of capitalism, which takes place on the basis of relentless exploitation of human populations and ecosystems, mirrors in all essential respects the behaviour of cancer cells within an individual human body.61 An essential point for McMurtry is the inability of the host’s immune system to recognise the disease and respond effectively to it. This becomes the core of his argument that the ‘social immune system of the civil commons’ is perhaps the only mechanism available to humanity to save ourselves – and indeed the living planet – from the metastasizing political economy of contemporary capitalism.61 Capitalism as a form of social cancer afflicting humanity, yet which at the same time is internalised and naturalised as ‘normal’ even as its predations move us closer to ecosystem and thus social collapse, captures much that it is important about the contemporary situation. What is fails to identify is the ‘space-time compression’ of late capitalism described by David Harvey and Frederick Jameson, and the cultural and ideological consequences of the accelerated and distorted temporalities which thus characterise contemporary life.62,63 In the following passage, Joel Kovel succinctly explains the interplay between the dynamics of acceleration and commodification, and the cultural effects this produces: “The culture of advanced capital aims to turn society into addicts of commodity consumption, a condition ‘good for business’ and correspondingly bad for ecosystems. The evil is twofold, with reckless consumption leading to pollution and waste, while the addiction to commodities builds a society unable to comprehend, much less resist, the ecological crisis. Once time is bound in capitalist production, the subtle attunement to natural rhythms necessary for an ecocentric sensibility becomes thwarted. This allows the suicidal insanity of ever-expanding accumulation to appear as natural. People with mentalities warped by the casino complex are simply not going to think in terms of limits and balances, or of the mutual recognition of all beings. This helps account for the chorus of hosannas from presumably intelligent authorities at the nightmarish prospect of a doubling of economic product in the next twenty years.”29 If the accelerating biophysical and social contradictions of the capitalist food system were substantively manifesting a decade ago, the advent of the COVID-19 pandemic has brought them into sharp relief.64 Where-ever one turns, the pandemic and the responses to it reveal a fragile food system enmeshed in crisis. From extraordinary levels of food waste caused by supply chain disruptions, to sharply rising levels of food insecurity, to widespread injury and death resulting from exposure to the pandemic amongst highly exploited food system workers, to the origins of the virus itself linked in part to the global grain-livestock and factory farming complex, COVID-19 is a ‘wake-up call for the food system.’65-75 More broadly, the negligence with which governments in Europe, Britain and the United States handled the pandemic, leading to high rates of infection and death that would have been preventable had public health, rather than economic activity, been prioritised, led the British Medical Journal to accuse those in charge of ‘social murder.’76 It is important to note that while the burden of suffering in 2020 fell disproportionately on low-income sectors and people of colour, with as many as 500 million more people falling into poverty, the world’s billionaires experienced a bonanza year, with their collective wealth increasing by nearly $4 trillion.77 Having laid bare the cause of our social and ecological malady – capitalism in its cancer stage - the question becomes: what is to be done? Part 3: The Political Principle of the Common Proceeding from diagnosis to possible cure, McMurty sees cause for hope in what he calls the ‘social immune system of a consciously constructed [civil] commons of social life organisation and universal goods upon which the deeper and long-term development of humanity [has] always depended.’9 This ‘social immune system’ embraces the institutions and traditions that made life bearable and satisfying for growing numbers of working people emerging from the barbarity of early industrial capitalism. However, it is precisely these institutions and traditions that have been under sustained attack in recent decades.17 The reappearance of the commons can also be understood as a latter-day manifestation of Polanyi’s ‘double movement:’ the reassertion of ‘movements for social protection generated by the failure of the self-regulated market.’79 The last twenty years have seen a proliferation of literature valorising the return of the commons as a practice of creative resistance in the face of modern-day enclosures, such as privatisations and austerity budgets. 80-82 One of the leading commons theorists and advocates, David Bollier, describes the commons as ‘a wide variety of self-organised social practices that enable communities to manage resources for collective benefit in sustainable ways… As a system of [basic needs] provisioning and governance, commons give participating members a significant degree of sovereignty and control over important elements of their everyday lives.’83 Bollier thus argues that ‘these more equitable, ecologically responsible and decentralised ways of meeting basic needs represent a promising new paradigm for escaping the pathologies of the Market / State order and constructing an ecologically sustainable order.’83 Bollier, his co-theorist Silke Helfrich and others, build on the legacy of Elinor Ostrom in conceptualising and analysizing the ‘commons’ as a set of goods or common-pool resources such as ‘the commons’ in the form of land, or a digital commons in the form of opensource software.84,85 Bollier and others look to these emerging diverse practices and see in them to potential to transition to a ‘market/state/commons triarchy,’ in which the market persists but the state becomes a ‘partner state’ ‘assisting not just the market sector but also the commons sector, working to ensure its health and well-being.’84 While Bollier argues for the transformative potential of the commons as an ongoing process that may at some point displace the market as the dominant mode of economic exchange and interaction, this perspective assumes the persistence of the ‘market/state order’ for an indeterminate time. Further, while Bollier acknowledges the current close affinity between the market and the state, and that therefore the state will likely be unwilling to embrace its new role as a ‘Partner State,’ there is no adequate theorisation, based on an analysis of class forces, configurations of power relations, and the dynamics of contemporary capitalism and crisis, to explain how such a transition would actually occur. Such a theorisation, combined with a strategy is offered by Erik Olin Wright.86,87 Similar to the anti-totalizing Community Economies Collective forming in the wake of JK GibsonGraham’s scholarship,88 Wright posits that at any particular point in time, in any given society, there is not a singular totality of ‘capitalism,’ but rather a combination of capitalism (private ownership of the means of production and market allocation of resources), statism (state ownership of the means of production and state allocation of resources) and socialism (social ownership of the means of production and sociallycontrolled allocation of resources).87 While capitalism has been the dominant form in most places, certainly over the past 40 years, socialist economic and social practices are observable in forms such as worker-owned cooperatives, community land trusts, community supported agriculture and community gardens. These are embryonic expressions of post-capitalist or proto-socialist economic and social forms which, given the inherent contradictions and tensions within capitalist social relations and a broader conjuncture characterised by the need to take large-scale coordinated action to deal with climate change, as well as manage social tensions and conflicts arising from mass unemployment due to technological change, may over time have the systemic effect of not only ‘taming’ capitalism but also ‘eroding’ it and thus bringing about its transformation.87 Conversely, Wright explicitly rejects the feasibility or desirability of ‘smashing’ capitalism through a revolutionary rupture, arguing by reference to history that such ruptures have resulted in authoritarian states that in practice have been the antithesis of socialism defined as ‘pervasive economic democracy.’87 Silvia Federici provides a longer historical perspective, noting that ‘commoning is the principle by which human beings have organised their existence for thousands of years;’ and that to ‘speak of the principle of the common’ is to speak ‘not only of small-scale experiments [but] of large-scale social formations that in the past were continent-wide.’87 Hence a commons-based society is neither a utopia or reducible to fringe projects, and the commons have persisted despite the many and continuing enclosures, ‘feeding the radical imagination as well as the bodies of many commoners.’87 Federici acknowledges that commons and practices of commoning are diverse, that many are susceptible to cooptation and many are consistent with the persistence of capitalism; indeed some, such as charities providing social services (including foodbanks) during the years of austerity budgets in the United Kingdom (2010-2015), reinforce and stabilise capitalism.87 What matters to Federici is the character and intentionality of the commons as anti-capitalist, as ‘a means to the creation of an egalitarian and cooperative society…no longer built on a competitive principle, but on the principle of collective solidarity [and commitments] to the creation of collective subjects [and] fostering common interests in every aspect of our lives.’87 Federici’s analysis resonates with the political thought and proposals developed by Dardot and Laval in their 2018 work, ‘On Common: Revolution in the 21st century.’11 For Dardot and Laval, the common is likewise understood as a principle of political struggle, a demand for ‘real democracy’ and a major driving force behind the emerging articulation of a political vision and programme that transcends and overcomes the straitjacket logic of neoliberal ideological hegemony and its ‘policy grammar’ which appears to foreclose all alternatives and lock us forever into a capitalist realism in which ‘it is easier to imagine the end of the world than it is to imagine the end of capitalism.’89 Eschewing Bollier’s ‘triarchy’ of a market/state/ commons coexistence, Dardot and Laval argue for a politics of the common based on an engaged citizenry that directly participates and deliberates in all decisions which impact it, and in the process not merely transforms the institutions responsible for the management of services and allocation of resources, but creates new institutions and new ways of being in the world.11 Dardot and Laval describe this form of politics as ‘instituent praxis’: the common, they argue, is ‘not produced but instituted.’11 This acknowledges the conventional understanding of Ostrom, Bollier and others of ‘the commons’ as residing in the rules – the laws – that a community establishes for the collective management and use of shared resources, but extends it much further and in a more radical direction. The essence of the commons, they argue, is not in the goods per se such as land or a forest or a seed bank ‘held in common,’ but rather in the process of their establishment as well as the ongoing negotiation that will surround their use and governance. Hence, Dardot and Laval distinguish the commons from the ‘rights’ tradition of property, arguing that ‘the commons are above all else matters of institution and government…the use of the commons is inseparable from the right of deciding and governing. The practice that institutes the commons is the practice that maintains them and keeps them alive and takes full responsibility for their conflictuality through the coproduction of rules.’90 To ‘institute’ in this context should not be misunderstood as ‘to institutionalise [or] render official;’ rather it is ‘to recreate with, or on the basis of, what already exists.’ 90 This messy, conflictual and evolving process is what Dardot and Laval insist will ultimately bring about a revolution, not in the form of a violent uprising or insurrection, but rather through the ‘reinstitution of society’ via the transformation of politics and economy from its current state of ‘representative oligarchy’ to full participatory and deliberative democracy.11 Such a vision is premised on a mass politicisation of society; in effect a return of mass popular political contestation and a turn away from the postpolitical era of the neoliberal consumer.91-92 How do such theorisations translate to the food system, and its prospects for transformation? Some examples of food system initiatives potentially aligned with an anti- and post-capitalist trajectory, and as embodying dimensions of the commons to a greater or less extent, have been noted earlier. Silvia Federici, for example, identified ‘urban community gardens in particular as promising projects because [in some instances] they merge women’s emancipation, land redistribution and revolts against neoliberal capitalism.’93 In 2018, the Routledge Handbook of Food as a Commons was published as ‘the first comprehensive review and synthesis of knowledge and new thinking on how food and food systems can be thought, interpreted and practice around the old/ new paradigms of commons and commoning.’10 The editors and their contributing authors agree that the re-emergence of discourses and practices of reclaiming ‘the commons’ (notably as indigenous-led resistance to egregious processes of neoliberal privatisations such as the ‘water wars’ of Cochabamba, Bolivia in 1999-2000) has occurred in reaction to the increasing commodification of food and food systems, and the negative consequences of such commodification. The editors and contributors also share an overarching premise, namely the need to transcend the treatment of food ‘as a mere commodity’10 because inter alia such reductive economistic logic ~~is both blind and deaf to~~ ignores social injustice and inequality, as well as ecological devastation; and because the commodification of food – and food systems – forecloses any recognition of the non-monetised, or caring, elements of food (Chapters 2, 3 and 4).10 In their introductory chapter, the four editors define ‘commoning’ as a form of governance that: “differs from the market allocation mechanism based on individual profit maximization and state governance based on command and control. It demands new institutions, goal setting and forms of interaction, thereby forming the bedrock to support a new moral narrative, a new transition pathway, a new economic model and a new relationship with nature and the planet Earth…Commons are not about maximizing individual utilities, selfish individualism or legitimizing the use of force but rather collective decisions, institutions, property and shared goals to maximize everybody’s wellbeing” (emphasis added).10 There is a strong affinity between this articulation and Dardot’s and Lavel’s theorisation of the politics of the common as ‘instituent praxis,’ as outlined above. Vivero-Pol and his coeditors return to this reasoning in the conclusion, where they argue that the institution of a new governing paradigm – Food as a Commons – is not only desirable but essential, due to the manifest failures of both the commodified capitalist food system and the statist bureaucracy that enables it, to fulfil the basic task of feeding humanity on an equitable or sustainable basis.10 They go further, to argue that the commons should not be conceived of as merely a third civil society sector coexisting alongside the capitalist market and the state, but rather should be theorised and enacted according to a much more ambitious and transformative political-economic and cultural vision.

### 1NC OFF

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

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

Competition Policy

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

Theory and Implementation of Competition Policy

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

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

Scope of Competition Policy

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

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

#### That means the aff must change the CWS.

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

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

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

#### Vote negative for limits and ground---key to econ and legal disads over antitrust ---they cause tiny exemptions and technical changes with no core ground.

### 1NC OFF

#### The United States federal government should establish a new agency to regulate digital platforms.

#### It solves—their Rogerson ev says this and it’s highlighted in the 1AC. No reason antitrust is key. Net benefit is every DA.

### 1NC OFF

#### China competition bill centered on semiconductors passes through a fragile bipartisan consensus now---but Biden’s push is key. The bill turns and solves the case.

Brittney Washington 3-18. "Why China Has U.S. Congress Focused On Computer Chips". Washington Post. 3-18-2022. https://www.washingtonpost.com/business/energy/why-china-has-us-congress-focused-on-computer-chips/2022/03/17/94ca635a-a608-11ec-8628-3da4fa8f8714\_story.html

A rare point of bipartisan consensus in Washington is the desire to spend more than $50 billion to bolster U.S. chip production. That’s a key part of bills pending in both houses of Congress intended to increase U.S. competitiveness with China. The bills are similar, but not identical, and differences on auxiliary issues threaten to stall their progress. 1. What does Congress propose to do? Both the Senate bill, passed last June, and the House bill, passed on Feb. 4, provide $52 billion over five years in emergency appropriations to support semiconductor research and development, legacy chip manufacturing, packaging research and microelectronics development. (Legacy chips are frequently used in cars, aircraft and a variety of military hardware.) The vast majority of that money, $50 billion, would be distributed through a new fund overseen by the Commerce Department; the other $2 billion would be overseen by the Defense Department. On top of that, the House version authorizes $45 billion for grants and loans to support supply chain resilience and manufacturing of critical goods in the U.S. Both measures authorize billions more for research and development at the National Science Foundation, the Energy Department and the National Institute of Standards and Technology. 2. Why is this necessary? While the U.S. is a leader in chip design, roughly 90% of global chip manufacturing capacity is elsewhere -- primarily in Taiwan and South Korea. That puts the U.S. at high risk of supply chain disruptions in the event of trade disputes, military conflicts or, as seen in the past two years, a pandemic. China’s state-led industrial policies, which aim to achieve self-sufficiency in all stages of chip production, also threaten U.S. competitiveness. The Chinese government plans to boost its domestic production using government subsidies and tax preferences. 3. How are the House and Senate bills different? The House bill would authorize $8 billion over two years in contributions to the Green Climate Fund, a United Nations-overseen initiative to help developing countries address climate change. Republicans are opposed; Representative Michael McCaul of Texas said the money would go to an “unaccountable U.N. slush fund.” The two bills also take different approaches to creating a new directorate at the National Science Foundation, the federal agency that funds basic research in science and engineering. The Senate’s version would focus it on technology issues. The House bill would focus it on research and development to address societal issues such as climate change and inequality. 4. In what way are the bills aimed at China? Neither bill explicitly states the U.S. is in a race with China for semiconductor sovereignty, but lawmakers regularly describe the bills that way. The Senate bill “will allow the United States to out-compete countries like China in critical technologies like semiconductors,” Majority Leader Chuck Schumer said last May. Any doubt that China is the real target of the bills is put to rest by the many provisions unrelated to semiconductors. 5. What are those provisions? Both bills include funding to develop alternatives to Chinese 5G telecommunications equipment, which the U.S. worries could be used to carry out cyberattacks or espionage. (China denies that.) Both bills would impose sanctions on China for its treatment of the predominantly Muslim Uighurs in the far-western region of Xinjiang and elevate the rank of U.S. special coordinator for Tibetan issues at the State Department. The Senate bill would require U.S. agencies to treat Taiwan’s elected government as the “legitimate representative of the people of Taiwan” and to stop using China’s preferred term, “Taiwan authorities.” The Senate would also impose additional sanctions on China for cyberattacks and theft of trade secrets. The House bill would allow Hong Kong residents to apply for temporary protected status in the U.S. and extend an export ban on certain crowd control equipment to the Hong Kong police. After the Senate passed its bill last June, Chinese lawmakers said the legislation “smears China’s development path and domestic and foreign policies” and “interferes in China’s internal affairs under the banner of innovation and competition.” 6. What are the prospects? There is broad agreement on the need to support domestic chip production and research, as both bills would do. A bipartisan group of over 140 lawmakers wrote to House and Senate leaders to urge them to make sure the $52 billion for chips is included in whatever final bill emerges from negotiations. House Majority Leader Steny Hoyer, a Maryland Democrat, said in March that he was hopeful the legislation would be finished in the coming months. The Biden administration stated its support for both chambers to reconcile differences and put a bill on the president’s desk “as soon as possible.”

#### The plan drains PC—it’s zero sum. Prevents passage

Carstensen, 21

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

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

### 1NC OFF

Next off is clog:

#### Antitrust litigation is complex and resource intensive—trades off with other judicial commitments

Warren ’15 [Daniel; 2015; JD from the Boston University School of Law, BS from Ohio State University; Review of Banking and Financial Law, “Stress Fractures: The Need to Stop and Repair the Growing Divide in Circuit Court Application of Summary Judgment in Antitrust Litigation,” vol. 35]

A. Summary Judgment Can Cut Short Extreme Costs Antitrust litigation can involve enormous discovery costs, particularly when antitrust litigation overlaps with class action litigation. Due to the wide scope of many antitrust claims, discovery can implicate a broad range of documents, records, interrogatories, and depositions. In fact, "[s]trategically minded" plaintiffs can take advantage of antitrust law's "onerous discovery costs" by requiring the defendant "to respond to wide-ranging interrogatories, produce documents, and prepare for and defend depositions" with only a "facially plausible allegation" of an antitrust violation. These costs can take a very large toll on both large and small businesses. The legal hours necessary to answer and address discovery challenges can also impose extreme costs. Plaintiffs can often use discovery costs as a weapona against defendants in antitrust litigation. The Seventh Circuit Court of Appeals stated that "antitrust trials often encompass a great deal of expensive and time consuming discovery and trial work" in explaining that the "very nature" of antitrust litigation should encourage summary judgment. The court's language here supports the idea that in antitrust litigation, summary judgment has a special value, greater even than its normal use in other areas of the law. Summary judgment can be used to cut short lengthy litigation where parties have already accrued extreme costs from discovery and one party still cannot produce a genuine issue of material fact. In antitrust litigation, the value of summary judgment to mitigate discovery costs through shortening litigation is elevated to a special importance even greater than normal for three reasons. First, antitrust litigation normally involves large organizations, which magnifies the costs of those firms going through the discovery process. Large firms have a great number of involved employees and departments, all of which would likely be subject to the broad discovery that is characteristic of antitrust litigation. Summary judgment, though normally considered after discovery, is a procedural weapon available at nearly any point in this process, as "a party may file a motion for summary judgment at any time until 30 days after the close of all discovery." The existence of a stay for extension of discovery shows that summary judgment need not automatically wait for discovery's completion, and thus can be an invaluable safeguard against otherwise incredibly costly discovery. This safeguard allows summary judgment to be a powerful tool to radically lower discovery time and costs without "railroad[ing]" the other party. Second, antitrust litigation is normally a slow process that takes a great deal of time. The amount of time necessary to process and review evidence produced by discovery leads to incredible legal costs, often disproportionately placed on the defendant firm. The plaintiff has the advantage over the defendant in deciding the scope of discovery costs, and may often tailor its claim in such a way as to avoid the discovery costs that a defendant's counterclaim may reflect back on the plaintiff. These lengthy trials can be effectively truncated by summary judgment, and thus summary judgment's normal value is even greater in the world of antitrust litigation where protracted trials are the norm. Finally, the vast amount of evidence necessary to prove the elements of an antitrust claim contribute to the large discovery costs tied to antitrust litigation by overwhelming judges' ability to reign in discovery costs. Currently, we rely on judges to limit the range of discovery requested, but in the context of antitrust litigation, judges have difficulty dealing with the broad variety of evidence that may be called for. One analysis of the power of discovery described it as a costly and potentially abusive force, and determined judges' abilities to limit discovery costs on their own as "hollow" at best: A magistrate supervising discovery does not--cannot--know the expected productivity of a given request, because the nature of the requester's claim and the contents of the files (or head) of the adverse party are unknown. Judicial officers cannot measure the costs and benefits to the requester and so cannot isolate impositional requests. Requesters have no reason to disclose their own estimates because they gain from imposing costs on rivals (and may lose from an improvement in accuracy). The portions of the Rules of Civil Procedure calling on judges to trim back excessive demands, therefore, have been, and are doomed to be, hollow. We cannot prevent what we cannot detect; we cannot detect what we cannot define; we cannot define "abusive" discovery except in theory, because in practice we lack essential information. Even in retrospect it is hard to label requests as abusive. How can a judge distinguish a dry hole (common in litigation as well as in the oil business) from a request that was not justified at the time? Summary judgment can also reduce costs to both parties by reducing time and discovery costs to the parties, and to the judicial system itself, by cutting short lengthy litigation. Both sides often incur costs from employing experts in various areas, researching and producing evidence necessary to prove or disprove elements of antitrust actions, and in the great many legal hours necessary for both plaintiffs and defendants--not to mention costs to the state--during lengthy litigation that is often fruitless due to an "incentive to file potentially equivocal claims." Antitrust law is structured in such a way as to have a "special temptation" for what would otherwise be frivolous litigation. As antitrust law is, by its very nature, between competitors, there is significant motivation to force costs on to other firms, perhaps even through frivolous legal claims or intentionally imposing other large legal costs. Costs can also multiply in antitrust litigation because antitrust actions are often combined with other particularly complex areas of law, such as patent law or class actions. Class actions particularly in the antitrust context can make trials "unmanageable." Combining two already complex areas of law is a recipe for large legal costs and prolonged litigation. The value of cutting costs short cannot be overstated, as antitrust litigation takes place in the arena of business competition. This means that firms are already engaged in close competition for antitrust cases to be relevant, and thus unnecessary costs can further distort the market.

#### Docket overload prevents efficient resolution of water disputes---that escalates conflict over climate-related shortages.

Perez ’19 [Vanessa; 2019; Associate Professor of Law at Texas A&M, Associate Research Professor at the Texas A&M Department of Agricultural Economics, J.S.D. from New York University, L.L.M. from the University of Chicago; Environmental Law, “Specialization Trend: Water Courts,” vol. 49]

I. Introduction

Definition of property rights is an essential solution to the tragedy of the commons 1 from which many of our natural resources suffer. The scholarship analyzing how property rights are created and how they evolve often takes for granted the enforcement of those rights. 2 Enforcement is key. Enforcement is a public good often, but not exclusively, provided by [\*589] government. Enforcement takes many different forms: from ostracism in self-governed property rights systems to administrative agencies' resolutions and judicial decisions in formal property right systems.

This Article focuses on the last step in the enforcement of water rights: the courts. In particular, it analyzes whether the introduction of water courts is advisable in western United States. Currently, water rights are first enforced by administrative agencies, and the decisions of those agencies may be challenged in court. For example, a water rights holder may challenge a water agency's denial of a location change for their water right. 3 Additionally, private parties may bring claims against other water rights holders to court. Presently water cases are heard by generalist state courts. However, water law cases may unduly burden the dockets of those generalist courts. 4 Courts decide on many different areas and the complexity of the facts and the law in water law cases suggests that a different institutional design, one with specialized courts, may be more efficient. 5 The gains in efficiency will come from a faster, more accurate resolution of cases. 6

Specialized courts are quite common from a comparative perspective in areas as varied as corporate matters, tax issues, gender violence, administrative law, family law, or patents. 7 One such area is environmental law. Forty-two countries have specialized environmental courts. For example, India created the Green Tribunal in 2010, 8 New South Wales (Australia) has the Land and Environmental Courts that hear environmental and land use cases since 1979. 9 Sweden, in 2011, replaced property and environmental courts for a system of Land and Environment Courts which also hears water cases. 10

In the United States, the generalist judge is celebrated. 11 Judge Posner wrote in defense of the generalist judge in 1983. 12 While in 1990, the United States Judicial Conference qualified them as "exotic," 13 around that time the [\*590] Vermont Superior Court Environmental Division 14 and the Shelby County-Tennessee Environmental Court 15 were created. Setting aside the specialization of administrative law judges such as the United States Environmental Protection Agency administrative law judges or the environmental appeals board, 16 there are plenty of examples of specialized courts in the United States, such as bankruptcy courts or Federal Circuit Court of Appeals. 17

Water law has not been immune to specialization at the judicial level. Water law is similar to environmental law 18 and patent law because both the facts and the regulations are very complex. In fact, across the world, water issues have often prompted the establishment of environmental courts and tribunals. 19 In the United States, only Colorado has a system of water courts. 20 These courts have been in place since 1969 21 but, surprisingly, the literature about specialized courts has not paid much attention to these Colorado courts. In addition, some specialized courts, created to deal with the adjudication processes in the western states where water rights were not properly recorded, are becoming permanent courts of limited jurisdiction. 22 While there are few examples, water courts are not frequent. However, voices advocate for them. For example, in California, when drought strikes, there are often claims of the need for water courts. 23

This Article analyzes whether water law courts are a sound reform to deal with water rights disputes in an era of climate change which will inevitably make water disputes more common. Water courts compete with general courts as a forum for dispute resolution, but they also compete with market mechanisms or with political deal-making as alternative ways to [\*591] solve water conflicts. 24 A better system of judicial decision making should reduce the overall social costs of water conflicts.

In order to assess the suitability of water courts, the Article starts by analyzing the comparative advantages and disadvantages of specialized courts in relation to the current system of generalist courts. Second, it looks at some examples of existing water courts in the United States and beyond, namely the Water tribunal of Valencia, the South Africa Water Court, Colorado Water Courts, and the Montana Water Court. Third, the Article describes the trend towards specialization in water law judicial decision making and distills the characteristics that a water court should have and how those could also inform the establishment of other specialized judicial institutions for other natural resources.

II. Specialized Tribunals

Specialized courts are expected to make quicker decisions, reducing the workload of regular courts, and provide higher quality decisions, thus ensuring legal coherence and uniform judicial decisions. 25 Beyond these advantages that all scholars agree on, some works on specialized courts identify additional advantages. 26 The study Greening Justice about the potential for environmental courts lists visibility as an advantage. 27 The report understands environmental courts as a way to increase the public relevance of a subject because by creating these courts, the government shows that environmental issues are a topic of great importance. 28 The lessons offered here for specialized water courts can be translated to many other areas.

If all the above advantages were realized, private parties should favor specialized courts because they would greatly reduce the cost of doing business in the subject matter areas where those courts specialize. 29 Additionally, a trustworthy, respected judicial system is a key part of procedural environmental justice. 30 Some scholars consider specialized [\*592] courts as increasing public confidence 31 in the system, which in turn may enjoy greater legitimacy. 32 Subpart A below will focus on the two advantages that encompass all the additional ones listed in the current scholarship on the topic: celerity and quality of adjudication 33

### 1NC OFF

Next off is concon

#### The United States, through a limited constitutional convention called for by at least thirty-four of the States and ratified by at least thirty-eight of the States, should implement light handed procompetitive regulations increasing prohibitions on anticompetitive conduct by dominant platforms.

#### It solves, causes follow on, and avoids politics.

Cooper ’21 [Charlie; 2021; President of Get Money Out Maryland and Retired Human Services Administrator; Get Money Out Maryland, “A Convention of States is Wise and Safe,” <https://www.getmoneyoutmd.org/peoples_convention>]

When Congress fails to represent the people who elected them, the U.S. Constitution provides a path for the people to propose a Constitutional amendment through the states. Article V lays out two equal alternatives:

"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States..."

Thus there are only two ways to amend the U.S. Constitution:

* A proposal passed by two-thirds of each chamber of Congress, then ratified by three-quarters of the states
* A proposal passed by a convention called by two-thirds of the states, then ratified by three-quarters of the states

As former U.S. Supreme Court Justice Antonin Scalia said about this second option: "[When] the Congress is simply unwilling to give attention to many issues which it knows the people are concerned with—and which issues involve restrictions upon the federal government’s own power—I think the founders foresaw that and they provided this method in order to enable a convention to remedy that.”

In a 2016 report, the Congressional Research Service noted that an Article V Convention “was included [in the Constitution] to provide the people, through applications by their state legislatures, with the means to call a convention having the authority to consider and propose changes to the Constitution, particularly if Congress proved incapable of, or unwilling to, initiate amendments on its own."

All 27 Amendments to the Constitution were passed using the first of the two methods: Congress proposed an amendment, then two-thirds of state legislatures ratified it. So why is a convention of states necessary to obtain a 28th Amendment? As George Mason argued when he proposed the convention language: It is necessary when Congress itself is the problem.

The 17th Amendment is the best example of a convention campaign working effectively to add an amendment to the U.S. Constitution. The 17th Amendment, which allows for the popular election of U.S. Senators, came about in reaction to Senators being appointed by state legislatures until the early 1900s. That process was widely recognized as corrupt due to the disproportionate influence of wealthy individuals and special interests. In fact, the Senate became so corrupt that individual senators took nicknames such as the "Coal Senator," the "Bank Senator," and the "Oil Senator."

Citizens responded to this overt venality by using every tool of democracy available including petitions, local legislation, ballot referendums, educational campaigns, resolutions calling on Congress to propose a Constitutional amendment, and finally, after all else failed, applying for an Article V Convention to propose an amendment.

When that movement was just one state shy of the two-thirds needed to force a convention on this topic, Congress reacted by proposing an amendment requiring the direct election of U.S. Senators for the states to ratify—resulting in the 17th Amendment to the U.S. Constitution. The Congressional Research Service has called this technique the "prodding effect." It worked then, and it could work today.

Arguments Against an Article V Convention

Both left- and right-leaning groups—Common Cause and the John Birch Society among them—have argued vehemently against the use of Article V Conventions. They say correctly that such a convention has never been used to amend the Constitution. Never having held an Article V Convention, however, is hardly a reason to avoid one, since the framers provided this Constitutional alternative in anticipation of a time when Congress fails to represent the people. Opponents also fear the prospect of a "runaway" convention, where any topic could be proposed, possibly threatening the process for ratifying amendments or the Constitution itself. See authoritative answers to these arguments below.

Experts Respond

The Constitution’s framers foresaw a time—when Congress itself is the problem—for citizens to have the Constitutional authority to pursue an amendment through the states. That time is now: Supreme Court rulings in Citizens United and other cases have created no-holds-barred politics in which Big Money steamrolls the democratic process. A Congress that is the result of this increasingly lawless system can hardly be expected to propose an amendment to dismantle that system without an extraordinary level of public pressure. A citizens’ drive toward a convention of states under Article V would apply such pressure.

Government and legal agencies have responded to critics opposing a convention of states:

* Criticism: Individual delegates could bring up matters unrelated to those the convention was originally called to address.

Response #1: For a convention to stray from its original topic, delegates would have to propose topics that were not included in the original resolution approved by their state legislatures. Nine states to date have made it a felony for any delegate to a state-called convention to call for or vote on any topic that was not part of the original convention topic.

Response #2: The Justice Department concluded in 1987 that Article V Conventions can be called "for limited purposes, and that a variety of practical means to enforce such limitations are available." In addition, "Congress may decline to designate the mode of ratification for those proposed amendments that it determines are outside the scope of the subject matter limitation and therefore beyond the authority of the convention to propose."

### 1NC OFF

#### DOJ is making moves towards the Random House suit.

Open Markets 11/5/21. "The Corner Newsletter: November 5, 2021 — Open Markets Institute". Open Markets Institute. 11-5-2021. https://www.openmarketsinstitute.org/publications/the-corner-newsletter-november-5-2021

Welcome to The Corner. In this issue, we take a closer look at the DOJ’s move to block Penguin Random House’s proposed takeover of Simon & Schuster, and how surveillance advertising has harmed user privacy. To read previous editions of The Corner, click here. The DOJ's Move to Block Takeover of Simon & Schuster Is Major Advance in Fight to Rebuild U.S. Market for Books On Tuesday, the Department of Justice sued to block Penguin Random House’s planned $2.18 billion acquisition of rival book publisher Simon & Schuster. The DOJ alleged that the merger would give Penguin — which is owned by the German corporation Bertelsmann and is already the world’s largest publisher — too great of an influence over the books being published in the U.S. and the pay for authors of the books. The Wall Street Journal noted that the lawsuit represents an effort to shift antitrust policy away from economic efficiency and consumer prices to broader attempts to protect economic opportunity. The action by the DOJ amounted to a major win for Open Markets, which has long focused closely on the dangers posed by consolidation of power over the U.S. marketplace for books by Amazon and by super-large publishers. In January, Open Markets submitted a letter to the DOJ opposing the merger — cosigned by the Authors Guild and other groups. After the decision, Open Markets Executive Director Barry Lynn issued a statement celebrating the move. Lynn also discussed the decision on Cheddar TV News.

#### DOJ resources are finite---the plan forces tradeoffs.

Brian Blais 21. Partner in the litigation and enforcement practice group @ Ropes & Gray LLP and a former federal prosecutor, 3/26/21. “Podcast: 2021 DOJ Enforcement Priorities Under U.S. Attorney General Merrick Garland.” Interview with Lisa Bebchick. https://www.ropesgray.com/en/newsroom/podcasts/2021/March/Podcast-2021-DOJ-Enforcement-Priorities-Under-US-Attorney-General-Merrick-Garland

Brian Blais: Well, as I referenced earlier, I think one real challenge for the Garland DOJ will be the many competing demands on the resources available to DOJ leadership. In addition to the many corporate-related priorities I just discussed, there are a large number of Biden administration priorities that implicate the DOJ, many of which represent a sharp break from the priorities of the Trump Department of Justice—so those include things like environmental justice and the prosecution of environmental cases; civil rights and voting act cases; the ongoing fight against domestic terrorism, including as we talked about earlier, the January 6th Capitol attack; immigration reform and potential shifts in immigration prosecution priorities; potentially heightened antitrust enforcement; and criminal justice reform writ large, just to name a few. And putting aside even all these priorities, there’s a huge backlog of cases in the Department more broadly due to pandemic-related shutdowns, including a substantial trial backlog. So there will be a significant amount of prosecutorial time and effort in the near-term devoted to resolving these already charged matters, as well as moving along already opened investigations, so that leaves reduced prosecutorial bandwidth to advance any new enforcement priorities. So all of that’s to say, one big question for the Garland DOJ is: Can it do it all, or will these various competing demands lead to a natural prioritization of certain enforcement priorities over others? We’ll certainly have a better sense in the coming weeks and months as the remaining DOJ leadership is confirmed, as priorities get communicated, and as the first round of investigations under the new leadership start to launch.

#### Key to challenge monopsony.

Bryan Koenig 11/3/21. Senior Competition Reporter at Law360."DOJ Reads Up On Monopsony Law In Penguin Merger Fight". No Publication. 11-3-2021. https://www.law360.com/articles/1437128/doj-reads-up-on-monopsony-law-in-penguin-merger-fight

Law360 (November 3, 2021, 7:42 PM EDT) -- By challenging Penguin Random House LLC's bid to buy Simon & Schuster, the U.S. Department of Justice sent a strong signal the Biden administration will continue antitrust enforcers' recent emphasis on protecting sellers in a market, not just end consumers.

If successful, the DOJ's attempt to prevent Penguin Random House from gaining a stranglehold on the purchase of publishing rights could mark an important development in monopsony merger enforcement, which seeks to prevent a single buyer from dominating sellers in a market.

Monopsony cases have traditionally been far less frequent than enforcement actions aimed at preventing monopolies, which lead to a consolidation of sellers and ultimately can raise prices for buyers.

That may be changing, however, as U.S. antitrust enforcers increasingly focus on buyer-side consolidation, especially in labor markets. Antitrust professionals say Tuesday's D.C. federal court complaint could be an important milestone on that path.

"They put their money where their mouth is" when it comes to heightened concerns about protecting sellers, said Steven Salop, an antitrust law and economics professor at Georgetown Law.

#### Solves inequality

Eric A. Posner 8/13/21. Kirkland & Ellis Distinguished Service Professor at University of Chicago. How Antitrust Failed Workers. Oxford University Press, 2021.

In the United States, and much of the Western world, economic growth has slowed, inequality has risen, and wages have stagnated. Academic research has identified several possible causes, ranging from structural shifts in the economy to public policy failure. One possible cause that has received increasing attention from economists is labor market power, the ability of employers to set wages below workers’ marginal revenue product.1 New evidence suggests that many labor markets around the country are not competitive but instead exhibit considerable market power enjoyed by employers, who use their market power to suppress wages. This phenomenon—the power of employers to suppress wages below the competitive rate—is known among economists as labor monopsony, or simply labor market power. Wage suppression enhances income inequality because it creates a wedge between the incomes of people who work in concentrated and competitive labor markets. Wage suppression also reduces the incomes of workers relative to those of people who live off capital, and the latter are almost uniformly wealthier than the former. Wage suppression also interferes with economic growth since it results in underemployment of labor and, while it may seem to raise the return on capital, actually depresses it, as capital must lie idle to take advantage of monopsony power. With wages artificially suppressed, qualified workers decline to take jobs, and workers may underinvest in skills and schooling. Many workers exit the workforce and rely on government benefits, including disability benefits that have become a hidden welfare system.2 This in turn costs the government both in lost taxes and in greater expenditures. One estimate finds that monopsony power in the U.S. economy reduces overall output and employment by 13% and labor’s share of national output by 22%.3

#### Nationalism—nuke war.

Frederick Solt 11. Ph.D. in Political Science from University of North Carolina at Chapel Hill, currently Associate Professor of Political Science at the University of Iowa, Assistant Professor, Departments of Political Science and Sociology, Southern Illinois at the time of publication. “Diversionary Nationalism: Economic Inequality and the Formation of National Pride.” The Journal of Politics, Vol. 73, No. 3, pgs. 821-830, July 2011.

One of the oldest theories of nationalism is that states **instill the nationalist myth** in their citizens to **divert their attention from great economic inequality** and so forestall pervasive unrest. Because the very concept of nationalism obscures the extent of inequality and is a potent tool for delegitimizing calls for redistribution, it is a perfect **diversion**, and states should be expected to engage in more nationalist mythmaking when inequality increases. The evidence presented by this study supports this theory: across the countries and over time, where economic inequality is greater, nationalist sentiments are substantially more widespread.

This result adds considerably to our understanding of nationalism. To date, many scholars have focused on the international environment as the principal source of threats that prompt states to generate nationalism; the importance of the domestic threat posed by economic inequality has been largely overlooked. However, at least in recent years, domestic inequality is a **far more important stimulus for the generation of nationalist sentiments** than the international context. Given that **nuclear weapons**—either their own or their allies’—rather than the mass army now serve as the primary defense of many countries against being overrun by their enemies, perhaps this is not surprising: nationalism-inspired mass mobilization is simply no longer as necessary for protection as it once was (see Mearsheimer 1990, 21; Posen 1993, 122–24).

Another important implication of the analyses presented above is that growing economic inequality may increase ethnic conflict. States may foment national pride to stem discontent with increasing inequality, but this pride can also lead to more **hostility towards immigrants and minorities**. Though pride in the nation is distinct from chauvinism and outgroup hostility, it is nevertheless closely related to these phenomena, and recent experimental research has shown that members of majority groups who express high levels of national pride can be nudged into intolerant and xenophobic responses quite easily (Li and Brewer 2004). This finding suggests that, by leading to the creation of more national pride, higher levels of inequality produce environments favorable to those who would inflame **ethnic animosities**.

Another and perhaps even more worrisome implication regards the **likelihood of war**. Nationalism is frequently suggested as a **cause of war**, and more national pride has been found to result in a much greater demand for national security even at the expense of civil liberties (Davis and Silver 2004, 36–37) as well as preferences for “a more **militaristic foreign affairs posture** and a more interventionist role in world politics” (Conover and Feldman 1987, 3). To the extent that these preferences influence policymaking, the **growth in economic inequality** over the last quarter century should be expected to lead to more aggressive foreign policies and **more international conflict**. If economic inequality prompts states to generate diversionary nationalism as the results presented above suggest, then **rising inequality could make for a more dangerous world**.

The results of this work also contribute to our still limited knowledge of the relationship between economic inequality and democratic politics. In particular, it helps explain the fact that, contrary to median-voter models of redistribution (e.g., Meltzer and Richard 1981), democracies with higher levels of inequality do not consistently respond with more redistribution (e.g., Bénabou 1996). Rather than allowing redistribution to be decided through the democratic process suggested by such models, this work suggests that states often respond to higher levels of inequality with more nationalism. Nationalism then works to divert attention from inequality, so many citizens neither realize the extent of inequality nor demand redistributive policies. By prompting states to promote nationalism, greater economic inequality removes the issue of redistribution from debate and therefore narrows the scope of democratic politics.

### 1NC OFF

#### The United States federal government ought issue a policy memorandum that private sector concentrations of platforms as per se anticompetitive.

#### The CP competes because it’s not legally binding BUT solves by shifting antitrust policy

Theodore Voorhees 17, Senior Litigator and Member of the Antitrust and Competition Law Practice Group at Covington & Burling LLP, JD from the Catholic University of America, Columbus School of Law, AB from Harvard University, and Leah Brannon, Partner at Cleary Gottlieb Steen & Hamilton LLP, JD from Harvard Law School, BA with Highest Distinction from the University of Virginia, ABA 2016 Presidential Transition Task Force, “Presidential Transition Report: The State of Antitrust Enforcement”, American Bar Association Section of Antitrust Law, January 2017, http://cartelcapers.com/wp-content/uploads/2017/01/ABA-SAL-Presidential-Transition-Report-1-18-17-FINAL-2.pdf

III. ENFORCEMENT MATTERS

A. Agency Enforcement and Policy

1. Guidance

Where there are uncertainties in the Agencies' enforcement policies or priorities, it is often essential for the Agencies to provide guidance. The formal guidance can take the form of formal guidance documents (such as the Horizontal Merger Guidelines of 2010) or FTC opinions. Informal guidance can take the form of agency reports, speeches by key agency personnel, amicus briefs, decisions to litigate, or closing statements. Agency guidance is important and beneficial for multiple reasons, such as providing clarity for businesses, moving competition policy in the right direction, and ensuring a U.S. perspective on the international arena. Agency guidance is also particularly useful to communicate a shift in enforcement policy or practice.3

[FOOTNOTE] 3 The recent guidance issued by the Division and the FTC communicating the decision to treat wage-fixing and no-poaching agreements as criminal violations going forward provides an excellent example of this. See DEP’T OF JUSTICE, ANTITRUST DIV., FED. TRADE COMM’N, ANTITRUST GUIDANCE FOR HUMAN RESOURCE PROFESSIONALS (Oct. 2016), available at www.ftc.gov/system/files/documents/ public\_statements/992623/ftc-doj\_hr\_guidance\_final\_10-20-16.pdf. [END FOOTNOTE]

Furthermore, uncertainty as to the boundaries of antitrust laws may chill potentially procompetitive conduct or enable potentially anticompetitive behavior to continue unchecked. Businesses may be less willing to engage in novel business activities that could benefit consumers. Moreover, agency guidance and enforcement not only define the boundaries of how the Agencies view and enforce the law, but may also impact how courts rule in litigation.

Guidance also ensures a place for the U.S. perspective on the international stage. Because so many foreign antitrust authorities look to the Agencies for leadership and study U.S. enforcement decisions and cases, clearly articulated guidance helps achieve uniformity across jurisdictions. Moreover, an international presence and influence as to antitrust policy is particularly critical in an era in which some foreign competition agencies use the pretense of antitrust enforcement as a cover to mask decisions that are actually based on industrial policy or protectionism.

Speeches, while not binding on the Agencies or as long-lasting as more formal agency documents, can give advance notice of enforcement priorities and the views of agency leadership regarding how best to analyze certain forms of conduct. For instance, in her first speech as Acting Assistant Attorney General, Renata Hesse offered important insights into the use of bargaining models in analyzing vertical mergers and the Division's skepticism of procompetitive claims in horizontal mergers. Indeed, for changes in agency thinking, an agency speech or other non-enforcement guidance can be the fairer approach, at least in the first instance, than initially embarking on litigation.

Business review letters from the Division and advisory opinions from the FTC serve as another avenue for providing guidance on novel conduct. More important, by setting forth the respective agency's reasoning for how it views proposed conduct, these documents in effect make a policy statement as to what characteristics of the conduct are considered to be beneficial or harmful for consumers.

## Case

### AI

#### The US will maintain AI dominance now---it’s the only thing that determines economic and military power.

James Johnson 2019, Postdoctoral Research Fellow at the James Martin Center for Nonproliferation Studies, Middlebury Institute of International Studies, 30 October 2019, “Is the US Losing the Artificial Intelligence Arms Race?” https://thediplomat.com/2019/10/is-the-us-losing-the-artificial-intelligence-arms-race/

The U.S. government, long a proponent of advancing technology for military purposes, sees artificial intelligence as key to the next generation of fighting tools.

Several recent investments and Pentagon initiatives show that military leaders are concerned about keeping up with – and ahead of – China and Russia, two countries that have made big gains in developing artificial-intelligence systems. AI-powered weapons include target recognition systems, weapons guided by AI, and cyberattack and cyberdefense software that runs without human intervention.

The U.S. defense community is coming to understand that AI will significantly transform, if not completely reinvent, the world’s military power balance. The concern is more than military. As Chinese and Russian technologies become more sophisticated, they threaten U.S. domination of technological innovation and development, as well as global economic power and influence.

Military leaders see the threat to U.S. technological leadership coming from two main sources: a rising and ambitious China and a mischievous and declining Russia. Taken together, these forces challenge global stability.

The Nature of the Threat

A 2018 Pentagon report noted that technological developments could change the types of threats facing the U.S., which might include space-based weapons, long-range ballistic missiles and cyberweapons.

A February 2019 analysis warned that China’s investments in its military’s AI systems – in particular those supporting robotics, autonomy, precision munitions and cyber warfare – threaten to overtake the United States. Chinese government agencies are working closely with the country’s civilian businesses to keep on top of fast-changing technological developments.

In addition, some Chinese and Russian projects have developed military AI systems specifically aimed at what they perceive as U.S. technological weaknesses. For instance, swarms of armed AI-enhanced drones might locate and attack the secure computer systems countries rely on to control and launch their nuclear weapons.

The Pentagon’s Response

So far the Pentagon’s actions have been largely bureaucratic, rather than concrete. It has released a Defense Department-wide strategy document that articulates broad principles for the development and use of AI in future warfare. The military has established a Joint Artificial Intelligence Center, which is tasked with accelerating the delivery and adoption of AI.

But projects with names like “the Third Offset,” “Project Maven” and the “AI Next Campaign” have minimal funding. Leaders have released few details about what they will actually do.

Working with Silicon Valley

The Pentagon has also established the Defense Innovation Unit, with permission to circumvent the cumbersome military purchasing process, to coordinate with Silicon Valley and bring new technologies into military use relatively quickly.

That unit has sparked discussions about the potential for the Chinese military to acquire and use U.S.-designed technologies, which led to U.S. bans on doing business with many Chinese technology firms.

Many experts consider it possible for China to surpass the U.S. in the development and use of AI. However, China trails the U.S. in several ways. The United States has the world’s largest intelligence budget; the most popular hardware, software and technology companies; and the most advanced cyberwarfare capabilities, both offensive and defensive. I and other experts expect these advantages to preserve U.S. technological leadership for now, at least – but perhaps not forever.

#### No US-China War

Bremmer, 20

(Ian Bremmer, foreign affairs columnist and editor-at-large at TIME, 12-28-2020, "No, the U.S. and China Are Not Heading Towards a New Cold War," Time, <https://time.com/5920725/us-china-competition/>) AM\*

First, a critical point that gets overlooked in the “new Cold War” debate: The first Cold War emerged in the absence of an existing world order, following the wreckage of World War II. Unlike today, there were no **well-established multilateral institutions** (or multinational corporations as well entrenched as they are today) that could **act as brakes to escalating conflicts**. Even more importantly, the aftermath of the second World War ushered in a decolonization trend that created dozens of new nations which were suddenly up for grabs—a critical component of the old Cold War as the U.S. and U.S.S.R. competed across the world to win hearts, minds and governments to their respective sides. In 2020, countries are looking to hedge between the world’s two economic superpowers more than they are looking to throw in their lot with one or the other. Which leads to the second point—**the interdependence that exists between the U.S. and China in 2020** is vastly different than the interdependence that existed between the U.S. and the U.S.S.R. in the middle of the 20th century. For the U.S. and the U.S.S.R., the only real common interest they had was avoiding mutually assured destruction via nuclear warfare. For all the recent turmoil, China has been a tremendous economic beneficiary of the current world order even if they take issue with some aspects of it; Beijing isn’t looking to upend the global order as much as it is trying to carve out more space within it to accommodate its own primacy. Furthermore, **there are numerous areas that both China and the U.S. need to cooperate for both their sakes: nuclear proliferation, macroeconomic stability, climate change and the** current pandemic **chief among them.** That cooperation is helped along by the decades of investment and relationships that have been built-up by critical stakeholders in both countries, even if they’ve been tested mightily in recent years. Point number three: [**China’s military might**](https://www.eastasiaforum.org/2020/12/16/chinas-military-modernisation/) **is nowhere near what the U.S.’s is, and it doesn’t look to be challenging the U.S. for global military supremacy anytime soon** (though its sphere in Asia is another matter). This is a critical distinction with the old Cold War, where the U.S.S.R. was never a serious economic competitor to the U.S., even though it was a military one. That matters—in the U.S., there was a belief that the U.S.S.R. could be defeated, as it was largely a military confrontation. However misguided the reasoning behind that belief might have been at the time, it turned out to be true. No one really believes that China can be defeated in the same sense—in fact, destroying China economically would devastate the U.S. economy as well. That means the best both can hope for is uneasy peace as the U.S. and China compete in greater and lesser degrees across a wide variety of areas, and even cooperate in some. That doesn’t set the path towards a new Cold War. Finally, there are the policy limitations of both countries to consider. Given the actual goals of both countries, **entering a genuine Cold War would be a massive strategic blunder**, and something to be avoided at all costs. The U.S. is not looking to expand its international footprint, but actually to do less on the international stage; that’s the exact opposite of what waging a Cold War with China would entail. Meanwhile, **China’s economic rise has left it with some key vulnerabilities** both domestically (ex: significant amounts of corporate debt, a labor base that’s getting more expensive while also getting less productive as manufacturing becomes increasingly automated) and internationally (ex: a massive amount of investment in economically weak countries) which makes it a serious question whether China could even wage a Cold War with the U.S. even if it wanted to. That doesn’t mean there aren’t real dangers or areas of disagreement between the U.S. and China: [Hong Kong](https://time.com/5915459/joshua-wong-hong-kong/), Taiwan, the South China Sea and treatment of [Uighurs](https://www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html) are all likely to be flashpoints with the new Biden administration, and with administrations to come. And the fundamental technological decoupling between the two powers will continue as well, leaving even less room for cooperation. As relations between the two countries continue their rocky trajectory, there is a very real possibility that a misstep by one or the other will lead to real escalation, and even violence in some instances. But none of this points to the kind of zero-sum, Cold War we saw in the 20th-century, the kind of all-consuming ideological divide that forces the rest of the world to pick sides. There are too many structural barriers to that, and too much prosperity at stake for political leaders in Washington and Beijing to risk. There are plenty of things to be concerned about as we round into 2021—this isn’t one of them.

### Fintech

#### Non-unique: Bitcoin is going to be used regardless of how innovative or good US fintech is. Their Erdbrink evidence doesn’t even mention how US fintech would prevent Iran from using bitcoin, particularly because the card even says that bitcoin runs on independent computers that avoid US sanctions that their whole point

#### No Iran prolif

Fitzpatrick, 20

(Mark Fitzpatrick 20. Associate Fellow at the International Institute for Strategic Studies. 1-17-2020. "Is Iran building the bomb?" The Article. https://www.thearticle.com/is-iran-building-the-bomb. accessed 1-29-2020//JDi)

\*edited for potentially sensitive language

No, Iran has not restarted its nuclear weapons programme. Commentators such as the New York Times columnist Thomas Friedman blithely assume so, based on Iran’s decision on 5 January to retreat from the enrichment limits in the 2015 nuclear deal, known as the Joint Comprehensive Plan of Action (JCPOA). Others wrongly conclude that Tehran has abandoned the deal. Yet Iran is still keeping a foot in the accord, abiding by the crucial inspection requirements, while insisting it will resume full compliance if the US resumes its JCPOA obligations to loosen sanctions. What Iran has done is advance the timeline toward a nuclear weapons capability in line with its nuclear hedging strategy. How much so is a matter of conjecture among experts. Some say that if Iran decided to make an all-out dash for a bomb, and experienced no hiccups along the way — what its adversaries call a worst-case scenario — Iran could produce a bomb’s worth of highly enriched uranium (HEU) in as little as 4-5 months. But such assessments of the so-called break-out period are based on uncertain data and questionable assumptions. The Israeli Defense Force (IDF), which presumably has a clearer window into Iran’s program, assesses that Iran will be able to produce enough HEU by the end of the year and to assemble a weapon in less than two years. Alarming as this might sound, it is not significantly different than when the JCPOA went into effect in 2016. And it is a much better situation than when negotiations began in 2013, at which point the break-out period was judged to be only a couple of months. The IDF also assesses that Iran is currently not interested in developing an atomic bomb as quickly as possible. A key goal of Iran’s negotiating partners was to extend the break-out period to at least a year. The deal succeeded in doing so by eliminating 98 per cent of Iran’s stockpile of low-enriched uranium, all of its stockpile of 20 per cent enriched uranium, which is just below the threshold of being weapons-usable, and two-thirds of the centrifuges that do the enriching. Before those cuts, Iran’s stockpile was enough for up to ten weapons, if further enriched. Afterwards, it had less than a quarter of the feed stock for one bomb Now that Iran has removed restrictions, the stockpile of low-enriched uranium is growing, centrifuges are being reinstalled and more efficient centrifuges are being developed at a faster pace. We will know by how much each of these steps has advanced when the International Atomic Energy Agency (IAEA) releases its next quarterly report in the latter half of February. The enriched uranium feedstock will still be less than a bomb’s worth, but the pace of acceleration will be concerning. One question is whether Iran will resume 20 per cent enrichment, a level it first reached ten years ago, in an escalating stand-off with western states which were imposing ever-more biting sanctions. Today, Iran can again use the 20 per cent step as a bargaining chip in efforts to forestall the re-imposition of UN sanctions. Do not be spooked by the alarmist assessments that will surely follow when the next IAEA report comes out. Remember that worst-case assumptions assume that Iran would be able to get everything right the first time it attempts the tricky task of producing weapons-grade uranium without it exploding prematurely, and that assembling a warhead small enough to fit in the nosecone of Iran’s missiles would go like clockwork. Remember, too, that Iran would be [foolish] ~~suicidal~~ to try to rush to produce HEU at sites that are intrusively monitored

#### No Israeli strikes

Rogan, 20

(Tom Rogan 20, Journalist, 11-18-2020, Why Israel Won't Bomb Iran's Nuclear Sites Before Trump Leaves Office, Washington Examiner, https://www.washingtonexaminer.com/opinion/why-israel-wont-bomb-irans-nuclear-sites-before-trump-leaves-office)

Israel is highly unlikely to launch military strikes against Iran's nuclear program before President Trump leaves office. Some European officials apparently believe differently. Speaking to Business Insider, three security officials suggest that Prime Minister Benjamin Netanyahu might view the final two months of Trump's presidency as his last chance to eliminate Iran's nuclear program, with assurance of U.S. military support in the aftermath. But while it's true that President-elect Joe Biden is likely to be a more skeptical Israeli partner on Iran than is Trump, Israel won't judge a military strike in its interests. For a start, any military action would be counter to Israeli interests unless it had a high probability of heavily degrading Iran's nuclear program for several years. The Israeli military cannot offer Netanyahu and Defense Minister Benny Gantz this assessment. That's because success would mean destroying the vast majority of Iranian uranium enrichment sites, research centers, and centrifuge production facilities. And that means Israel would need to rely on American bunker-buster munitions such as the Massive Ordnance Penetrator. The Trump administration has not authorized the sale of those weapons. In addition, there is no guarantee that even if these weapons were sold and then used against Iran's most hardened sites, such as at Natanz, they would achieve their intended effect. As an extension, destroying Iran's nuclear program would also likely require a ground force component. Too many of the most sensitive Iranian nuclear sites are now hardened against air and missile strikes. To truly cripple Iran's nuclear program, Israeli ground forces would have to gain entry to those facilities. And that would require persistent air cover and air-to-ground support presence for the duration of the operation. This is something that the Israeli Air Force could not do without U.S. military support. Put simply, the Israeli Air Force is just too small in its size and range of necessary assets. Then there's the broader Israeli strategic concern. Namely, that absent American military support, Iran would not be deterred from either sustained and significant retaliation and reconstructing its nuclear program with a more concerted emphasis on nuclear weaponization. Considering that Israel is a democracy in which the politicians are ultimately accountable to the people, neither Netanyahu nor his coalition partner, Gantz, want to be in a situation in which ballistic missiles are raining down on Dimona, Tel Aviv, Haifa, and West Jerusalem. Especially, that is, if Iran's nuclear program has not been destroyed and much of the world is blaming Israel for the crisis. The Trump campaign's legal adventures aside, Netanyahu knows that Joe Biden is set to enter office come January. He needs Biden's positive response to his very legitimate concerns about the condition of Iran's nuclear program and Saudi countermeasures. That's not going to be easy if Iran is blowing stuff up and Biden blames Bibi. Despite his reputation as a hardliner, Netanyahu is actually fairly risk averse. He has avoided a major military strike against Iran despite a decade of rumors that he was on the cusp of authorizing a mission. All of this takes us back to the instrumentality of U.S. military support to any strike. Put simply, the Israeli government knows that it needs the U.S. president firmly on its side before it undertook a bombing campaign. The exception here is an Iranian rush to weaponization — which would engender Israeli fears of an imminent second Holocaust and unilateral preemptive action. Trump has not given Israel that assurance of support and, considering his reaffirmed interest in ending Middle East wars, whatever the costs, he is highly unlikely to do so. Expect continued Israeli covert action and military strikes against Iranian positions in Syria and Lebanon. But don't look for strikes on Iran's nuclear program before Jan. 20, 2021.

### SME

#### Alt cause to rural econ decline: cities offer more advantages for jobs and resources. Economic decline is not a direct correlation to populism only when the wrong ideology is mixed in then we see Trumpism

#### Populism is dying

Urbinati, 21

**(**Nadia, political theorist who specializes in modern and contemporary political thought and the democratic traditions. She is the Kyriakos Tsakopoulos Professor of Political Theory at Columbia University; “Never Far: Populism as the Shadow of Democracy,” Green European Journal, May 26, 2021; https://www.greeneuropeanjournal.eu/never-far-populism-as-the-shadow-of-democracy/)

How have countries in the grip of populism managed to break the dynamic? Many people focus on the conditions and reasons for the success of populists. But the important question now is how we exit from populism. In the West, we see at least two developments that attempt to answer this question. The first is the classical political party model. In the US, Joe Biden has responded to populism by rehabilitating and rejuvenating the political language of Right and Left, and of social justice. It is clearly different from Trumpist language, but it is also distinct from Obama’s because Biden is reviving partisan discourse and not looking for consensus from moderate Republicans. The Democratic Party – in part because it has listened to its left wing – is showing that good policies such as investing to create stable jobs are possible even when society is divided. In Europe we see another model. The European response to populism is about stabilising the European Economic Area by drawing on its long experience of technocratic decision- making. As Carlo Invernizzi Accetti and Christopher Bickerton have shown in their book *Technopopulism*, there can be a conjunction between populism and technocracy. Not the demagogical and movement-based populism, but instead a kind of populism that wants to tame the myth of the unity of the people against parties using technocratic governance. Examples include Emmanuel Macron’s France and Italy under Mario Draghi. They promise to unite the people through a form of decision-making that is declared to be neutral and objective, with its outputs subject to measurement, monitoring, and evaluation. Economists and bureaucrats are to be the judges of success, not parties or partisan ideas. Technopopulism relies upon leadership rooted in governance and sets out to speak to the people with the assurance that its decisions are expressions of data, independent of views of justice. But the problem with technopopulism is dysfunctionality, not injustice.

#### No impact either and alt causes

Akkerman, 17

(Tjitske Akkerman 17, Assistant Professor in the Department of Political Science at the University of Amsterdam, 7-31-2017, "Populism is overrated – if there is a threat to democracy, it’s from authoritarian nationalism," EUROPP, https://blogs.lse.ac.uk/europpblog/2017/07/31/populism-is-overrated-if-there-is-a-threat-to-democracy-its-from-authoritarian-nationalism/)

Populism is perhaps the most overrated concept today. The presumption that populism is threatening to destabilise democratic regimes in Europe abound in the media as well as in academia. Populism is, as Cas Mudde has argued, not anti-democratic but against liberal democracy. It endorses the ideal of a majoritarian or popular democracy, based on the general will of the people. Yet, this potential threat to liberal democracies is merely hypothetical. There is a current wave of populism in Europe and there is pressure on liberal freedoms in many European countries, but is populism a significant cause of the current pressures on liberal democracies? To identify threats (or correctives if you like) to liberal democracies it is important to assess the impact of populism instead of assuming it. Research indicates that populist parties have had little impact on democratic institutional reform in Western Europe so far. With predominantly proportional electoral systems and coalition governments in which populist parties are most often still junior partners, significant opposition of courts, parliaments and civil societies, liberal democracies in Western Europe overall provide resilient contexts. However, this still leaves open the possibility that populism has been a major force behind the establishment of illiberal regimes in Hungary, Poland or Latin America, and that it may still grow into such a force in Western Europe. My arguments to question the potential impact of populism on liberal democracies are more general. First, populism is not a core ideology of political parties or movements in Europe. Neither populist parties nor their voters tend to give much weight to issues of democratic reform. Dissatisfaction with politics is a marginal reason for voters in Western Europe to vote for radical right-wing parties, and dissatisfaction does not play a role at all as a motivation to electorally support left-wing populist parties. Like their voters, populist parties do not give much salience to issues of democratic reform. For radical right-wing populist parties, for instance, proposals to introduce direct forms of democracy or to reform the judiciary tend to be instrumental to anti-immigration policies and security issues. Nationalism and authoritarianism are much more important ideological sources for these parties than populism. For left-wing populist parties, it is still to be seen whether they aim to reform liberal democracies into popular democracies. Second, not all populist parties are against liberal democracy. Some parties are merely rhetorically populist. The Dutch Socialist Party (SP), for instance, is widely regarded as a populist party. Surely, the party often contrasts the good people to corrupt elites like bankers, but the SP is also committed to a liberal democracy. This is in contrast to Geert Wilders’ radical right-wing Party for Freedom (PVV) that is not only rhetorically populist, but also shows little commitment to liberal democracy. Third, the pressure on liberal democracies is not restricted to populist parties. Policy proposals and legislative initiatives that are in tension with or defy fundamental freedoms are also coming from mainstream parties. Systematic comparative research is still lacking, but a case study of the Netherlands makes clear that policies that are in conflict with the rule of law are not restricted to populist parties. Systematic comparison of election manifestoes demonstrates that mainstream right-wing parties also increasingly tend to endorse policies that subordinate fundamental rights to policy goals like restricting immigration and enhancing security. In other words, the common drivers of populist parties as well as non-populist parties to seek out the boundaries of the rule of law or to go beyond them are immigration and security concerns. If there are any ideologies threatening liberal democracies today, nationalism and authoritarianism are far more likely candidates than populism.

### Fake News/Privacy

#### Q Anon is literally a movement that surrounds fake news spawned on 4chan. Clearly, major news outlets being on facebook are not the problem, alternative sites like 4chan, blogs, and sites that literally anyone can set up on square space are the issue

#### Their Minardi 20 card tells us algorithm bubbles are the hotspot for misinformation and conspiracy theory, but algorithms are how these companies make their money by using consumer data to show content that consumers want. Apply the same to their privacy cards, selling data is the main profit motive of these companies. This is an inbuilt feature of the whole of tech, meaning competition can’t solve because these other companies would just do the same. Instead of having one facebook you have twelve.

#### Death and physical suffering outweigh the immateriality of misinformation

#### Privacy weakness is inevitable—hacking from terrorists, weaknesses in defenses are inevitable because of the nature of the information economy and cybersecurity networks. Their Stucke ev says that even with court surveillance, companies will leak data. It’s inevitable.

#### No agent

#### No risk of high-scale cyberattack – beyond capabilities and can’t instill enough fear in targeted population

Olenick, 9/10

(Doug, News Editor for ISMG who has covered the cybersecurity and computer technology sectors for more than 25 years; “20 Years Later: A Cyber 9/11 Is Unlikely,” Bank Info Security, September 10, 2021; <https://www.bankinfosecurity.com/20-years-later-cyber-911-unlikely-a-17477>)

The possibility of a terrorist group launching a massive [Sept. 11, 2001](https://www.databreachtoday.com/does-abandoning-embassy-in-kabul-pose-cybersecurity-risks-a-17309)-scale cyberattack against the U.S. or an ally has been a concern for years, but cybersecurity pros with a background in intelligence and military affairs say such worries are likely to remain unwarranted. Industry experts cite a variety of factors that they believe have given terrorist groups little reason to attempt such an attack, including cyberattacks simply not instilling the level of fear in the targeted population that terrorists desire. The experts also point out that conducting an attack that would cause mass casualties is likely beyond the capabilities of most terrorist organizations. "You probably remember where you were on 9/11 and wondered what might be hit next. However, most people probably didn't have the same reaction to WannaCry or NotPetya," notes Jake Williams, formerly of the National Security Agency's elite hacking team and currently CTO at BreachQuest. What terror groups have learned over the past two decades, however, is the internet is perfect for solving several of their more basic issues, such as radicalizing potential terrorists, funding, recruiting and training. Etay Maor, a former researcher with the International Institute for Counter-Terrorism and currently senior director of cybersecurity strategy at Cato Network, says terror groups now have a highly refined model they follow for using the internet, but these efforts are passive and not kinetic. "Extremist groups and terrorist groups use the internet heavily - just not for physical attacks." They use it for "propaganda information dissemination, recruitment, money, governing money in bitcoin and promoting ideas," he says, adding that such activity can lead to physical attacks.

# Not 1NC

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#### Cap is unsustainable – financialization, disease, debt, resource depletion guarantee collapse. Capitalist accumulation and expansion are driven by the exploitation of ecosystems which causes extinction via warming, ocean acidification, ozone depletion, nitrogen and phosphorus cycles, and pollution that’s Smith. Turns case since warming collapses institutions that check Iranian nuclear prolif and usage and collapses society which guarantees cyber attack. Capitalism is unsustainable and will cause a global civil war – manufactured tensions with Russia and China and scapegoating to distract from crises accelerates the tendency to over-accumulate, guaranteeing nuclear war, ecological collapse, deadlier pandemics, fascism, and inequality

Robinson, 21

(William I., professor of sociology and global studies @ UCSB, "What are the real reasons behind the New Cold War?", ROAR Magazine, 05/06/2021, https://roarmag.org/essays/new-cold-war-crisis-capitalism/?fbclid=IwAR2RzXn0SMlPSiLfXcXNtTcDIybQa6GxH\_eodUmyEww2i59lh5qHpZpcwhk)

The US is launching a New Cold War against Russia and China in an attempt to deflect our attention from the escalating crisis of global capitalism. The announcement on April 15 by President Biden that this administration was expelling 10 Kremlin diplomats and imposing new sanctions for alleged Russian interference in the 2020 US elections — to which Russia replied with a tit for tat — came just days after the Pentagon conducted military drills in the South China Sea. These actions were but the latest escalation of aggressive posturing as Washington ramps up its “New Cold War” against Russia and China, pushing the world dangerously towards international political and military conflagration. Most observers attribute this US-instigated war to rivalry and competition over hegemony and international economic control. These factors are important, but there is a bigger picture that has been largely overlooked of what is driving this process: the crisis of global capitalism. This crisis is economic, or structural. One of chronic stagnation in the global economy. But it is also political: a crisis of state legitimacy and capitalist hegemony. The system is moving towards what we call “a general crisis of capitalist rule” as billions of people around the world face uncertain struggles for survival and question a system they no longer see as legitimate. In the United States, the ruling groups must channel fear over tenuous survival away from the system and towards scapegoated communities, such as immigrants or Asians blamed for the pandemic, and towards external enemies such as China and Russia. At the same time, rising international tensions legitimate expanding military and security budgets and open up new opportunities for profit making through war, political conflict and repression in the face of stagnation in the civilian economy. All around the world a “people’s spring” has taken off. From Chile to Lebanon, Iraq to India, France to the United States, Haiti to Nigeria and South Africa to Colombia, waves of strikes and mass protests have proliferated and, in many instances, appear to be acquiring a radical anti-capitalist character. The ruling groups cannot but be frightened by the rumbling from below. If left unchallenged, the New Cold War will become a cornerstone in the arsenal of US rulers and transnational elites to maintain a grip on power as the crisis deepens. THE CRISIS OF GLOBAL CAPITALISM Economically, global capitalism faces what is known in technical language as “overaccumulation”: a situation in which the economy has produced — or has the capacity to produce — great quantities of wealth but the market cannot absorb this wealth because of escalating inequality. Capitalism by its very nature will produce abundant wealth yet polarize that wealth and generate ever greater levels of social inequality unless offset by redistributive policies. The level of global social polarization and inequality now experienced is without precedent. In 2018, the richest one percent of humanity controlled more than half of the world’s wealth while the bottom 80 percent had to make do with just five percent. Such inequalities end up undermining the stability of the system as the gap grows between what is — or could be — produced and what the market can absorb. The extreme concentration of the planet’s wealth in the hands of the few and the accelerated impoverishment and dispossession of the majority means that the transnational capitalist class, or TCC, has increasing difficulty in finding productive outlets to unload enormous amounts of surplus it accumulated. The more global inequalities expand, the more constricted the world market becomes and the more the system faces a structural crisis of overaccumulation. If left unchecked, expanding social polarization results in crisis — in stagnation, recessions, depressions, social upheavals and war — just what we are experiencing right now. Contrary to mainstream accounts, the coronavirus pandemic did not cause the crisis of global capitalism, for this was already upon us. On the eve of the pandemic, growth in the EU countries had already shrunk to zero, much of Latin America and sub-Sahara Africa was in recession, growth rates in Asia were steadily declining, and North America faced a slowdown. The writing was on the wall. The contagion was but the spark that ignited the combustible of a global economy that never fully recovered from the 2008 financial collapse and had been teetering on the brink of renewed crisis ever since. Even if there is a momentary recovery as the world slowly emerges from the pandemic, global capitalism will remain mired in this structural crisis of overaccumulation. In the years leading up to the pandemic there was a steady rise in underutilized capacity and a slowdown in industrial production around the world. The surplus of accumulated capital with nowhere to go expanded rapidly. Transnational corporations recorded record profits during the 2010s at the same time that corporate investment declined. The total cash held in reserves of the world’s 2,000 biggest non-financial corporations increased from $6.6 trillion in 2010 to $14.2 trillion in 2020 — considerably more than the foreign exchange reserves of the world’s central governments — as the global economy stagnated. Wild financial speculation and mounting government corporate, and consumer debt drove growth in the first two decades of the 21st century, but these are temporary and unsustainable solutions to long-term stagnation. THE GLOBAL WAR ECONOMY As I showed in my 2020 book, The Global Police State, the global economy has become ever more dependent on the development and deployment of systems of warfare, social control and repression simply as a means of making profit and continuing to accumulate capital in the face of chronic stagnation and saturation of global markets. This is known as “militarized accumulation” and refers to a situation in which a global war economy relies on perpetual state organized war making, social control and repression — driven now by new digital technologies — in order to sustain the process of capital accumulation. The events of September 11, 2001 marked the start of an era of a permanent global war in which logistics, warfare, intelligence, repression, surveillance and even military personnel are more and more the privatized domain of transnational capital. The Pentagon budget increased 91 percent in real terms between 1998 and 2011, while worldwide, total state military budgets outlays grew by 50 percent from 2006 to 2015, from $1.4 trillion to more than $2 trillion, although this figure did not take into account the hundreds of billions of dollars spent on intelligence, contingency operations, policing, bogus wars against immigrants, terrorism and drugs, and “homeland security.” During this time, military-industrial complex profits quadrupled. But focusing just on state military budgets only gives us a part of the picture of the global war economy. The various wars, conflicts and campaigns of social control and repression around the world involve the fusion of private accumulation with state militarization. In this relationship, the state facilitates the expansion of opportunities for private capital to accumulate through militarization, such as by facilitating global weapons sales by military-industrial-security firms, the amounts of which have reached unprecedented levels. Global weapons sales by the top 100 weapons manufacturers and military service companies increased by 38 percent between 2002 and 2016. By 2018, private for-profit military companies employed some 15 million people around the world, while another 20 million people worked in private security worldwide. The private security (policing) business is one of the fastest growing economic sectors in many countries and has come to dwarf public security around the world. The amount spent on private security in 2003, the year of the invasion of Iraq, was 73 percent higher than that spent in the public sphere, and three times as many persons were employed in private forces as in official law enforcement agencies. In half of the world’s countries, private security agents outnumber police officers. These corporate soldiers and police were deployed to guard corporate property, provide personal security for TCC executives and their families, collect data, conduct police, paramilitary, counterinsurgency and surveillance operations, carry out mass crowd control and repression of protesters, run private detention and interrogation facilities, manage prisons and participate in outright warfare. In 2018, President Trump announced with much fanfare the creation of a sixth military service, the “space force.” The corporate media duly towed the official line that this force was needed to face expanding threats to the United States. What went less reported is that a small group of former government officials with deep ties to the aerospace industry had pushed behind the scenes for its creation as a way to hype military spending on satellites and other space systems. In February of this year, the Federation of American Scientists reported that military-industrial complex lobbying is responsible for the decision by the US government to invest at least $100 billion to beef up its nuclear stockpile. The Biden administration announced in early April to much acclaim that it would pull all US troops out of Afghanistan. While US service troops in that country number 2,500, these pale in comparison with the more than 18,000 contractors that US government has hired to do its bidding in the country, including at least 5,000 corporate soldiers that will remain. The so-called wars on drugs and terrorism, the undeclared wars on immigrants, refugees and gangs — and poor, dark-skinned and working-class youth more generally — the construction of border walls, immigrant detention centers, prison-industrial complexes, systems of mass surveillance and the spread of private security guard and mercenary companies, have all become major sources of profit-making and they will become more important to the system as stagnation becomes the new normal. In sum, the global police state is big business at a time when other opportunities for transnational corporate profit-making are limited. But if corporate profit, and not an external threat, is the reason for expanding the US state and corporate war machine and the global police state, this must still be justified to the public. The official state propaganda narrative about the “New Cold War” serves this purpose. CONJURING UP EXTERNAL ENEMIES There is another dynamic at work in explaining the New Cold War: the crisis of state legitimacy and capitalist hegemony. International tensions derive from the acute political contradiction in global capitalism in which economic globalization takes places within a nation-state-based system of political authority. To put this in technical terms, there is a contradiction between the accumulation function and the legitimacy function of states. That is, states face a contradiction between the need to promote transnational capital accumulation in their individual national territories and their need to achieve political legitimacy and stabilize the domestic social order. Attracting transnational corporate and financial investments to the national territory requires providing capital with all the incentives associated with neoliberalism, such as downward pressure on wages, union busting, deregulation, low or no taxes, privatization, investment subsidies, fiscal austerity and on so. The result is rising inequality, impoverishment and insecurity for working and popular classes; precisely the conditions that throw states into crises of legitimacy, destabilize national political systems and jeopardize elite control. International frictions escalate as states, in their efforts to retain legitimacy, seek to sublimate social and political tensions and to keep the social order from fracturing. In the US, this sublimation has involved channeling social unrest towards scapegoated communities such as immigrants — this is one key function of racism and was a core component of the Trump government’s political strategy — or towards an external enemy such as China or Russia, which is clearly becoming a cornerstone of the Biden government’s strategy. While the Chinese and Russian ruling classes must also face the economic and political fallout of global crisis, their national economies are less dependent on militarized accumulation and their mechanisms of legitimization rest elsewhere — not on conflict with the US. It is Washington that is conjuring up the New Cold War, based not on any political or military threat from China and Russia, much less from economic competition, as US- and Chinese-based transnational corporations are deeply cross-invested, but on the imperative of managing and sublimating the crisis. The drive by the capitalist state to externalize the political fallout of the crisis increases the danger that international tensions will lead to war. Historically wars have pulled the capitalist system out of crisis while they serve to deflect attention from political tensions and problems of legitimacy. The so-called “peace dividend” that was to result in demilitarization when the original Cold War ended with the 1991 collapse of the Soviet Union evaporated almost overnight with the events of September 2001, which legitimated the sham “War on Terror” as a new pretext for militarization and reactionary nationalism. US presidents historically reach their highest approval ratings when they launch wars. George W. Bush reached an all-time-high of 90 percent in 2001 as his administration geared up to invade Afghanistan, and his father George H. W. Bush achieved an 89 percent approval rating in 1991, right as the US declared the end of its (first) invasion of Iraq and the “liberation of Kuwait.” THE BATTLE FOR THE POST-PANDEMIC WORLD We are currently witnessing a radical restructuring and transformation of global capitalism based on a much more advanced digitalization of the entire global economy and society. This process is driven by so-called fourth industrial revolution technologies, including artificial intelligence and machine learning, Big Data, autonomously driven land, air and sea vehicles, quantum and cloud computing, 5G bandwidth, bio- and nanotechnology and the Internet of Things, or IoT. The crisis is not only economic and political, but also existential because of the threats of ecological collapse and nuclear war, to which we must add the danger of future pandemics that may involve much deadlier microbes than coronaviruses. The pandemic lockdowns served as dry runs for how digitalization may allow the dominant groups to step up restructuring time and space and to exercise greater control over the global working class. The system is now pushing towards expansion through militarization, wars and conflicts, through a new round of violent dispossession and through further plunder of the state. The ruling classes are also using the health emergency to legitimate tighter control over restive populations. The changing social and economic conditions brought about by the pandemic and its aftermath are accelerating the process. These conditions have helped a new bloc of transnational capital, led by the giant tech companies, interwoven as they are with finance, pharmaceuticals and the military-industrial complex, to amass ever greater power and to consolidate its control over the commanding heights of the global economy. As restructuring proceeds, it heightens the concentration of capital worldwide, worsens social inequality and also aggravates international tensions and the dangers of military conflagration. In 2018, just seventeen global financial conglomerates collectively managed $41.1 trillion dollars — more than half the GDP of the entire planet. That same year, to reiterate, the richest one percent of humanity led by 36 million millionaires and 2,400 billionaires controlled more than half of the world’s wealth while the bottom 80 percent — nearly six billion people — had to make do with just five percent of this wealth. The result is devastation for the poor majority of humanity. Worldwide, 50 percent of all people live on less than $2.50 a day and a full 80 percent live on less than $10 per day. One in three people on the planet suffer from some form of malnutrition, nearly a billion go to bed hungry each night and another two billion suffer from food insecurity. Refugees from war, climate change, political repression and economic collapse already number into the hundreds of millions. The New Cold War will further immiserate this mass of humanity. Capitalist crises are times of intense social and class struggles. There has been a rapid political polarization in global society since 2008 between an insurgent far-right and an insurgent left. The ongoing crisis has incited popular revolts. Workers, farmers and poor people have engaged in a wave of strikes and protests around the world. From Sudan to Chile, France to Thailand, South Africa to the United States, a “people’s spring” is breaking out everywhere. But the crisis also animates far-right and neofascist forces that have surged in many countries around the world and that sought to capitalize politically on the health calamity and its aftermath. Neofascist movements and authoritarian and dictatorial regimes have proliferated around the world as democracy breaks down. Such savage inequalities are explosive. They fuel mass protest by the oppressed and lead the ruling groups to deploy an ever more omnipresent global police state to contain the rebellion of the global working and popular classes. Global capitalism is emerging from the pandemic in a dangerous new phase. The contradictions of this crisis-ridden system have reached the breaking point, placing the world into a perilous situation that borders on global civil war. The stakes could not be higher. The battle for the post-pandemic world is now being waged. Part of that battle is to expose the New Cold War as a ruse by the dominant groups to deflect our attention from the escalating crisis of global capitalism. The US is launching a New Cold War against Russia and China in an attempt to deflect our attention from the escalating crisis of global capitalism.

#### Capitalism makes digital authoritarianism inevitable.

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How do Globalization and Democracy Interact? The delineation of these essential elements of democracy is important because it tells us where to look for problems in the relationship with capitalism. If capitalism makes achieving these elements more difficult or impossible, then the two institutions will clash. Instead of reinforcing one another, they will undermine each other. Hence, one view is that without serious restrictions on capitalism, democracy will be imperiled. On the other hand, some claim that without restrictions on democracy, capitalism could be imperiled. From Marx onward, numerous scholars have claimed that democracy has been limited in order to preserve capitalism. For Marx, the institutions of the state were built to protect capitalism; democracy was just the “dictatorship of the bourgeois” hiding behind a veil. The capitalist state was designed to protect the collective interests of the capitalist class against the working class and against the short-sighted behavior of individual capitalists; thus the state had some autonomy.12 But for Marx and many Marxists, democracy itself was a sham set up to protect capitalism. More recently, Slobodian argues that the entire neoliberal system of international institutions set up since the 1950s has served to protect capitalism against democracy: the entire “neoliberal project focused on designing institutions–not to liberate markets but to encase them, to inoculate capitalism against the threat of democracy” (Slobodian 2018, 2). For many on the left of the political spectrum, capitalism makes democracy impure at best and impossible at worst. For others from the right, government intervention in the economy even decided democratically can ruin capitalism and thus destroy individual freedom. Laissez-faire doctrine advocated the most limited interference of politics in the matters of the economy. Hayek (1976) among many feared that any government intervention corrupted capitalism and that only the most minimal state was desirable. “The system of private property is the most important guaranty of freedom, not only for those who own property, but scarcely less for those who do not . . . If all the means of production were vested in a single hand, . . . whoever exercises this control has complete power over us” (Hayek 1976, 103). Freedom is the highest goal, but capitalism—not democracy—brings freedom. The protection of private property was necessary for democracy in the first place.13 Economic conservatives such as Hayek decried government intervention in the economy and the creation of large social welfare systems. The balance between unregulated markets and government intervention has long been a central issue in politics. This balance has been changing over time, especially as globalization has spread. Global capitalism seems to have given capitalists a stronger hand relative to either labor or the state (Bates and Lien 1985). Laissez-faire and austerity have gained in prominence as labor unions have shrunk, center left parties have declined, and social welfare spending and redistribution have fallen out of favor (Blyth 2013). Political Equality and Economic Inequality As noted above, an essential element of democracy is the idea of political equality. All adult citizens should be treated equally by the state and should have equal political rights. What political equality means may be debated, but citizens do expect some kind of equal treatment by their government. The problem this runs into is the economic inequality generated by capitalism (Piketty 2014). Economic inequality has increased very substantially within countries across most of the world since the 1990s (Bourguignon 2015). This rise has been especially notable in the advanced industrial countries, particularly the United States and UK. While rates of absolute poverty across the world have plummeted, one particularly contentious issue is whether globalization has fueled the rise in within-country inequalities. For example, the Gini index for income distribution in the United States has worsened steadily from 0.36 in 1970 to 0.41 in 2015 (Lahoti, Jayadev, and Reddy 2016). By 2008, the level of inequality in the United States, as measured by the share of family income for the top 10 percent, had returned to the highest levels recorded in the early twentieth century (Bourguignon 2015, 48). The middle four deciles of the income distribution in the United States saw a similar decline in income share from 1980 (0.46) to 2014 (0.40). However, growth in inequality in Europe has been less pronounced with the income share of the middle four deciles sharply dropping in the UK and more moderately decreasing in Germany and France (Blanchet, Chancel, and Gethin 2019). While unemployment in the United States has been low, wage growth especially in the middle and low skill occupations has been very limited in the past few decades. “Since 2000, [US] weekly wages have risen 3% (in real terms) among workers in the lowest tenth of the earnings distribution and 4.3% among the lowest quarter. But among people in the top tenth of the distribution, real wages have risen a cumulative 15.7%, . . . nearly five times the usual weekly earnings of the bottom tenth” (Desilver 2018).14 In the United States by 2010, the top 10 percent of the income distribution has received over half of all wage gains during the past 30 years, and the top 1 percent and 0.01 percent had received most of that (Bourguignon 2015, 49). In Europe, slow wage growth has been combined in many countries with high unemployment. In many of the OECD countries, the concentration of wealth, as opposed to income, is even more stark and has grown worse as well. International trade appears to have amplified inequality in developed countries by deepening the high-skill and low skill labor divide (Wood 1994; Ebenstein et al. 2013). Surprisingly, there is some evidence this is happening in the developing world as well (Harrison and Hanson 1999). The problem is that this period of rising within country inequality corresponds to the period of globalization’s fastest growth. It looks as if, and perhaps is the case that, they are related.15 But the impression is that globalization has benefited a small elite and not the whole society or even the middle class. The majority is losing and this should not happen in a democracy. The sense that the system is rigged and only the rich benefit from openness is pervasive and growing. Anger and resentment are rising in publics as they see only a small segment of society gaining from globalization, and as everyone else becomes a relative loser (Galston 2018).16 The pervasive sense is that elites have captured the political system and opened up the economy to external forces that benefit only the rich and well connected. Inequality also seems to drive support for a main policy advocated by populist parties, that is, for protectionism, thus challenging the foundations of the liberal global order (Lü, Scheve, and Slaughter 2010). Another issue is that any sense of political equality is hard to sustain when economic inequality is large. If the wealthy have, or are seen to have, special access to political leaders and more influence over elections because of their money, then political equality is undermined. As Przeworski says, “When groups compete for political influence, when money enters politics, economic power gets transformed into political power, and political power in turn becomes instrumental to economic power ....Access of money to politics is the scourge of democracy” (Przeworski 2016, 5). Research suggests that the rich do have more access and influence over politics (Bartels 2008; Gilens 2012). As the rich become richer, their influence magnifies, policy diverges more from the median voter’s preferences, and democracy seems less and less legitimate to the average citizen. If globalization is linked to rising inequality, then we may fear for democracy because research shows that democracy does not do well in conditions of high inequality (Boix 2003; Ziblatt 2008).17 Globalization may then indirectly undermine support for democracy as it enables greater economic inequality (Elkjær and Iversen 2020). It is important to note that the Covid-19 pandemic seems to be increasing inequality as it rages in different countries. High-skill workers have maintained their jobs and avoided the virus by telecommuting. Lower skill workers who are usually paid less have been more likely to lose their jobs and get sick (Davis, Ghent, and Gregory 2021; Deaton 2021). And large firms with abundant capital have expanded as their small rivals are driven out of business by the pandemic closures (Bartik et al. 2020) Capital is being concentrated even more by this plague. It has also increased individual insecurity and reduced social capital as people cannot congregate and socialize. Creative Destruction and Economic Insecurity Capitalism is marked by rapid change and technological advances. As many have noted, it is a very dynamic system that incentivizes change, upgrading, and innovation. In the process, however, it destroys the old, the familiar, and the once lucrative. Schumpeter termed this essential dynamic, creative destruction (Schumpeter 1942). There is also evidence that innovations and adoption of new technologies spread in waves over time, sometimes leading to deep and rapid changes (Milner and Solstad 2021). These technological revolutions then produce side effects in social and political life. The first industrial revolution from about 1760 to 1830 saw a spurt of activity around iron and steel, coal, and steam engines (Mokyr 2009). The second industrial revolution from the 1870s to early 1900s again brought a surge in new technologies including railroads, mass assembly, automobiles, telegraph and radio, and electricity (Gordon 2017). Recently we have witnessed another technological revolution, the so-called digital revolution, and it is now having widespread effects. It is not just disruptions to labor markets that matter, but also shocks to information and communications systems, changes in social organization and disruptions of existing institutions. These rapid changes create insecurity for people who are, or believe they will be, negatively affected.18 This personal insecurity is likely to have political ramifications, especially when social protection is weak (Mughan 2007; Margalit 2011; Hacker, Rehm, and Schlesinger 2013; Rehm 2016). Capitalism has brought forth many changes in markets, especially in labor markets over time. Old industries die and new ones emerge, but labor and capital are often slow to keep pace with these changes. Boix (2019) argues that first period of globalization in the late nineteenth century and early twentieth century was accompanied by technological change which generated more jobs than it displaced. This earlier wave of disruption was job inducing, and the new technology then was complementary to labor. The second period of globalization occurring recently is different; the new technologies are job displacing and substitute for labor. These two conditions produce very different politics. Boix (2019), however, still thinks that democracy can persist in this second period, as do others who see democracy as extremely resilient (Iversen and Soskice 2019). But many others are more pessimistic, worrying that the effects of technology now are enhancing inequality and destroying decent jobs (Baldwin 2019). A primary example has been the rise and fall of manufacturing industries, especially in the advanced industrial countries. Industrial employment as a percentage of the civilian labor force has dropped from 38.8 percent in 1970, 25 percent in 2007, and falling to 18.8 percent in 2016 among the original 23 OECD countries (Armingeon et al. 2019). Offshoring has been a main ingredient in this process, and more recently the development of global value chains across borders has accelerated these changes. This deindustrialization has generated much economic insecurity as higher wage-paying, blue-collar jobs have disappeared with it (Hacker 2008; Milberg and Winkler 2013). In addition, the new jobs produced have often been inferior to the old ones lost; this inferiority concerns not just wages but also the terms of employment, which have become less secure and more temporary in the so-called gig economy. “Employment precariousness,” or the lack of a “decent job,” is another aspect of this technological revolution (Lorey 2015). “Fixed-term employment contracts, temporary work and part-time work in developed countries, and informal jobs with irregular working hours, low earnings and uncertain futures in developing countries” (Bourguignon 2015, 63), which are the telltale indicators of this precariousness, have grown greatly. “In France, employment precariousness has increased significantly over the last twenty years, from 8% in 1990 to 12% of total employment in the 2000s” (Bourguignon 2015, 63–64). Skill-biased technological change and trade with the developing world have been largely responsible, as they have helped fuel offshoring and global value chains (Michaels, Natraj, and Van Reenen 2014; Doraszelski and Jaumandreu 2018). Hence, despite the fact that unemployment in many developed countries had fallen to low levels before the pandemic, personal insecurity has been pervasive because wages and working conditions have worsened, especially for lower skilled workers. Global capitalism produces a double dose of technological change. Capitalism itself is very disruptive, but on a global scale it accelerates this change. Research shows that few countries innovate and that most adopt innovations from elsewhere (Keller 2004). The speed of this adoption varies from country to country and over time, but globally-integrated markets make these changes more rapid and widespread (Mokyr 1994; Taylor 2016; Milner and Solstad 2021). The third technological revolution then also is different because it is probably the fastest and most wide-ranging. It has brought even more economic anxiety and insecurity than past revolutions. The insecurity generated by capitalism has long been noted. Furthermore, capitalism on a global scale seems to amplify this insecurity since international capital and labor flows may be ever more politically destabilizing (Scheve and Slaughter 2004). Economic crises like the global financial one of 2008–2009, which often are fostered by globalization, exacerbate this insecurity as well. Indeed, the creation of social welfare states was intended to help damp down this anxiety and reduce the frictions associated with economic change and crises. Polanyi (1957) long ago noted that left exposed to unregulated markets, people would turn away from democracy and toward extreme political solutions. The risks and insecurities generated by capitalism needed to be alleviated by social protection. The idea was to “embed” markets in social and political relations by having governments intervene to provide compensation to people affected by market volatility. After World War II, markets for capital and labor flows across borders were regulated as trade was slowly liberalized, and stability and growth with redistribution were paramount for the advanced industrial democracies until the 1980s. After World War II, embedded liberalism in the Western world was the compromise that arose to make democracy and capitalism compatible (Ruggie 1982). As noted by Lim (2020, 67–68), “Studies of Western democratic countries have found that citizens who are exposed to the risks and uncertainties of global capitalism demand greater social protection from their government (Burgoon 2001; Cusack, Iversen, and Rehm 2006; Walter 2010; Margalit 2011). Empirical analyses also have revealed that more open economies tended to have larger public spending to compensate for and insure against the vagaries of an open economy (Garrett 1995; Rodrik 1997, 1998; Rickard 2012; Nooruddin and Rudra 2014).” Others show that technological adoption is faster and acceptance of new technologies is higher when welfare state generosity is greater (Lim 2020). Up to the 1990s, the embedded liberalism compromise seemed to be reconciling democracy and global capitalism. Embedded liberalism, however, has come under sustained pressure as globalization has advanced. The combination of slowing or declining welfare efforts plus the growth of globalization have increased insecurity and reduced support for people facing it. Scholars have pointed to these changes as being a source of the rise of populism and the extreme right in various countries. Margalit (2011) shows that where job losses from foreign competition were high, incumbent politicians in the United States were more likely to lose and especially so if the job losses were not compensated. Autor et al. (2020) provide evidence that the trade shock from Chinese entry into the WTO led to increasing political polarization in the United States. Jensen, Quinn, and Weymouth (2017, 1) demonstrate that “increasing imports (exports) [in a region] are associated with decreasing (increasing) [US] presidential incumbent vote shares.” Colantone and Stanig (2018a,b) provide data showing that support for right-wing, nationalist and populist parties and for Brexit came from areas hardest hit by globalization, in particular trade shocks and immigration. Burgoon (2001) points out that the backlash against globalization is less in areas where social welfare provision is highest. Milner (2018, 2021), on the other hand, argues that in areas with more trade flows support for extreme right parties is stronger and that social welfare provision does not seem to temper this political backlash against globalization any longer. As globalization has proceeded and welfare states have not expanded to match this, personal insecurity has grown and its political consequences are increasingly manifest. As Rodrik (1997) noted, increasing global economic integration produces more public demands on governments for social protection while concurrently undermining their ability to supply these policies because they require considerable public expenditure, which globalization may prevent. Insecurity can also be a product of the new information technologies today. The gig economy is in part made possible by such technologies. Surveillance technology may make people feel safer, but it may also enable governments to monitor their citizens and create new fears. While social media may enhance accountability pressures, it may also generate confusion and fake news. Many new sources of information have become easily available, often creating political and social problems. There is deep concern that new information technologies have helped disseminate populist political views. Social media in particular can undermine confidence in and the legitimacy of mainstream parties and leaders by transmitting false and damaging views of them (Tucker et al. 2017). International interference to exert political influence may also be easier to accomplish and disguise with these technologies. Creating confusion about what the facts are, disseminating fringe views as if they were credible, and sowing doubt about the validity and legitimacy of key democratic practices like elections are all means for generating greater insecurity and boosting populist support. Global Interdependence Deep integration of national economies through trade, capital markets, and immigration poses direct challenges for democracy. Above, I noted the indirect ways that globalization might undermine support for democracy, first by increasing inequality and second by fostering faster technological change. But globalization may also have more direct effects. I discuss three such effects here: increasing economic policy constraints on the government; pushing convergence on economic policy choices; and creating more need for international cooperation and governance. Each of these means that governments have less control over the economy, less room for partisan competition, and less autonomy. Globalization seems to produce three inter-related processes that might undermine support for democracy. As trade, capital, and labor flows grow in importance, governments become increasingly constrained; governments can always opt out of this but the costs of doing so rise as globalization proceeds. First, globalization can undercut the government’s ability to direct the economy. The government’s policy instruments become more limited and less effective. With an open economy, macroeconomic policy and exchange rate policy become more interdependent and less effective, especially for smaller economies (Frieden and Rogowski 1996; Broz and Frieden 2001). As countries joined the WTO and signed preferential trade agreements, trade policy and investment policy have become more constrained as well. Fiscal policy in an open economy also loses some of its effect as it flows across borders. While some scholars have noted that larger and more developed countries have more room to maneuver (Mosley 2003), others have noted the shrinking field of policy choice and autonomy open to countries (Rodrik 1997, 2011). Policy autonomy and efficacy matter for democracies because the public often judges governments and parties on the basis of economic outcomes (Kosmidis 2018; Duch and Stevenson 2010, 2008). When governments lose the ability to direct the economy, democratic accountability is weakened and so is its legitimacy (Hellwig 2001; Hellwig and Samuels 2007; Hellwig 2015). A second process that might undercut democracy is the policy convergence and consensus that has grown with globalization. As governments around the world increasingly liberalized trade and opened their capital markets, policy converged and consensus grew across parties about the value of openness and to some extent deregulation as well as austerity. Differences among left and right centrist parties on their platforms diminished, and publics began to view all mainstream parties as very similar (Sen and Barry 2020; Ward et al. 2015). Globalization may force parties to converge on their economic policies, restricting parties’ ability to differentiate themselves and thus to effectively compete against other parties on economic issues.19 The consensus over economic policies and globalization has left many European Social Democratic parties losing vote share and public support (Mair 2000). This convergence has created an opening for extreme right and populist parties to generate support.20 As (Mughan, Bean, and McAllister 2003, 619) points out,“By virtue of their commitment to economic internationalization, the established parties of government are blamed by populists for turning a blind eye and a deaf ear to workers’ legitimate concerns for their job security in an increasingly global, competitive, and volatile labor market. Blaming it on established parties’ commitment to economic globalization, in other words, right-wing populist parties have commonly sought electoral advantage by turning job insecurity into a political issue.” If vigorous party competition along programmatic lines is central to democracy, then globalization may be undermining it. And lack of partisan competition among centrist parties may enable more extreme parties to gain support. The third element is that globalization has also raised pressure on governments to coordinate their polices to eliminate externalities (Milner 1997). A more open economy implies a greater need to cooperate and coordinate with other countries. The past 30 years have seen many international regimes and institutions created to deal with global problems, all of which have constrained governments even more. The IMF, World Bank, OECD, EU, WTO, regional development banks, and many preferential trade agreements are the major examples of these multilateral economic institutions; each of which produces norms, rules, and procedures that members are expected to follow. They constrain government policy choices domestically; they appear to impose decisions from unelected international elites on the public; and they push all parties who might be in government to adopt similar policies. Many of these have generated popular dissatisfaction and resentment, being seen as undemocratic and as undermining democracy and its legitimacy at home. The EU is a prime example of this complaint about “democratic deficits”; EU decision-making is often seen as too elite- and interest group-driven, and too distant from public preferences (Follesdal and Hix 2006; Mair 2007). Brexit as a vote against international cooperation and extensive coordination is a reflection of this public perception of the EU. The nationalist backlash that has animated populist parties recently builds off of this anxiety over and distaste toward global governance. The cosmopolitan elites that supposedly direct international institutions are seen as having made bad decisions (e.g., the financial crisis) and as holding preferences far removed from those of the average national voter. Populist leaders thus call for a return to national priorities and a rejection of global cooperation, as the quote from Marine Le Pen at the start of this article illustrates. As Mughan, Bean, and McAllister (2003, 619) points out, “the economic basis of their [populist parties’] appeal [lies] in their rejection of the postwar social democratic consensus. Taking as a starting date the end of the Second World War we can, with a nod to national variations, pick out four elements that have characterised the domestic politics of Western Europe in the ensuing four decades: social democracy, corporatism, the welfare state and Keynesianism. It is on the fertile ground of the foundering of these four pillars that the new (populist) parties have taken root.” Globalization by making international cooperation ever more necessary thus contributes to legitimacy problems for mainstream political parties and may generate public dissatisfaction with their governments and democracy.

#### Neo-Brandeisian polices that attempt to fix the harms of Big Tech through antitrust policies will fundamentally fail. Assuming that competitive markets will force companies to be nice ignores the very root of the problem – competitive companies still exploit users, reinforcing a consumerist society that guarantees extinction from climate change and environmental degradation. Only the alternative solves by shifting to a global digital commons aligned with broader international movements to develop environmental sustainability and challenge capitalism and colonialism.

Kwet, 20

(Michael, Visiting Fellow at Yale’s Information Society Project. His current areas of research include education technology, the global digital economy, tech startups, safe and smart city initiatives, big data, and Free and Open Source Software. Ph.D. in Sociology, Rhodes University, "Social Media Socialism: People’s Tech and Decolonization for a Global Society in Crisis." Available at SSRN (2020).)\\JM

7. DEVELOPING A PEOPLE’S TECH MOVEMENT THAT INTERSECTS WITH BROADER MOVEMENTS The only way to counter the power of tech transnationals is to develop a popular grassroots movement to re-decentralize social media networks as a global commons. The problem is structural, and the solution will have to challenge the system at a fundamental level. We have already seen popular movements coalesce around relatively complex concepts like net neutrality. There is no reason to think the general public cannot learn about social media decentralization and push for a social media commons solution that democratizes the networks. This should not be a hard sell in the Global South, whose human rights activists and emerging economies have nothing to lose – and everything to gain – from a commons-based solution. Countries in the North might also join the fray, as they are being subjected to the surveillance apparatus of a foreign power which is undermining their local economies. And finally, many US citizens have low and declining levels of trust in Big Tech – and they aren’t even well-informed about invasive social media practices. According to a Pew Research poll, 74% of US adult Facebook users did not know Facebook collects their interests and traits to target ads, and 51% are not comfortable with them compiling that information.336 Another survey found sizable majority of American adults do not understand how the news feed works.337 Activist education campaigns could help garner the support needed to phase out digital capitalism in a way that is equitable for the global poor – a solution that requires a People’s Tech model based on a socialist Digital Tech New Deal. This work intersects with broader social justice movements for environmental sustainability and justice, global equality, and human rights. Changing the way the 21st century economy works at a fundamental level is an enormous undertaking, but it must be done, as we are facing a global crisis that threatens to do permanent damage to the only and only home to life, planet Earth. V. CONCLUSION We have seen that Big Social Media harms society in numerous ways. It concentrates wealth, undermines journalism and democracy, exploits mass surveillance on users, colonizes the global market, and stimulates a consumerist society that is destroying the planet. We have also seen that this is a matter of ownership, design, and the capitalist mode of production. If we have centralized social media networks owned and controlled as private property, seeking to generate revenues through fees or user attention, then those network owners will be incentivized to maximize their well-being at the expense of users. The neo-Brandeisian School of scholars intend to use antitrust to “break up” Big Social Media giants like Facebook and create a “truly free market” based on the theory that “competitive markets” will force social networks to treat their users nicely. However, there is no reason to believe this will occur, as we see software all over the tech ecosystem – including in competitive marketplaces – surveil, deceive, manipulate, and exploit users.338 Tech “critics” frequently say that “tech is not neutral”, but it is just as true that “property is not neutral”. Proprietary software is not neutral, centralization in the cloud is not neutral, concentrated ownership of infrastructure is not neutral, intellectual property monopoly is not neutral. The Free Software community has, for years, led the charge to create commons-based human rights-respecting technologies owned and controlled directly by the people. As Edward Snowden put it, the Free Software Movement is the “last lighthouse of freedom” in the digital world. They were the first to challenge Big Social Media, right at the outset in the 2000s, and they have developed the most advanced technological alternatives to date based on decentralized and distributed solutions like the Fediverse and LibreSocial. Support for the Free Software Movement has been strong in the Global South, from South Africa to Kerala – a fact that is largely ignored by the West.339 Colonialism is racist. It is no less racist in the digital form. As we have seen, Big Social Media giants like Facebook and Twitter are colonial systems. Much like Brandeis in the early 20th century ignored the plight of African Americans – and the capitalist logic which led to their exploitation – the American “tech left” is ignoring the plight of the Global South and the problems of digital capitalism. Their thinking is generated by a network of US legal scholars, who recommend “fixing Big Tech” – transnational corporations – with US laws, interpretations by US courts, and administration by US regulators. Angela Davis recently said, “racism is integrally linked to capitalism” and that “it’s a mistake to assume that we can combat racism by leaving capitalism in place”.340 The critique of capitalism must be taken seriously, and not just as a slogan. It has specific applications to specific institutions and specific individuals acting in the real world. We’re now at a stage in history where the harms of capitalism are reaching epic proportions, threatening not only human life, but the well-being of life on planet Earth.341 The only way to fix the issue is to end commitments to limitless growth, redistribute wealth and income, and build a global, classless society so that everyone can live a decent life. This means, fundamentally, unwinding the racist colonial past by rapidly replacing capitalism with socialism in line with social justice and planetary justice. Big Social Media does the opposite: it concentrates wealth and power, colonizes markets, strengthens US imperialism, undermines global democracy, locks up knowledge for the wealthy, and pushes mindless consumerism on the world population. We need an international solution created by people across the world, based on People’s Tech for People’s Power, in order to stop digital colonialism, end digital capitalism, and work with broader movements to resolve the global crisis. Social media socialism is a necessary component of this struggle.

#### 2. The perm waters down the alt and guarantees that elites retain ideological and material control – proven by their coniglio

Bolton, 16

(Michael, Associate Professor of Political Science, Pace University, Elizabeth Minor, Visiting Research Scholar @ Jindal school of international affairs, “The Discursive Turn Arrives in Turtle Bay: The International Campaign to Abolish Nuclear Weapons’ Operationalization of Critical IR Theories,” https://onlinelibrary.wiley.com/doi/full/10.1111/1758-5899.12343)

Within the IR literature there is a perennial admonition to make theory more ‘relevant’ to policy makers, but this is usually cast in problem‐solving terms: producing knowledge that solves the problems faced by the existing political framework. (Lepgold, 1998; Eriksson and Sundelius, 2005; Walt, 2005). Many of those engaged in critical theorizing resist such demands to be ‘useful,’ suspicious of the operationalization of academic work in oppressive systems, and tend towards a position of ‘resistance’ to the system as a whole. Critical security studies scholar Anna Stavrianakis (2012, p. 233) for example, calls on disarmament activists to demand ‘transgressive change that fundamentally alters the social landscape as well as generates concrete improvements’ rather than calling for ‘incremental changes that leave the parameters of an issue untouched’. Given the centrality of discourse to critical theorizing, resistance is often framed not in terms of taking territory, mobilizing bodies, changing legislation, gaining votes or raising money. Rather it tends to focus on the critical deconstruction of oppressive discourse and disruption of existing norms (e.g. Hargreaves, 2012). As a result, many critical IR scholars see their academic work – undermining dominant discourses through their scholarship and teaching – as their primary form of resistance. (Said, 1996). An emerging generation of political actors were educated by post‐positivist and critical IR scholars and conceive of their work self‐consciously in discursive terms. That is, they frame their intervention in the political arena as a deliberate attempt to reshape the way society speaks about and gives meaning to a particular phenomenon, people, group or activity. Occupy Wall Street activists drew upon critical and discursive theories to strategize their symbolic disruption of the neo‐liberal order (Welty, 2013). LGBTQA activists and ‘third wave’ feminists are trying to change dominant discourses of gender and sexuality (e.g. St. Pierre, 2000). However, critical theory has had less impact on the realm of international military and security policy, which remains heavily influenced by realist thought (Cooper, 2006). As critical theorizing has begun to be used for solving definable political problems (e.g. Davies, 2012; Merlingen, 2013), what Brown (2013) calls ‘critical problem‐solving theory’, it has eroded Cox's (1981) boundary between ‘problem‐solving’ and critical theories. What happens when a theoretical paradigm that explicitly defines itself in critical opposition is instrumentalized and used in problem‐solving ways? This question, which we begin to explore in this article, is underexamined in the literature (see Weizman, 2012, pp. 185–220 for an important exception). According to the epistemic community literature (e.g. Haas 2004), the education of policy makers can shape their later actions (Eriksson and Sundelius, 2005). Most usefully for this article, it shows how at critical junctures policy makers will turn to experts. Policy makers tend to be less interested in meta‐theory or broad academic debates about an issue. Rather, they look for knowledge that can be used instrumentally to solve a particular policy problem (e.g. Hall, 1993). But moving theoretical ideas from academia, through the activist community, to the policy arena, dilutes the original ideas and reinterprets them in instrumental ways. To help understand this, we draw on postcolonial concepts of ‘translation’ and ‘creolization’ of different ‘knowledge systems’ pushed into contact (Shih and Lionet, 2011, p. 30). We find that some ICAN campaigners responsible for its current strategy have ‘translated’ IR discursive theory into the world of disarmament policy making. In doing so, they selected the aspects of critical security studies ‘to transpose and emphasize’ (cf. Tymoczko, 2000 p. 24) as befit their specific political goals. This creative application of critical theory in a new setting, in its translation of theory into political engagement, may necessarily involve rendering it less threatening to elite audiences, in the process of seeking policy changes (cf. Jeffrey, 2013, pp. 107–131).

#### 4. Guarantees backlash – competition locks in monopolies and inequality and antitrust is followed by unionbusting, wage cuts, and job losses

Henwood, 21

(Doug, edits *Left Business Observer* and is the host of *Behind the News*. His latest book is *My Turn*, “Why Socialists Should Distrust Antitrust”, Jacobin, 07/17/2021, <https://www.jacobinmag.com/2021/07/antitrust-law-monopolies-small-business-competition-large-corporations-bigness>)

Last week, Joe Biden tweeted, “Let me be clear: capitalism without competition isn’t capitalism. It’s exploitation.” It would be too much to expect this rather dim politician to understand, much less endorse, the classic Marxist analysis of profit originating in the exploitation of workers — they produce more in value for their employer than they’re paid in wages. But the remark, in all its naiveté, does capture a spreading belief in liberal policy circles that monopoly is at the heart of our economic troubles, from crappy jobs to crappy pay and benefits. I’m not convinced. According to the introductory economics I learned in college — which was admittedly long ago — two essential features of monopolized markets were high prices and restricted supply. Those features weren’t at all visible in the US economy until the pandemic began messing with supply chains, resulting in short supplies in some sectors in the face of pent-up demand, demand that was supercharged with stimulus checks. Even so, the shortages and price spikes are affecting just a few sectors, like new cars and lumber. They’ve yet to spread economy-wide, and there’s no sign they’re about to. They [are] not the product of some long-term monopolization. For most of the last forty years, inflation has been quite low — in no small part because the working class was crushed as the 1970s turned into the 1980s and because shortages have been rare. The giants that people point to as proof of our monopoly problem include Amazon, Google, and Facebook. Amazon, like Walmart before it, is known for low prices that crush competitors. (Workers too.) That’s not standard monopoly behavior. Google and Facebook dominate their fields, but most of their “products” are free. Yes, that means “you’re the product,” as the saying goes, but what kind of improvement would it be if broken-up Googles and Facebooks charged for their services or maintained the same monetizing-the-user’s-identity business model as the originals? Nor is it clear how introducing competition would improve the quality of service. One of the lures of Facebook, for those subject to the lure, close to three billion users at the most recent count, is that so many people are on it. That facilitates communication. Breaking it up into competing services would be like making an AT&T phone customer incapable of contacting a Deutsche Telekom subscriber. Behind antitrust is a faith in competition as a positive good. As socialists we should take exception to that. We already have too much competitive individualism in this society, and we don’t need any more. We need solidarity. Stimulating the war of each against all isn’t the way to get there. A better way to handle bigness is to regulate the behemoths and encourage the growth of unions. That would do more to improve working conditions at Amazon than turning it into four or twenty little Amazons. As political economist Sam Gindin pointed out in an interview on my radio show, the deregulation movement of the 1970s and 1980s was a war on regulated oligopolies, and it was accompanied by union busting, wage cuts, and job losses. That could be a portent of life under monopoly busting. Why is antitrust getting the attention of liberals these days? In his book on the history of American corporate governance, law professor Mark Roe notes that Franklin Roosevelt saw it as a war against “private” socialism that could stave off “government” socialism. We may be seeing something similar now. With socialism polling decently, socialists working their way into the Democratic Party, and the business class in disrepute with much of the population — Gallup reports that 73 percent of the public is either somewhat or very dissatisfied with major corporations, compared to 48 percent in 2001 — pursuing antitrust may be a campaign to restore the prestige of capitalism itself. Fronting small business as the emblem of commerce is a classic bourgeois self-defense strategy. There’s nothing magic about smallness. Vincent Carosso ends his huge book on the Morgan banking family by quoting an unnamed socialist refusing to curse the peak Morgan, J. P., on his death: “We grieve that he could not live longer, to further organize the productive forces of the world, because he proved in practice what we hold in theory, that competition is not essential to trade and development.” It’s a sentiment worth recovering.

#### Mineral scarcity also causes collapse. Tipping points happen before we know them AND goods are not substitutable.

Ahmed 20 [Nafeez. M.A. in contemporary war & peace studies and a DPhil (April 2009) in international relations from the School of Global Studies at Sussex University. Capitalism Will Ruin the Earth By 2050, Scientists Say. Vice. 10-21-2020. <https://www.vice.com/en/article/v7m48d/capitalism-will-ruin-the-earth-by-2050-scientists-say>]

Endless growth will generate minerals scarcity within decades

The EV transition is, in short, a massive industrial project. Electrification of roads and rail will require upgraded smart grids, complex routes connected to high power lines, and regular battery-swap stations. The paper explores several scenarios to explore how such a transition would take place.

In a continuing GDP growth scenario, the authors note that the economy begins to stagnate “due to peak oil limits at around 2025-2040,” but GDP is able to continue growing thanks to the EV transition. This shows that the reduction in liquid fuels in transportation can play a powerful role in avoiding “energy shortages in the economy as a whole.”

But then the economy hits the limits of mineral and material production to sustain this electric transition—in just three decades. And this is even with high levels of minerals recycling.

By 2050, in this scenario, the EV transition will “require higher amounts of copper, lithium and manganese than current reserves. For the cases of copper and manganese the depletion is mainly due to the demand from the rest of the economy,” but most lithium demand “is for EV batteries,” and this alone “depletes its estimated global reserves.”

Mineral depletion takes place even with “a very high increase in recycling rates” in a continuing GDP growth scenario.

In one such scenario, the authors apply what they consider to be realistic upper level recycling rates of 57 percent, 30 percent and 74 percent to copper, lithium and manganese respectively. These are based on extremely optimistic projections of recycling capabilities relative to their costs.

But still they find that even these high recycling rates wouldn’t prevent depletion of all current estimated reserves by 2050. The conclusion corroborates findings of other studies, estimating an expected bottleneck for lithium by 2042-2045 and for manganese by 2038-2050.

Actual bottlenecks could come even earlier because existing studies—including the MEDEAS model—don’t account for material requirements needed for internal wiring, the EV motor, EV chargers, building and maintaining the grid to connect and charge EV batteries, the catenaries to electrify the railways, as well as inherent difficulties in recycling metals.

#### Can’t transition to clean tech—carbon bubbles pop.

Rifkin ‘19 [Jeremy, Honorary Doctorate in Economics at Hasselt University. Recipient of the 13th annual German Sustainability Award in December 2020. BS in Economics at UPenn – Wharton School. Founder of People’s Bicentennial Commission. The Green New Deal: Why the Fossil Fuel Civilization Will Collapse By 2028, and the Bold Economic Plan to Save Life on Earth. St Martin’s Press. P7-8. Google Book. //shree]

The Carbon Tracker Initiative, a London-based think tank serving the energy industry, reports that the steep decline in the price of generating solar and wind energy “will inevitably lead to trillions of dollars of stranded assets across the corporate sector and hit petro-states that fail to reinvent themselves,” while “putting trillions at risk for unsavvy investors oblivious to the speed of the unfolding energy transition.”19 “Stranded assets” are all the fossil fuels that will remain in the ground because of falling demand as well as the abandonment of pipelines, ocean platforms, storage facilities, energy generation plants, backup power plants, petrochemical processing facilities, and industries tightly coupled to the fossil fuel culture.

Behind the scenes, a seismic struggle is taking place as four of the principal sectors responsible for global warming—the Information and Communications Technology (ICT)/telecommunications sector, the power and electric utility sector, the mobility and logistics sector, and the buildings sector—are beginning to decouple from the fossil fuel industry in favor of adopting the cheaper new green energies. The result is that within the fossil fuel industry, “around $100 trillion of assets could be ‘carbon stranded.’”20

The carbon bubble is the largest economic bubble in history. And studies and reports over the past twenty-four months—from within the global financial community, the insurance sector, global trade organizations, national governments, and many of the leading consulting agencies in the energy industry, the transportation sector, and the real estate sector—suggest that the imminent collapse of the fossil fuel industrial civilization could occur sometime between 2023 and 2030, as key sectors decouple from fossil fuels and rely on ever-cheaper solar, wind, and other renewable energies and accompanying zero-carbon technologies.21 The United States, currently the leading oil-producing nation, will be caught in the crosshairs between the plummeting price of solar and wind and the fallout from peak oil demand and accumulating stranded assets in the oil industry.22

#### Their ev says tech is possible *not* that it will be adopted—financial incentives ensure it won’t and we’re past the point of tech success—offshoring also means it doesn’t solve—try or die for transition.

**Foramitti, 20** (Joël Foramitti, Joël Foramitti is an environmental activist and a PhD candidate at ICTA-UAB in Barcelona., Marula Tsagkari, a PhD candidate in Energy Policy & Economics at the University of Barcelona, and Christos Zografos, Ramón y Cajal Senior Research Fellow with the Johns Hopkins University – Pompeu Fabra University (JHU-UPF) Public Policy Centre in Barcelona, Spain,” “Why Degrowth Is the Only Responsible Way Forward,” Naked Capitalism, https://www.nakedcapitalism.com/2019/09/why-degrowth-is-the-only-responsible-way-forward.html, 8-18-2020)

Phillips acknowledges that we need to stay within planetary boundaries. But as an ecomodernist, he believes that all environmental problems can be solved by a shift in technology. All we need to do is become more efficient. This version of post-environmentalism has received a lot of support, as it aligns well with existing powerful interests in the economy. But it is problematic for many reasons. First, **there is** no ev**idence** for this claim. The potential of our current technology is limited. And the potential of future innovation is uncertain. As Phillips acknowledges himself, it will take considerable time until new technology arrives. We should not gamble **away** our future on **ideas with** such a low (if even known at all) probability of success. Let us illustrate this in relation to climate change. The latest IPCC report to limit global warming to 1.5° presents four scenarios. Three of them strongly depend on neg**ative** emission **tech**nologies, which are highly controversial as they **have** not **been proven to** work at **the** requiredscale and represent an “unjust and high-stakes gamble”. The IPCC also provides a fourth scenario that does not rely on negative emissions, but which notably requires that “global material production and consumption declines significantly”. Some demand reduction could be achieved through efficiency improvements. But these might be less effective than they appear. As long as we keep pursuing growth, such **improvements will be used for further expansion**. This can counteract possible environmental gains. Simply put, efficiency improvements make things cheaper and therefore push up consumption. Such a rebound effect has been found both in different countries and industries. What is more, technological shifts always come at an environmental cost. Every sector of our economy is still based on some form of extraction, pollution, and waste. And all of them depend on carbon. Renewable energy, in particular, requires a great amount of **rare** minerals and land-use**.** The same goes for nuclear energy, which demands considerable resources in order to mine uranium, construct power plants, and deal with its waste.Even digital technology has environmental impacts. Phillips tries to argue against this by pointing at past solutions to environmental problems, like the ozone layer or deforestation. However, he does acknowledge that those **examples do not compare** well **to a bigger challenge like climate change**. Some of those challenges were solvable because they only affected a single sector and an easy technological replacement was available. Additionally, **many past environmental challenges** have not been overcome, but have **simply** been reshaped and displaced. Philips points towards the fact that net deforestation ceases in rich countries. But this is mainly because **agricultural** production is outsourced **to poorer ones.** The study he uses to show the increase in global tree-cover also shows an alarming reduction in tropical areas. The recent Amazon fires in Brazil, for example, are connected to increased deforestation efforts for agricultural expansion in the territory of the world’s 22nd largest export economy. The total amount of environmental degradation caused by our economy remains coupled to economic activity. Finally, it is important to understand that environmental issues are all interrelated. Even the successful ozone depletion is nowadays under threat as climate change could reverse the recovery of the ozone layer. The deforestation study mentioned above shows that climate change has contributed to both increases and decreases of vegetation in different parts of the world. Mass extinction is another serious threat that our planet is experiencing at the moment, which is also connected to deforestation. And we know that most mass extinctions of the past “had something to do with rapid climate changes”. All this means that it is hard to see a way around a reduction of economic activity. Of course it is theoretically possible that we could grow and produce more within our limits if technology improves. But so far this hasn’t happened, there is little to show that it will, and as long as it doesn’t, we need a practical plan. The logic of eco-modernism – to blindly bet on future innovation – has already caused us to delay action for more than thirty years, and there is simply no time left. We need to act now, and within our current technological means.

#### 3. Ag collapse – short term.

Allinson et al ‘21 [Jamie Allinson is Senior Lecturer in Politics and International Relations at Edinburgh University and author of The Age of Counter-revolution. China Miéville is the author of a number of highly acclaimed and prize-winning novels including October: The History of the Russian Revolution. Richard Seymour is the author of numerous works of non-fiction, His writing appears in the New York Times, London Review of Books, Guardian, Prospect, Jacobin. Rosie Warren is an Editor at Verso and the Editor-in-Chief of Salvage. All are writing for the Salvage Collective. “The Tragedy of the Worker: Toward the Proletarocene.” Chapter 1: M-C-M’ and the Death Cult. July 2021. Verso EBook. ISBN: 9781839762963 //shree]

The Triassic-Permian ‘great dying’ was a megaphase change taking place through pulses lasting for tens of thousands of years, separated by interludes of hundreds of thousands of years, if not millions. The current mass extinction event is a megaphase change taking place in microphase time.

Mass extinction is punctuated by the production of what the environmentalist Jonathan Lymbery calls ‘dead zones’: the conversion of wild ecosystems into dead monocultures. In Sumatra, these dead zones are made by burning rainforest and, amid the stench of death, planting palm crop. The palm oil is used in foods and household items, while the nut is used in animal feed. It is secured with barbed wire, and treated with poison, to prevent the crop from being eaten. Surviving animal life, and surrounding human communities, are pushed to the edges, to the brink of extinction. Agricultural workers are abused, underpaid, even enslaved. This is an example of what Moore would call ‘cheap food’, where the ‘value composition’ of the goods, the amount of waged labour necessary to produce each item is ‘below the systemwide average for all commodities’. In this case, a ‘cheap nature’ is produced by a distinctly capitalist form of territorialisation, wherein forestry is converted through deforestation into palm monoculture, while ‘cheap labour’ is secured partly through the dispossession of neighbouring human communities. More calories with less socially-necessary labour-time is cheap food.

Cheap is not, of course, the same thing as efficient. Food production is, alongside fuel, a fulcrum of the capitalist organisation of work-energetics. It is one that, as with fossil fuels, wastes an incredible amount of the energy it extracts. According to the FAO (Food and Agriculture Organization of the United Nations), 30 per cent of cereals grown for human and animal consumption are wasted, along with almost half of all root crops, fruits and vegetables. To conclude from this grotesque squander that a ‘more efficient’ capitalism would ‘solve the problem’ of ‘the environment’ would be to fail to understand waste, capitalism and ecology: that the first is intrinsic to the second; that the second, whatever the degree to which it is inflected by the first, is inimical to the third.

Capitalism also directly undermines its own productivity, precisely through its industrially-produced biospheric destruction. According to the UN, for example, there are at most sixty harvests remaining before the world’s soils are too exhausted to feed the planet. This edaphic impoverishment is a product, not a byproduct. It is the predictable, and long-predicted, consequence of intensive agriculture, over-grazing and the destruction of natural features (such as trees) that prevent erosion. Likewise, the death-drop of insect biomass, the decline of pollinating bees, are hastened by the extensive use of pesticides and fertilisers. Capitalist food production can only evade the problem – a problem, in its terms, of accumulation – either by establishing new ‘cheap natures’ through such means as deforestation, or by extracting rent from competitor producers through such means as intellectual property rights. For instance, since 1994’s notorious TRIPS agreement (Trade-Related Aspects of Intellectual Property Rights), through the rules of UPOV (Union for the Protection of New Plant Varieties), particularly the notorious UPOV 1991, and in the face of local fightbacks from Guatemala to Ghana, the World Trade Organisation has enforced property agreements outlawing the saving of seeds from one season to the next, thus sharply raising costs for farmers producing 70 per cent of the global food supply.

#### 4. Supply chain disruptions—collapses globally.

Neil 20 – Stephanie, Editor in Chief of Automation World. “The Pandemic is Shaping the Future Supply Chain”, Automation World, <https://www.automationworld.com/factory/supply-chain-management/article/21172689/the-pandemic-is-shaping-the-future-supply-chain>, 08-24-2020

According to Bruce McIndoe, president of McIndoe Risk Advisory, there are five megatrends that will shape the future of business and the world: globalization, demographics, climate change, resource scarcity, and technology innovation. Each are interlinked and influence global supply chains as the world supports a growing global population.

McIndoe briefly described these trends:

Globalization: As a result of an uncoupling movement between the U.S. and China and vulnerabilities in the global supply chain that the pandemic exposed, there will be a shift to deglobalization via onshoring or nearshoring.

Demographics: As we add two billion more people in the next 30 years, we’ll need more water, food, and housing to support them.  It’s estimated that 80% of these new citizens will live in cities and by 2050 we’ll see cities with 50-to-100 million people. Based on urban density, growth of the middle class, and climate change, we’ll need to build an excess of 1 billion more housing units.   “In the next 30 years, we essentially will need to rebuild the entire global housing stock since the beginning of mankind. That is a huge demand,” McIndoe said.

Climate change: This can ultimately become the weak link in the supply chain. The greater frequency and severity of climate hazards create more disruptions in the global supply chain by interrupting production, hampering transportation, raising prices, and ultimately hurting corporate profits.

Resource scarcity: Here, we are the issue—humans are massive consumers of natural resources, and by 2050 we will consume 140 billion tons of minerals, ore, fossil fuels, and biomass per year. That’s three times the current consumption rate. We must decouple economic growth from massive resource use, McIndoe said. In addition, water and food are life or death resources for all of us. Lack of access to water has been catalyst to war and will be a major driver for human migration—which creates friction and unrest. Lack of access to food, too, can drive people to be aggressive which can evolve into civil unrest.

#### 5. Speculative economy—that crashes.

Foster et al. 21 – John Bellamy, the editor of Monthly Review and a professor of sociology at the University of Oregon. R. Jamil Jonna, associate editor for communications and production at Monthly Review. Brett Clark, associate editor of Monthly Review and a professor of sociology at the University of Utah. “The Contagion of Capital Financialised Capitalism, COVID-19, and the Great Divide”, Jus Semper Global Alliance. In Pursuit of the People and Planet Paradigm Sustainable Human Development, <https://jussemper.org/Resources/Economic%20Data/Resources/BellamyFosterJonaClark-ContagionCapital.pdf>, 03-xx-2021

As we have seen, when corporations do not invest their economic surplus in new capital formation—primarily due to vanishing investment opportunities in an economy characterised by excess capacity—they are left with abundant free cash that is partly returned to the shareholders through share buybacks and, to a lesser degree, dividends. It is also used for speculation, including mergers, acquisitions, and the panoply of corporate “cash management” techniques that amount to the leveraging of free cash to enhance returns. This gives rise to a whole alphabet soup of 19 financial instruments, in which corporations use the cash at their disposal partly as collateral for debt leverage, with non-financial corporate debt rising rapidly as a share of national income. Predictably recurring internal corporate funds in the form of free cash constitute a “flow collateral” allowing for further leverage, feeding speculation. A speculative economy relies on borrowed funds for leverage, backed up in part by cash. Expanding cash reserves are also needed as hedges in case of financial defaults. The whole system is a house of cards. The progressive financialisation of the capitalist economy, whereby the financial superstructure continues to expand as a share of the underlying productive economy, has led to ever-greater asset price bubbles and growing threats of world economic meltdown. So far, a complete meltdown has been headed off by central banks, as in the 2000 and 2008 financial crashes. At every major recurring disturbance, and with serious economic repercussions, the monetary authorities pump massive amounts of cash into the financial superstructure of the economy only to give rise to greater bubbles in the future. Theoretically, stock values represent future expected streams of earnings arising primarily from production. Nowadays, 20 however, finance has become increasingly autonomous from production (or the “real economy”), relying on its own speculative “self-financing,” leading to financial bubbles, contagions, and crashes, with the monetary authorities intervening to keep the whole house of cards from collapsing. This serves to reduce the risk to speculators, thereby keeping the value of stocks and other financial assets rising on a long-term basis, along with the overall wealth/income ratio. In these circumstances, so-called asset accumulation by speculative means has replaced actual accumulation or productive investment as a route to the increase of wealth, generating a condition of “profits without production.”21 In order to grasp the full significance of the financialisation of the economy, it is useful to look at the two conceptions of capital (relative to national income) depicted in Chart 3. One of these, the numerator of the lower line, is the 22 traditional conception of capital as fixed investment stock (physical structures and equipment) at historical cost minus depreciation. This is called the fixed capital stock of the nation and is tied directly to economic growth. It represents 23 what economic theorists from Adam Smith to Karl Marx to Keynes have referred to as the accumulation of capital. Capital formation and national income are closely related, generally rising and falling together, producing the relatively flat line, representing the ratio of fixed capital stock to national income, shown in Chart 3.24 Yet, capital, as Marx noted very early in the process, has more and more taken on the “duplicate” form of “fictitious capital,” that is, the structure of financial claims (in monetary values) produced by the formal title to this real capital. Insofar as economic activity is directed to the appreciation of such financial claims to wealth relatively independently of the accumulation of capital at the level of production, it has metamorphosed into a largely speculative form.25 This can be seen by looking again at Chart 3. In contrast to the lower line, the upper line depicts what is traditionally seen as the wealth/income ratio (which some economic theorists, such as Thomas Piketty, conflate with the capital/ income ratio, treating wealth as capital). The numerator here is the value of corporate stocks. Since the mid–1980s, the 26 ratio of stock value to national income has increased more than 300 percent. This marks an enormous growth of financial wealth, with speculation-induced asset growth sidelining the role of productive investment or capital accumulation as such in the amassing of wealth. This is associated with a massive redistribution of wealth to the top of society. The top 10 percent of the U.S. population owns 88 percent of the value of stocks, while the top 1 percent owns 56 percent. Rising stock values relative to national income thus mean, all other things being equal, rapidly rising 27 wealth (and income) inequality.28 The existence of the two conceptions of capital (and of capital/income ratios) presented here—one representing historical investment cost minus depreciation, and conforming to the notion of accumulated capital stock, the other the monetary value of stock equities (in economics traditionally treated as wealth rather than capital)—is often downplayed within establishment economics under the assumption that in the long run they will simply fall in line with each other, and with national income. As leading mainstream economic growth theorist Robert Solow writes: “Stock market values, the financial counterpart of corporate productive capital, can fluctuate violently, more violently than national income. In a recession the wealth-income ratio may fall noticeably, although the stock of productive capital, and even its expected future earning power, may have changed very little or not at all. But as long as we stick to longer-run trends…this difficulty can safely be disregarded.”29 But can the divergence of stock values from income (and from fixed capital stock) in reality be so easily disregarded? Chart 3 depicts a sharp increase in stock values relative to national income, which has now continued for over a third of a century, with decreases in total stock values as a ratio of national income (output) occurring during recessions, then rebounding during recoveries. The 30 overall movement is clearly in the direction of compounded financial hyperextension. This conforms to the general pattern of the financialisation of the capitalist economy, constituting a structural change in the system associated with the growth of monopoly-finance capital. This has gone hand in hand with a bubblier economy, with financial bubbles bursting in 1987, 1991, 2001, and 2008, but ultimately shored up by the Federal Reserve and other central banks. Today, vast amounts of free cash are spilling over into waves of mergers and acquisitions, typically aimed at acquiring mega-monopoly positions in the economy. A major focus is the tech sector, much of which is directed at commodifying all information in society, in the form of a ubiquitous surveillance capitalism. All financial bubbles derive their animus 31 from some common rationale, which claims that this time is different, discounting the reality of a bubble. In the present case, the rationale is that the advance of the FAANG stocks (Facebook, Apple, Amazon, Netflix, and Google), which now comprise almost a quarter of the value of Standard and Poor 500’s total capitalisation, is unstoppable, reflecting the dominance of technology. Apple alone has reached a stock market valuation of $2 trillion. All of this is feeding a massive increase in income and wealth inequality in the United States, as the gains from financial assets rise relative to income. Yet, like all previous bubbles, this one too will burst.32 Kalecki determined that the export surplus on the U.S. current account increased free cash, as did the federal deficit.33 However, the current account deficit cannot be seen, in today’s overall structural context, as simply reducing free cash, because of the changed role of multinational corporations in late imperialism, which alters other parts of the equation. Due to globalisation and the rise of the global labor arbitrage, U.S. multinational corporations in their intra-firm relations have in effect substituted production overseas by their affiliates for parent company exports, thereby decreasing their investment in fixed capital in the United States. The sales abroad of goods by majority-owned affiliates of U.S. 34 multinational corporations in 2018 were 14.5 times the exports of goods to majority-owned affiliates. Foreign profits of 35 U.S. corporations as a proportion of U.S. domestic corporate profits rose from 4 percent in 1950 to 9 percent in 1970 to 29 percent in 2019. This mainly reflects the shift in production to low unit labor cost countries in the Global South. Samir Amin described the vast expropriation of surplus from the Global South, based on the global labor arbitrage, as a form of “imperialist rent.”36 This expansion of global labor-value chains is also associated with an epochal increase in what is called the non-equity mode of production, or arm’s length production. Companies like Apple and Nike rely not on foreign direct investment abroad, but instead draw on subcontractors overseas to produce their goods at extremely low unit labor costs, often generating gross profit margins on shipping prices on the order of 50 to 60 percent.37 The loss of investment in the United States, as U.S. multinational corporations have substituted production overseas, coupled with the growth of foreign profits of U.S. mega firms, has further increased the free cash at the disposal of corporations (even with a growing deficit in the current account), thereby intensifying the all-around contradictions of over-accumulation, stagnation, and financialisation in the U.S. economy. Much of this free cash is parked in tax havens overseas to escape U.S. taxes.38

#### 6. Reject all their ev to the contrary—psychological biases and it’s colonialist.

Sideeq Mohammed, 21 (Kent Business School, The University of Kent, Canterbury UK “Stories and Organization in the Anthropocene” Preface pp viii-X Published 08-31-2021; Accessed 10-30-2021; Wally)

Yet other storying is woven into this deterministic new “grand narrative”. There are those who tell the story that our current ways of life can continue forever without abatement or alteration. Building robust identity politics out of climate change denial, the “cool dudes” (see McCright PREFACE: STORIES THAT WRITE THEMSELVES ix & Dunlap, 2011) who are proud consumers of meat, single-use plastics, and fossil fuels are dwindling in number as a new story is emerging, one that sees the anthropocene as an uncharted new territory for capitalist innovation and creativity. For some, like then governor of the Bank of England, Mark Carney, the anthropocene represents a “huge opportunity” for those firms willing to manage their risks correctly and take the necessary steps to adapt and innovate. Speaking in an interview in 2019, he described what seemed to be the feelings of a distended mass of people with private wealth interests who believe that “capitalism is part of the solution and part of what we need to do” in our fight against a changing climate (Busby, 2019). Indeed, Capital is already creating an extensive array of strategies for continuing to grow and proliferate well into the future. Turning fish scales into bioplastics, recycling concrete, cars that run on coffee grounds or other food waste, bacteria that can survive by eating plastics in the water supply, robotic bees to pollinate flowers, new more efficient decarbonization systems, and all other varieties of “environmentally friendly” technologies are the site of a new gold rush, with a generation of eager new entrepreneurs, inventors, and scientists, who have internalized what some might term the neoliberal story of individual success through hard-work and ingenuity, are racing to produce the next big paradigm-altering, wealth-generating innovation. The story here is inherently multiple, a reversible figure which can be seen as either attempts to green capitalism and render it sustainable in order to save the human race from ecological collapse or as blatant and transparent profiteering off of the crises and challenges of the anthropocene. Is it a rabbit or a duck? Is it both at once if we squint our eyes? Are we trying to “save the planet” or turn the global economy into a glorified pyramid scheme with green optics? This tension is never more transparent than when fossil fuel companies like BP produce grandiose and green end of year reports which speak about the extensive and continued work that they are doing to reduce their own carbon footprints and transition to renewable sources of energy like wind and solar (see BP, 2019). Make no mistake, this is Capital’s survival instinct awakening, realizing that it faces the threat of decreased growth and profits, and reaching out to capture and commodify new territories. The warped story or heroic-fantasy that “the market” cum messiah will arrive with some new innovation, usually through the vessel of some Elon Musk-esque entrepreneur, in order to save us from the destruction of the anthropocene, is deeply embedded into the fabric of our collective unconscious. Yet this story is demonstrably fallacious. In An inconvenient truth: how organizations translate climate change into business as usual, Christopher Wright and Daniel Nyberg (2017) draw on a ten-year case study of Australian organizations in order to tell us bluntly that the contemporary corporation cannot be a “leader” when it comes to climate change and finding new modes of living in the anthropocene. Organizations consistently prioritize short-term profits over long-term social welfare and discount the idea of responding to climate change if it means curtailing growth. Consequently, their responses to the anthropocene will always seek to deploy placatory branding and conciliatory policy: trying to improve energy efficiency, reduce waste and recycle, reduce carbon emissions, develop new more sustainable products, manage their supply chains to have reduced environmental impact, participate in State attempts at regulation through reporting emissions, advocacy, lobbying, and so on. All of these adaptations are best described as attempts to secure some kind of social, political or market advantage—which is to say that in every case, contemporary organizations seek to preserve the very logics of capitalist production which are implicated in ecological crisis. Indeed, pressure from consumers, lobbying groups, and many State and international bodies means that the majority of large organizations now adopt at least the pretence of environmentalism in order to secure future revenue streams. This is why Wright and Nyberg suggest that only systematic intervention by a State or other authority can coerce firms to acting in ways that do not only serve their best interests—they are all too aware that the anthropocene is a new territory to be colonized by the eager and insightful lust of Capital. Rather than scuppering or stymying it in any way, the anthropocene, as Žižek (2010) once intimated, may well champion Capital to new and greater successes.

#### 7. Profit stifles innovation—property rights, no incentive for R&D

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

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

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

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

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

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

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

#### Also causes Inequality, work times, fear of shareholder suits—zeros sustainability

Bee 20 [Vanessa A. Bee. Senior Litigation Counsel at the Consumer Financial Protection Bureau with a JD from Harvard Law. Would We Have Already Had a COVID-19 Vaccine Under Socialism?. No Publication. 4-20-2020. https://inthesetimes.com/features/covid-19-coronavirus-vaccine-capitalism-socialism-innovation.html]

STIFLING WORKERS, STIFLING CREATIVITY

Many of the most sophisticated innovations of our time, from groundbreaking drugs to smart car technology, have depended on a deep pool of creative labor. But the idea that capitalism allows the bestsuited workers to join that pool is wishful thinking. As journalist Chris Hayes writes in Twilight of the Elites: America After Meritocracy, meritocracy “can only truly come to flower in a society that starts out with a relatively high degree of equality.” From 1979 to 2015, the annual average household income of the top 1% grew five times faster than that of the bottom 90th percentile. The reality is that deep inequalities in how this country’s wealth is distributed make meritocracy all but a myth. Some people can afford to attend college and access spaces where discovery is encouraged, moving into a “creative pipeline,” while their poorer peers go right into the workforce or juggle demanding classes with work schedules. While some with great innate talent for innovation end up in these coveted creative jobs, many more—poor and workingclass—are pushed by financial necessity into positions mismatched to their potential.

In theory, one doesn’t need a creative-focused job to innovate. But creativity requires a certain freedom— an ability to “waste” time, to work nonlinearly, to experiment and repeatedly fail. Capitalism’s constant dictate to maximize productivity leaves people with little time to spare, at work or at home—especially in poor and working-class households: The bottom fifth of earners have seen their work hours increase by 24.3% since 1979, compared to 3.6% for the top fifth.

Being in a more precarious financial position, or in a job with little security, also discourages workers from taking risks, even when the risks might lead to innovation. The precarity makes it difficult to approach one’s supervisors and ask for sick days, let alone personal time to go down rabbit holes. It makes it frightening to change fields or spend money on any project that might result in even more precarity.

Notably, the corporate structure itself has been known to stifle creation. Many corporate firms are under the effective control of shareholders, to whom managers owe a fiduciary duty to maximize profits. Shareholders who believe this duty has been breached typically have the right to sue the corporation. While this power can be used for the greater good—note how Tesla was sued by shareholders in response to its poor safety record—it also opens the door to shortsighted shareholders. One DuPont shareholder, for example, demanded the chemical company “not invest a single dollar in research that will not generate a positive return within f ive years.” What’s more, according to a 2017 working paper by the Institute for New Economic Thinking, “Many of America’s largest corporations, Pfizer and Merck among them, routinely distribute more than 100% of profits to shareholders, generating the extra cash by reducing reserves, selling off assets, taking on debt or laying off employees.”

Even the most creative of workers who make it into innovative roles in the private sector may find themselves starved of resources. As professors Chen Lin and Sibo Liu of the University of Hong Kong, and Gustavo Manso of the University of California, Berkeley, explain in a 2018 study, the threat of shareholder litigation generally discourages managers from “experimenting [with] new ideas,” which acts as an “uncontrolled tax on innovation.”

#### BUT red innovation solves climate via mutual funds, dividends, public projects, larger and more creative workforce

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

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

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

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

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

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

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

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

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

#### Empirics and theoretical models show that it’s successful.

Lijster, 21

(Thijs, Ph.D. in Philosophy, University of Groningen, “The commons versus capitalism”, Eurozine, 07/29/2021, https://www.eurozine.com/the-commons-versus-capitalism/)\\JM

Since the beginning of the twenty-first century, the concept of the ‘commons’ has steadily ascended in significance in activist circles, scientific literature and in fields ranging from political philosophy and economics to jurisprudence and cultural theory. Traditionally, the commons were the natural resources that belonged to no one, which everyone could use: the forests where wood was gathered, the fields where cattle grazed or the wells where clean water could be drawn. According to current economic and political theory, over the course of capitalism’s emergence and ascent during the fifteenth to nineteenth centuries, these commons were gradually expropriated and turned into private property – the so-called ‘enclosure of the commons’. Theorists now seem to agree that this was not a one-time transition but an ongoing movement. Indeed, new commons are being created that are also in danger of being expropriated or destroyed today. In 2001 Naomi Klein wrote Reclaiming the commons, a short essay in which she mentions the anti or alter-globalization movement in the same breath as environmental movements, urban activists and labour movements, all of which she says were part of a growing resistance to increasing expropriation, privatization, ‘public’ resources and services.1 In 2009 the Nobel Prize for Economic Sciences went to American economist Elinor Ostrom, author of Governing the Commons.2 In it she debunks ecologist Garrett Hardin’s ‘tragedy of the commons’, derived from his 1968 article of the same title, which suggests a shared piece of land would quickly be depleted by farmers grazing more livestock there out of self-interest.3 Ostrom used historical sources and theoretical models to show that the commons could actually work. She asserted that collectively-managed pastures, forests, water supplies and fishing waters had worked well for centuries without state intervention or individual claims to ownership. While Klein and Ostrom wrote predominantly about existing commons and their expropriation, the concept also turns out to be applicable to all kinds of new forms of communal ownership and management, especially in the digital sphere and ‘man-made’ commons such as knowledge, culture, information and communication. Wikipedia, the encyclopaedia that is not only openly accessible and ad free but can also be added to and edited by anyone, is a prime example of this type of digital commons. Indeed, the American legal scientist Lawrence Lessig founded the Creative Commons license in 2001, providing a counterweight to the growing control of private companies over the circulation of knowledge and creativity. Since then, the concept has been researched and applied in all kinds of spheres. Urban geographers speak of ‘urban commons’, the scientific world is already being described as a ‘knowledge commons’, the Internet has ‘digital commons’ and cultural heritage ‘cultural commons’. Everything seems to be a ‘commons’ or could be described as such. Policymakers were soon eager to claim the term for themselves as well, becoming trendy in cultural memorandums. The one-time Dutch Minister of Education, Culture and Science Jet Bussemaker described education as a ‘commons’ in a 2017 speech. When Leeuwarden was European Capital of Culture in 2018, the theme was ‘community’. An elite university in the US, which charges fifty thousand dollars in tuition fees, calls the university’s library an ‘information commons’. And how could it be otherwise, when even a hip restaurant chain called The Commons claims ‘to bring people together from around the globe, to share stories, experiences and discover the beautiful things they have in common’. In short, the attention the commons has received is accompanied by a confusion of concepts, whereby the critical power of the commons is in danger of disappearing. When, or why, is something a commons? What is the difference between the ‘communal’ and the ‘public’, and how does it relate to capitalism? Two recent books attempt to answer these questions. A Common revolution Philosopher Pierre Dardot and sociologist Christian Laval’s Common: On Revolution in the 21st Century is an in-depth work4, in which the authors go back to the root of the concept in Roman law. They then enter into dialogue with virtually all thinkers and scientists who have made a relevant contribution to the discussion about the commons: from ancient and medieval philosophers such as Aristotle and Thomas Aquinas, via early modern thinkers such as Hugo de Groot and John Locke and thinkers in the socialist and anarchist tradition, such as Karl Marx and Pierre-Joseph Proudhon, to contemporary theorists such as Ostrom and Klein, Michael Hardt and Antonio Negri, and Jean-Luc Nancy and Roberto Esposito. Dardot and Laval’s preference for identifying a ‘common’ in the singular rather than plural form is already evident from the title of their book. They do not perceive ‘the common’ so much as an object or good but first and foremost as a political principle. In their introduction they write: If “the commune” is used to name a specific local, self-governing polity, and the “commons” is the name given to a diverse array of objects or resources managed by the activities of individuals and collectives, “common” is more properly the name of the principle that both animates and guides this activity. The reasons for the focus on the singular ‘common’ are both conceptual and political-strategic in nature. Dardot and Laval first want to avoid the long-running discussion about what kind of objects or goods are ‘commons’ or could be. They circumvent the question of whether there is a connection between certain natural properties of things and the degree to which they became public or private property. For example, it was long thought that water and air are common goods because they are inexhaustible and unlimited. According to Hugo de Groot, water could only become private property once it was in a specific container; indeed, anyone who has ever been puzzled by bottled mineral water now knows who to blame. Now we know how to organize price tags on nature: a vibrant global emissions rights trading system has emerged, which is essentially horse-trading for clean air. Multinationals like Nestlé and Coca-Cola are making billions from drinking water, which is quickly becoming the new oil. The Space Act, a law passed by the US Congress in 2015, has even made it possible to privatize asteroids and celestial bodies. Opposed to any form of naturalism or essentialism, Dardot and Laval argue that there are no essential properties which exclude or impose their common use and management; for them, any demarcation between ‘the common’ and private or state property is purely a legal matter. They argue that the legal standard is based on nothing more than a shared practice. With this last point, they are opposed not only to a naturalistic tradition but also, for that matter, to the discourse of Klein and others who speak of ‘reclaiming’ the ‘expropriated’ commons. After all, these terms imply that certain ‘goods’ (land, water, etc.) were once owned by something or someone else – namely, an original community – and ‘in essence’ belong to the community. Not only does such a perception of the commons adhere to the idea that property is more fundamental than a practice but it also suggests something reactive, if not even romantic, about it. It implies a harmonious state of nature and a rosy picture of an original community that never existed, not least because such original communities were often organized according to a patriarchal system and, therefore, by no means deserve to be romanticized. Karl Marx, of course, already recognized this. For him, ‘communism’ was not something archaic but, on the contrary, something modern. Capitalism’s expropriation of the commons was a necessary step towards communism for Marx. The former would create the conditions for production’s centralization, which the proletariat could then overpower in what Marx called, in Hegelian manner, the ‘negation of the negation’. Nevertheless, Dardot and Laval are not Marxists for several reasons. For them, Marx failed to recognize that the common is just as dependent on communal decision-making as it is in the case of common property, because of his emphasis on its economic ‘basis’. As a result, according to Dardot and Laval, every centrally organized form of state communism is hostile to the principle of the common. They have no illusions about the countries considered communist during the twentieth century – some of which still are to this day – and refer to them as ‘terrorist’ and ‘reactionary, bureaucratic police states’. Dardot and Laval also refute Marx for his aforementioned view of the common as a necessary historical product of capitalism. A contemporary variant of this, though perhaps a little less deterministic, can be found in Michael Hardt and Antonio Negri’s Empire Trilogy.5The authors of Empire, Multitude and Commonwealth argue that capitalist production is becoming ‘immaterial’, or rather in their terms ‘biopolitical’, based on knowledge, information and affects known as ‘human capital’ in neoliberal jargon. As such production processes are based on circulation and collective organization, the development of capitalist production creates a form of communism as a matter of course. Quoting Marx and Engels, Hardt and Negri argue in Commonwealth that capitalism, therefore, gives birth to its own gravediggers. While Dardot and Laval recognize Hardt and Negri’s understanding of ‘the common’, they are not very fond of this sort of optimism. Understanding the common as a political principle suggests that it cannot just arise from production processes alone but must also be the beginning and outcome of a political struggle. And their concept of ‘the common’ is ultimately legal: it does not describe what is but what should be. However, this shifts the problem elsewhere. The question of what the basis for laws and legal standards is ultimately leads Dardot and Laval to a fundamental paradox of philosophy, namely that laws and rules are based on collective practices and customs, which are in turn guided by laws and rules. Instead of solving this paradox, they decide to embrace it through the use of the term ‘instituent praxis’: ‘this is why the activity of instituting the common can only be done in common, such that the common is both a qualitative form of human activity and the result of this activity itself’. Following in the footsteps of philosopher Cornelius Castoriadis, they view an institution as something that always has an imaginary dimension, which offers the possibility of seeing something as different from what it is. Political-emancipatory praxis, therefore, presupposes the creation of new and different institutions, which will in turn be able to guide the collective imagination – that which we think is possible, desirable or necessary. Dardot and Laval’s position could be called anarchist, in the literal sense that their politics is groundless (an-arche, without grounds or origin). Indeed, they seem to veer towards Proudhon, the patriarch of anarchism, rather than Marx. However, in attaching importance to institutions, they do not reject all forms of authority or the exercise of power. The authors present nine ‘political propositions’ that should guide ‘revolution in the twenty-first century’, which serve as the subtitle of their book, one that should free us from the rule of state or market that has characterized the twentieth century. They ultimately arrive at a political panorama that they call a ‘federation of commons’, an alliance of autonomous, democratically-organized communities. This is somewhat reminiscent of Hannah Arendt’s ‘council republic’, with the significant difference being that Arendt always assumed a strict distinction between political and socio-economic spheres. According to Dardot and Laval, we cannot make such a distinction; if we are to take ‘the common’ seriously, not only political governance but also the sphere of production must be organized according to democratic values. Political centralization and economic competition have always characterized modern states. Dardot and Laval want to reverse both principles and replace them with ‘municipal autonomy’ and ‘economic solidarity’. One criticism of the book is that it almost never gets concrete. This may not be entirely attributable to the authors, as the ‘federation of commons’ about which they write is historically unprecedented and is precisely an attempt to think of a radically different organization of society. Nevertheless, in a study that places so much emphasis on human activity as the basis of ‘the common’, you would expect a little more analysis of this endeavour. The potential for this has already been proven not only in earlier studies by the aforementioned Elinor Ostrom but also in more recent work by Massimo De Angelis, Stavros Stavrides and Silvia Federici. Reproductive labour In the 1970s the Italian-American Silvia Federici co-founded the International Feminist Collective and the Wages for Housework movement. In this capacity, she focused on what is referred to in Marxist jargon as ‘reproductive labour’, that is to say, the forms of labour necessary to enable ‘productive labour’: namely, the production of goods and services, for which women were traditionally responsible – think caring for children and the elderly, domestic work such as cooking, washing and cleaning, and the literal reproduction of ‘workers’ through procreation. These are all forms of ‘labour’ that capitalism strongly depends on but which are not recognized as labour, because they belong to the private sphere and, therefore, not to what we normally call ‘the economy’. For a long time, workers’ and socialist movements also failed to see that the oppression and exploitation of the worker in the factory was inherently linked to the oppression and exploitation of women in the household. Thus, the wage claim for domestic labour forces us not only to recognize the equality and parity of men and women but also to question our assumptions about concepts such as ‘labour’ and ‘productivity’. Federici’s Caliban and the Witch is a historical-philosophical study in which she shows that the birth of capitalism was accompanied by increasing oppression and exercise of power over the bodies of women, which resulted, among other things, in the large-scale witch persecutions of the early modern period.6 Reenchanting the World: Feminism and the politics of the commons is a collection of Federici’s previously published essays and chapters.7 The first three pieces are from a 1990 publication on ‘new enclosures’ by the Midnight Notes Collective. All of the other texts were published after 2010. This shows just how long Federici has been working on this subject – even before it became ‘hip’ – but also makes the whole less cohesive than previous work. Conceptually and philosophically, the book doesn’t meet the thoroughness of Dardot and Laval. Nevertheless, it is a very welcome addition to the debate and literature on the commons in two respects: firstly, due to the feminist and anti or post-colonial perspective Federici brings; and, secondly, for the many concrete examples that she cites. With regard to the former, it may not be appropriate to speak of a ‘feminist perspective’ in the commons, because, as Federici makes clear, the concept of the commons naturally implies, or should imply, such a perspective. The commons have traditionally been the domain of reproduction and are fundamentally in the service of the preservation of life. Therefore, a strong connection exists between woman as the ‘primary subject of reproductive labour’ and the commons; women have historically always been the most dependent on the commons and have suffered the most from their expropriation from it. In Caliban and the Witch, Federici understands even the woman’s body itself as a ‘commons’ that was expropriated for the production of workers; hence, the strict prohibition on abortion, and the ideal image of woman as a chaste and submissive mother and housewife. Numerous examples in the book show that such expropriation practices are still the order of the day, especially from Asia, South America and Africa; Federici was a professor in Nigeria for many years. She is very critical of the micro-credit system that the World Bank has promoted as a motor of both economic development and women’s emancipation. She shows how microcredit not only introduces an economic logic – of ‘investing in entrepreneurship’ – which in practice often has a harmful effect on the commons, but also how the inability to repay debts, whatever the circumstances, is often used to publicly shame and exclude women, like a new witch hunt. It is not without reason that anti-debt movements have already emerged in several African countries. Due to her focus on reproductive labour, Federici is less hopeful or enthusiastic about what has been referred to as the post-work society, a techno-utopianism that has its origins in Marx, and which we later find with Italian post-operaismo thinkers such as Antonio Negri, or contemporary theorists such as Paul Mason and Aaron Bastani. For example, in Fully Automated Luxury Communism, Bastani sketches a ‘paradisiacal’ world of red plenty, one in which robots have taken over our work, electric vehicles transport us around the world, asteroid mines and solar parks provide us with raw materials and energy, and we consume cultured meat burgers and synthetic wine.8 The male blind spot in such theories or visions of the future is unmistakable: the work that is automated is almost always without exception productive factory labour and not that of reproduction. For this reason, Federici writes in her title essay: But how can we mechanize washing, cuddling, consoling, dressing, and feeding a child, providing sexual services, or assisting those who are ill or the elderly and not self-sufficient? … But even assuming that we could afford such devices, we must wonder at what emotional cost we would introduce them in our homes in replacement of living labour.9 The thought may then occur that household tasks are more evenly distributed through the automation of labour, or that a lot of housework can also be mechanized, but the histories of the vacuum cleaner or the washing machine tell a different story. The perspective of the commons is suitable here as well: based on western ‘modernization’ discourse with reference to Max Weber’s ‘disenchantment’, the commons and reproductive labour are either viewed as something unimportant that we can ignore, or something primitive and backward that we must transcend. Both capitalists and post-work Marxists are trapped in this narrative. The concept of the commons that Federici uses is in many ways similar to that of Dardot and Laval. Like the French duo, she emphasizes that thinking about the commons shouldn’t be understood as ‘defensive’, as a return to earlier, better times. The commons are not something of the past but of all times; if humanity is to survive, the commons must also belong to the future. This also shows that thinking in terms of the commons is not necessarily anti-capitalist. Ostrom, for example, was a proper liberal, certainly not an anti-capitalist. Capitalism constantly makes use of the commons, taking advantage of a ‘commons-fix’10 to address its crises. Think of the dependence of capitalist production on reproductive labour, for example. In our supposedly emancipated West, this dependent relationship has only shifted: American families in which both men and women have full-time jobs often rely on cheap care work from Filipino nannies, who in turn domestically outsource the care of their children to grandmothers. The World Bank’s use of the term ‘global commons’ is another example of a capitalist encapsulation of the concept, which refers to, among other things, oceans, the atmosphere and tropical rainforests. Officially, the preservation of these commons is the goal, but, in practice, it enables the management and distribution of raw materials among powerful and wealthy states, as exemplified by emissions trading. This is exactly why precise use of the concept is so important, argues Federici. ‘No commons without community’ is the banner-ready slogan she writes several times. In line with Dardot and Laval, Federici believes that commons shouldn’t be understood as things but as social relationships: commons include collective decision-making processes, social partnerships, and mutual responsibility relationships based on the resources that are shared and managed. In the case of the so-called ‘global commons’, there is no talk of this kind of global social organization. In fact, under the banner of ‘conservation’, native populations of rainforests and other ‘nature reserves’ are being dispossessed and expelled, replaced by eco-tourists and wealthy investors. The commons and the state The concept of the common (or the commons) proves useful when criticizing and analysing such developments. Federici writes with a sharp pen about the struggle for land in Latin America and Africa, about housing shortages in China and the illegal soup kitchens that arose after the fall of Salvador Allende in Chile. Federici, Dardot and Laval provide ‘the common’ with a lens through which we can connect various forms of social, political and cultural struggle. Simultaneously, the authors arm us against the false romanticization of community, or the encapsulation of the commons in trendy policy, or in the so-called ‘sharing economy’, behind which companies such as Uber and Airbnb have successfully managed to conceal their exploitative practices.

#### Err neg on questions of solvency – neoliberalism preconditions bias against alternative political possibilities

Srnicek, 15

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If our era is dominated by one hegemonic ideology, it is that of neoliberalism. It is widely assumed that the most effective away to produce and distribute goods and services is by allowing instrumentally rational individuals to exchange via the market. State regulations and national industries are, by contrast, seen as distortions and inefficiencies holding back the productive dynamics inherent to free markets. Today, this vision of how economies should operate is what both its critics and proponents take as a baseline. Neoliberalism sets the agenda for what is realistic, necessary and possible. While the economic crisis of 2008 has upset the blind belief in neoliberalism, it nevertheless remains an entrenched part of our worldview – so much so that it is difficult even for its critics to picture coherent alternatives. Yet this ideology of neoliberalism did not emerge fully formed from the minds of Milton Friedman or Friedrich Hayek, or even the Chicago School, and its global hegemony did not arise inevitably from capitalism’s logic.

In its origins, neoliberalism was a fringe theory. Its adherents found it difficult to gain employment, were often untenured, and were mocked by the Keynesian mainstream.1 Neoliberalism was far from being the worlddominating ideology it would eventually become. The question this chapter will focus on is: How did a small band of neoliberals manage to reshape the world so radically? Neoliberalism was never a given, never a necessary endpoint of capitalist accumulation. Rather, it was a political project from the beginning, and a massively successful one in the end. It succeeded by skilfully constructing an ideology and the infrastructure to support it, and by operating in a non–folk-political manner. This chapter aims to show that neoliberalism functioned as an expansive universal ideology. From humble beginnings, the universalising logic of neoliberalism made it capable of spreading across the world, infiltrating the media, the academy, the policy world, education, labour practices, and the affects, feelings and identities of everyday people. This chapter therefore focuses primarily on how neoliberal hegemony was constructed, rather than on the specific content of neoliberalism. What is of greatest interest is how it was able to transform the ideological and material fabric of global society.

What standard histories of neoliberalism often neglect is the ways in which the main components of this ideological architecture were systematically and painstakingly set in place in the decades prior to the 1970s.2 It is in this prehistory of the neoliberal era that we can discern an alternative mode of political action – one that evades the limits of folk politics. This is not to say that this prehistory provides a model for any future leftist programme simply to copy; rather, it is an instructive case study in how the right was able to move beyond folk politics and create a new hegemony. The history of neoliberalism has been one of contingencies, struggle, concentrated action, patience and grand-scale strategic thinking. It has been a flexible idea, actualised in various ways according to the specific circumstances it encountered: from Germany in the 1940s, Chile in the 1970s and the UK in the 1980s, to post-Hussein Iraq in the 2000s. This versatility has made neoliberalism a sometimes contradictory project, but one that succeeds precisely by transforming these contradictions into productive tensions.3

These tensions and variations have led some to believe that the term ‘neoliberalism’ is meaningless and should be relegated to polemics. But the term has some validity, even if it is often used loosely. In popular perception, neoliberalism is usually identified with a glorification of free markets – a position that also entails a commitment to free trade, private property rights and the free movement of capital. Defining neoliberalism as the veneration of free markets is problematic, however, because many ostensibly neoliberal states do not adhere to free-market policies. Others have argued that neoliberalism is predicated upon instilling competition wherever possible.4 This makes sense of the drive towards privatisation, but it fails to explain the debates within neoliberalism about whether competition is an ultimate good or not.5 Some take into account these tensions within neoliberalism and recognise it as the political, rather than economic, project of a particular class.6 There is certainly some truth to this claim, but, taken at face value, it cannot explain why neoliberal ideology was rejected for so long by the capitalist classes that purportedly benefit from it.

Our view is that, contrary to its popular presentation, neoliberalism differs from classical liberalism in ascribing a significant role to the state.7 A major task of neoliberalism has therefore been to take control of the state and repurpose it.8 Whereas classical liberalism advocated respect for a naturalised sphere supposedly beyond state control (the natural laws of man and the market), neoliberals understand that markets are not ‘natural’.9 Markets do not spontaneously emerge as the state backs away, but must instead be consciously constructed, sometimes from the ground up.10 For instance, there is no natural market for the commons (water, fresh air, land), or for healthcare, or for education.11 These and other markets must be built through an elaborate array of material, technical and legal constructs. Carbon markets required years to be built;12 volatility markets exist in large part as a function of abstract financial models;13 and even the most basic markets require intricate design.14 Under neoliberalism, the state therefore takes on a significant role in creating ‘natural’ markets. The state also has an important role in sustaining these markets – neoliberalism demands that the state defend property rights, enforce contracts, impose anti-trust laws, repress social dissent and maintain price stability at all costs. This latter demand, in particular, has greatly expanded in the wake of the 2008 crisis into the full-spectrum management of monetary issues through central banks. We therefore make a grave mistake if we think the neoliberal state is intended simply to step back from markets. The unprecedented interventions by central banks into financial markets are symptomatic not of the neoliberal state’s collapse, but of its central function: to create and sustain markets at all costs.15 Yet it has been an arduous and winding path from neoliberalism’s origins to the present, in which its ideas hold sway over those injecting trillions of dollars into the market.

THE NEOLIBERAL THOUGHT COLLECTIVE

The origins of neoliberalism are disparate, both geographically and intellectually. Elements of what would become the neoliberal project can be found in 1920s Vienna, 1930s Chicago and London, and 1930s and 1940s Germany. Throughout these decades, national movements worked on the margins of academia to maintain liberal ideas. It was not until 1938 that these independent movements were to gain their first transnational organisation, resulting from the Walter Lippmann Colloquium held in Paris just before the eruption of World War II. For the first time, this event brought together the classical liberal theorists, the new German ordoliberals, the British LSE liberals, and Austrian economists such as Friedrich Hayek and Ludwig von Mises. It focused on the historical ebbing of classical liberalism in the face of rising collectivism, and it was here that the first steps were made in consolidating a group of new liberal thinkers. Out of this event a new organisation – Centre International d’Études pour la Rénovation du Libéralisme – arose with the explicit aim of developing and spreading a new liberalism. The outbreak of World War II quickly put an end to the ambitious aims of this organisation, but the network of people involved would continue to work towards developing a neoliberalism. The seeds of the global neoliberal infrastructure had been planted.

It was an idea of Hayek’s that ultimately mobilised this infrastructure into a ‘neoliberal thought collective’ and inaugurated the slow rise of the new hegemony. 16 Since the Walter Lippmann Colloquium had been buried in the onslaught of World War II, the transnational infrastructure of an incipient neoliberalism had to be reconstructed. A chance meeting with a Swiss businessman in 1945 gave Hayek the financial means to put his ideas into action.17 Thus was born the Mont Pelerin Society (MPS): a closed intellectual network that provided the basic ideological infrastructure for neoliberalism to ferment.18 It is no exaggeration to say that almost all of the important figures in the postwar creation of neoliberalism were in attendance at its first meeting in 1947, including the Austrian economists, the UK liberals, the Chicago School, the German ordoliberals and a French contingent.19

From its beginnings, the MPS was consciously focused on changing political common sense and sought to develop a liberal utopia.20 It explicitly understood that this intellectual framework would then be actively filtered down through think tanks, universities and policy documents, in order to institutionalise and eventually monopolise the ideological terrain.21 In a letter to those he had invited, Hayek wrote that the purpose of the MPS was to enlist the support of the best minds in formulating a programme which has a chance of gaining general support. Our effort therefore differs from any political task in that it must be essentially a long-run effort, concerned not so much with what would be immediately practicable, but with the beliefs which must gain ascendance if the dangers are to be averted which at the moment threaten individual freedom.22 The Society thus made a ‘commitment to a long-run war of position in the “battle of ideas” … Privatized, strategic, elite deliberation was therefore established as the modus operandi.’23 Opening the ten-day event, Hayek diagnosed the problem of the new liberals: a lack of alternatives to the existing (Keynesian) order. There was no ‘consistent philosophy of the opposition groups’ and no ‘real programme’ for change.24 As a result of this diagnosis, Hayek defined the central goal of the MPS as changing elite opinion in order to establish the parameters within which public opinion could then be formed. Contrary to a common assumption, capitalists did not initially see neoliberalism as being in their interests. A major task of the MPS was therefore to educate capitalists as to why they should become neoliberals.25 In order to achieve these goals, the vision of effective action was one of operating on the invisible framework of political common sense that was formed by the ideas circulating in elite networks. From its origins, the MPS eschewed folk politics by working with a global horizon, by working abstractly (outside the parameters of existing possibilities) and by formulating a clear strategic conception of the terrain to be occupied – namely, elite opinion – in order to change political common sense.

Behind this set of goals there lay a consistent but highly flexible account of what was new about neoliberalism. Divisions arose, in particular, over the role of the state in maintaining a competitive order; some argued that intervention was necessary to sustain competition, and others that intervention was the source of monopolies and centralisation.26 There were less divisive arguments over other particular policy positions, indicating that this was far from a homogeneous or unified group. In many ways, the common element was simply the social network itself, with its commitment to building a new liberalism.27 Yet this inbuilt plurality allowed neoliberalism to foster and mutate as it spread around the world, giving it hegemonic strength in its adaptations to the particularity of each space.28 Its flexibility as an ideology allowed it to excel in carrying out its hegemonic function of incorporating different groups into an overarching consensus.29

These debates also extended to questions of strategy. Many members and financiers of Mont Pelerin were impatient with Hayek’s long-term approach and wanted to start producing books and other publications immediately, in order to influence the public.30 In the midst of Keynesian dominance, stable growth and low unemployment, Hayek keenly recognized the unlikelihood of changing public opinion. The Society’s strategy was self-consciously long- term, and Hayek’s view eventually won out within its meetings. Outside these meetings, the networks surrounding the MPS began actively to construct an extensive transnational infrastructure of ideological diffusion. Hayek had been planning since at least the mid 1940s to establish a system of think tanks propounding neoliberal ideas, while at the same time working to place Society members in government positions (a strategy that eventually produced three heads of state and a large number of cabinet ministers).31 It was the 1950s, in particular, that saw the proliferation of think tanks allied to the Society, and the subsequent diffusion of neoliberal ideas into the academic and policy worlds.

In the UK, the aims of the MPS were pursued by a network of think tanks and other organisations, such as the Institute of Economic Affairs, the Adam Smith Institute, the Centre for Policy Studies, and an array of smaller groups. Members of the MPS were to enter into US politics, first via think tanks like the American Enterprise Institute, and then through more formal positions such as Milton Friedman’s role as economic advisor to Barry Goldwater in his presidential run. Yet it was in Germany that neoliberalism would first achieve both organisational and policy success.

NOT SO TENTATIVE STEPS

In the wake of World War II, the world was primed for significant changes in economic ideas. Yet it was Germany that faced a unique set of economic difficulties – both the well-known hyperinflation problems of the Weimar Republic and the arduous post–World War II reconstruction effort. While most of the world adopted Keynesian policies, Germany took a different pathway, guided by some of the same neoliberals who had convened at the Walter Lippmann Colloquium. Given the utter collapse of the German state, the problem facing postwar reconstruction planners was how to reconstitute the state – specifically, how to produce legitimacy without having a functional state infrastructure already in place. The answer was found in the ideas propounded by the early ordoliberals: establish a space of economic freedom. This in turn generated a web of connections between individuals which produced the legitimacy of a nascent postwar German state. Rather than a legal legitimacy, the state was seen to derive its legitimacy from a well-functioning economy. 32 It was this idea that would provide the grounding for neoliberalism’s first policy experiments.

Following World War II, the ordoliberals began to move into government positions and implement their ideas, establishing the material and institutional foothold from which to shape economic ideology. The first, and perhaps most historically significant position, was the appointment of Ludwig Erhard to the directorate of economics in the postwar administrative zone of the British and US militaries. With the support of a fellow ordoliberal, Wilhelm Röpke, Erhard simultaneously eliminated all existing price and wage controls, and drastically cut income and capital taxes. This was a radical deregulatory move, and one that compelled the Soviet Union to establish a blockade on Berlin and inaugurate the Cold War. 33 In the decades that followed, ordoliberals would come increasingly to populate significant positions in the German Ministry of Economics, with Erhard himself becoming Chancellor in 1963. But despite their intentions, the ordoliberals lacked a principled distinction between legitimate and illegitimate government interventions – an ambiguity which facilitated the German economy’s transformation into increasingly Keynesian forms. Interventions to maintain competition shaded into interventions to provide welfare, and by the 1970s Germany had become a standard social democratic state. The difficulties encountered in the policy world did not stop neoliberalism from innovating on other terrains, though – in particular, the space of the so-called ‘second-hand dealers’ in ideas.

SECOND-HAND DEALERS

Neoliberals had long emphasised the importance of using a variety of venues to influence elites and construct a new common sense. In the postwar era, this approach spanned academia, the media and the policy world. But one of the primary innovations for neoliberal consolidation of the ideological sphere was the use of think tanks. While they had existed for over a hundred years, the extensive use made of them by the MPS was a novelty. It involved developing policy arguments, building policy solutions and homing in on economic culprits. An informal division of labour was established, with some think tanks focusing on the large philosophical ideas, targeting the very assumptions and rationale of the orthodox Keynesian position – this was the task adopted by the Manhattan Institute for Policy Research (MIPR) in the 1970s, for example – while others aimed to produce more immediate public policy proposals. These were explicit attempts to unhinge the dominant worldview in order to subsequently introduce specific policy solutions that were grounded upon the neoliberal view.

The figure of Antony Fisher was vital in the building of neoliberalism’s ideological hegemony. 34 One of the founders of the UK’s first neoliberal think tank – the Institute of Economic Affairs (IEA) – Fisher explicitly argued that the most difficult part of changing ideas lay not in their production, but in their diffusion. As a result of this belief, Fisher would be heavily involved in establishing conservative think tanks not only in the UK, but also in Canada (the Fraser Institute) and the United States (the MIPR). The IEA itself was focused on ‘those whom Hayek had called the “second-hand dealers” in ideas, the journalists, academics, writers, broadcasters, and teachers who dictate the long-term intellectual thinking of the nation’.35 The explicit intention was to change the ideological fabric of the British elite, infiltrating and subtly altering the terms of discourse. This also extended shrewdly to the mission of the IEA itself, which maintained a deceptive position on its own aims, presenting itself as an apolitical organisation focusing on research into markets in general.36 In line with this vision of ideological takeover, the IEA produced short pamphlets intended to be as accessible as possible to a mainstream audience.37 Moreover, these texts were written in a somewhat utopian fashion, without regard for whether a policy was capable of being implemented at that moment.38 The goal, as always, was the long-term redefinition of the possible.

Over the course of decades, these various interventions developed a wide-ranging neoliberal worldview. More than just single-issue responses to the fashionable problems of the day, what the IEA and its associates had constructed was a systematic and coherent economic perspective.39 Think tanks instilled this worldview by educating and socialising rising members of political parties. Numerous members of what would become Thatcher’s administration passed through the IEA during the 1960s and 1970s.40 The outcome of the IEA’s efforts was not only to subtly transform the economic discourse in Britain, but also to naturalise two particular policies: the necessity of attacking trade union power, and the imperative of monetary stability. The former would purportedly let markets freely adapt to changing economic circumstances, while the latter would provide the basic price stability needed for a healthy capitalist economy.

In the United States, too, think tanks and academic research groups were built to push for a broadly neoliberal agenda, the Heritage Foundation and the Hoover Institute being two of the most notable.41 The MIPR aimed to redefine political common sense by writing books on neoliberal economics that were intended for a popular audience, some of which eventually sold over 500,000 copies. Other books, such as Charles Murray’s Losing Ground, laid the foundations for the policy shift which today identifies welfare dependency rather than poverty itself as the central social problem. Numerous other widespread policy ideas, such as zero-tolerance policing and workfare, stemmed from the policy factory of the MIPR. Its books succeeded in their objective of changing the common sense of the political classes and the public. The think tank, as an organisational form, was so integral to neoliberalism’s ideological success that the very process of creating think tanks was itself institutionalised. The Atlas Economic Research Foundation, founded in 1981 by Fisher, declared as its explicit aim ‘to institutionalise this process of helping start up new think tanks’. Atlas today boasts of having helped create or connect over 400 neoliberal think tanks in more than eighty countries. The sheer scale of the neoliberal ideological infrastructure is made fully transparent here.

Beyond think tanks, a variety of other mechanisms were used to build up a hegemonic discourse. In working to install the Chicago brand of neoliberalism as the dominant alternative, Milton Friedman wrote extensive op-eds and newspaper columns, and made use of television interviews in a way that was unprecedented for an academic. Businesses funded projects to turn his work into popular television shows, taking the media terrain by storm. 42 These technological tools were the essential means he used to diffuse his economic vision to policymakers and the public. Newspapers such as the Wall Street Journal, Daily Telegraph and Financial Times paralleled this effort, shaping the public’s perspective by invoking neoliberal policies at every opportunity. 43 Business schools and management consultancies also began to adopt and spread neoliberal ideas about corporate forms, and the Chicago School became a global beacon of neoliberal thought.44 Such institutions were crucial for the spread of neoliberal hegemony, since they were often the training grounds of the global elite.45 Individuals would come to these neoliberal US schools and then return to their own countries with the neoliberal ideology inculcated in them. By the 1970s, therefore, a full-spectrum infrastructure had developed to promulgate neoliberal ideas. Think tanks and utopian proclamations organised long-term thinking; public-facing speeches, pamphlets and media efforts framed the general outlines of the neoliberal common sense; and politicians and policy proposals made tactical interventions into the political terrain.46 Yet, despite their increasingly hegemonic potential, a mere decade prior to the arrival in office of Thatcher and Reagan, Keynesianism still reflected the most widely accepted approach to organising states and markets. The ideas of this group of neoliberal intellectuals were still often seen as senseless throwbacks to the failed policies of the pre–Great Depression era. But this would all change by the 1980s – a decade that would leave Keynesianism in disarray and enshrine neoliberalism as the preeminent model for economic modernisation.

GRASPING THE WHEEL

Having made national inroads, neoliberalism first gained serious international prominence in the 1970s, as a response to the combined pressures of high unemployment and high inflation – both of which had originated in oil shocks, general commodity price rises, wage increases and the expansion of credit. The dominant Keynesian approach to the economy had argued that governments should stimulate the economy by putting money into it when unemployment was rising, but, when inflation was rising, take money out of the economy, to slow down price rises. In the 1970s, however, both problems arose simultaneously – rising inflation and rising unemployment, or ‘stagflation’. The traditional Keynesian policy solutions were incapable of dealing with this conjunction, thus seemingly dictating a turn to alternative theories. It is important to be clear that, at this point, multiple interpretations of the economic problem were possible. The production of inflation through wage rigidities and trade union power was not the only possible framing of the problem, and neoliberalism was not the only possible solution. Alternative interpretations were available, alternative answers possible; in the moment, no one knew what the way out would be.47 The neoliberal narrative of the crisis, for instance, plays down the role of banking deregulation by UK Chancellor Anthony Barber in the early 1970s and the breakdown of the Bretton Woods system. These deregulations sparked a surge in the monetary base and a subsequent surge in price inflation, and then wage inflation.48 In other words, an alternative narrative was possible in which the problem was not strong unions, but rather deregulated finance.

That the neoliberal story won out is in no small measure because of the ideological infrastructure that adherents to its ideas had constructed over decades. The neoliberals found themselves well placed, since they had routinely argued that inflation was a necessary outcome of the welfare state’s unwillingness to break wage and price rigidities. They had both a diagnosis of the problem and a solution. Government officials who were uncertain about what to do in the face of crisis found a plausible story in neoliberalism.49 It was thus the long-term construction of intellectual hegemony by the neoliberal thought collective that left them well positioned to leverage their ideas into power. 50 As Milton Friedman famously put it, ‘Only a crisis – actual or perceived – produces real change. When that crisis occurs, the actions that are taken depend on the ideas that are lying around. That, I believe, is our basic function: to develop alternatives to existing policies, to keep them alive and available until the politically impossible becomes the politically inevitable.’51 This programme spells out exactly what happened in the 1970s crisis. If alternative analyses of the crisis had been accepted, it would have entailed a policy response different from that of neoliberalism. Rather than attacking the power of labour, for example, politicians could have responded by re-regulating credit creation. In other words, neoliberalism was not a necessary outcome, but a political construction.52

While Keynesian approaches were eventually able to develop an explanation of stagflation, by then it was too late, and the neoliberal approach had taken over academic economics and the policy world. In short, neoliberalism had become hegemonic. The decade after 1979 saw Margaret Thatcher elected as the British prime minister, Paul Volcker appointed as chairman of the Federal Reserve, and Ronald Reagan elected president of the United States. The IMF and World Bank, facing identity crises after the breakdown of the Bretton Woods system, were rapidly infiltrated and converted into crucibles of the true neoliberal faith by the 1980s. France undertook a neoliberal turn during the Mitterrand administration in the early 1980s, and the major economies of Europe became bound by the neoliberal policies embodied in the constitution of the European Union. In the United States and UK, a wave of systematic attacks were launched against the power of labour. Piece by piece, trade unions were demolished and labour regulations dismantled. Capital controls were loosened, finance was deregulated, and the welfare state began to be scavenged for profitable parts.

Outside Europe and North America, neoliberalism had already been forced on Chile and Argentina in the aftermath of military coups in the 1970s. The developing world debt crisis of the 1980s acted as a key moment to break traditional proto-socialist hegemonies and institute a turn to neoliberalism across the world.53 Moreover, with the breakdown of the USSR, Eastern Europe saw a wave of neoliberalising trends that were spurred on by Western economic advisors. It is estimated that these privatising policies in former Soviet nations led to a million deaths, proving that privatisation could be just as deadly as collectivisation, and that the expansion of neoliberalism was a far from bloodless affair. 54 Misery, death and dictatorships lay in the wake of its advances across the globe. This was a normative regime that had forced itself into the everyday psychic and bodily reality of the world’s population. By the mid 1990s, with the collapse of the USSR, neoliberalism’s extension via IMF structural adjustment policies, its consolidation in the UK’s New Labour and Clinton’s US administration, and its ubiquity in the academic field of economics, neoliberalism had reached its hegemonic peak. The novel conjunctural moment of the 1970s was quickly forgotten by the public, and neoliberalism took on the universal and natural qualities that Thatcher’s doctrine of ‘there is no alternative’ had espoused. Neoliberalism had become a new common sense, accepted by every party in power. It mattered little whether the left or right won; neoliberalism had stacked the deck.

THE IMPOSSIBLE BECOMES INEVITABLE

As we have seen, neoliberalism propagated its ideology through a division of labour – academics shaping education, think tanks influencing policy, and popularisers manipulating the media. The inculcation of neoliberalism involved a full-spectrum project of constructing a hegemonic worldview. A new common sense was built that came to co-opt and eventually dominate the terminology of ‘modernity’ and ‘freedom’ – terminology that fifty years ago would have had very different connotations. Today, it is nearly impossible to speak these words without immediately invoking the precepts of neoliberal capitalism.

We all know today that ‘modernisation’ translates into job cuts, the slashing of welfare and the privatisation of government services. To modernise, today, simply means to neoliberalise. The term ‘freedom’ has suffered a similar fate, reduced to individual freedom, freedom from the state, and the freedom to choose between consumer goods. Liberal ideas of individual freedom played an important role in the ideological struggle with the USSR, priming the population of the Western world to mobilise behind any ideology that purported to value individual freedoms. With its emphasis on individual freedoms, neoliberalism was able to co-opt elements of movements organised around ‘libertarianism, identity politics, [and] multiculturalism’.55 Likewise, by emphasising freedom from the state, neoliberalism was able to appeal to anarcho-capitalists and the movements of desire that exploded in May 1968.56 Lastly, with the idea of freedom being limited to a freedom of the market, the ideology could co-opt consumerist desires. At the level of production, neoliberal freedom could also recruit emerging desires among workers for flexible labour – desires that were soon turned against them.57 In struggling for and successfully seizing the ideological terrain of modernity and freedom, neoliberalism has managed to wind its way inexorably into our very self-conceptions. In arrogating the meaning of terms such as modernisation and freedom, neoliberalism has proved itself to be the single most successful hegemonic project of the last fifty years.

Neoliberalism has thus become ‘the form of our existence – the way in which we are led to conduct ourselves, to relate to others and to ourselves’.58 It is, in other words, not just politicians, business leaders, the media elite and academics who have been enrolled into this vision of the world, but also workers, students, migrants – and everyone else. In other words, neoliberalism creates subjects. Paradigmatically, we are constructed as competitive subjects – a role that encompasses and surpasses industrial capitalism’s productive subject. The imperatives of neoliberalism drive these subjects to constant self-improvement in every aspect of their lives. Perpetual education, the omnipresent requirement to be employable, and the constant need for self-reinvention are all of a piece with this neoliberal subjectivity. 59 The competitive subject, moreover, straddles the divide between the public and the private. One’s personal life is as bound to competition as one’s work life. Under these conditions, it is no surprise that anxiety proliferates in contemporary societies. Indeed, an entire battery of psychopathologies has been exacerbated under neoliberalism: stress, anxiety, depression and attention deficit disorders are increasingly common psychological responses to the world around us.60 Crucially, the construction of everyday neoliberalism has also been a primary source of political passivity. Even if you do not buy into the ideology, its effects nevertheless force you into increasingly precarious situations and increasingly entrepreneurial inclinations. We need money to survive, so we market ourselves, do multiple jobs, stress and worry about how to pay rent, pinch pennies at the grocery store, and turn socialising into networking. Given these effects, political mobilisation becomes a dream that is perpetually postponed, driven away by the anxieties and pressures of everyday life.

At the same time, we should recognise that this production of subjectivity was not simply an external imposition. Hegemony, in all its forms, operates not as an illusion, but as something that builds on the very real desires of the population. Neoliberal hegemony has played upon ideas, yearnings and drives already existing within society, mobilising and promising to fulfil those that could be aligned with its basic agenda. The worship of individual freedom, the value ascribed to hard work, freedom from the rigid work week, individual expression through work, the belief in meritocracy, the bitterness felt at corrupt politicians, unions and bureaucracies – these beliefs and desires pre-exist neoliberalism and find expression in it.61 Bridging the left–right divide, many people today are simply angry at what they see as others taking advantage of the system. Hatred for the rich tax evader combines easily with disgust for the poor welfare cheat; anger at the oppressive employer becomes indistinguishable from anger at all politicians. This is linked with the spread of middle-class identities and aspirations – desires for home ownership, self-reliance and entrepreneurial spirit were fostered and extended into formerly working-class social spaces.62 Neoliberal ideology has a grounding in lived experience and does not exist simply as an academic puzzle.63 Neoliberalism has become parasitical on everyday experience, and any critical analysis that misses this is bound to misrecognise the deep roots of neoliberalism in today’s society. Over the course of decades, neoliberalism has therefore come to shape not only elite opinions and beliefs, but also the normative fabric of everyday life itself. The particular interests of neoliberals have become universalised, which is to say, hegemonic.64 Neoliberalism constitutes our collective common sense, making us its subjects whether we believe in it or not.65

A MONT PELERIN OF THE LEFT?

It has often been argued that neoliberalism succeeded (and continues to succeed in spite of its failures) because it is supported by a series of overlapping and powerful interests – the transnational elite, the financiers, the major stockholders of the largest corporations. While these interests have certainly assisted the potency of the neoliberal ideology, such an explanation nevertheless leaves certain questions unanswered. If elite support was sufficient for ideological success, and if neoliberalism was clearly beneficial to elites, there would not have been a forty-year delay between the initial formulation of the ideas and their implementation. Instead, the embedded liberalism of Keynesianism remained ideologically dominant even as it constrained powerful interests. In particular, financial interests were sidelined for a long period after the 1929 crash and ensuing Great Depression. The power dynamics maintaining the Keynesian consensus needed to be taken apart piecemeal. Equally, an explanation of neoliberalism’s success that relies solely on its compatibility with particular elite interests also leaves unexplained why other possible responses to the problems of the 1970s were never implemented. An important element of neoliberalism’s eventual ideological success is that there was both a crisis and a readily available solution. The crisis (stagflation) was one that no government knew how to deal with at the time, while the solution was the preconceived neoliberal ideas that had been fermenting for decades in its ideological ecology. It was not that neoliberals presented a better argument for their position (the myth of rational political discourse); rather, an institutional infrastructure was constructed to project their ideas and establish them as the new common sense of the political elite.

In all of this there are important lessons to be learned, which have led some to call for a Mont Pelerin of the left.66 On the broadest level, this history of neoliberalism serves to demonstrate that the greatest recent success of the right – installing a neoliberal hegemony on a global scale – was accomplished through non–folk-political means. This means, in the first place, that the neoliberals thought in long-term visions. This was a different temporality from both election cycles and the boom-and-bust of individual protests. Instead, what the left can learn from is how the MPS patiently set out explicit objectives and analysed the terrain of their historical conjunction, all in order to propose specific and effective means to alter that terrain. It set its sights on long-term change, waiting forty years for the crisis of Keynesianism and the emergence of Reagan and Thatcher. In taking this approach, the intellectuals of neoliberalism thought abstractly in terms of possibilities: what was impossible during their own time became possible later, partly through their actions and preparations. Secondly, they sought to build a counter-hegemonic project that would overturn the consensus around social democracy and Keynesian policies. They took a full-spectrum approach to changing hegemonic conditions and built up an entire ideological infrastructure that was capable of insinuating itself into every political issue and every fibre of political common sense. It overthrew the hegemonic ideas of its time. As Philip Mirowski writes, their strategic genius was

“to appreciate that it is not enough to dangle a utopian vision just beyond reach as eventual motivation for political action; the cadre that triumphs is the side that can simultaneously mount a full set of seemingly unrelated political proposals that deal with the short-, medium-, and longterm horizons of action, combining regimes of knowledge and interim outcomes, so that the end result is the inexorable movement of the polis ever closer to the eventual goal. The shrewd strategy of simultaneously conducting both a short game and a long game, superficially appearing to the uninformed to be in mutual conflict but united behind the scenes by overarching theoretical aims, is probably the single most significant explanation of the triumph of neoliberal policies during a conjuncture where their opponents had come to expect utter refutation.”67

The third major lesson for the left to learn is that the loose collective of MPS also thought expansively in spatial terms – aiming to spread the network globally, through key nodes. In the think tank, they found an organisational form adapted to the task of global intellectual hegemony. They established networks between think tanks, politicians, journalists, the media and teachers – building a consistency between these disparate groups that did not require a unity of purpose or organisational form. This entailed an admirable flexibility in their project. While neoliberalism is often denounced as being too empirically disparate to make sense as a coherent project, it is in fact the willingness to modify its ideas in light of conditions on the ground that has made it particularly powerful as an ideology. The call for a Mont Pelerin of the left should therefore not be taken as an argument to simply copy its mode of operation. The argument is rather that the left can learn from the long-term vision, the methods of global expansion, the pragmatic flexibility and the counter-hegemonic strategy that united an ecology of organisations with a diversity of interests. The demand for a Mont Pelerin of the left is ultimately a call to build anew the hegemony of the left.

#### Movements succeed

Monbiot 19 (George Monbiot, citing Erica Chenoweth - the Berthold Beitz Professor in Human Rights and International Affairs at Harvard Kennedy School, Foreign Policy magazine ranked her among the Top 100 Global Thinkers in 2013 for her efforts to promote the empirical study of civil resistance, she received the Karl Deutsch Award, which the International Studies Association gives annually to the scholar under the age of 40 who has made the greatest impact on the field of international politics or peace research. And together with Maria J. Stephan, she won the 2013 Grawemeyer Award for Ideas Improving World Order, which is presented annually in recognition of outstanding proposals for creating a more just and peaceful world order. Their book, Why Civil Resistance Works, also won the 2012 Woodrow Wilson Foundation Award, given annually by the American Political Science Association in recognition of the best book on government, politics, or international affairs published in the U.S. in the previous calendar year, "Only rebellion will prevent an ecological apocalypse," Guardian, 04/01/2019, <https://www.theguardian.com/commentisfree/2019/apr/15/rebellion-prevent-ecological-apocalypse-civil-disobedience> accessed: 8-29-2019)

As the environmental crisis accelerates, and as protest movements like YouthStrike4Climate and Extinction Rebellion make it harder not to see what we face, people discover more inventive means of shutting their eyes and shedding responsibility. Underlying these excuses is a deep-rooted belief that if we really are in trouble, someone somewhere will come to our rescue: “they” won’t let it happen. But there is no they, just us. The political class, as anyone who has followed its progress over the past three years can surely now see, is chaotic, unwilling and, in isolation, strategically incapable of addressing even short-term crises, let alone a vast existential predicament. Yet a widespread and wilful naivety prevails: the belief that voting is the only political action required to change a system. Unless it is accompanied by the concentrated power of protest – articulating precise demands and creating space in which new political factions can grow – voting, while essential, remains a blunt and feeble instrument. The media, with a few exceptions, is actively hostile. Even when broadcasters cover these issues, they carefully avoid any mention of power, talking about environmental collapse as if it is driven by mysterious, passive forces, and proposing microscopic fixes for vast structural problems. The BBC’s Blue Planet Live series exemplified this tendency. Those who govern the nation and shape public discourse cannot be trusted with the preservation of life on Earth. There is no benign authority preserving us from harm. No one is coming to save us. None of us can justifiably avoid the call to come together to save ourselves. I see despair as another variety of disavowal. By throwing up our hands about the calamities that could one day afflict us, we disguise and distance them, converting concrete choices into indecipherable dread. We might relieve ourselves of moral agency by claiming that it’s already too late to act, but in doing so we condemn others to destitution or death. Catastrophe afflicts people now and, unlike those in the rich world who can still afford to wallow in despair, they are forced to respond in practical ways. In Mozambique, Zimbabwe and Malawi, devastated by Cyclone Idai, in Syria, Libya and Yemen, where climate chaos has contributed to civil war, in Guatemala, Honduras and El Salvador,, where crop failure, drought and the collapse of fisheries have driven people from their homes, despair is not an option. Our inaction has forced them into action, as they respond to terrifying circumstances caused primarily by the rich world’s consumption. The Christians are right: despair is a sin. As the author Jeremy Lent points out in a recent essay, it is almost certainly too late to save some of the world’s great living wonders, such as coral reefs and monarch butterflies. It might also be too late to prevent many of the world’s most vulnerable people from losing their homes. But, he argues, with every increment of global heating, with every rise in material resource consumption, we will have to accept still greater losses, many of which can still be prevented through radical transformation. Every nonlinear transformation in history has taken people by surprise. As Alexei Yurchak explains in his book about the collapse of the Soviet Union – Everything Was Forever, Until It Was No More – systems look immutable until they suddenly disintegrate. As soon as they do, the disintegration retrospectively looks inevitable. Our system – characterised by perpetual economic growth on a planet that is not growing – will inevitably implode. The only question is whether the transformation is planned or unplanned. Our task is to ensure it is planned, and fast. We need to conceive and build a new system based on the principle that every generation, everywhere has an equal right to enjoy natural wealth. This is less daunting than we might imagine. As Erica Chenoweth’s historical research reveals, for a peaceful mass movement to succeed, a maximum of 3.5% of the population needs to mobilise. Humans are ultra-social mammals, constantly if subliminally aware of shifting social currents. Once we perceive that the status quo has changed, we flip suddenly from support for one state of being to support for another. When a committed and vocal 3.5% unites behind the demand for a new system, the social avalanche that follows becomes irresistible. Giving up before we have reached this threshold is worse than despair: it is defeatism. Today, Extinction Rebellion takes to streets around the world in defence of our life-support systems. Through daring, disruptive, nonviolent action, it forces our environmental predicament on to the political agenda. Who are these people? Another “they”, who might rescue us from our follies? The success of this mobilisation depends on us. It will reach the critical threshold only if enough of us cast aside denial and despair, and join this exuberant, proliferating movement. The time for excuses is over. The struggle to overthrow our life-denying system has begun.

## Case

#### Capitalism ensures bad AI---ruthless maximization is a s-risk.

**Shino 15** [Yuya, Journalist at Reuters "Capitalist forces could create ‘uncontrollable’ artificial intelligence – scientist," RT International, https://www.rt.com/uk/235143-capitalism-ai-dangerous-technology]

Murray Shanahan, professor of cognitive robotics at Imperial College London, cautioned against “capitalist forces” developing AI without any sense of morality, arguing it could lead to potentially “uncontrollable military technologies.” Shanahan’s comments follow warnings from leading scientists and entrepreneurs, including Stephen Hawking, Bill Gates, and Tesla Motors CEO Elon Musk. Gates admitted last month that he doesn’t “understand why some people are not concerned” by the threat of AI. Speaking to the Centre for the Study of Existential Risk at the University of Cambridge last week, Shanahan argued that AI development faces two options. Either a potentially dangerous AI is developed – with no moral reasoning and based on ruthless optimization processes – or scientists develop AI based on human brains, borrowing from our psychology and even neurology. “Right now, my vote is for option two, in the hope that it will lead to a form of harmonious co-existence [with humanity],” Shanahan said. AI based on the human brain would not be possible without first mapping the organ – a task the Human Connectome Project (HCP) is undertaking and aims to complete by late 2015. However, once the map is complete, it could take years to analyze all the data gathered. Experts disagree as to how long it will be before AI is successfully developed – or if it is even possible. Estimates range from 15 years to 100 years from now, with Shanahan believing that by the year 2100, AI will be “increasingly likely but still not certain.” Whether the technology is helpful or harmful to humans depends on which of Shanahan’s two options becomes the driving force behind its development. There is a fear that current economic and political systems are leading to the development of option one – a machine with no moral reasoning. “Capitalist forces will drive incentive to produce ruthless maximization processes. With this there is the temptation to develop risky things,” Shanahan said. For Shanahan, risky things include AI which could rig elections, subvert markets, or become dangerous military technology. “Within the military sphere governments will build these things just in case the others do it, so it's a very difficult process to stop.” Shanahan’s comments echo fears expressed by Gates and Musk last year, both of whom were influenced by Nick Bostrom’s book “Superintelligence: Paths, Dangers, Strategies,” he said. In his book 'Superintelligence: Paths, dangers, strategies,' Nick Bostrom – a professor of philosophy at Oxford University – argues that if machine brains surpass humans in intelligence, they could eventually replace us as the dominant species on earth. “As the fate of the gorillas now depends more on us humans than on the gorillas themselves,” Bostrom writes, “so the fate of our species then would come to depend on the actions of the machine superintelligence.” After reading Bostrom's book, Musk warned that the threat posed by AI could be greater than nuclear weapons. He donated $10 million to the Future of Life Institute in January, a global research program aimed at keeping AI beneficial to humanity.

#### It incentivizes China towards fin tech focus.

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

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

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

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

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

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

(Mark Zuckerberg, Feb 16, 2020)

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

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

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

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

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

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

5 Final remarks

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

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

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

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

#### SME Link – SMEs inhibit progress and maintain cap and inequalities

Kohl, 21

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The purpose of this paper has been to critically evaluate the case for deconcentration as a tool to restore the functioning of democratic capitalism with its three core elements of good and stable employment relations, relative equality and healthy democracy. We do not fundamentally doubt that monopolization and the emergence of the giant firm represent crucial challenges for 21st-century democratic capitalism. However, we assembled extensive evidence suggesting that the small capitalist firm is probably not the final solution to these challenges. Empirically, the small capitalist firm has rather been a routine inhibitor of the realization of progressive reforms and might not be the much-vaunted motor of good, stable jobs. While antitrust might be able to reduce certain inequalities of disposable incomes through consumption, SMEs might themselves be a potential contributor to wealth inequalities. Realizing equality through the consumption channel might also be less straightforward than attacking income and wealth inequality at its core. Finally, research on the ‘extremism of the center’ suggests that SMEs and allied interests might even turn into a reactionary force in modern democracy, inhibiting social reform and regulation. SMEs are among the key defenders of low inheritance and wealth taxation in the protection of their business wealth and thus rather stand in the way of Piketty’s participatory socialism and ‘progressive tax triptych.’ Reasons of space prevent us from dissecting other inconclusive empirical evidence for further claims brought forward by modern Mittelstand ideals, such as superior innovativeness and contributions to employment. As important as size can be for determining social phenomena (Simmel [1908] 1950), it might generally be too unsteady a factor to build a strong reform agenda upon. As generalizing sets of political economic assertions, Mittelstand ideologies rarely stand the test of scientific scrutiny. Yet, the debate about monopoly in present day democratic capitalism has made important and remarkable contributions to public controversies. Particularly the debate about the need for collective intervention in the conduct of Big Tech corporations has been ameliorated by the new wave of antitrust thinking (Khan 2018). We do think, however, that it has equally distracted from more straightforward questions about the malaise of democratic capitalism. In essence, Mittelstand proponents suggest the truly difficult reform path of a politically enforced change of market structure, hoping for a long series of beneficial ripple effects. Most of the targeted ripple effects, such as full employment, a purified democratic process, betterment of working conditions, and reduced inequalities, have been targeted by tried and tested policies throughout the 20th century. Campaign finance reform in the United States or lobbying regulation in the European Union seem like much clearer targets for political energy than the beneficial effects of the small capitalist firm. Regulation should be effective for firms of all sizes rather than making size itself the crucial operating parameter. Tackling inequalities through yet another bureaucratic agency without much democratic legitimacy might also not be the best way to compensate for the democratic deficit attributed to the European Union. In our view, the debate about monopoly has a similarly ambivalent character in the intellectual debate about the nature and evolution of democratic capitalism. On a high level of generality, critics of monopoly and large firms suggest that democracy and capitalism are symbiotic structures by nature, whereas the latter has been corrupted by incremental concentration. Repair through purification then seems like a straightforward reform agenda to restore symbiosis. While the case that capitalism comes in varieties, some of which may be corrupting, is a valuable contribution, the focus on firm size can overshadow more basic fault lines. Emancipatory social movements, redistributional institutions and regulatory frameworks have historically both succeeded and failed in a wide variety of corporate environments.

#### Squo solves

**Langenfeld and Ring, 3/2** [James, Managing Director of BRG and Chris, Director of BRG; “Antitrust Legislation, Here’s What You Need to Know about the Economics of Digital Platforms,” March 2, 2022; <https://thinksetmag.com/insights/ts-big-tech-antitrust-legislation-digital>]

This year will mark a turning point for large tech platforms and how they do business, with numerous [bills](https://www.cnbc.com/2021/06/11/amazon-apple-facebook-and-google-targeted-in-bipartisan-antitrust-reform-bills.html) moving through Congress, a new FTC chair and DOJ antitrust head on record for challenging Big Tech practices, ongoing cases against Facebook and Google, and aggressive actions by the EU and other countries.

Born out of heightened scrutiny of Big Tech and a 16-month investigation by a House subcommittee into the competitive practices of prevailing tech giants—which concluded that several hold monopoly power—new regulatory pressures take aim at stifling anticompetitive mergers, preventing conflicts of interest, and stopping perceived discriminatory behaviors that may hamper competitors to the platforms. The American Innovation and Choice Online Act, for instance, would set new restrictions on how large digital platforms can “[unfairly promote themselves and disadvantage rivals](https://www.desmoinesregister.com/story/opinion/columnists/iowa-view/2021/12/14/american-innovation-choice-online-act-boost-small-businesses-big-tech/6497340001/).” The bill has gained considerable momentum and, if passed, would represent a significant change to antitrust law.

Even if the bill doesn’t pass, the spotlight on Big Tech won’t dissipate anytime soon. Current legislation is surprisingly bipartisan in its efforts to address the unique challenges Congress and regulatory agencies believe many prominent digital platforms pose to fair competition in digital markets. One report found that a [majority](https://www.ftc.gov/system/files/documents/public_comments/2018/08/ftc-2018-0049-d-1622-155193.pdf) of Americans believe these companies don’t act responsibly and should be regulated.

Given the potential for such drastic shifts on the horizon, it’s crucial that policymakers, market participants, and industry observers understand how digital platforms have been defined historically, the benefits they provide, and, consequently, the implications of efforts to redefine them.